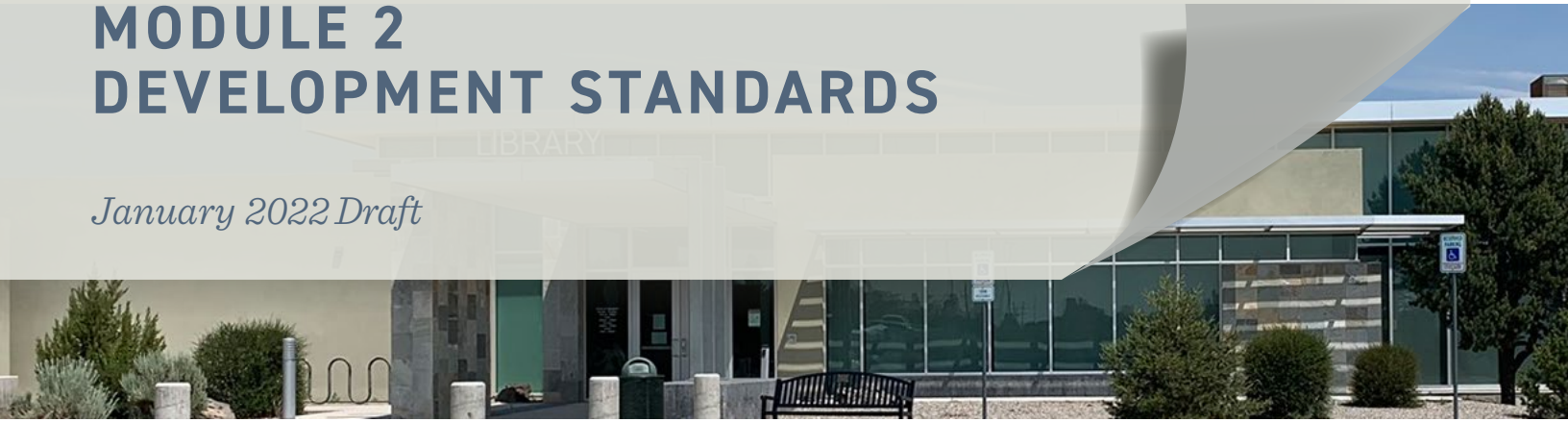




Los Alamos County

**DEVELOPMENT CODE
MODULE 2
DEVELOPMENT STANDARDS**

January 2022 Draft



DEVELOPMENT CODE UPDATE

The Development Code Update will analyze and revise the Chapter 16 Development Code, AKA the County's Zoning Code. The goal of this project is to align the Development Code with the goals of the Comprehensive Plan, create a Development Code that is more efficient and transparent with standards that reflect national best practices. These adjustments aim to encourage the right development, within the appropriate location and suitable design to enhance the public health, safety, welfare, and overall quality of living within Los Alamos County.

The Phase 2 Development Code Update began in 2021. The project team produced a Technical Code Review that identified proposed revisions to Chapter 16. The Technical Code Review identified sections that should be updated, sections that should be retained, and provided preliminary recommendations on the proposed updates and structure. The Technical Code Review was released in January 2021 and can be viewed [here](#).

The actual standards of the Development Code will be updated in a series of three modules. Module 1: Zone District and Use Regulations, released in July 2021, focused on updates to the zone and overlay districts, associated district standards, the use index table, and use-specific standards. Module 2: Development Standards, this document, reorganizes and updates any development standards found in the Development Code including, but not limited to, parking and loading, landscaping, and architecture. Module 3: Administration and Procedures, anticipated to be released Spring/ Summer of 2022, focuses on the reorganization and streamlining of content related to administration, enforcement, and procedures.

This approach creates incremental updates addressing each section separately. Public comments received on each module will be incorporated into the subsequent Module, i.e. public comments on Module 1 will be incorporated into Module 2 etc.. This document tracks updates made in response to comments received in Module 1. Content removed as a result of public comments are indicating in this document via text that is struck through (e.g. ~~content removed~~), while new content added as a result of public comments is underlined (e.g. new content), with the exception of cross-references.

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PART 16-1. GOVERNING PROVISIONS

SECTION 16-1-1 TITLE

This chapter shall be known as the “County of Los Alamos Development Code” and may be referred to as the “Development Code” or “Code.”

SECTION 16-1-2 AUTHORITY

This Development Code is adopted pursuant to the authority contained in NMSA 1978, §§ 3-19-1—3-21-26 et seq., and the Charter of the incorporated County.

SECTION 16-1-3 APPLICABILITY AND JURISDICTION

1. The Development Code shall apply to all development and redevelopment, public and private, except as provided below, within the municipal boundaries and the planning and platting jurisdiction of the County.
2. The County shall be exempt from compliance with this Code in its construction, improvement, development or government use of public improvements or land to the extent that such construction, improvement, development or use is significantly dissimilar to private construction, improvement, development or use, or that compliance with the provisions of this chapter would infringe upon the County’s obligation to promote and preserve the public health, safety, and welfare.
3. The County may not exempt itself from compliance with the provisions of this Code for projects such as offices, recreational facilities, warehouses, or storage yards. Specific requirements such as parking standards, height and setback requirements, and the sign ordinance must be satisfied by any proposed County project. The intent of this exemption is to allow the County to construct unique structures such as utility stations, water towers and wastewater treatment plants that may be incompatible with development regulations that were written for more routine structures. The examples of specific uses in this subsection are included for purposes of illustration and not limitation.
4. For the County to exempt itself from compliance with the provisions of this Code, the County Council shall, by motion, specifically exempt projects and/or developments for unique structures on a case-by-case basis. The only exception shall be for projects and/or developments for unique structures costing \$50,000.00 or less.

SECTION 16-1-4 PURPOSE

The purpose of the Development Code is to:

1. Implement the adopted goals, policies and strategies of Los Alamos County, including those set forth in the Comprehensive Plan and other adopted plans;
2. Protect the health, safety, and welfare of the County;
3. Provide adequate privacy, light, and air, and otherwise mitigating adverse impacts associated with development that occurs in the County;
4. Provide protection from fire, flood, and other dangers;
5. Facilitate adequate provision for transportation, utilities, schools, parks, and other public requirements;

6. Conserve the value of buildings and land pursuant to NMSA 1978, § 3-21-5.B, and to encourage the most appropriate use of land throughout the County;
7. Establish land use districts and provide for the appropriate regulation of land use within those districts;
8. Divide the County into zone districts according to the use of land and structures and the intensity of such use;
9. Guide the location and use of structures and land for commercial, industrial, public and residential uses where they are, or can be made to be, compatible with neighboring land uses;
10. Provide for harmonious development in the County;
11. Provide for coordination of street plans;
12. Provide for needed school and park lands;
13. Preserve the natural beauty, vegetation and topography, and prevent the pollution of air, water, and the general environment;
14. Ensure adequate drainage and availability of utility resources and facilities;
15. Control and abate the unsightly use of buildings or land;
16. Provide flexible regulations which encourage compatible, creative, and efficient uses of land;
17. Provide for the administration and enforcement of this chapter; and
18. Provide service to applicants and property owners in understanding and working with the provisions and procedures of this chapter.

SECTION 16-1-5 RELATION TO COMPREHENSIVE PLAN

The Los Alamos County Comprehensive Plan, as amended, establishes the official policy of the County concerning designated future land uses and guides decisions regarding the appropriate manner in which property within the incorporated areas of the County should be zoned. The Development Code is the primary tool used by the County to implement the goals, policies, and strategies of the Comprehensive Plan. Any applicant seeking to amend the Official Zoning Map to a classification that is inconsistent with the adopted Comprehensive Plan must first obtain approval from Planning and Zoning Commission and the County Council, following the procedures in *PART 16-5 Administration and Enforcement* of this Development Code.

SECTION 16-1-6 ZONING AND SUBDIVISION PURPOSE AND AUTHORITY

1-6(A) ZONING

The purpose and authority to regulate the use of land shall be as follows:

1. Promote the health, safety, and welfare of the County;
2. Facilitate orderly growth and development of the County consistent with the goals, concepts, strategies, and policies of the Comprehensive Plan or amendments thereto;
3. Provide adequate light and air; minimize congestion in the streets and public ways; secure safety from fire, panic, and other dangers; avoid undue concentration of population; and prevent the overcrowding of lands;
4. Facilitate adequate provision for transportation, utilities, schools, parks, and other public requirements;
5. Conserve the value of buildings and land pursuant to NMSA 1978, § 3-21-5.B, and to encourage the most appropriate use of land throughout the County;
6. Establish land use districts and provide for the appropriate regulation of land use within those districts;
7. Divide the County into zone districts according to the use of land and structures and the intensity of

- such use;
8. Guide the location and use of structures and land for commercial, industrial, public, and residential uses where they are, or can be made to be, compatible with neighboring land uses;
 9. Provide for harmonious development in the County;
 10. Provide for coordination of street plans;
 11. Provide for needed school and park lands;
 12. Provide for safety in the community;
 13. Preserve the natural beauty, vegetation, and topography, and prevent the pollution of air, water, and the general environment;
 14. Ensure adequate drainage and availability of utility resources and facilities;
 15. Create conditions preserving the health, safety, order, and convenience, and promote the prospering and general welfare of the community;
 16. Control and abate the unsightly use of buildings or land;
 17. Provide flexible regulations which encourage compatible, creative and efficient uses of land;
 18. Provide for the administration and enforcement of this chapter; and
 19. Provide service to applicants and property owners in understanding and working with the provisions and procedures of this chapter.

1-6(B) SUBDIVISIONS

The scope and authority to regulate the subdivision of land shall be as follows:

1. The regulations governing the subdivision of land shall have been adopted by the County Council following consideration of recommendations by the Planning and Zoning Commission.
2. The Planning and Zoning Commission shall be the official body to hear and act upon subdivision requests as set forth in this chapter.
3. The Community Development Director shall be the official person or body to hear and act upon summary plat requests as set forth in this chapter.

SECTION 16-1-7 COMPLIANCE REQUIRED

1. No permit, certificate, or approval of any use that is subject to this Development Code shall be issued or granted by any department, agency, County official, or County employee without a finding of compliance with this Code having been issued by the appropriate review authority.
2. Except as otherwise specified in this Code, i.e. through Waiver, Variance or Special Exception processes outlined in *PART 16-5 Administration and Enforcement*, land may not be used, divided, or subdivided, and buildings may not be constructed, enlarged, altered, or occupied except in compliance with the provisions of this Development Code.

SECTION 16-1-8 INTERPRETATIONS AND CONFLICTING REGULATIONS

1. The standards of this Development Code are minimum requirements.
2. The Community Development Director has the authority to interpret the provisions of this Development Code pursuant to Section X¹.
3. Adoption of this Development Code is not intended to impair, annul, or abrogate any easement, covenants, deed, or other agreement between parties, public or private.
4. Where conflict occurs between the provisions of this Development Code and any other County code or ordinance, resolution, or guideline, the more restrictive provision shall control.
5. Images in this Development Code are included to aid in the interpretation of the text but are not regulatory. If there is any conflict between an image and text, the text shall govern.

¹ Appropriate cross-reference to be provided in Module 3.

SECTION 16-1-9 EFFECTIVE DATE

This Development Code was adopted by the County Council on INSERT DATE and became effective on INSERT DATE.

SECTION 16-1-10 TRANSITIONS FROM PREVIOUS REGULATIONS

- A. Any development approved before the effective date of this Development Code may be carried out in accordance of the terms and conditions of its approval and the development procedures and standards in effect at the time of approval, provided the approval has not expired and otherwise remains valid. If the prior approval expires, is revoked, or otherwise becomes invalid (i.e. for failure to comply with time limits or the terms and conditions of approval) any subsequent development of the site shall be subject to the procedures and standards of this Development Code.
- B. To the extent a prior approved application proposes development that does not comply with this Development Code, the subsequent development, although permitted, shall be nonconforming and subject to the provisions of Section X² Nonconformities.
- C. If any use, lot, structure, sign, or site feature legally existed on the effective date of this Development Code (See "Section 16-1-9 Effective Date"), but does not fully comply with the standards of the Development Code as amended, then that use, structure, lot, sign, or site feature shall be considered nonconforming and subject to the provisions of Section X³ Nonconformities.

² Appropriate cross-reference to be provided in Module 3.

³ Appropriate cross-reference to be provided in Module 3.

PART 16-2. ZONE DISTRICTS

SECTION 16-2-1 ZONE DISTRICTS ESTABLISHED

The following zone districts as shown in *Table 1 Proposed Zone District Consolidation* are hereby established, together with appropriate abbreviations, which may appear on the Official Zoning Map and elsewhere within this Development Code. Portions of lots within the public right-of-way shall be designated as Unclassified (UNCL) on the Official Zoning Map.

	EXISTING ZONE DISTRICTS	PROPOSED ZONE DISTRICTS
Residential Districts	Residential Agricultural (R-A)	Residential Agricultural (RA) – REMAINS
	Residential Estate (R-E)	Residential Estate (RE) – REMAINS
	Planned Development Residential District (PD-2.0)	Single-family Residential (SFR-1)
	Single-Family Residential District (R-1-12)	
	Planned Development Residential District (PD-3.5)	Single-family Residential (SFR-2)
	Single-family Residential District (R-1-10)	
	Single-family Residential District (R-1-8)	Single-family Residential (SFR-3)
	Planned Development Residential District (PD-5.0)	
	Single-family Residential District (R-1-5)	Single-family Residential (SFR-4)
	Planned Development Residential District (PD-7.0)	
	Planned Development Residential District (PD-12.0)	Single-family Residential (SFR-5)
	Planned Development Residential District (PD-20)	
	Residential Mixed (R-M)	Single-family Residential (SFR-6)
	Residential Mixed—North Community (R-M-NC)	Eliminated
	Multiple-family Residential (Low Density) (R-3-L)	Residential Mixed (RM) – REMAINS
	Multiple-family Residential (Low Density)—North Community (R-3-L-NC)	Residential Mixed—North Community (RM-NC)
	Multiple-family Residential (High Density) R-3-H	Multi-family Low-residential (MFR-L)
	Multiple-family Residential (Very High Density) R-3-H-40	Multiple-family Residential (Low Density)—North Community (MFR-L-NC)- REMAINS
	Mobile Home Subdivision (R-4)	Multi-family Medium-residential (MFR-M)
	Mobile Home Park (R-5)	
Mobile Home Development (R-6)		
Mixed-use Zone Districts	Mixed-use (MU)	Multi-family High-residential (MFR-H)
	Downtown Overlays (DT-NG, DT-NCO, DT-TCO, DT-CPO)	Manufactured Home Community (MHC)
		Mixed-use (MU) – REMAINS
		Downtown Los Alamos (DTLA)
		White Rock Town Center (WRTC) – NEW

TABLE 1: PROPOSED ZONE DISTRICT CONSOLIDATION

	EXISTING ZONE DISTRICTS	PROPOSED ZONE DISTRICTS
Non-residential Zone Districts	Professional Office (P-O)	Professional Office (PO)
	Research and Development (R&D)	
	Light Commercial and Professional Business (C-1)	General Commercial (GC)
	Civic Center Business and Professional (C-2)	
	Heavy Commercial (C-3)	
	Light Industrial (M-1)	Industrial (IND)
	Heavy Industrial (M-2)	
	Public Land (P-L)	Public Land (PL) – Remains
Federal Lands (F-L)	Eliminated	
Open Space Zone Districts	Park Parcels from Public Land (P-L)	Parks and Open Space –Parks (POS-P)
	Recreation Wilderness (W-2)	Parks and Open Space –Active Open Space (POS-AO)
	Scenic Open Lands (W-1)	Parks and Open Space –Passive Open Space (POS-PO)
Overlay Zone Districts	Historic Overlay	Historic Overlay (H-O)
	Recreation Wilderness (W-2)	Recreational Wilderness District Overlay
	Scenic Open Lands (W-1)	
	Any Residential PD districts with undeveloped parcels, including North Community areas	Planned Residential Development Overlay (PRD-O)
	Special Plan (SP)	Planned Development Overlay (PD-O)

SECTION 16-2-2 OFFICIAL ZONING MAP

2-2(A) ADOPTION OF THE OFFICIAL ZONING MAP

1. The Official Zoning Map is an integral part of this article. It is to be entitled the “Official Zoning Map of Los Alamos County,” signed by the chair of the County Council and attested to by the County Clerk.
2. The Official Zoning Map and all revisions shall be maintained in the office of the County Clerk. This map, as it may from time to time be revised, or a copy certified by the County Clerk to be a true copy of the map or of the map as revised, shall be conclusive on any question of the zone district in which a particular parcel may be located.
3. The Official Zoning Map may be amended by an ordinance containing only textual material, or by an ordinance containing textual material and a revision of all or part of the Official Zoning Map. If the amending ordinance contains only textual material, then such amending ordinance shall bear the legend “Revision No. _____ in textual form, to the Official Zoning Map of Los Alamos County, effective _____.” In addition, such changes shall be made to the Official Zoning Map. This is to be signed by the Community Development Director and attested to by the County Clerk. If the amending ordinance shall include a revision to all or part of the Official Zoning Map, such amending ordinance shall bear the legend “Revision No. _____ to the Official Zoning Map of Los Alamos County, effective _____,” and it shall be signed by the chair of the County Council and attested to by the County Clerk. In addition, such changes shall be made to the Official Zoning Map. In the event that the Official Zoning Map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of amendments, the County Council may by resolution adopt a replacement Official Zoning Map which shall supersede the prior Official Zoning Map and shall be identified by the signature of the County Council chair.

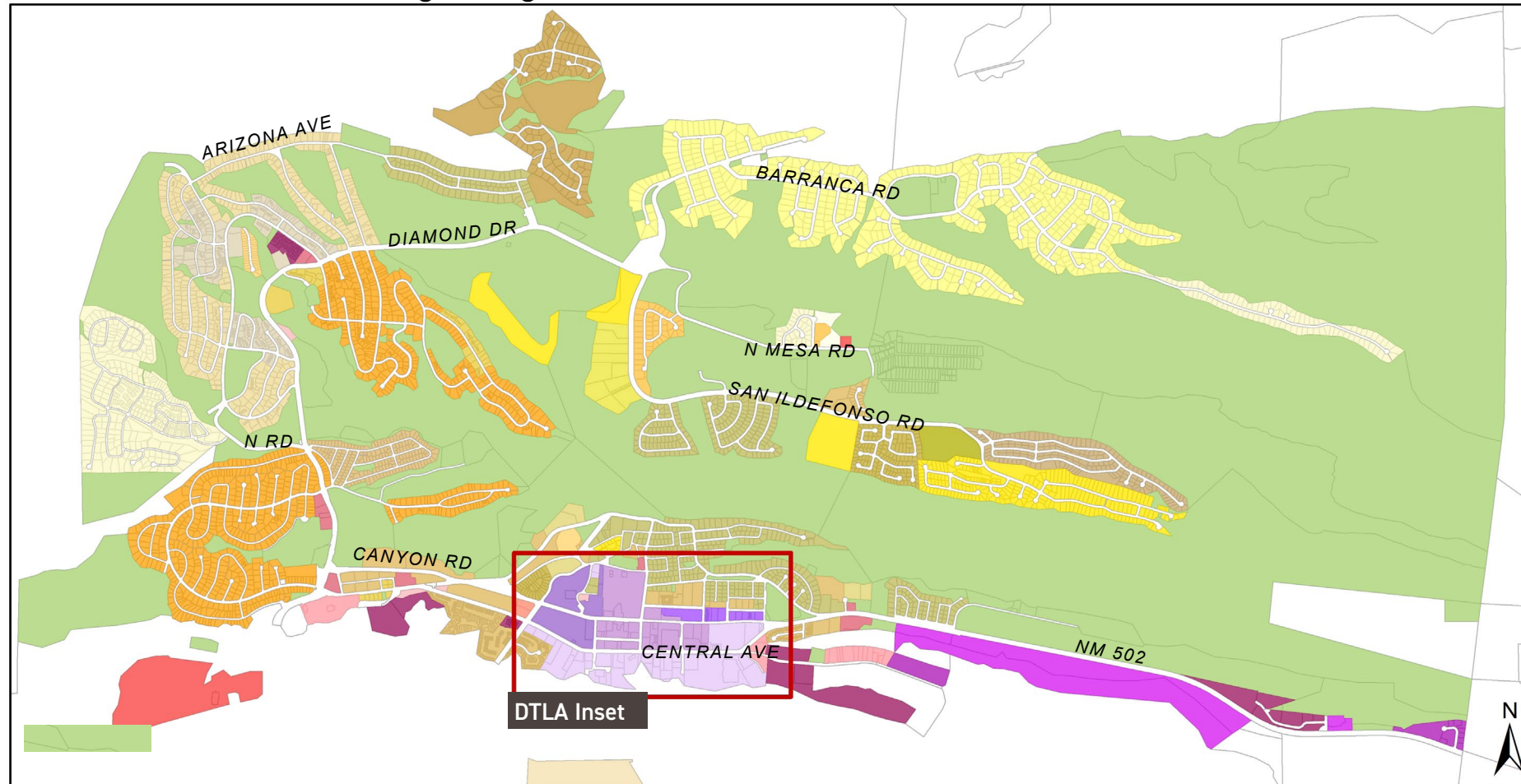
2-2(B) INTERPRETATION OF ZONE DISTRICT BOUNDARIES

Where uncertainty exists as to the boundaries of zone districts as shown on the Official Zoning Map, the following rules shall apply:

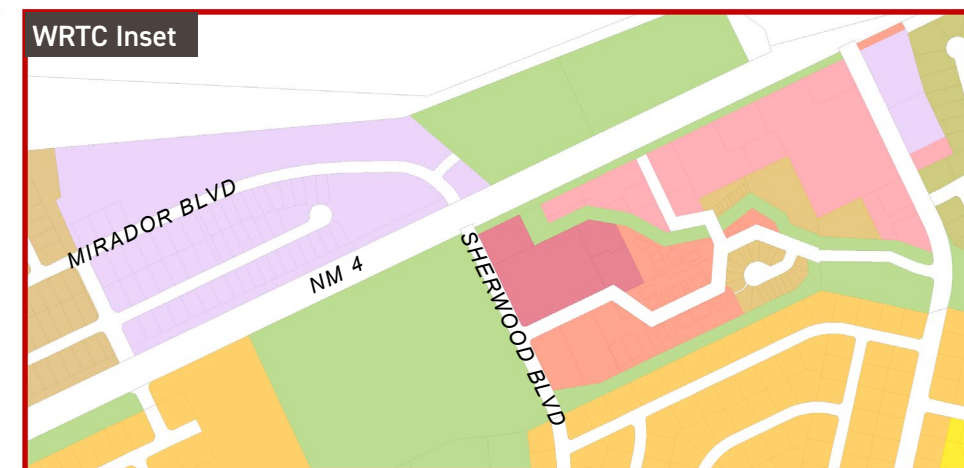
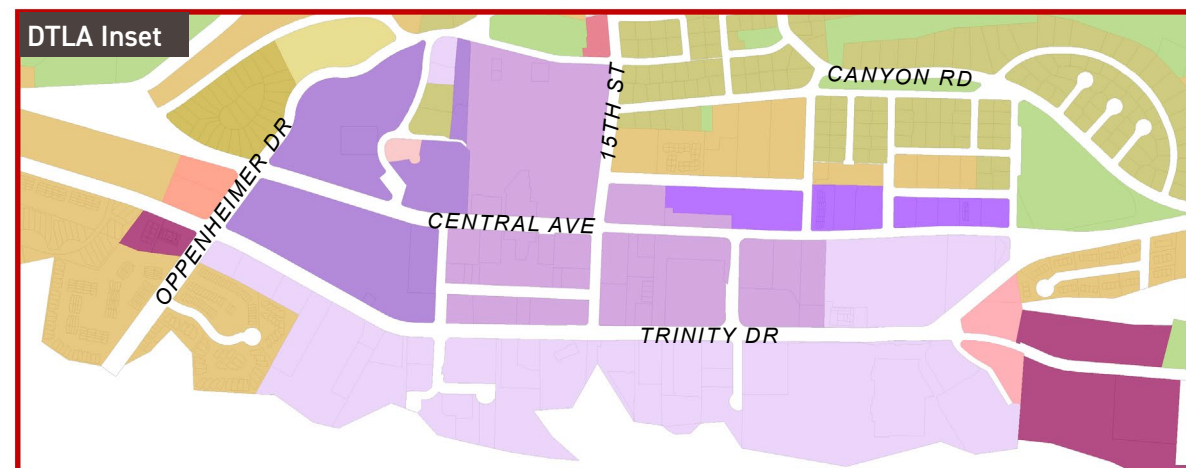
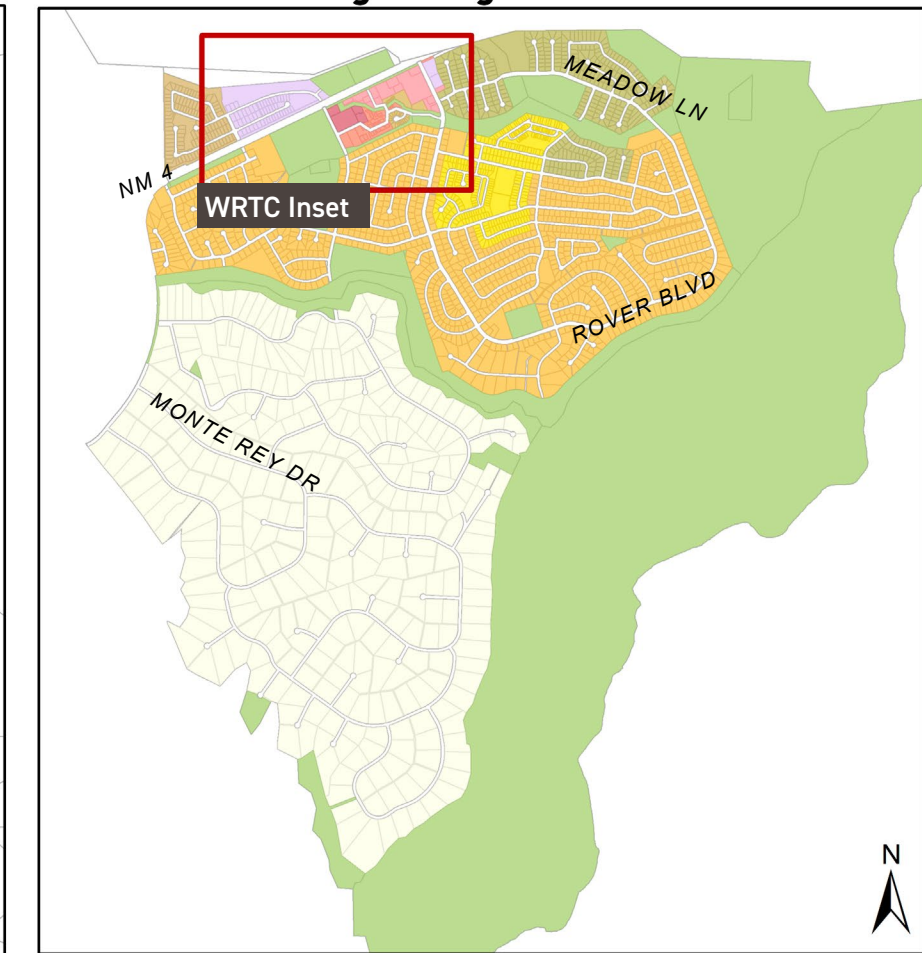
1. Boundaries indicated as approximately following the centerlines of streets, highways or alleys shall be construed to follow such centerlines;
2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines;
3. Boundaries indicated as approximately following County limits shall be construed as following such County limits;
4. Boundaries indicated as being an extension of any street, highway, alley line, or lot line shall be construed to be of the same course and bearing as that line extended;
5. Boundaries indicated as being parallel to features indicated in subsections (a) through (d) of this section shall be so construed.
6. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map; and
7. Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map, or in other circumstances not covered by subsections (a) through (e) of this section, the Planning and Zoning Commission shall interpret the zone district boundaries.

2-2(C) OFFICIAL ZONING MAP

Los Alamos Townsite Existing Zoning



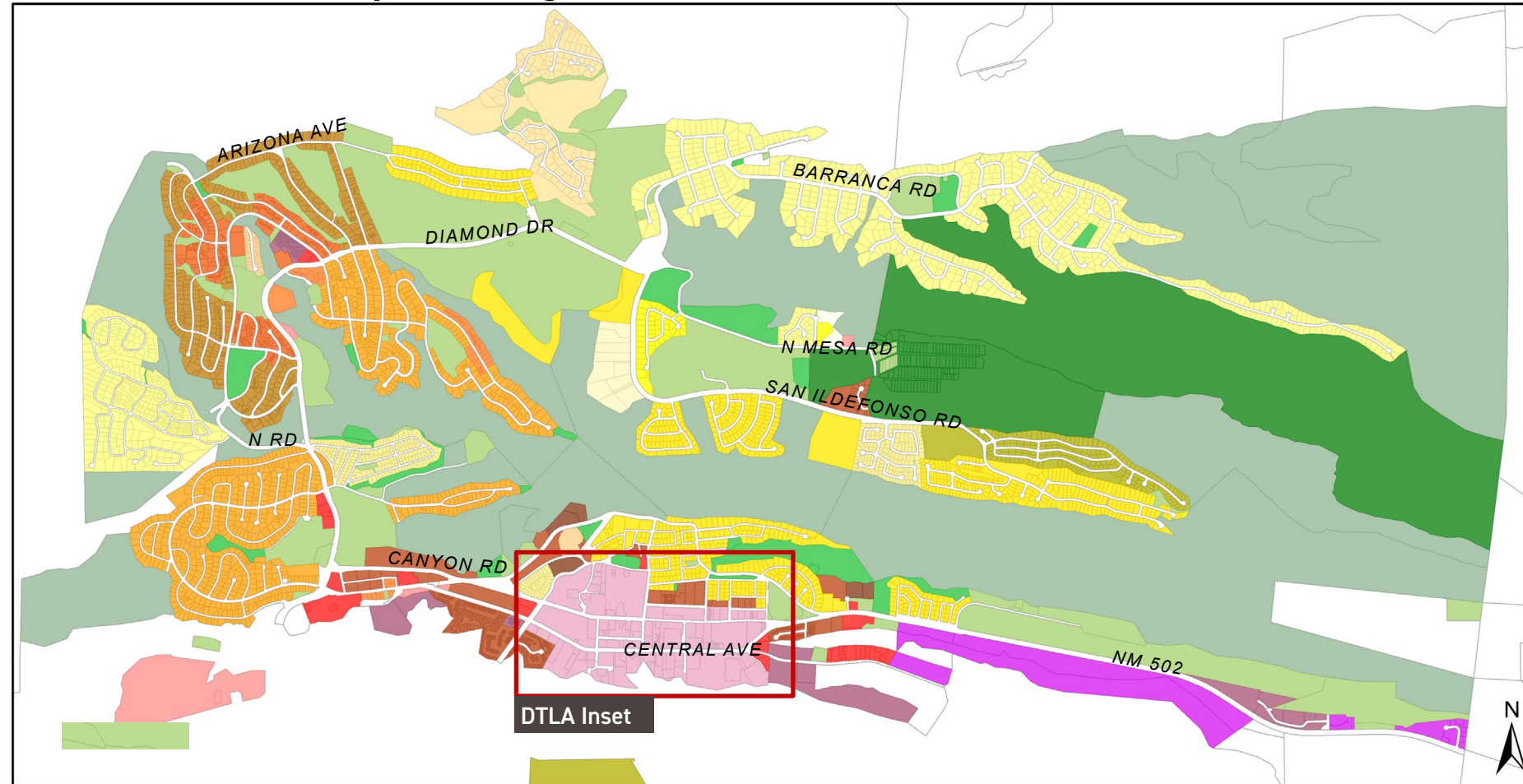
White Rock Existing Zoning



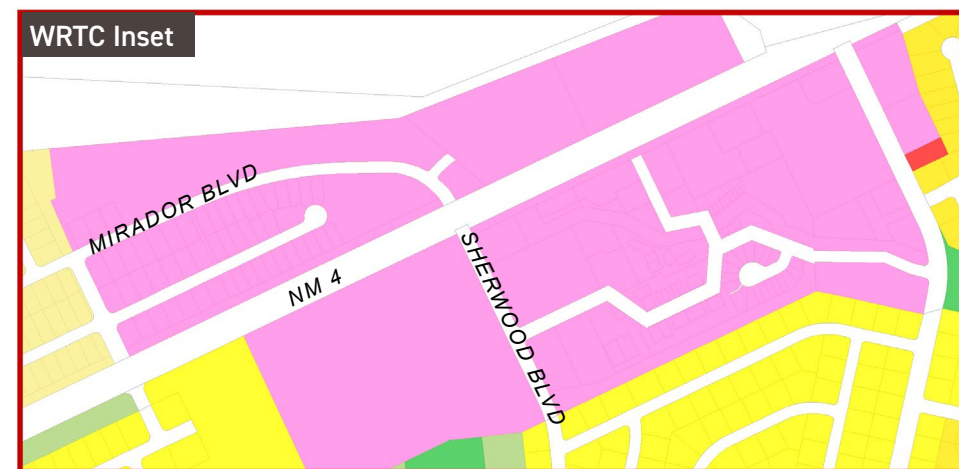
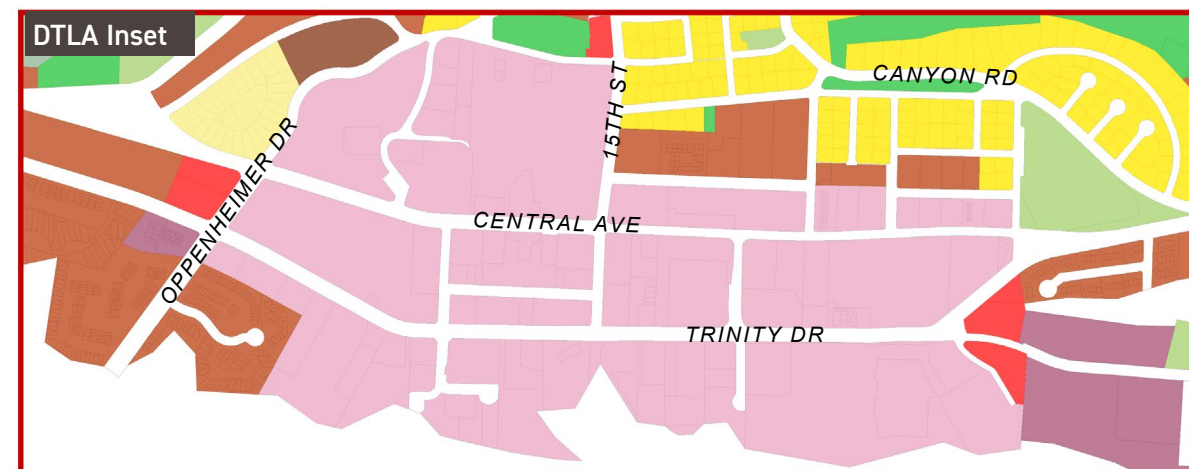
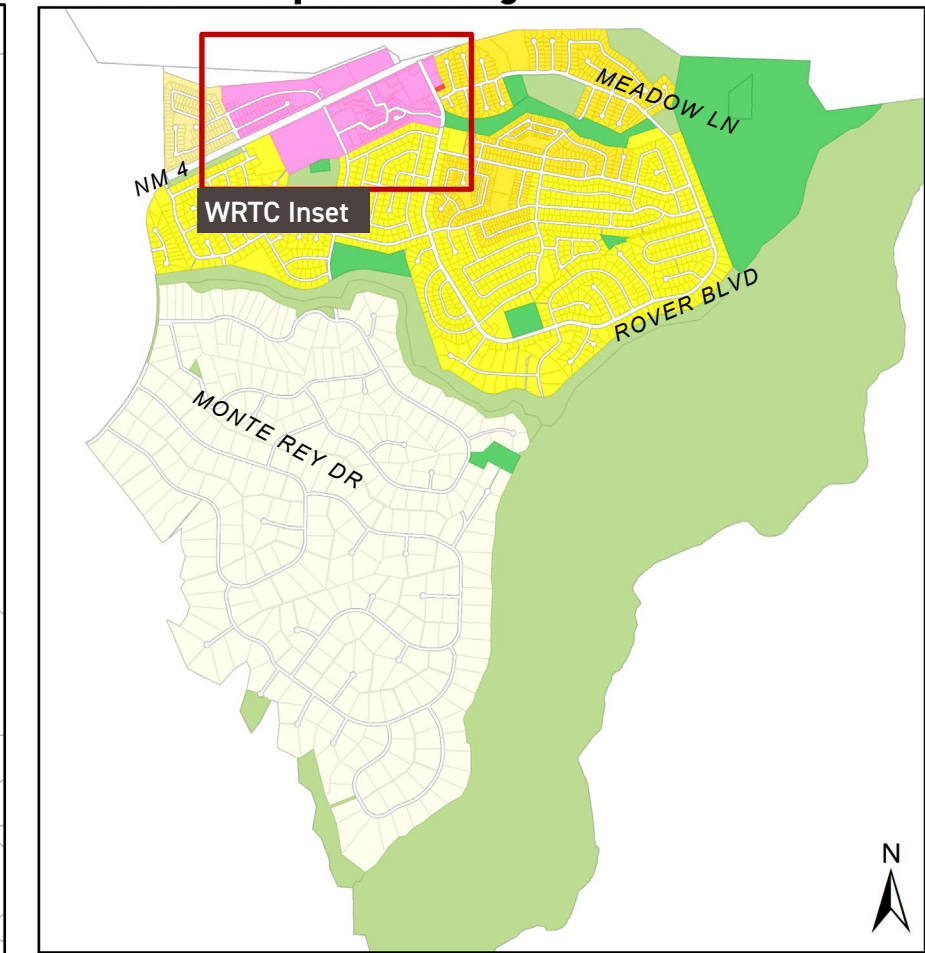
LEGEND

R-A Residential Agricultural	R-1-10 Single-Family Residential	PD-12 Planned Development Residential	R-3-H High Density Multi-Family Residential	MU Mixed-Use	P-O Professional Office	M-1 Light Industrial
R-E Residential Estate	R-1-8 Single-Family Residential	R-M Residential Mixed	R-3-H-40 Very High Density Multi-Family Residential	DT-CPO	R&D Research & Development	M-2 Heavy Industrial
PD-2 Planned Development Residential	PD-5 Planned Development Residential	R-M-NC Residential Mixed North Community	R-4 Mobile Home Subdivision	DT-NCO	C-1 Light Commercial & Professional Business	P-L Public Land
R-1-12 Single-Family Residential	R-1-5 Single-Family Residential	R-3-L Low Density Multi-Family Residential	R-5 Mobile Home Park	DT-NGO	C-2 Civic Center Business & Professional	
PD-3.5 Planned Development Residential	PD-7 Planned Development Residential	R-3-L-NC Low Density Multi-Family Residential North Community	R-6 Mobile Home Development	DT-TCO	C-3 Heavy Commercial	

Los Alamos Townsite Proposed Zoning



White Rock Proposed Zoning



LEGEND

OS-PP Open Space Public Parks	RA Residential Agricultural	SFR-3 Single-Family Residential	RM Mixed Residential	MFR-M Multi-Family Med-Residential	DTLA Downtown Los Alamos
OS-P Open Space Passive	RE Residential Estate	SFR-4 Single-Family Residential	RM-NC Residential Mixed - North Community	MFR-H Multi-Family High-Residential	WRTC Downtown White Rock
OS-A Open Space Active	SFR-1 Single-Family Residential	SFR-5 Single-Family Residential	MFR-L Multi-Family Low-Residential	MHC Manufactured Home Community	PO Professional Office
P-L Public Land	SFR-2 Single-Family Residential	SFR-6 Single-Family Residential	MFR-L-NC Multi-Family Low-Residential North Community	MU Mixed-Use District	GC General Commercial
					IND Industrial

SECTION 16-2-3 BASE ZONE DISTRICTS

2-3(A) RESIDENTIAL ZONE DISTRICTS

2-3(A)(I) RESIDENTIAL AGRICULTURAL ZONE DISTRICT (RA)

The Residential Agricultural (RA) zone district is intended to accommodate and preserve rural residential and agricultural land uses that are characterized by low-density single-family residential uses on large lots where agricultural, horticultural, and animal husbandry activities may be pursued by the residents for personal use.

TABLE 2: RA DIMENSIONAL STANDARDS

Lot Standards		
	Lot area, min	2 acres
A	Lot width, min	65'
Setbacks		
B	Front, min	40'
C	Interior side, min	25'
D	Street side, min	15'
E	Rear, min	25'
Heights		
F	Primary Building Height, max	35'
Density		
	Lot coverage, max	10%



2-3(A)(I)(1) RA ZONE DISTRICT STANDARDS

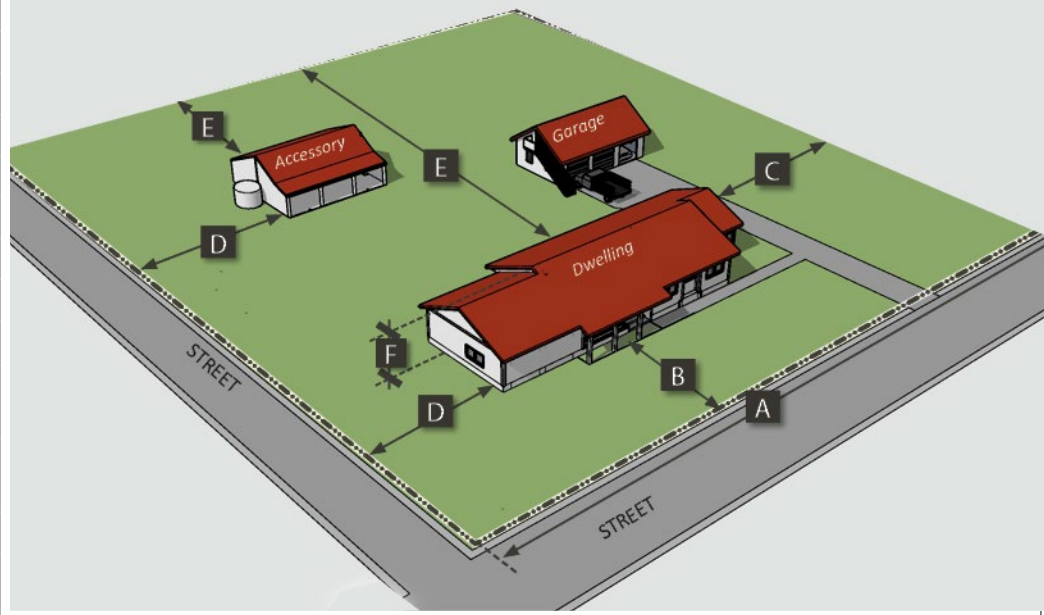
- Animal husbandry activities are permissive, provided they comply with the requirements of Chapter 6: Animals.
- A maximum of 5 Accessory Structures including any carports or garages shall be permitted per lot provided they comply with the following standards:
 - Except as allowed otherwise below, any Accessory Structures shall comply with the standards of Section 3-2(D)(II).
 - Accessory Structures within the RA zone district are permitted to be a maximum of 20 feet in height.
- The use of barbed wire, razor wire, or barbed tape is permissive in the rear yard provided it is not located on lot lines, abutting equestrian trails, public rights-of-way, or County-owned lands and complies with the standards of Section 16-4-7.
- Fences, walls, and gates shall comply with Section 16-4-7, with the exception that the structural support members of any gate shall not exceed 20 feet in height in any required setback area.

2-3(A)(II) RESIDENTIAL ESTATE ZONE DISTRICT (RE)

The Residential Estate (RE) zone district is intended to accommodate semi-rural residential uses characterized by low-density single-family dwellings on large lots.

TABLE 3: RE DIMENSIONAL STANDARDS

Lot Standards		
	Lot area, min	2 acres
A	Lot width, min	65'
Setbacks		
B	Front, min	40'
C	Interior side, min	25'
D	Street side, min	15'
E	Rear, min	25'
Heights		
F	Primary Building Height, max	35'
G	Accessory Building Height, max	20'
Density		
	Lot coverage, max	10%



2-3(A)(II)(1) RE ZONE DISTRICT STANDARDS

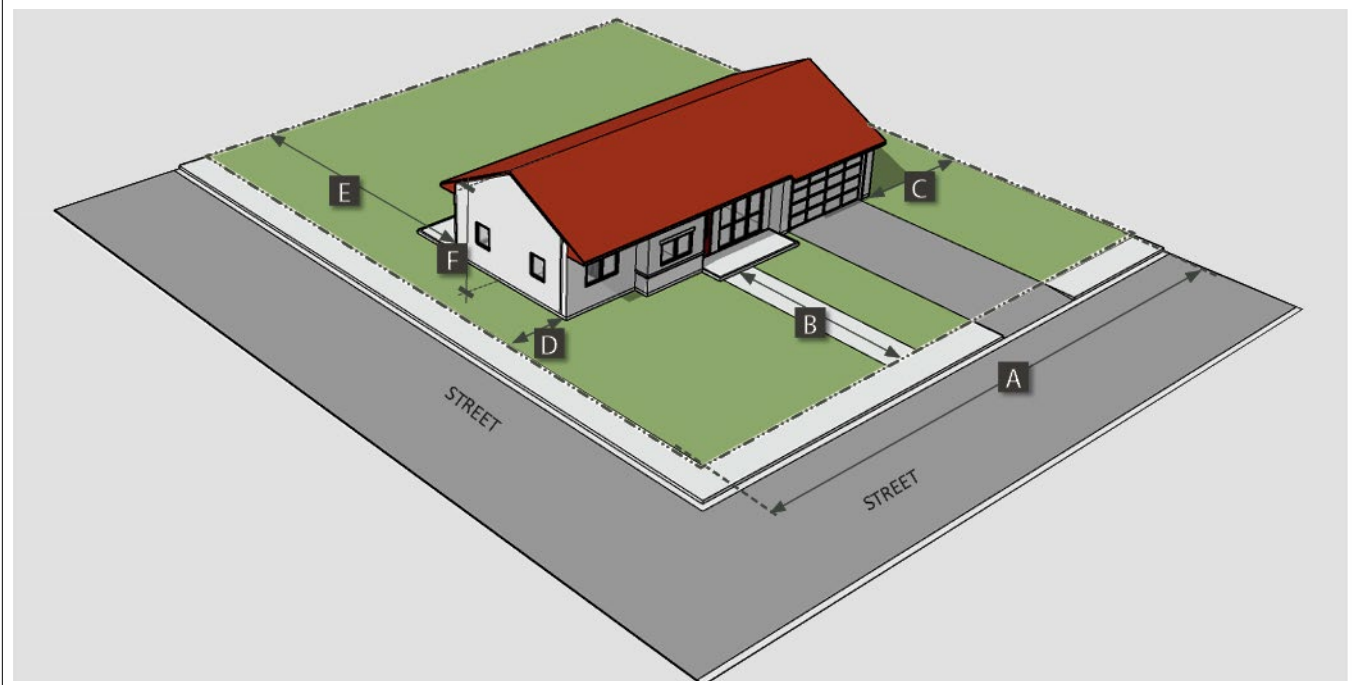
1. A maximum of 5 Accessory Structures including any carports or garages shall be permitted per lot provided they comply with the following standards:
 - A. Except as allowed otherwise below, any Accessory Structures shall comply with the standards of Section 3-2(D)(II).
 - B. Accessory Structures within the RE zone district are permitted to be a maximum of 20 feet in height.
2. Fences, walls, and gates shall comply with Section 16-4-7 with the exception that the structural support members of any gate shall not exceed 20 feet in height in any yard.

2-3(A)(III) SINGLE-FAMILY RESIDENTIAL ZONE DISTRICTS (SFR-1-6)

The Single-family Residential (SFR-1, SFR-2, SFR-3, SFR-4, SFR-5, SFR-6) zone districts are intended to accommodate single-family dwellings with a variety of lots sizes and dimensions that exist in established neighborhoods to maintain and protect their character.

TABLE 4: SFR DIMENSIONAL STANDARDS

Lot Standards	SFR-1	SFR-2	SFR-3	SFR-4	SFR-5	SFR-6
Lot area, min	13,000	12,000	10,000	8,000	5,000	3,500
A Lot width, min	65'	65'	65'	65'	50'	50'
Setbacks						
B Front, min	20'	15'	25'	10'	10'	20'
C Interior side, min	7.5'	10'	10'	5'	5'	7.5'
D Street side, min	15'	15'	15'	15'	15'	15'
E Rear, min	15'	15'	20'	20'	15'	15'
Heights						
F Primary Building Height, max	35'	35'	35'	35'	35'	35'
G Accessory Building Height, max	15'	15'	15'	15'	15'	15'
Density						
Lot coverage, max	30%	30%	35%	40%	45%	45%



2-3(A)(III)(1) SFR ZONE DISTRICT STANDARDS

2-3(A)(III)(1)(A) ALL SFR ZONE DISTRICTS

1. A maximum of 3 Accessory Structures including any carports or garages shall be permitted per lot provided they comply with the following standards:

- A. Except as allowed otherwise below, any Accessory Structures shall comply with the standards of Section 3-2(D)(II).
- B. Accessory Structures are permitted to be located within the required rear setback area, provided that the square footage of the structures shall not exceed 25 percent of the total coverage of the required rear setback area.

2-3(A)(III)(1)(B) SFR-5 ZONE DISTRICT

- 1. Covered patios, porches, or decks attached to the main structures may extend to a maximum of 40 percent of the distance into the required rear setback area provided they meet the following standards:
 - A. The space under the cover is open on at least 3 sides,
 - B. The structure shall not encroach more than 5 feet into the required front setback area, and
 - C. The eave of the structure shall not project more than 2 feet into any required setback area.

2-3(A)(IV) RESIDENTIAL MIXED ZONE DISTRICT (RM)

The Residential Mixed (RM) zone district is intended to accommodate a variety of low- to medium-density residential dwellings characterized by single-family, duplex, fourplex, and townhouse dwellings.

Lot Standards		SF	DPX/TH
	Lot area, min	8,000	10,000
A	Lot width, min	50'	
Setbacks			
B	Front, min	20'	
C	Interior side, min	5'	
D	Street side, min	15'	
E	Rear, min	20'	
Heights			
F	Primary Building Height, max	35'	
G	Accessory Building Height, max	15'	
Density			
	Lot coverage, max	40%	

2-3(A)(IV)(1) RM ZONE DISTRICT STANDARDS

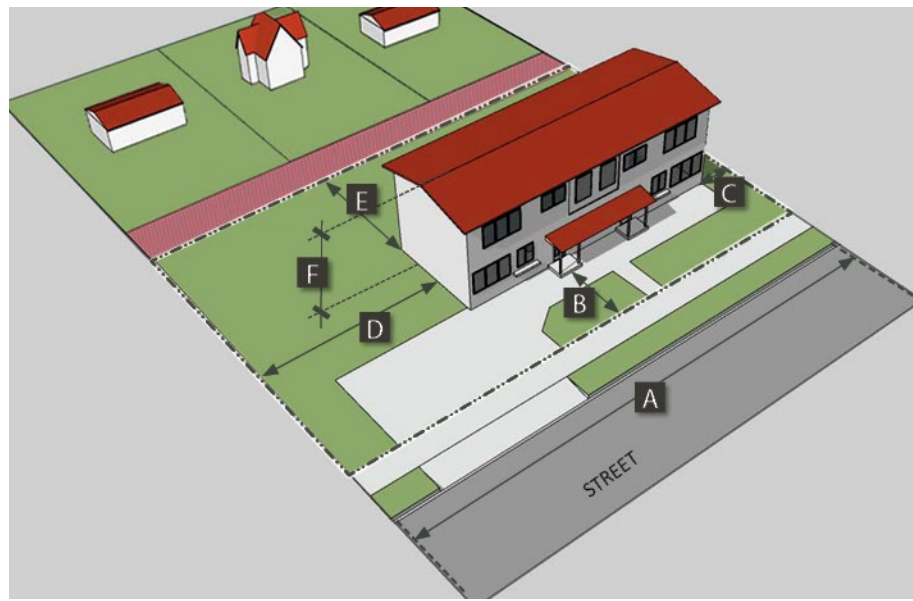
1. A maximum of 3 Accessory Structures including any carports or garages shall be permitted per lot provided they comply with the following standards:
 - A. Except as allowed otherwise below, any Accessory Structures shall comply with the standards of Section 3-2(D)(II).
 - B. Accessory Structures are permitted to be located within the required rear setback area, provided that the square footage of the structures shall not exceed 25 percent of the total coverage of the required rear setback area.

2-3(A)(V) RESIDENTIAL MIXED – NORTH COMMUNITY ZONE DISTRICT (RM-NC)

The Residential Mixed—North Community (RM-NC) zone district is intended to accommodate single-family and two-family dwellings, accessory structures and uses within an area of the North Community. The zone district is further intended to maintain and protect a residential character of development.

TABLE 6: RM-NC DIMENSIONAL STANDARDS

Lot Standards	SF	DPX/TH
Lot area, min	6,500	10,000
A Lot width, min	40'	20'
Setbacks		
B Front, min	15'	
C Interior side, min	7.5'	
D Street side, min	15'	
E Rear, min	20'	
Heights		
F Primary Building Height, max	35'	
G Accessory Building Height, max	12'	
Density		
Lot coverage, max	40%	

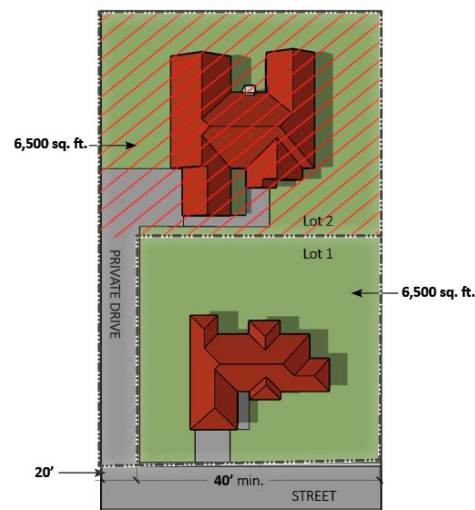


2-3(A)(V)(1) RM-NC ZONE DISTRICT STANDARDS

1. A single-family dwelling on a flag lot are permissible within the RM-NC zone district, provided they comply with the regulations outlined in Table 7 RM-NC Flag Lot Standards.

TABLE 7: RM-NC FLAG LOT STANDARDS

Lot area, min	6,500
Lot width, min	60'
Driveway width, min	20'



2. A single-family dwelling on a zero lot is permissible within the RM-NC zone district, provided they comply with the regulations outlined in Table 8 RM-NC Zero Lot Standards.

TABLE 8: RM-NC ZERO LOT STANDARDS	
Attached Interior Side Setback	0'
Detached Interior Side Setback	7.5'
Building Separation, min.	15'

3. A maximum of 1 Accessory Dwelling Unit per lot is permissible, provided it complies with the standards of Section 3-2(D)(I).
4. A maximum of 3 Accessory Structures including a carport or garage are permitted per lot, provided they comply with the standards of Section 3-2(D)(II). Accessory Structures within the RM-NC zone district shall not exceed a maximum height of 12 feet.

2-3(A)(VI) MULTI-FAMILY LOW-RESIDENTIAL ZONE DISTRICT (MFR-L)

The Multi-family Low-Residential (MFR-L) zone district is intended to accommodate a variety of low- to medium-density housing options characterized by single-family, duplex, fourplex, and townhouses, and small-scale multi-family dwellings types. The MFR-L zone district may include limited civic and institutional uses and incidental or accessory uses that serve the surrounding residences.

TABLE 9: MFR-L DIMENSIONAL STANDARDS

Lot Standards		SF	DPX/TH	MF
	Lot area, min	6,500	10,000	12,000
A	Lot width, min	65'		
Setbacks				
B	Front, min	20'		
C	Interior side, min	5'		
D	Street side, min	15'		
E	Rear, min	20'		
Heights				
F	Primary Building Height, max	35'		
Density				
	Lot coverage, max	40%		



2-3(A)(VI)(1) MFR-L ZONE DISTRICT STANDARDS

1. Minimum common open space shall be provided per any applicable standards for the residential uses provided on site pursuant to Use Specific Standards in Section 3-2(A).
2. A maximum of 3 Accessory Structures including any carports or garages shall be permitted per lot provided they comply with the following standards:
 - A. Except as allowed otherwise below, any Accessory Structures shall comply with the standards of Section 3-2(D)(II).
 - B. Accessory Structures are permitted to be located within the required rear setback area, provided that the square footage of the structures shall not exceed 25 percent of the total coverage of the required rear setback area.

2-3(A)(VII) MULTIPLE-FAMILY RESIDENTIAL - NORTH COMMUNITY ZONE DISTRICT (MFR-L-NC)

The Multiple-family Residential Low Density—North Community (MFR-L-NC) zone district is intended to accommodate single-family, two-family, and multiple-family dwellings within an area of the subdivisions of North Community.

TABLE 10: MFR-L-NC DIMENSIONAL STANDARDS

Lot Standards		SF	DPX/TH	MF
	Lot area, min	6,500	10,000	12,000
A	Lot width, min	40'	20'	40'
Setbacks				
B	Front, min		15'	
C	Interior side, min		7.5'	
D	Street side, min		15'	
E	Rear, min		15'	
Heights				
F	Primary Building Height, max		35'	
Density				
	Lot coverage, max		40%	

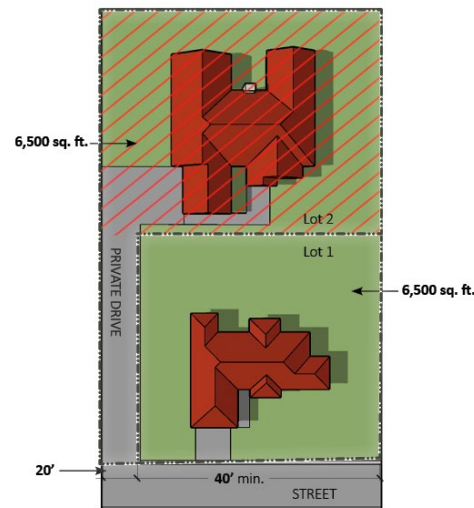


2-3(A)(VII)(1) MFR-L-NC ZONE DISTRICT STANDARDS

1. A single-family dwelling on a flag lot is permissible within the MFR-L-NC zone district, provided they comply with the regulations outlined in [Table 11 MFR-L-NC Flag Lot Standards](#).

TABLE 11: MFR-L-NC FLAG LOT STANDARDS

Lot area, min	6,500
Lot width, min	60'
Driveway width, min	20'



- A single-family dwelling on a zero lot is permissible within the MFR-L-NC zone district, provided they comply with the regulations outlined in Table 12 MFR-L-NC Zero Lot Standards.

TABLE 12: MFR-L-NC ZERO LOT STANDARDS

Attached Interior Side Setback	0'	
Detached Interior Side Setback	7.5'	
Building Separation, min.	15'	

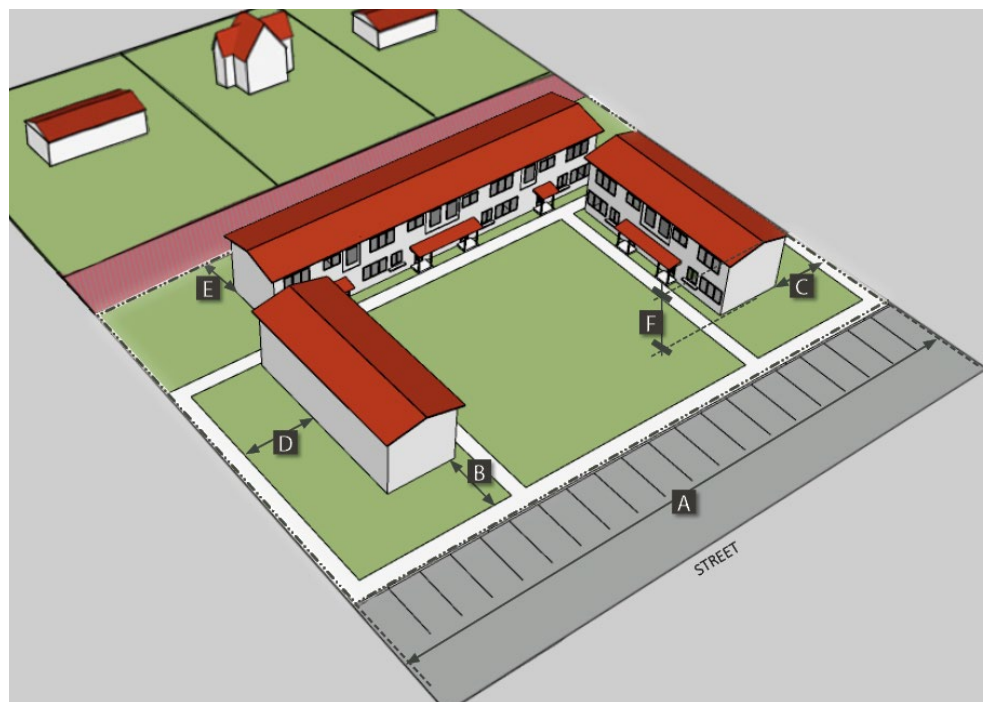
- Minimum common open space shall be provided per any applicable standards for the residential uses provided on site pursuant to Use-Specific Standards in Section 3-2(A).
- A maximum of 1 Accessory Dwelling Unit per lot is permissible, provided it complies with the standards of Section 3-2(D)(I).
- A maximum of 3 Accessory Structures including a carport or garage are permitted per lot, provided they comply with the standards of Section 3-2(D)(III). Accessory Structures within the MFR-L-NC zone district shall not exceed a maximum height of 12 feet.

2-3(A)(VIII) MULTI-FAMILY MEDIUM-RESIDENTIAL ZONE DISTRICT (MFR-M)

The Multi-family Medium-residential (MFR-M) zone district is intended to accommodate medium-density multi-family housing options, including single-family, duplex, fourplex and townhouse dwellings. The MFR-M zone district may include limited civic and institutional uses and incidental or accessory uses that serve the surrounding residences. This zone district can also serve as a transition between medium- and high-density Residential zone districts and other multi-family and/or Mixed-use zone districts.

TABLE 13: MFR-M DIMENSIONAL STANDARDS

Lot Standards	
Lot area, min	24,000
A Lot width, min	65'
Setbacks	
B Front, min	20'
C Interior side, min	5'
D Street side, min	15'
E Rear, min	15'
Heights	
F Primary Building Height, max	40'
Adjacent to Residential	See <u>Section 16-4-5</u>
Density	
Lot coverage, max	50%



2-3(A)(VIII)(1) MFR-M ZONE DISTRICT STANDARDS

1. Minimum common open space shall be provided per any applicable standards for the residential uses provided on site pursuant to Use-Specific Standards in Section 3-2(A).
2. A maximum of 1 Accessory Structure per 10 dwelling units in addition to carports or garages shall be permitted per dwelling site provided they comply with the standards in Section 3-2(D)(II).

2-3(A)(IX) MULTI-FAMILY HIGH-RESIDENTIAL ZONE DISTRICT (MFR-H)

The Multi-family High-residential (MFR-H) zone district is intended to accommodate high-density multi-family residential developments characterized primarily by apartments or condominiums, with limited single-family, duplex, fourplex, and townhouse dwellings. The MFR-H zone district may include limited civic and institutional uses and incidental or accessory uses that serve the surrounding residences. This zone district can also serve as a transition between other multi-family, commercial, or Mixed-use zone districts.

TABLE 14: MFR-H DIMENSIONAL STANDARDS

Lot Standards		
	Lot area, min	2 acres
A	Lot width, min	65'
Setbacks		
B	Front, min	20'
C	Interior side, min	5'
D	Street side, min	15'
E	Rear, min	15'
Heights		
F	Primary Building Height, max	60'
G	Adjacent to Residential	See <u>Section 16-4-5</u>
Density		
	Lot coverage, max	50%



2-3(A)(IX)(1) MFR-H ZONE DISTRICT STANDARDS

1. Where abutting or adjacent to any Residential zone district other than MFR-H, the development shall comply with the Neighborhood Protection Standards of Section 16-4-5.
2. Minimum common open space shall be provided per any applicable standards for the residential uses provided on-site pursuant to Use-Specific Standards in Section 3-2(A).
3. A maximum of 1 Accessory Structure per 10 dwelling units in addition to carports or garages shall be permitted per dwelling site provided they comply with the standards of Section 3-2(D)(II).

2-3(A)(X) MANUFACTURED HOME COMMUNITY ZONE DISTRICT (MHC)

The Manufactured Home Community (MHC) zone district is intended to accommodate manufactured home communities as the predominant residential use alongside other complementary accessory and non-residential activities, which primarily serve residents of manufactured housing communities.

TABLE 15: MHC DIMENSIONAL STANDARDS

Lot Standards		
Lot area, min		3 acres
Lot width, min		-
Setbacks		
A	Front, min	15'
B	Interior side, min	5'
C	Street side, min	15'
D	Rear, min	10'
Heights		
F	Primary Building Height, max	20'
Density		
	Lot coverage, max	40%



2-3(A)(X)(1) MHC ZONE DISTRICT STANDARDS

1. Manufactured and mobile homes that are not installed on a permanent foundation shall be skirted with materials similar in color, materials, and appearance to the siding of the manufactured or mobile home.
2. Recreational vehicles may be used as a permanent dwelling in the MHC zone district through the issuance of a Special Use Permit per Section X⁴.
3. A minimum 10-foot separation shall be maintained between all dwellings, including any habitable additions.
4. A maximum of 3 Accessory Structures including any carports or garages shall be permitted per dwelling site provided they comply with the following standards:
 - A. Accessory Structures themselves comply with the standards of *Section 3-2(D)(II)*.
 - B. The combined lot coverage of all Accessory Structures located in the required rear yard shall not exceed 25 percent of the required side and rear setback areas of individual manufactured or mobile home sites.
 - C. Each Accessory Structure shall not be located within 20 feet of the front property line or within 20 feet of a community roadway or 3 feet of a mobile home community boundary.
 - D. Each Accessory Structure shall be located a minimum 3 feet from the side and rear community boundary.
5. All utilities shall be provided to each dwelling site.
6. All interior, private drives shall provide a minimum 25-foot roadway width including appropriate curbing. No parking of vehicles or storage shall be permitted on the internal roadways.
7. Off-street parking shall be provided in the amount of 1 space per dwelling site, plus 1 guest space for every 5 mobile home sites.

⁴ Appropriate cross-reference to be provided in Module 3.

8. A minimum 8 percent of the total project site where homes are not located on individual lots shall be dedicated to common residential amenities that comply with the standards of Section 3-2(D)(XII).
9. Where a manufactured home community abuts a public street, a minimum 10-foot wide landscape area shall be developed along the linear length of the street frontage.
10. Any property line that abuts any Residential zone district other than the MHC zone district shall be screened per a Type A buffer in Section 4-4(E)(I).

2-3(B) MIXED-USE ZONE DISTRICTS

2-3(B)(I) MIXED-USE ZONE DISTRICT (MU)

The Mixed-use (MU) zone district is intended to accommodate a vertical or horizontal mix of low- to medium-density residential, office, and commercial land uses outside of the DTLA and WRTC zone districts characterized by more walkable development patterns that are compatible in scale and character with surrounding neighborhoods.

TABLE 16: MU DIMENSIONAL STANDARDS

Lot Standards		
	Lot area, min	-
A	Lot width, min	-
Setbacks		
B	Front, min	0'
C	Interior side, min	0'
D	Street side, min	0'
E	Rear, min	0'
Heights		
F	Primary Building Height, max	50'
	Adjacent to Residential	See <u>Section 16-4-5</u>
Density		
	Lot coverage, max	70%



2-3(B)(I)(1) MU ZONE DISTRICT STANDARDS

1. Where abutting or adjacent to any Residential zone district other than MFR-M, MFR-H, and MHC, the development shall comply with the Neighborhood Protection Standards of Section 16-4-5.
2. Minimum common open space shall be provided per any applicable standards for the residential uses provided on site pursuant to Use-Specific Standards in Section 3-2(A).
3. A maximum of 1 Accessory Structure per 10 dwelling units in addition to carports or garages shall be permitted per lot provided they comply with the standards in Section 3-2(D)(II).
4. Accessory Structures are permitted to be located within the required rear setback area, provided that the square footage of the structures shall not exceed 25 percent of the total coverage of the required rear setback area.

2-3(B)(II) WHITE ROCK TOWN CENTER ZONE DISTRICT (WRTC)

The White Rock Town Center (WRTC) zone district is intended to accommodate a vertical or horizontal mix of low- to medium-density residential, office, and commercial land uses with walkable and active streetscapes within the White Rock Town Center.

TABLE 17: WRTC DIMENSIONAL STANDARDS

Lot Standards		
Lot area, min	-	
Lot width, min	-	
Setbacks		
A	Front, min	0'
B	Front, max	
	Fronting State Route 4	100'
	Fronting Bonnie View	15'
C	Side, min	0'
D	Side, max	
	Interior	0'
	Street-side	100'
E	Rear, min	0'
Heights		
F	Primary Building Height, max	54'
	Adjacent to Residential	See Section 16-4-5
Density		
	Lot coverage, max	100%

2-3(B)(II)(1) APPLICABILITY

The standards contained in this section shall apply to all new construction, redevelopment, and expansions of existing structures by 25 percent or more of the building floor area on the properties within the White Rock Town Center as mapped in [Figure 1 White Rock Town Center Zone District Boundary](#).

FIGURE 1: *White Rock Town Center Zone District Boundary*



2-3(B)(II)(2) PURPOSE

The purpose of this section is to implement the vision established in the White Rock Town Center Master Plan by:

1. Allowing for the compatible integration of residential, civic, commercial, and office uses on a single project site with active commercial and retail uses along arterial and collector street frontages and residential uses above the ground floor or behind a commercial building that fronts the street;
2. Encouraging a greater intensity of development to attract the people and commerce necessary to create a vibrant and diverse town center; and
3. Encouraging planning, design, and detailing that reflects pedestrian needs, establishes multi-modal circulation opportunities, and creates memorable civic spaces.

2-3(B)(II)(3) REVIEW / APPROVAL PROCEDURES

Multi-family, mixed-use or non-residential development projects under 50,000 square feet or that contain 50 or less dwelling units that meet the development standards outlined in [Section 2-3\(B\)\(II\)\(4\)](#) may be reviewed/approved by the administrative site plan approval pursuant to Section X⁵.

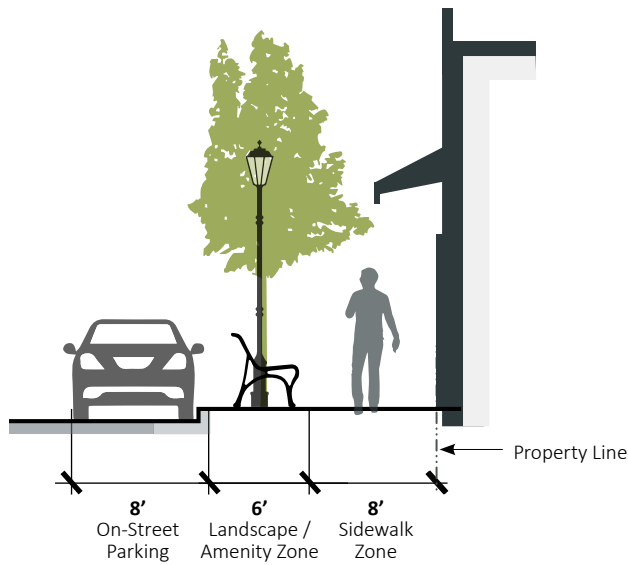
2-3(B)(II)(4) WRTC ZONE DISTRICT STANDARDS

2-3(B)(II)(4)(A) STREETScape DESIGN

1. Any streetscape improvements within the WRTC zone district shall provide for a minimum 6-foot landscape strip and an 8-foot sidewalk as indicated in [Figure 2 White Rock Town Center Frontage Zones](#) to accommodate street trees in the landscape zone and buffer pedestrians from traffic for a pedestrian-oriented environment.

⁵ Appropriate cross-reference to be provided in Module 3.

FIGURE 2: *White Rock Town Center Frontage Zones*

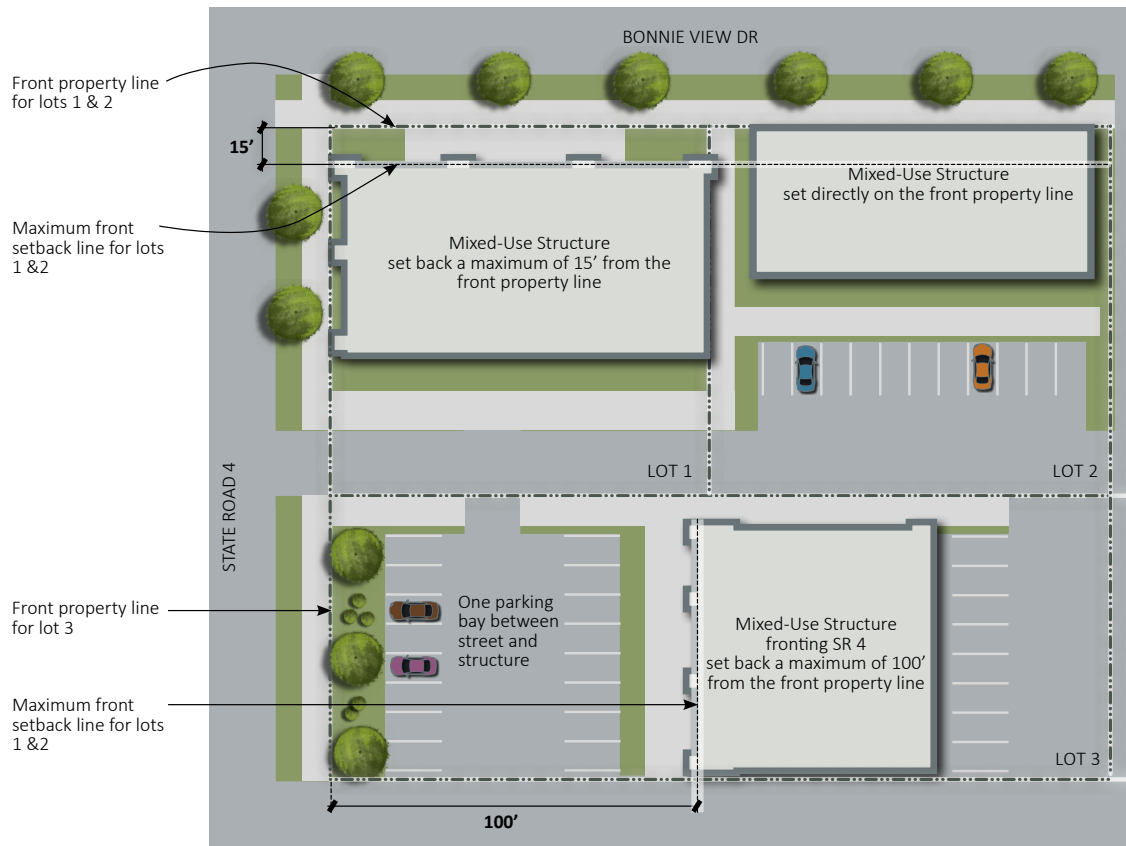


2. On-street parallel parking spaces a minimum of 8 feet by 20 feet shall be included on all WRTC zone district streets, except State Road 4, to the maximum extent feasible.
3. All street furnishings such as streetlights, benches, trash receptacles, and bike racks shall be consistent to ensure the establishment of a cohesive White Rock Town Center identity.

2-3(B)(II)(4)(B) SITE DESIGN

1. On-site pedestrian walkways shall be provided in accordance with [Section 16-4-2](#) and shall be emphasized with landscaping, signage, striping, or decorative hardscape.
2. Driveways, parking areas, and traffic circulation patterns shall be designed as shared facilities whenever feasible. The design of these elements shall create a unified site plan between the lots in order to gain parking efficiencies, reduce the number of access points, and improve internal and external vehicular circulation patterns.
3. Multiple building developments shall orient buildings toward and reinforce the corners at major intersections, primary vehicular or pedestrian entrances, public spaces, or other on-site amenities to the maximum extent feasible.
4. All buildings shall have at least 1 primary building entrance oriented toward an abutting public street or private street, open space, or toward an on-site pedestrian walkways that connect to a public sidewalk to the maximum extent feasible.
5. Lots abutting Bonnie View Dr shall orient buildings to address the street as the primary frontage with primary entrances, façade articulation, and glazing standards per Building Design subsections 1-1(A)(4)(v)3 and 1-1(A)(4)(v)6.
6. Lots abutting State Road 4 shall orient buildings to address the street as the primary frontage with primary entrances, façade articulation, and glazing standards per [Section 2-3\(B\)\(II\)\(4\)\(g\)](#).
7. On lots abutting State Road 4, a maximum of 1 bay of parking (i.e. 1 drive aisle parked on both sides) is permitted between the front of the building and the street. All other parking shall be located at the rear and sides of buildings.

FIGURE 3: WRTC Site Orientation Standards

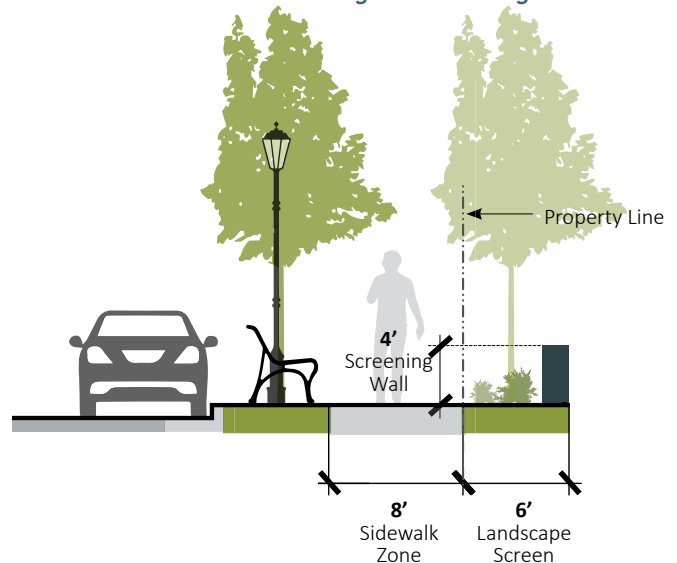


8. All service areas (e.g. loading docks, storage yards and trash compactors/dumpsters) should be located in either the rear of the lot or behind the principal structure and/or visually screened so they are out of sight of a public street.

2-3(B)(II)(4)(C) OFF-STREET PARKING

1. Required off-street parking shall be provided at 50 percent the amount required in Table 28 Minimum Off-Street Parking Requirements of the Off-Street Parking, Loading and Queuing Section, with the exception of multi-family uses, which shall require 1 parking space per dwelling unit.
2. Parking lots containing 150 or more parking spaces shall divide the parking lot into separate areas each containing less than 150 spaces that are separated from each other by a building, an internal landscaped street, landscaped areas, or landscaped pedestrian walkways to minimize the perceived scale of the parking lot.
3. Surface parking lots located along public streets shall be screened by a minimum 6-foot landscaping buffer or a masonry wall that is at least 3 feet but not more than 4 feet high.

FIGURE 4: WRTC Parking Lot Screening



4. Parking structures shall not include any façade that extends longer than 40 feet in horizontal length without the inclusion of architectural elements such as decorative grillwork, louvers, translucent screens, alternating building materials, projection of lintels, portals, and other external features to avoid visual monotony. A change in color alone does not satisfy this requirement.

2-3(B)(II)(4)(D) NEIGHBORHOOD PROTECTION STANDARDS

1. Multi-family, mixed-use, and non-residential developments abutting low-density residential shall comply with the Neighborhood Protection Standards of Section 16-4-5.
2. For the purpose of this subsection, Low-density Development is considered any lot in the RA, RE, SFR, RM, and RM-NC zone districts.

2-3(B)(II)(4)(E) LANDSCAPING, SCREENING AND BUFFERING

1. Lots abutting a public street shall provide street trees and/or front setback area landscaping per Section 4-4(D)(V) of the Landscape, Screening and Buffering section.
2. If the proposed lot coverage exceeds 75 percent, the required net lot area requirements of Section 4-4(D)(I) of the Landscaping, Screening, and Buffering section may be eliminated, provided required buffering of Section 4-4(E)(I) are met as applicable.

2-3(B)(II)(4)(F) OPEN SPACE

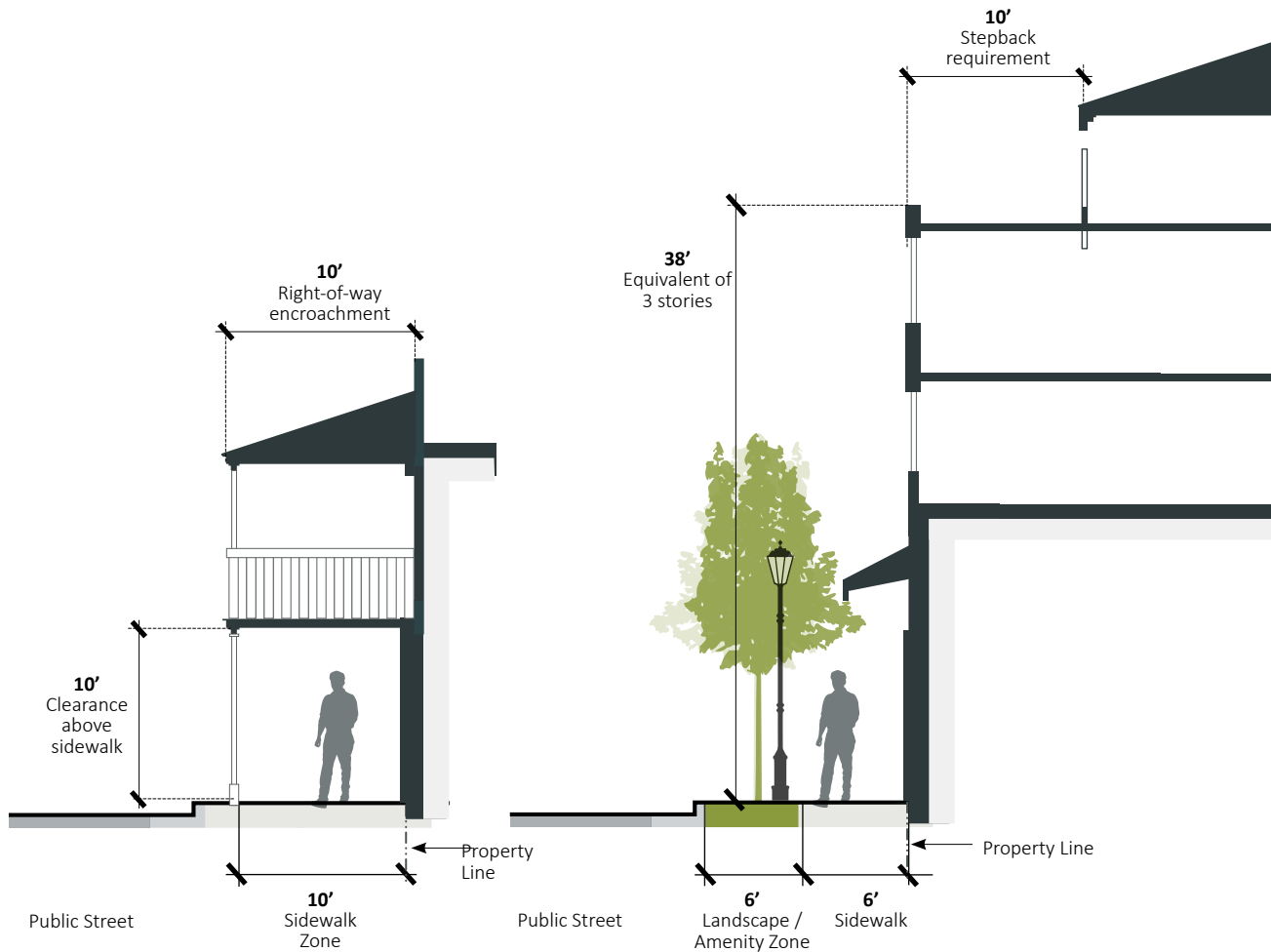
1. Required common residential open spaces for any residential uses as required in Section 3-2(A) may be reduced by 50 percent.
2. Open spaces such as patios or plazas, shall be distinguishable to allow for safe and well-defined areas of seating or gathering outside of designated vehicular traffic flow. These areas shall be defined with landscape elements, low seat walls, benches, planters, paving patterns, or materials distinguishable from the pedestrian sidewalk, on-site pedestrian walkways and parking areas.
3. Outdoor dining areas located in the public right-of-way are permitted provided this use shall require a Special Use Permit pursuant to the requirements of Section X⁶ and must comply with the standards of Section 3-2(D)(XIV).

2-3(B)(II)(4)(G) BUILDING DESIGN

1. The first floor of any street-facing facade shall contain a minimum 20 percent of its surfaces in transparent windows and/or doors.
2. Building projections, including but not limited to, arcades, balconies, bay windows and cornice features, open porches, canvas-type awnings, and projecting signs may encroach up to 10 feet over the public right-of-way provided they have a clearance of 10 feet above the sidewalk.
3. Any portion of a building over 38 feet tall shall incorporate a minimum stepback of 10 feet from any front facade facing a public street.

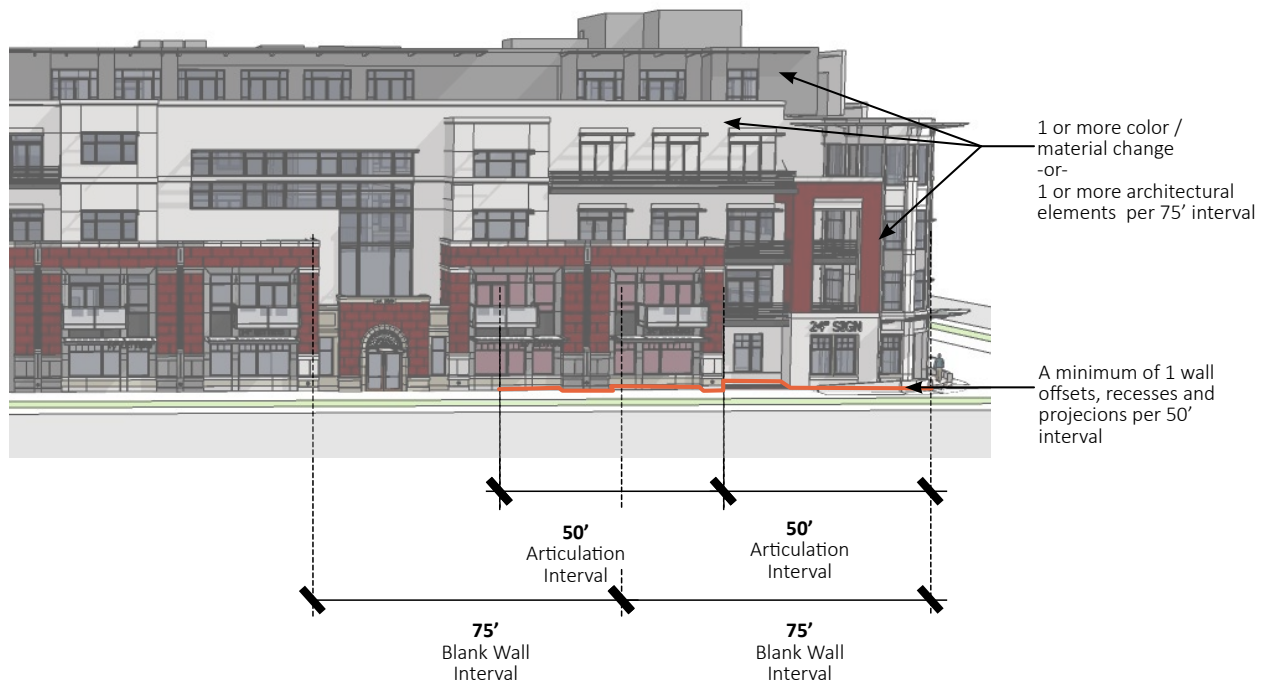
⁶ Appropriate cross-reference to be provided in Module 3.

FIGURE 5: WRTC Permitted Building Projections & Stepback Requirements



4. The primary entrance to a building shall be clearly distinguished from the rest of the building by transparent windows, materials, size, projections or recessions, or other techniques.
5. Each street-facing façade shall incorporate facade articulation techniques such as offsets, recesses, or projections at intervals of every 50 linear feet of the facade to reduce the perceived massing of the building and add visual interest. Side or rear frontage may increase the articulation interval to no more than 100 feet.
6. Each street-facing facade shall avoid blank walls in excess of 75 linear feet without changes in color, materials, or architectural elements such as windows/doors, building projections, or weather protection elements such as sunshades, awnings, or trellises.

FIGURE 6: WRTC Building Facade Articulation



7. All buildings shall use materials that are durable, easily and economically maintained, and of a quality that will retain their appearance over time.
8. Higher quality building materials and details should be used on building facades facing public streets, internal streets, public spaces, and at primary building entrances and may be transitioned to more economical materials on the side, rear, and service side(s) of the building.
9. Rooftop-mounted equipment and ground-mounted utilities shall be screened from view from public streets and adjacent properties per *Section 4-4(E)(V)*.

2-3(B)(III) DOWNTOWN LOS ALAMOS ZONE DISTRICT (DTLA)

The Downtown Los Alamos (DTLA) zone district is intended to accommodate a vertical or horizontal mix of medium- to high-density residential, office, and commercial land uses with walkable and active streetscapes.

TABLE 18: DTLA DIMENSIONAL STANDARDS

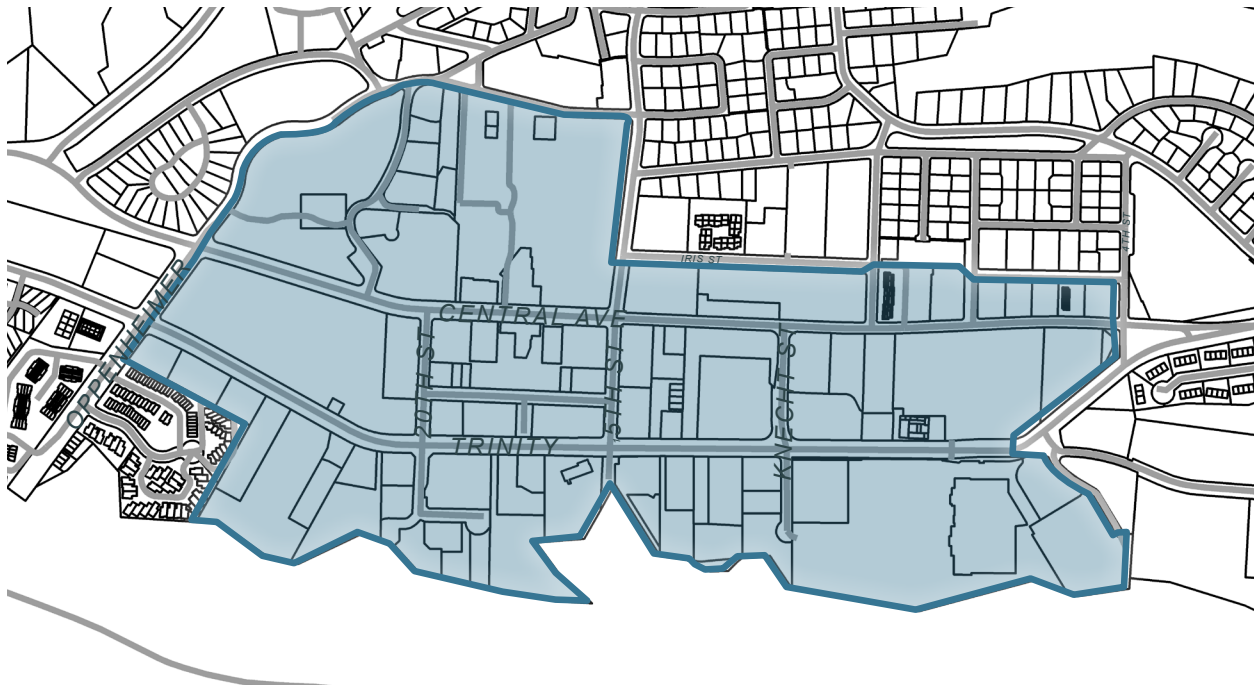
Lot Standards		
Lot area, min		-
Lot width, min		-
Setbacks		
A	Front, min	0'
B	Front, max Fronting Trinity	15' 100'
C	Side, min	0'
D	Side, max Interior Street-side	- 15'
E	Rear, min	0'
Heights		
F	Primary Building Height, max	86'
	Adjacent to Residential	See <u>Section 16-4-5</u>
Density		
	Lot coverage, max	100%



2-3(B)(III)(1) APPLICABILITY

The standards contained in this section shall apply to all new construction and expansions of existing structures by 25 percent or more of building floor area on any property within Downtown Los Alamos as mapped in *Figure 7 Downtown Los Alamos Zone District Boundary*.

FIGURE 7: Downtown Los Alamos Zone District Boundary



2-3(B)(III)(2) PURPOSE

The purpose of this section is to implement the vision established in the Los Alamos Downtown Master Plan by:

1. Allowing for the compatible integration of residential, civic, commercial, and office uses on a single project site with active commercial and retail uses along arterial and collector street frontages and residential uses above the ground floor or behind a commercial building that fronts the street;
2. Encouraging a greater intensity of development to create a vibrant and diverse urban center;
3. To provide cohesive and visually interesting building façades in the Downtown Los Alamos, particularly along the ground floor; and
4. Encouraging planning, design, and detailing that reflects pedestrian needs, establishes multimodal circulation opportunities, and creates memorable civic spaces.

2-3(B)(III)(3) REVIEW / APPROVAL PROCEDURES

Any multi-family, mixed-use, or non-residential development projects under 50,000 square feet or that contain 50 or fewer dwelling units that meet the development standards outlined in [Section 2-3\(B\)\(III\)\(4\)](#) may be reviewed and approved administratively pursuant to Section X⁷.

2-3(B)(III)(4) DTLA ZONE DISTRICT STANDARDS

2-3(B)(III)(4)(A) STREETScape DESIGN

1. Any streetscape improvements along Central Avenue shall, to the maximum extent feasible, provide a consistent 22-foot frontage zone treatment as illustrated in [Figure 8 Preferred Downtown Los Alamos Frontage Zone](#), to ensure a cohesive Main Street streetscape treatment. This dimension

⁷ Appropriate cross-reference to be provided in Module 3.

allows for a 6-foot curb zone, a 6-foot landscape strip, and a 10-foot sidewalk.

- Any streetscape improvements along all other DTLA zone district streets should mimic the frontage zone described in [Section 2-3\(B\)\(II\)\(4\)\(a\)](#) above to the maximum extent feasible, but at minimum provide a 6-foot landscape strip and 8-foot sidewalk as indicated in [Figure 9 Alternative Downtown Los Alamos Frontage Zone](#) to accommodate street trees in the landscape zone and buffer pedestrians from traffic.

FIGURE 8: Preferred Downtown Los Alamos Frontage Zone

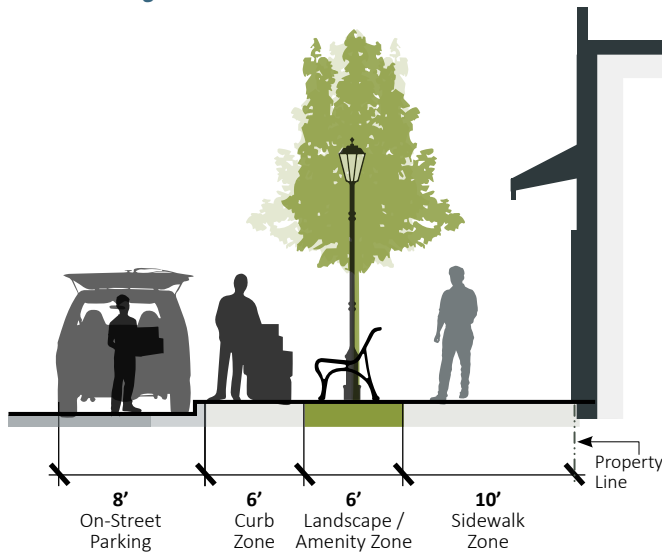
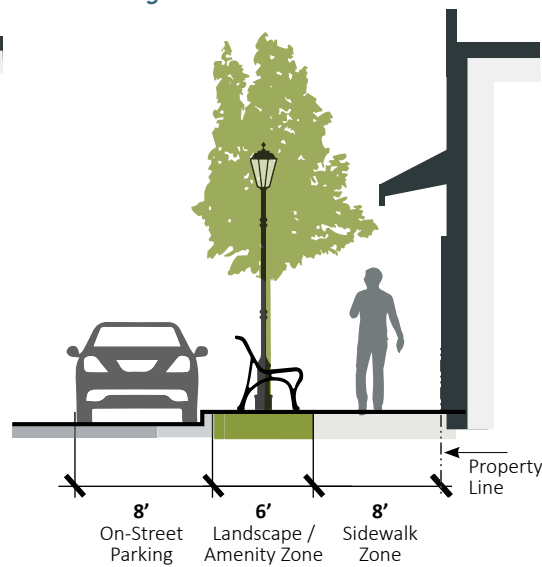


FIGURE 9: Alternative Downtown Los Alamos Frontage Zone

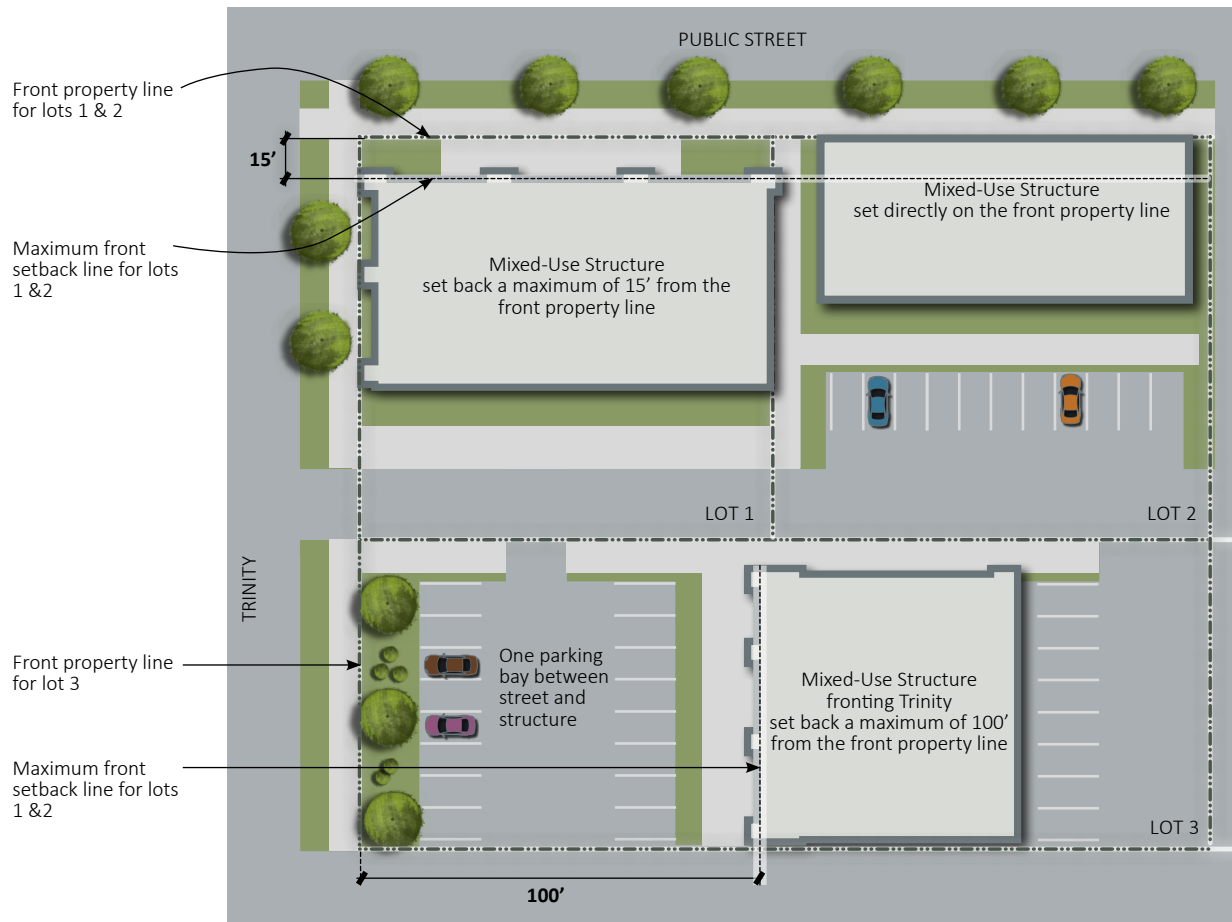


- All street furnishings such as streetlights, benches, trash receptacles, and bike racks shall be consistent to ensure the establishment of a cohesive Downtown Los Alamos identity.
- On-street parallel parking spaces a minimum of 8 feet by 20 feet shall be included on all DTLA zone district streets, except Trinity Drive, to the maximum extent feasible.

2-3(B)(III)(4)(B) SITE DESIGN

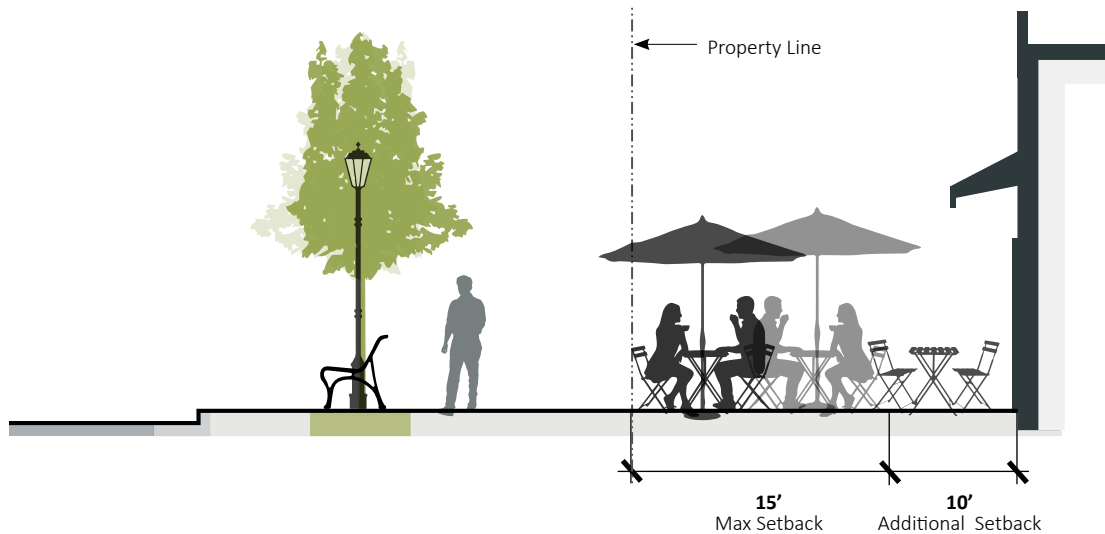
- On-site pedestrian walkways shall be provided in accordance with [Section 4-2\(C\)\(VI\)\(2\)](#) and shall be emphasized with landscaping, signage, striping, or decorative hardscape.
- Driveways, parking areas, and traffic circulation patterns shall be designed as shared facilities whenever feasible. The design of these elements shall create a unified traffic circulation layout amongst adjacent lots in order to gain parking efficiencies, reduce the number of access points, and improve internal and external vehicular circulation patterns.
- New buildings shall orient toward and reinforce the corners of major intersections, primary vehicular or pedestrian entrances, public spaces, or other on-site amenities to the maximum extent feasible.
- Unless otherwise exempted by this Code, any building on a lot abutting a public street shall set the front street-facing facade back no more than 15 feet from the property line in order to address the street and reinforce the street edge. No parking areas shall be permitted between the facade and the front property line.
- Any building on lots abutting Trinity Drive shall set the front street-facing facade back no more than 100 feet to accommodate 1 bay of parking (i.e. 1 drive aisle parked on both sides) between the front of the building and the street. All other parking areas shall be located at the rear and sides of buildings.

FIGURE 10: DTLA Site Orientation Standards



- All buildings shall have at least one primary building entrance oriented toward an abutting public street or private street, open space, or toward an on-site pedestrian walkway that connects to a public sidewalk.
- The maximum front setback may be increased by 10 feet if open spaces, such as a courtyard, plaza, or outdoor dining area is provided within the front setback area.

FIGURE 11: Open Space Frontage Bonus



8. Interior side setbacks on all lots may be reduced to 0 feet provided fire walls per the Building Code are provided between adjoining buildings on separate lots.

2-3(B)(III)(4)(C) OFF-STREET PARKING

1. Required off-street parking shall be provided at 50 percent the amount required in *Table 28 Minimum Off-Street Parking Requirements* of the Off-Street Parking, Loading and Queuing section, with the exception of multi-family uses, which shall require 1 parking space per dwelling unit.
2. Off-street parking lots are to be located behind or to the side of primary buildings. Unless otherwise exempted in this Code, parking between the front property line and the building is specifically prohibited.
3. Lots abutting Trinity Drive may provide a maximum of 1 bay of parking (i.e. 1 drive aisle parked on both sides) between the front of the building and the street. All other parking shall be located at the rear and sides of buildings.
4. Access to parking facilities shall be provided from secondary or side streets versus the primary frontage unless no other alternative is feasible.
5. Surface parking lots located along public streets shall be screened by a minimum 6-foot landscaping buffer or a masonry wall that is at least 3 feet but not more than 4 feet high.
6. Parking lots containing 150 or more parking spaces shall divide the parking lot into separate areas each containing less than 150 spaces that are separated from each other by a building, an internal landscaped street, landscaped areas, or landscaped pedestrian walkways to minimize the perceived scale of the parking lot.

FIGURE 12: *Parking Lot Separation*



7. All street-facing parking structure facades shall not extend longer than 40 feet in horizontal length without the inclusion of architectural elements such as decorative grillwork, louvers, translucent screens, alternating building materials, projection of lintels, portals, and other external features to avoid visual monotony. A change in color alone does not satisfy this requirement.

2-3(B)(III)(4)(D) NEIGHBORHOOD PROTECTION STANDARDS

1. Multi-family, mixed-use, and non-residential developments abutting low-density residential shall comply with the Neighborhood Protection Standards of Section 16-4-5.
2. For the purpose of this subsection, Low-density Development is considered any lot in the RA, RE, SFR, RM, and RM-NC zone districts.

2-3(B)(III)(4)(E) LANDSCAPING, SCREENING AND BUFFERING

1. Lots abutting a public street shall provide street trees and/or front setback area landscaping per Section 4-4(D)(V) of the Landscape, Screening, and Buffering section.
2. Lots that exceed a lot coverage of 75 percent may eliminate the required net lot area requirements of Section 4-4(D)(I) of the Landscaping, Screening, and Buffering section provided the required buffering of Section 4-4(E)(I) is met.
3. Rooftop-mounted equipment and ground-mounted utilities shall be screened from view from public streets and adjacent properties per Section 4-4(E)(V) of the Landscaping, Screening, and Buffering section.

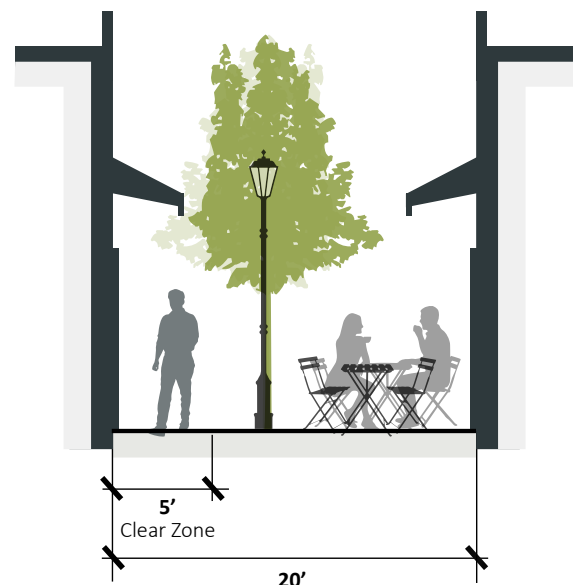
2-3(B)(III)(4)(F) OPEN SPACE

1. Required common residential open spaces for any residential uses as required in Section 3-2(A) may be reduced by 50 percent.
2. Open spaces such as patios or plazas shall be distinguishable to allow for safe and well-defined areas of seating or gathering outside of designated vehicular traffic flow. These areas shall be defined with landscape elements, low seat walls, benches, planters, paving patterns, or materials distinguishable from the pedestrian sidewalk, on-site pedestrian walkways and parking areas.
3. Outdoor dining areas located in the public right-of-way are permitted provided this use shall require an Special Use Permit pursuant to the requirements of Section X⁸ and must comply with the standards of Section 3-2(D)(XIV).
4. Parklets located in the public right-of-way are permitted provided this use shall require an

Temporary Use Permit pursuant to the requirements of Section X⁸ and must comply with the standards of Section 3-2(E)(VI).

5. A north-south network of pedestrian paths or paseos was envisioned to break up the large parcels between 9th and 20th Streets to provide a more walkable pedestrian scale. Development that provides paseos may utilize this square footage toward any required open space provisions provided they comply with the standards below:
 - A. A paseo shall be at least 20 feet in width and maintain an unobstructed circulation path at least 5 feet in width.
 - B. Paseos that form a continuous pedestrian network over multiple blocks should have continuity of street furnishing and paving type/texture.

FIGURE 13: Paseo Design Standards



8 Appropriate cross-reference to be provided in Module 3.

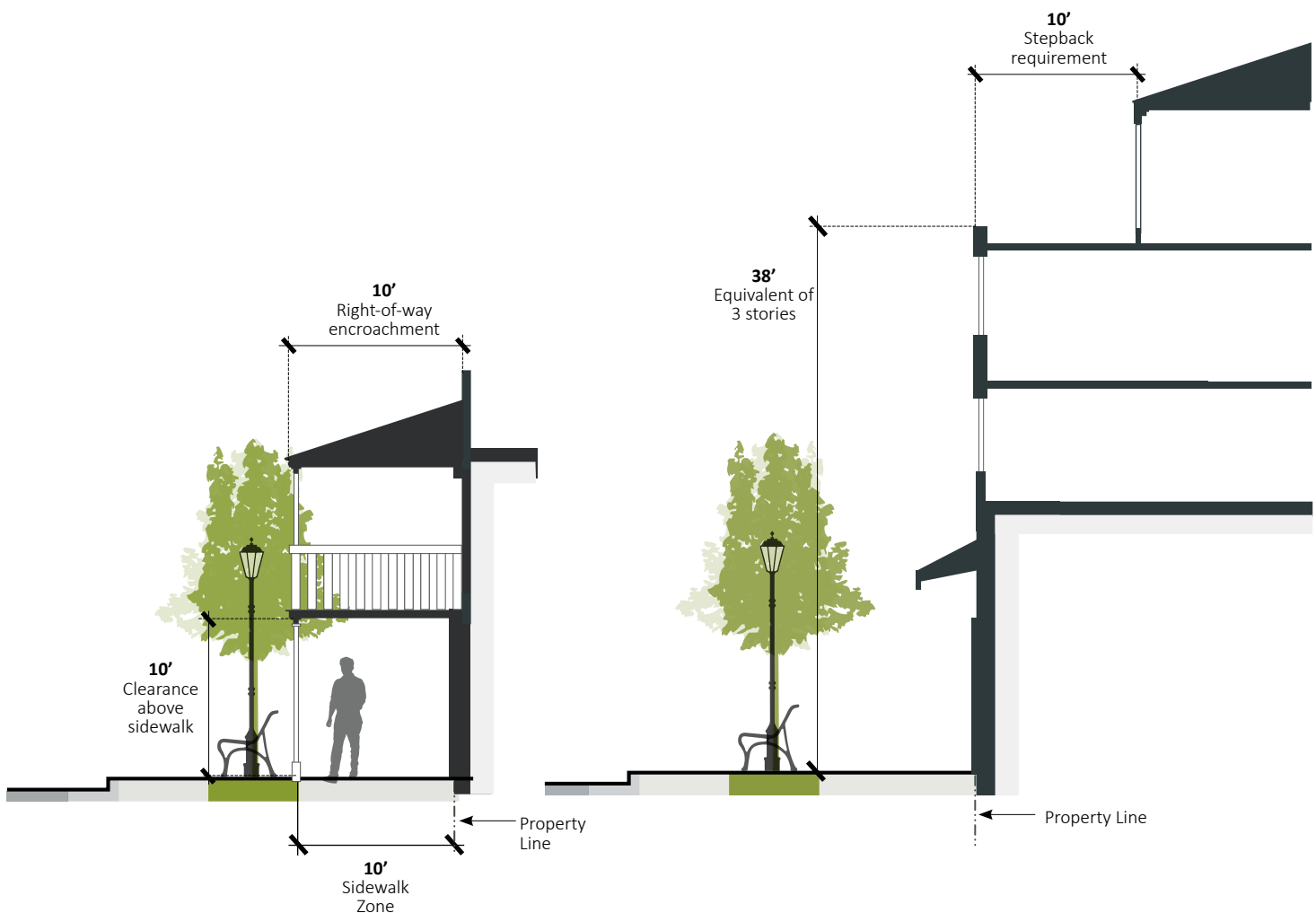
- C. Facades fronting paseos should incorporate adequate design detailing (storefronts, doors and/or windows, and accompanying trim, tile mosaics, wall fountains, etc.) that make them inviting for pedestrians.

2-3(B)(III)(4)(G) BUILDING DESIGN

1. The first floor of any front street-facing façade shall contain a minimum 30 percent of its surfaces in transparent windows and/or doors.
2. Building projections such as balconies, bay windows and cornice features, open porches, canvas-type awnings, and projecting signs may encroach up to 10 feet over the public right-of-way provided an Encroachment Permit pursuant to Section X⁹ is obtained and a clearance of 10 feet above the sidewalk is maintained.
3. Any portion of a building over 38 feet tall shall incorporate a minimum step-back of 10 feet from any façade facing a public street.

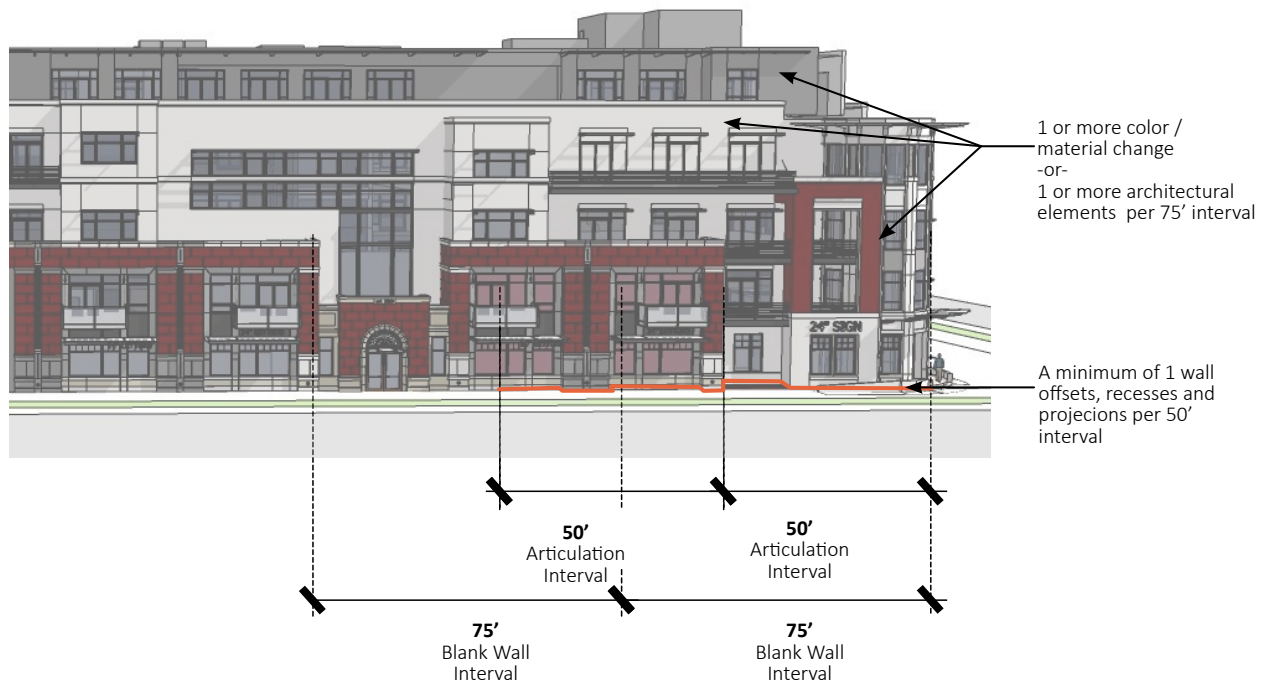
9 Appropriate cross reference to be provided in Module 3.

FIGURE 14: DTLA Stepback Requirements



4. The primary entrance to a building shall be clearly distinguished from the rest of the building by transparent windows and doors, materials, size, projections or recessions, or other techniques.
5. Each street-facing façade shall incorporate facade articulation techniques such as offsets, recesses, or projections at intervals of every 50 linear feet of the façade to reduce the perceived massing of the building and add visual interest. Side or rear frontage may increase the articulation interval to no more than 100 feet.
6. Each street-facing facade shall avoid blank walls in excess of 75 linear feet without changes in color, materials, or architectural elements such as windows/doors, building projections, or weather protection elements such as sunshades, awnings, or trellises.

FIGURE 15: DTLA Facade Articulation Standards



7. All buildings shall use materials that are durable, easily and economically maintained, and of a quality that will retain their appearance over time.
8. Higher quality building materials and details should be used on building facades facing public streets, internal streets, public spaces and at primary building entrances and may be transitioned to more economical materials on the side, rear, and service side(s) of the building.

2-3(C) NON-RESIDENTIAL ZONE DISTRICTS

2-3(C)(I) PROFESSIONAL OFFICE ZONE DISTRICT (PO)

The Professional Office (PO) zone district is intended to accommodate a variety of professional uses such as office, institutional, or research and development activities. This district also is intended to accommodate secondary uses that complement or support the primary workplace uses, such as hotels, restaurants, personal services, and childcare.

TABLE 19: PO DIMENSIONAL STANDARDS

Lot Standards		
	Lot area, min	-
A	Lot width, min	50'
Setbacks		
B	Front, min	0'
C	Interior side, min	0'
D	Street side, min	0'
E	Rear, min	0'
Heights		
F	Primary Building Height, max	50'
	Adjacent to Residential	See <u>Section 16-4-5</u>
Density		
	Lot coverage, max	70%



2-3(C)(I)(1) PO ZONE DISTRICT STANDARDS

1. Where abutting or adjacent to any Residential zone district other than MFR-M, MFR-H, and MHC, the development shall comply with the Neighborhood Protection Standards of Section 16-4-5.
2. The area of any Accessory Structure shall not exceed 20 percent of the primary building square footage and is subject to site plan review pursuant to Section X¹⁰. Any Accessory Structure shall comply with the standards of Section 3-2(D)(II).

¹⁰ Appropriate cross-reference to be provided in Module 3.

2-3(C)(II) GENERAL COMMERCIAL ZONE DISTRICT (GC)

The General Commercial (GC) zone district is intended to accommodate a variety of medium-scale retail, service, and professional uses serving both neighborhood and County-wide needs. The GC zone district is located along arterials and collectors outside of the DTLA and WRTC zone districts.

TABLE 20: GC DIMENSIONAL STANDARDS

Lot Standards		
	Lot area, min	-
A	Lot width, min	50'
Setbacks		
B	Front, min	0'
C	Interior side, min	0'
D	Street side, min	0'
E	Rear, min	0'
Heights		
F	Primary Building Height, max	50'
	Adjacent to Residential	See <u>Section 16-4-5</u>
Density		
	Lot coverage, max	70%



2-3(C)(II)(1) GC ZONE DISTRICT STANDARDS

1. Where abutting or adjacent to any Residential zone district other than MFR-M, MFR-H, and MHC, the development shall comply with the Neighborhood Protection Standards of Section 16-4-5.
2. The area of any Accessory Structure shall not exceed 20 percent of the primary building square footage and are subject to site plan review pursuant to Section X¹¹. Any Accessory Structure shall comply with the standards of Section 3-2(D)(II).

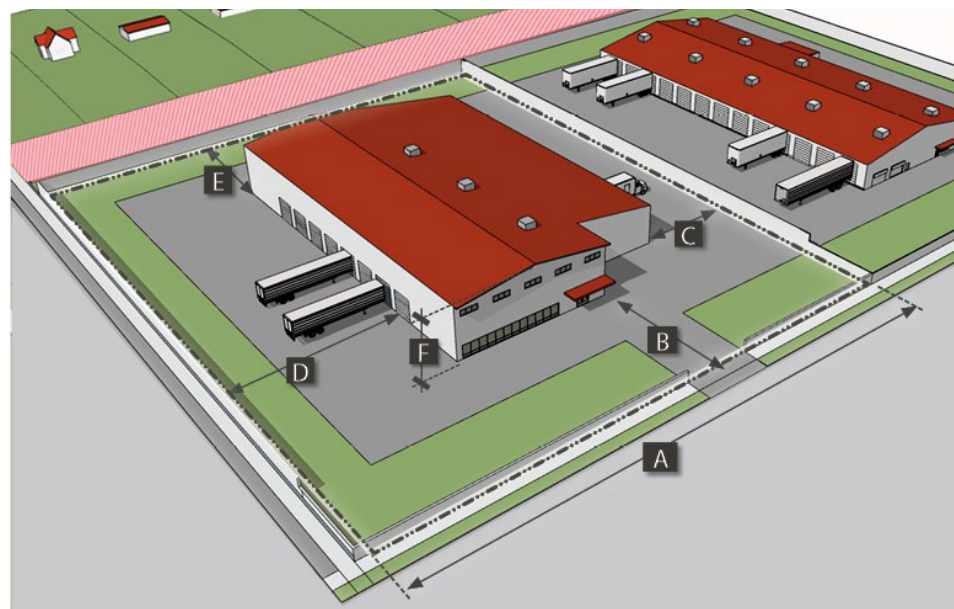
11 Appropriate cross-reference to be provided in Module 3.

2-3(C)(III) INDUSTRIAL ZONE DISTRICT (IND)

The Industrial (IND) zone district is intended to accommodate a variety of industrial operations such as manufacturing, warehousing, and distribution along with limited accessory commercial uses, while buffering adjacent lower-intensity Residential or Mixed-use zone districts.

TABLE 21: IND DIMENSIONAL STANDARDS

Lot Standards		
	Lot area, min	-
A	Lot width, min	50'
Setbacks		
B	Front, min	0'
C	Interior side, min	0'
D	Street side, min	0'
E	Rear, min	0'
Heights		
F	Primary Building Height, max	50'
	Adjacent to Residential	See Section 16-4-5
Density		
	Lot coverage, max	70%



2-3(C)(III)(1) IND ZONE DISTRICT STANDARDS

1. Where abutting or adjacent to any Residential zone district other than MFR-M, MFR-H, and MHC, the development shall comply with the Neighborhood Protection Standards of [Section 16-4-5](#).
2. The area of any Accessory Structure shall not exceed 20 percent of the primary building square footage and is subject to site plan review pursuant to Section X¹². Any Accessory Structure shall comply with the standards of [Section 3-2\(D\)\(II\)](#).

12 Appropriate cross-references to be provided in Module 3.

2-3(C)(IV) PUBLIC LAND ZONE DISTRICT (PL)

The Public Land (PL) zone district is intended to accommodate local institutional or civic uses or publicly-owned parks or open space lands, which have a community-wide emphasis that warrant their inclusion under a public designation rather than another zone district designation.

TABLE 22: PL DIMENSIONAL STANDARDS

Lot Standards	
Lot area, min	-
A Lot width, min	50'
Setbacks	
B Front, min	0'
C Interior side, min	0'
D Street side, min	0'
E Rear, min	0'
Heights	
F Primary Building Height, max	50'
Adjacent to Residential	See <u>Section 16-4-5</u>
Density	
Lot coverage, max	70%



2-3(C)(IV)(1) PL ZONE DISTRICT STANDARDS

1. Any unit of government-owned land within the PL zone district may use the land and structures in order to support community needs and the public health, safety, and welfare.
2. Where the land is to be used by any other person under a lease or contract with the unit of government, an application for a Special Use Permit shall be applied for and acted upon by the Planning and Zoning Commission. Under such circumstances, the land may be put to any use accessory to the governmental use or to any of the uses allowed in the MFR-H, GC, PO, and IND zone districts, as may be appropriate, upon the approval of the application for a Special Use Permit.
3. Where abutting or adjacent to any Residential zone district other than MFR-M, MFR-H, and MHC, the development shall comply with the Neighborhood Protection Standards of Section 16-4-5.
4. One Caretaker Unit shall be permitted for lots 30 acres to less than 400 acres in area; lots greater than or equal to 400 acres in area shall be permitted 1 such accessory dwelling for every 200 acres in total area.
5. The area of any Accessory Structure shall not exceed 20 percent of the primary building square footage and is subject to site plan review pursuant to Section X¹³. Any Accessory Structure shall comply with the standards of Section 3-2(D)(II).

13 Appropriate cross-reference to be provided in Module 3.

2-3(C)(V) PARKS AND OPEN SPACE ZONE DISTRICTS (POS)

The purpose of the Parks and Open Space (POS) zone districts is to protect the natural character of designated public parks and wilderness for a variety of intensities including public recreation, use, and enjoyment. Primary uses are open space and related recreation facilities, picnic and other shelters, and service/maintenance facilities.

TABLE 23: POS DIMENSIONAL STANDARDS

Lot Standards		
	Lot area, min	-
A	Lot width, min	-
Setbacks		
B	Front, min	20'
C	Side, min	10'
E	Rear, min	20'
Heights		
F	Primary Building Height, max	35'
Density		
	Lot coverage, max	20%



2-3(C)(V)(1) APPLICABILITY

The POS district includes the following 3 sub-zones, each of which has allowable uses and development standards specified in this Code as noted below.

2-3(C)(V)(1)(A) PUBLIC PARK SUB-ZONE (POS-P)

The Public Park sub-zone is intended to protect existing parks, recreation areas, and County-owned or controlled lands which provide valuable natural and open space functions.

2-3(C)(V)(1)(B) ACTIVE OPEN SPACE SUB-ZONE (POS-A0)

The Active Open Space sub-zone is intended to protect the natural character of the County’s wilderness areas for use of active public recreation, use, and enjoyment with limited development.

2-3(C)(V)(1)(C) PASSIVE OPEN SPACE SUB-ZONE (POS-P0)

The Passive Open Space sub-zone is intended to protect the natural and scenic character of the County’s wilderness areas for use of passive public recreation, use, and enjoyment.

2-3(C)(V)(2) PO ZONE DISTRICT STANDARDS

1. One Caretaker Unit shall be permitted for lots 30 acres to less than 400 acres in area; lots greater than or equal to 400 acres in area shall be permitted 1 such Accessory Dwelling for every 200 acres in total area.
2. Motor vehicle use shall be restricted to movement through the zone district on designated roads or to movement on designated roads to uses allowed in the zone district.

SECTION 16-2-4 SUMMARY TABLES OF BASE ZONE DISTRICT DIMENSIONAL STANDARDS

TABLE 24: LOW-DENSITY RESIDENTIAL DISTRICT DIMENSIONAL STANDARDS

Proposed Zone Districts	RA	RE	SFR-1	SFR-2	SFR-3	SFR-4	SFR-5	SFR-6
Existing Zone Districts	R-A	R-E	PD-2	R-1-12	R-1-10	R-1-8	R-1-5	PD-12
Lot area, min	2 ac.	2 ac.	13,000 sq. ft.	12,000 sq. ft.	10,000 sq. ft.	8,000 sq. ft.	5,000 sq. ft.	3,500 sq. ft.
Lot width, min	65'	65'	65'	65'	65'	65'	50'	50'
Front setback, min	40'	40'	20'	15'	25'	10'	10'	10'
Interior side setback, min	25'	25'	7.5'	10'	10'	5'	5'	5'
Street side setback, min	15'	15'	15'	15'	15'	15'	15'	15'
Rear setback, min	25'	25'	15'	15'	20'	20'	15'	15'
Building Height, max	35'	35'	35'	35'	35'	35'	35'	35'
Lot coverage, max	10%	10%	30%	30%	35%	40%	45%	45%

TABLE 25: MEDIUM- TO HIGH-DENSITY RESIDENTIAL DISTRICT DIMENSIONAL STANDARDS

Proposed Zone Districts	MFR-L	MFR-L-NC	MFR-M	MFR-H	MHC
Existing Zone Districts	R-3-L	R-3-L-NC	R-3-H	R-3-H-40	R4-6
Lot area, min	SF:8,000 DPX/TH:10,000 MF:12,000	SF:6,500 DPX/TH:10,000 MF:12,000	MF: 24,000 (2,000 sq. ft./ DU)	2 acres (1,000 sq. ft./ DU)	3 acres
Lot width, min	65'	SF:40' DPX/TH:20' MF:40'	65'	65'	-
Front setback, min	20'	15'	20'	20'	15'
Interior side setback, min	5'	7.5'	5'	5'	5'
Street side setback, min	15'	15'	15'	15'	10'

TABLE 26: NON-RESIDENTIAL DISTRICT DIMENSIONAL STANDARDS

Proposed Zone Districts	POS-P, POS-AO, POS-PO	PL	GC	PO	IND
Existing Zone Districts	W1, W2, P-L	P-L	C1-3	P-0, R-D	M1-2
Lot area, min	-	-	-	-	-
Lot width, min	-	50'	50'	50'	50'
Front setback, min	20'	0'	0'	0'	25'
Side setback, min	10'	0'	0'	0'	25'
Rear setback, min	20'	0'	0'	0'	10'
Abutting Residential	-	See <u>Section 16-4-5 Neighborhood Protection Standards</u>			
Building Height, max	35'	50'	50'	50'	50'
Lot coverage, max	20%	70%	70%	70%	70%

SECTION 16-2-5 OVERLAY ZONE DISTRICTS

2-5(A) PLANNED RESIDENTIAL DEVELOPMENT OVERLAY ZONE DISTRICT (PRD-O)

The Planned Residential Development Overlay (PRD-O) zone district is intended to carry over entitlements for subdivisions with undeveloped lots governed by site plans approved under the prior Planned Development Residential District that was discontinued by the County as of August 28, 2007. Redevelopment of these areas is encouraged to occur under 1 of the Residential zone districts outlined in 1-3(A) of this Code.

2-5(A)(I) APPLICABILITY

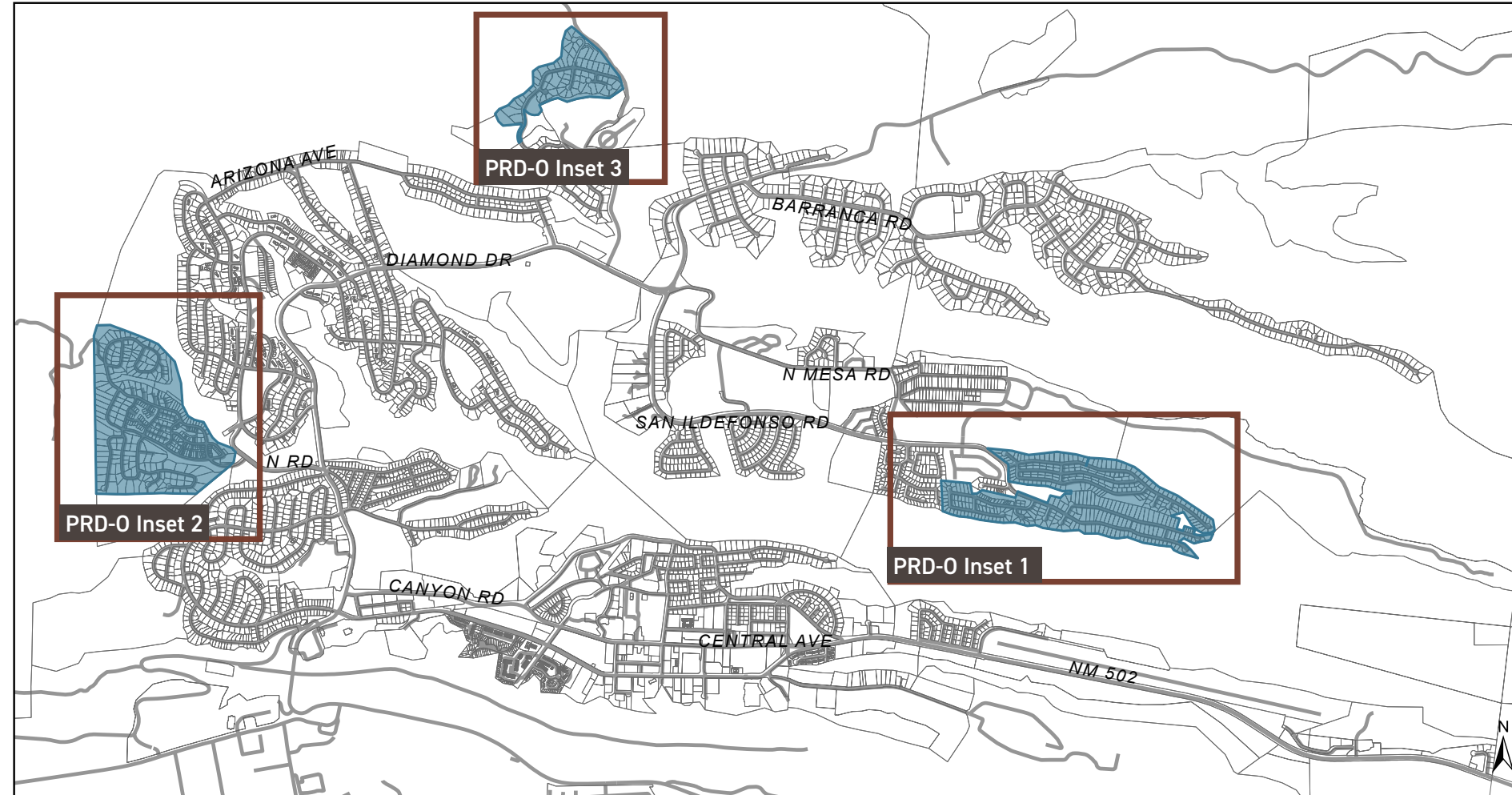
This zone district is applied to subdivisions with undeveloped lots governed by site plans approved under the prior Planned Development Residential District as indicated.

2-5(A)(II) PRD-O ZONE DISTRICT STANDARDS

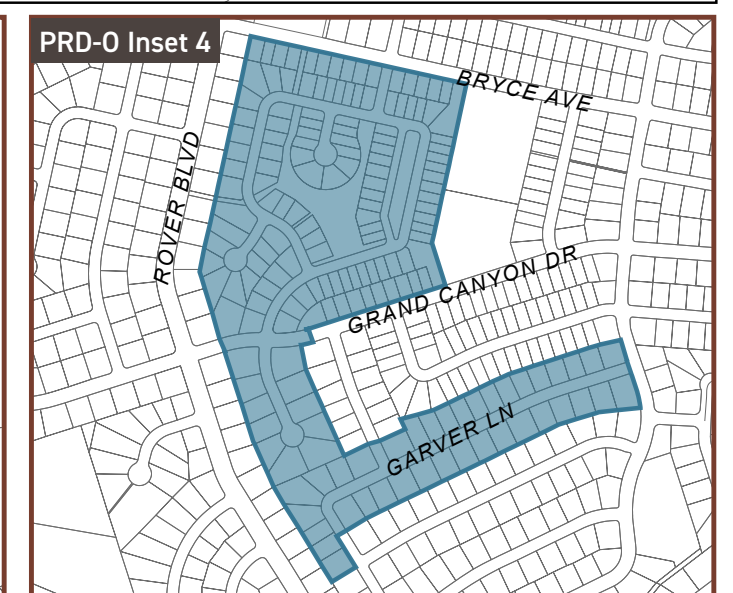
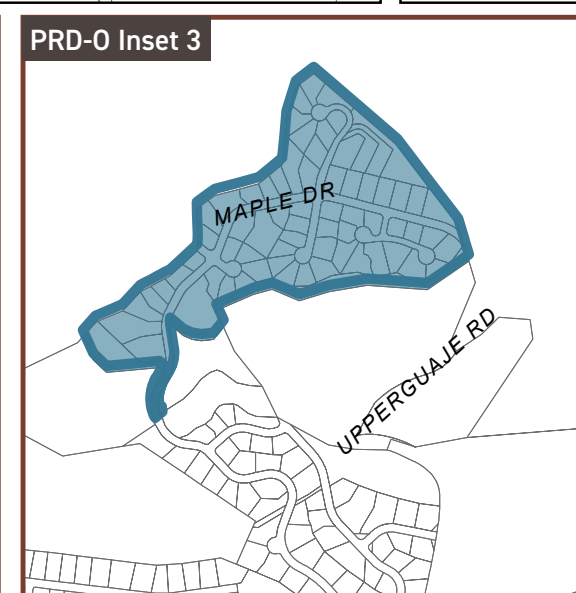
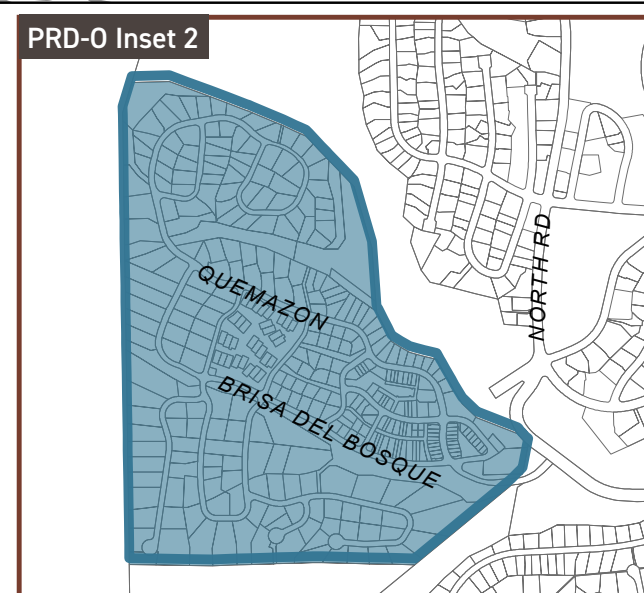
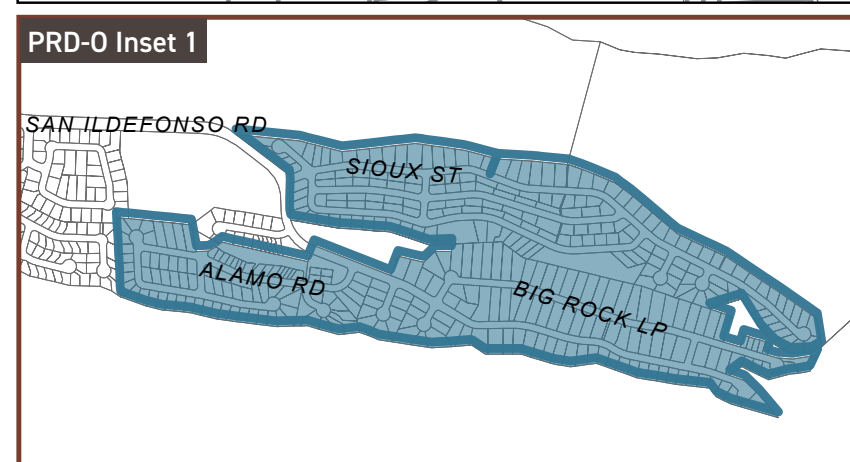
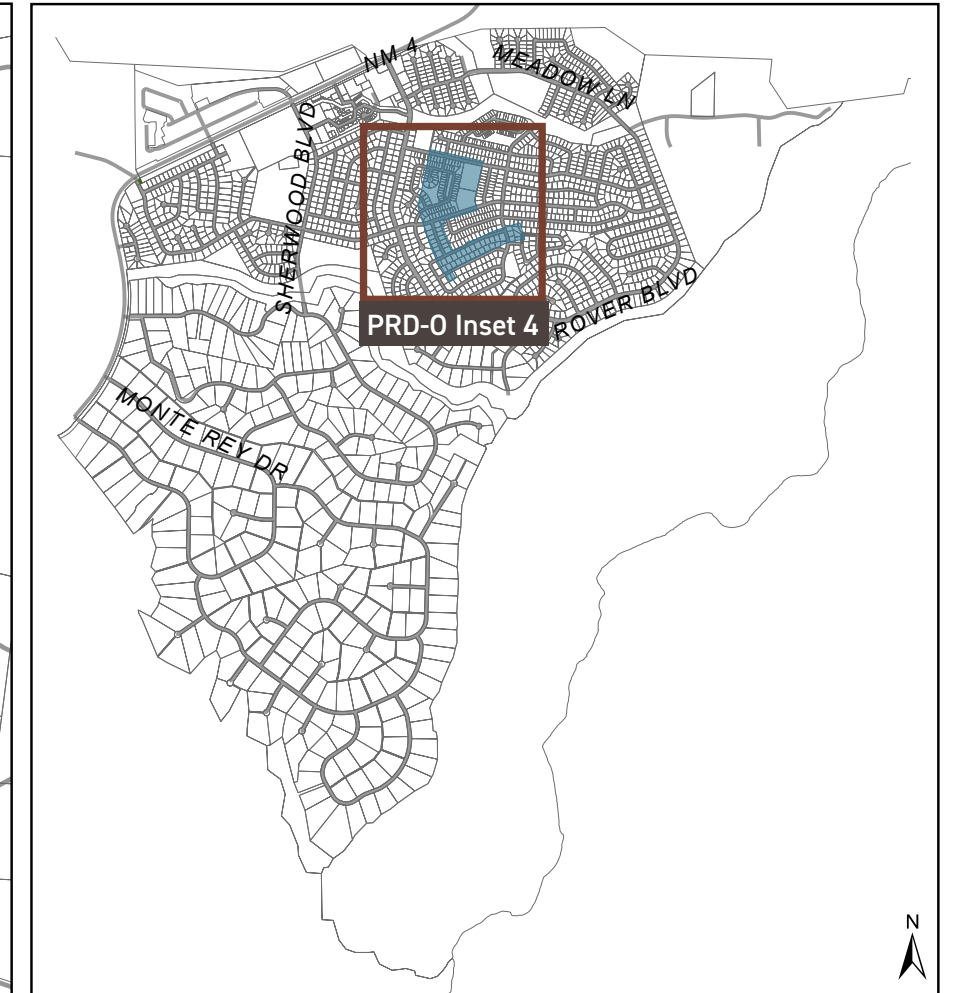
1. Site and development standards shall be per the approved site plan on record.

2-5(A)(III) DESIGNATED PRD-O DISTRICTS

Los Alamos Townsite



White Rock



LEGEND
PRD-O Boundary

2-5(B) PLANNED DEVELOPMENT OVERLAY ZONE DISTRICT (PD-O)

The Planned Development Overlay (PD-O) zone district is intended to be used to increase design flexibility while ensuring that the overall character of the development is consistent with the underlying base zone district and harmonious with the surrounding area in conjunction with a higher density Residential (RM, MFR-L, MFR-M, and MFR-H), Professional Office (PO), General Commercial (GC), Industrial (IND), or Mixed-use (MU, DTLA, WRTC) districts. Desired outcomes include the following:

1. Diversify available housing or commercial options with a variety of price ranges, product types, and designs that will appeal to various niche markets and stimulate new development;
2. Revitalize Downtown Los Alamos (DTLA) and White Rock Town Center (WRTC) zone districts and eliminate blight by encouraging infill development and redevelopment and promoting higher density residential, commercial, and mixed-use development;
3. Enhance environmental quality and sustainability through innovative site planning and design standards that provide greater flexibility for siting buildings while preserving environmentally sensitive areas;
4. Ensure compatibility of land uses and architecture and mitigation of development impacts on adjacent property through effective planning and architectural design standards;
5. Simplify the development review process through the use of an overlay district with a development plan or site plan, rather than through the request of individual waivers and Code text amendments.

2-5(B)(I) APPLICABILITY/REZONING ELIGIBILITY

1. A PD-O zone district must contain at least 3 contiguous acres of land.
2. A site plan that specifies uses, site standards, and development standards shall be reviewed and decided in conjunction with the review and decision of the Official Zoning Map amendment request, pursuant to Section X¹⁴.
3. A PD-O zone district will not be accepted or approved for any proposed development that could be achieved in substantially the same form through the use of 1 or more zone districts and/or overlay zone districts.
4. The property shall be under a single or common ownership or development control. An agreement in form acceptable to the Community Development Director and acceptable to the County Attorney will be required for any proposed PD-O zone district if the property is not owned by a single person or entity. The purpose of the agreement is to assure timely development of the property in accordance with the development plan or site plan and sketch plan approved in establishing the Planned Development Overlay (PD-O) zone district and to hold each and every owner of any interest in the property responsible for the full development of the site in accordance with the applicable plans, Development Code requirements, and all other legal requirements.

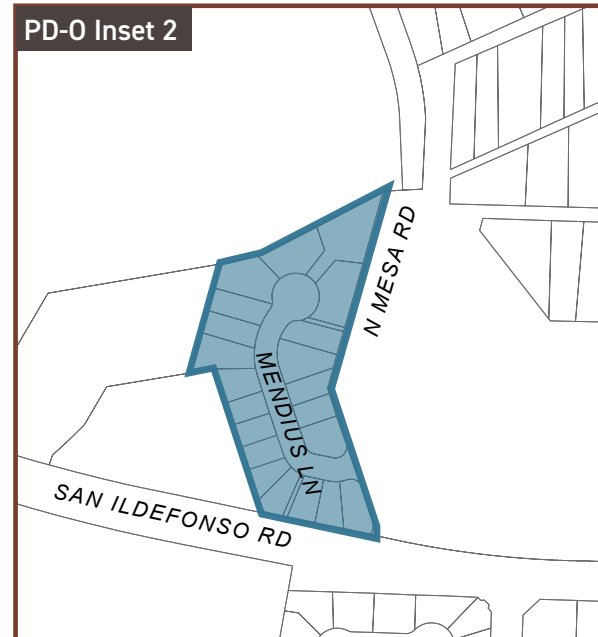
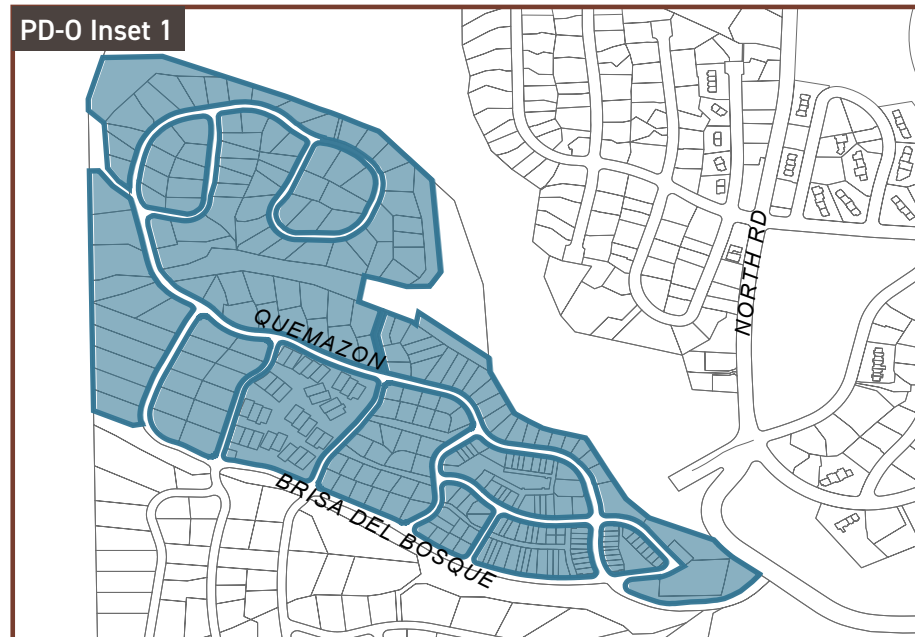
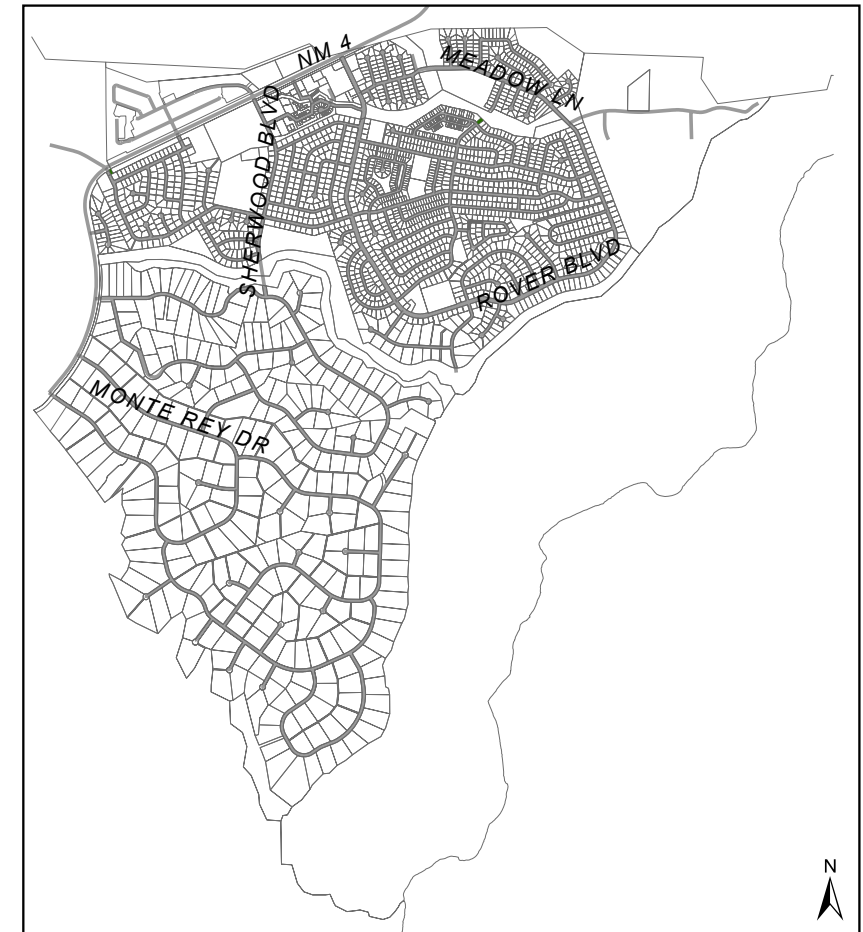
14 Appropriate cross-reference to be provided in Module 3.

2-5(B)(II) DESIGNATED PD-0 DISTRICTS

Los Alamos Townsite



White Rock



LEGEND
 PD-0 Boundary

2-5(C) PD-O ZONE DISTRICT STANDARDS

1. The PD-O zone district may contain any of the uses listed in Table 27 Permitted Use Table, provided those uses do not create significant adverse impacts on adjacent sites or neighborhoods. All allowable uses in the PD-O zone district are subject to the applicable Use-Specific Standards listed for that use in Section 16-3-2 unless modified by the overlay zone district approval.
2. The minimum requirements of the underlying base zone district may be varied in conformance with the following design standards. The design standards for buildings on the perimeter of the PD-O zone district shall be reasonably approximate to the site development standards for the adjacent property to ensure compatibility between developments.
3. Residential site development requirements may be modified from that permitted in the underlying base zone district. Site plan may reduce minimum lot area, setbacks, structural separation (subject to New Mexico Building Code requirements), increased height, increased lot coverage, reduced street frontage, and reduced parking. Average density can be increased up to 25 percent and individual site development requirements may be modified up to 25 percent as a result of the changed site development requirements. In no case shall more than 5 percent of the site be used for commercial uses. The primary access of the commercial site must abut the streets designated for the highest traffic usage.
4. Mixed-use and non-residential site development requirements may be modified as follows:
 - A. Parking requirements may be modified to allow up to a 20 percent reduction in the amount of parking to be provided.
 - B. A PD-O zone district approval may not reduce requirements in Section 16-4-5 designed to protect abutting properties from potential adverse impacts of development.
 - C. Residential site requirements for single-family dwellings and duplexes shall be as prescribed in the SFR-5 zone district, except that side setbacks of 0 feet are allowed.
5. Residential site requirements for multi-family dwelling shall be as prescribed in the MFR-M zone district. In no case shall more than 50 percent of the net building area be used for residential uses in the PO and GC underlying base zone districts.

2-5(D) HISTORIC PROTECTION OVERLAY ZONE DISTRICT (HP-O)

2-5(D)(I) PURPOSE

The purpose of the Historic Protection Overlay (HP-O) zone district is to preserve and protect the County's unique heritage and identity through the protection of historic sites, structures, and artifacts and through the designation of districts and landmarks of historical or archaeological significance. The HP-O zone district is further intended to:

1. Create a reasonable balance between private property rights and the public's interest in preserving the County's historic properties;
2. Allow for the preservation, protection, and enhancement of archaeological and historical sites and objects within the County;
3. Foster civic pride in the beauty and accomplishments of our past;
4. Provide educational opportunities for Los Alamos County residents of all ages;
5. Enhance and promote the County's ability to attract tourists and other visitors while respecting the privacy of individual building occupants;
6. Promote the continued use, adaptive reuse, and maintenance of historic or architecturally significant properties;
7. Ensure that the exterior design and appearance of new structures and improvements within a historic district will be compatible with the established character of that district;
8. Provide owners of properties of historic significance with helpful information and other potential incentives for the preservation, maintenance, and improvement of their properties; and
9. Establish efficient and simple administrative systems to carry out the purposes of this article utilizing, wherever possible, approval procedures already in existence.

2-5(D)(II) AUTHORITY

As the preservation of historic assets within the County has been determined by the County Council to be a legitimate purpose of government, this section is adopted pursuant to and furthers the purposes of NMSA 1978, §§ 3-21-1 et seq., (Municipal and County Zoning Regulations); NMSA § 3-22-1 et seq., (Historic Districts and Landmarks Act); and NMSA §§ 18-6-1 et seq., (Cultural Properties Act).

2-5(D)(III) DESIGNATION OF HISTORIC DISTRICTS AND COUNTY LANDMARKS

1. The County Council may designate and list individual historic landmarks or historic districts within the County, pursuant to Section X¹⁵.
2. Historic landmarks and districts shall be designated on the Official Zoning Map.
3. Historic designation will result in the creation of an Historic Protection Overlay zone district which will impose regulations on the designated property or district in addition to the zoning regulations already in effect in the underlying base zone districts.

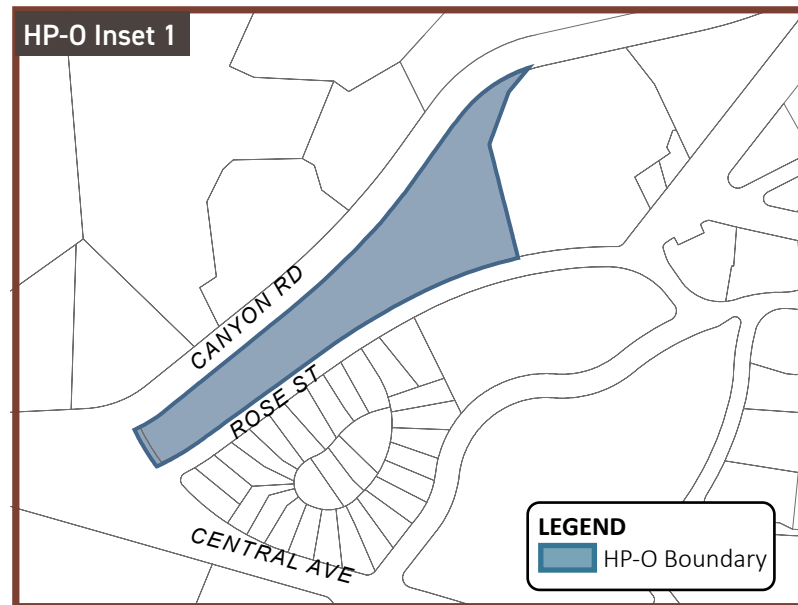
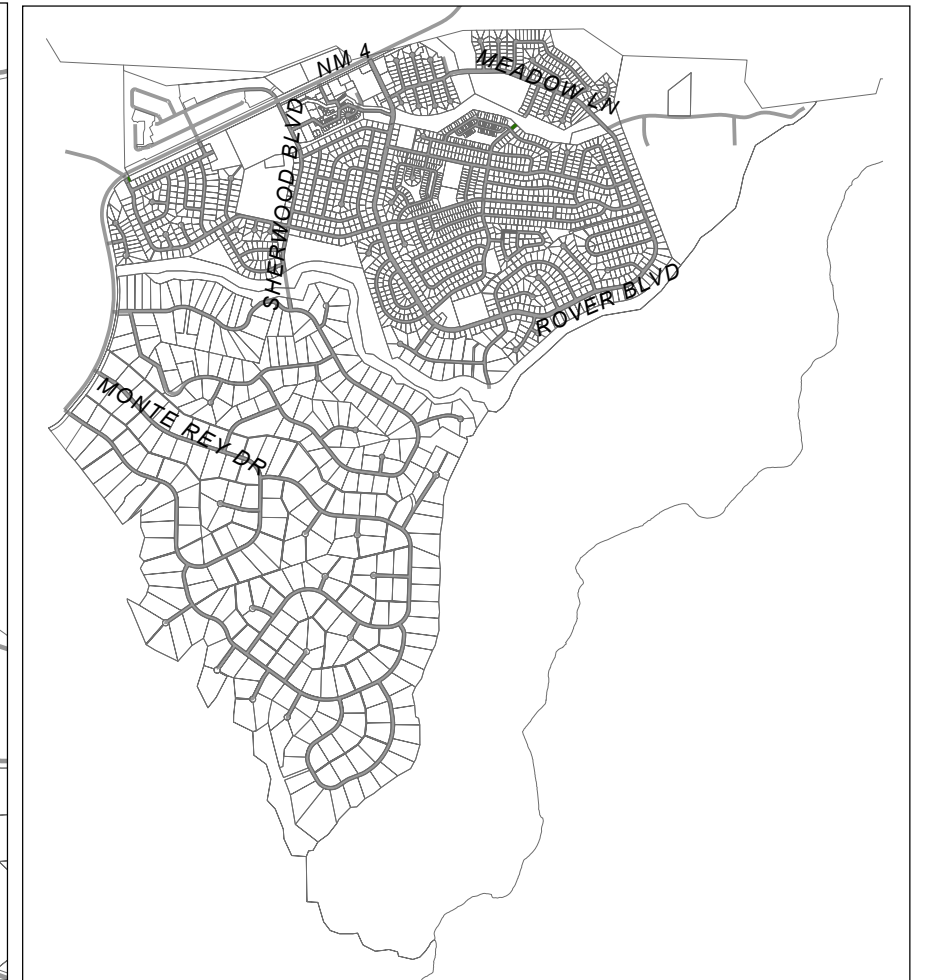
15 Appropriate cross-reference to be provided in Module 3.

2-5(D)(IV) DESIGNATED HISTORIC PRESERVATION OVERLAYS

Los Alamos Townsite



White Rock



2-5(D)(V) HP-O ZONE DISTRICT STANDARDS

1. Within the boundaries of any HP-O zone district, the exterior appearance of any structure shall not be altered; new structures shall not be constructed; and existing structures shall not be demolished until an Historic Property Alteration Certificate is approved pursuant Section X¹⁶.
2. A Historic Property Alteration Certificate shall not be required for:
 - A. Ordinary maintenance and repair where the purpose of the work is to preserve the integrity of the structure and/or materials, correct deterioration to the structure, and restore it to its condition prior to deterioration; or
 - B. Construction, alteration or demolition involving only interior features of the structure, unless such work impacts the structure's exterior appearance.
3. No owner of an historic property shall permit such property to fall into a serious state of disrepair so as to result in the deterioration of any exterior architectural feature which would produce a detrimental effect upon the character of the district as a whole or the life and character of the property itself. For the purpose of this section, deterioration includes deterioration of exterior walls or other vertical supports; deterioration of roof or other horizontal members; deterioration of exterior chimneys; deterioration or crumbling of exterior stucco or mortar; ineffective waterproofing of exterior walls, roof, or foundations, including broken windows or doors; and deterioration of any feature so as to create a hazardous condition which could lead to the claim that demolition is necessary for the public safety.

16 Appropriate cross-reference to be provided in Module 3.

PART 16-3. USE REGULATIONS

SECTION 16-3-1 PERMITTED USES

3-1(A) LISTED USES

Table 27: Permitted Use Table indicates the land uses allowed within each base zone district, with abbreviations as described in [Section 16-2-3](#). Use-Specific Standards in [Section 16-3-2](#) establish additional restrictions, requirements, additional allowances, or review procedures.

3-1(B) EXPLANATION OF PERMITTED USE TABLE ABBREVIATIONS

Table 27 Permitted Use Table uses the following abbreviations to designate whether and how a principal use is allowed in a particular zone district:

P	A “P” in a cell indicates that the use is permitted by right in the respective zone district. Permitted uses are subject to all other applicable regulations of this Development Code, including the supplemental use standards in this article and the requirements of PART 16-4 Development Standards .
S	An “S” in a cell indicates that the land use is permitted in that zone district upon approval of a Special Use Permit by the Planning and Zoning Commission as described in PART 16-5 Administration and Enforcement and compliance with any Use-Specific Standards referenced in the right-hand column of Table 27 Permitted Use Table and with all other applicable requirements of the Code.
A	An “A” in a cell indicates that the use is permitted in the respective zone district as an accessory use, i.e. allowed as an accessory use compatible with a permissive use on the lot, and is subject to any Use-Specific Standards referenced in the right-hand column of that line of Table 27 Permitted Use Table .
T	A “T” in a cell indicates that the land use is allowed in that zone district upon approval of a Temporary Use Permit as described in PART 16-5 Administration and Enforcement and compliance with any use-specific standards referenced in the right-hand column of Table 27 Permitted Use Table and with all other applicable requirements of the Code.
	A blank cell indicates that the use is prohibited in the respective zone district.

3-1(C) UNLISTED USES

1. When a proposed land use is not explicitly listed in [Table 27 Permitted Use Table](#), the Community Development Director shall determine the appropriate use type for the proposed use.
2. If the proposed use is included in the definition of a listed use or is consistent with the size, scale, operating characteristics, and external impacts of a listed use then it should be treated as the same use.
3. If the proposed use is determined to be a new or unlisted use, the Community Development Director may determine that such new or unlisted use requires a text amendment of this Development Code.
4. The Community Development Director may also determine that text amendments for additional Use-Specific Standards are necessary to reduce potential impacts to surrounding properties or the community. Development Code text amendments shall follow the procedures in [PART 16-5 Administration and Enforcement](#).

3-1(D) PERMITTED USE TABLE

TABLE 27: PERMITTED USE TABLE																						
PROPOSED ZONE DISTRICTS		POS-P	POS-AO	POS-PO	RA	RE	SFR	MHC	RM	RM-NC	MFR-L	MFRL-NC	MFR-M	MFR-H	MU	WRTC	DTLA	PLINS	PO	GC	IND	
EXISTING ZONE DISTRICTS		PL	W2	W1	R-A	R-E	R-1	R4 R5 R6	R-M	R-M-NC	R-3-L	R-3-L-NC	R3H	R3H40	MU	New	DTs	PL	P-0 RD	C1 C2 C3	M1 M2	USE SPECIFIC
RESIDENTIAL USES																						
Household Living	Dwellings, Single-family				P	P	P	P	P	P	P	P	P	P								
	Dwellings, Cottage development				PS	PS	PS		P	P	P	P	P	P								3-2(A)(I)
	Dwelling, Manufactured Home							P														
	Dwelling, Duplex								P	P	P	P	P	P	P	P						
	Dwelling, Triplex								P	P	P	P	P	P	P	P						
	Dwelling, Fourplex								P	P	P	P	P	P	P	P						
	Dwelling, Townhouse								P	P	P	P	P	P	P	P	P		-			3-2(A)(II)
	Dwelling, Live/Work								S	S	S	S	P	P	P	P	P					3-2(A)(III)
	Dwelling, Co-Housing Development ¹⁷								P	P	P	P	P	P	P	P	P	P				3-2(A)(IV)
	Dwelling, Multiple-Family											P	P	P	P	P	P	P				3-2(A)(V)
Congregate Living	Assisted Care Facility ¹⁸											S	S	S	P	P	P	P		S		3-2(A)(VI)
	Dormitory												S	P	P	P	P	S		S		
	Group Care Facility ¹⁹				P	P	P	P	P	P	P	P	P	P	P	P	P					3-2(A)(VII)
	Group Residential Facility				P	P	P	P	P	P	P	P	P	P	P	P	P					3-2(A)(VIII)
INSTITUTIONAL USES																						
Public, Institutional, and Civic Uses	Art Gallery, Museum, or Library														P	P	P	P	P	P		
	Cemetery	P	P															P		P		
	Funeral Home or Mortuary														P	P	P			P	S	
	Institutional and Civic Buildings ²⁰	P	P												P	P	P	P	P	P		
	Hospital																P	P	P		S	S

¹⁷ New use
¹⁸ Includes Assisted Living, Nursing Homes and Continuum Care facilities
¹⁹ Formerly "Group Home"
²⁰ Formerly "Public buildings"

TABLE 27: PERMITTED USE TABLE

		PROPOSED ZONE DISTRICTS	POSP	POS-AO	POS-PO	RA	RE	SFR	MHC	RM	RM-NC	MFR-L	MFRL-NC	MFR-M	MFR-H	MU	WRTC	DTLA	PLINS	PO	GC	IND	USE SPECIFIC
		EXISTING ZONE DISTRICTS	PL	W2	W1	R-A	R-E	R-1	R4 R5 R6	R-M	R-M-NC	R-3-L	R-3-L-NC	R3H	R3H40	MU	New	DTs	PL	P-0 RD	C1 C2 C3	M1 M2	
Public, Institutional, and Civic Uses	Medical Or Dental Clinic ²¹															P	P	P	P	P	P		
	Private Club or Lodge															P	P	P		S	P	S	
	Religious Institution ²²					P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
	School, Private					S	S	S	S	S	S	S	S	S	S	P	P	P	P	P	P	P	A
	School, Public					P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A
		COMMERCIAL USES																					
Agriculture	Fish Hatchery		<u>P</u>																P			S	
	Community Garden ²³		<u>P</u>	<u>P</u>	P	P	P	P	P			P	P	P	P	P	P	P	P				
	Plant Nursery or Greenhouse															P	P	P	P		P	P	
Recreation & Entertainment	Adult Entertainment ²⁴																			S	P	P	3-2(B)(I)
	Golf Course or Country Club ²⁵					S	S												P				
	Indoor Entertainment Facility ²⁶															P	P	P	P		P	S	
	Outdoor Recreation Facility ²⁷		<u>S</u>	<u>S</u>												S	P	P	P		P	S	
	Park or Playground		<u>P</u>	<u>P</u>	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	S
	Sports Field ²⁸		<u>P</u>													P	P	P	P	P	P	P	S
Lodging	Bed and Breakfast ²⁹					S	S	S	S	S		S	S	S	S	P	P	P			P		3-2(B)(II)
	Campground or RV Park		P						A			S	S	S	S	P	P	P	P		P		3-2(B)(III)
	Hotel or Motel															P	P	P		P	P		
	Short Term Rental ³⁰					S	S	S	S	S	S	S	S	S	S	P	P	P					2-2(B)(4)
	Bar, Lounge, or Tavern		<u>S</u>													P	P	P		S	P		

21 New use
 22 Formerly "Churches, worship places"
 23 New use
 24 Includes any sexually orientated entertainment uses
 25 New use
 26 Includes "Amusement centers, indoor", "Bowling alleys", "Recreation facilities", "Theaters, (enclosed)", "Swimming pools, commercial or clubs"
 27 Includes "Amusement Parks", "Theaters, drive-in", "Riding academies, arenas and/or stables"
 28 New use
 29 Change from accessory to special use within all residential districts
 30 Placeholder for new use, use specific standards to be determined based on independent outreach efforts of the County.

TABLE 27: PERMITTED USE TABLE

	PROPOSED ZONE DISTRICTS	POS-P	POS-AO	POS-PO	RA	RE	SFR	MHC	RM	RM-NC	MFR-L	MFRL-NC	MFR-M	MFR-H	MU	WRTC	DTLA	PLINS	PO	GC	IND		
	EXISTING ZONE DISTRICTS	PL	W2	W1	R-A	R-E	R-1	R4 R5 R6	R-M	R-M-NC	R-3-L	R-3-L-NC	R3H	R3H40	MU	New	DTs	PL	P-0 RD	C1 C2 C3	M1 M2	USE SPECIFIC	
Food and Beverage	Microbrewery, Distillery, or Winery ³¹		S												S	P	P		S	S	P		
	Restaurant														P	P	P		P	P	A		
Office, Business, and Professional Services	Office, Business or Professional ³²														P	P	P		P	P	A		
	Laboratory														S	S	S		P	S	P	<u>3-2(B)(V)</u>	
	Research and Development ³³														P	P	P		P	P	P	<u>3-2(B)(VI)</u>	
	Financial Institution ³⁴														P	P	P		P	P	A		
Retail Sales and Service	Adult Retail ³⁵																			P	P	<u>3-2(B)(I)</u>	
	Retail Sales ³⁶		S												P	P	P		A	P	A		
	Cannabis Retail ³⁷														A	P				P	A	<u>3-2(B)(VII)</u>	
	Contractor Facility or Yard																			S	P		
	Daycare Center ³⁸														P	P	P		P	P	S	<u>3-2(B)(VIII)</u>	
	Fitness Center ³⁹														P	P	P		P	P	S		
	Liquor Retail ⁴⁰														P	P	P			P	S		
	Nicotine Retail ⁴¹														P	P	P			P	S	<u>3-2(B)(IX)</u>	
	Meeting, Banquet, or Event Facility														P	P	P	P	P	P	S		
	Mobile Home Sales																			P	P		
	Personal Services ⁴²					S	S	S		S	S	S	S	S	P	P	P		A	P	P		
	Kennel					S									S	S	S			P	P	<u>3-2(B)(X)</u>	
	Self-Service Storage Facility																				P	P	
	Veterinary Hospital														P	P	P		S	P	P		
Ambulance Services																P	P			P	P		

³¹ New use
³² Includes "Office, Business, and Professional Services" and "Offices, professional"
³³ Includes "Research and development, offices and laboratories", "Research or professional offices (no laboratories)", and "Animal experimental research institutes"
³⁴ Formerly "Financial institutions/banks, (drive-in)", and "Financial institutions/banks, (walk-in)"
³⁵ Includes any sexually orientated retail uses
³⁶ Includes "Building materials, retail", "Building materials, wholesale", "Retail businesses", "Gift and souvenir shops", and "Hardware store"
³⁷ New use
³⁸ Formerly "Day care facilities"
³⁹ Formerly "Health clubs, gymnasiums"
⁴⁰ Formerly "Liquor stores"
⁴¹ New use
⁴² Includes "Laundries", "Home and business services", "Newsstands, portable"

TABLE 27: PERMITTED USE TABLE

		PROPOSED ZONE DISTRICTS	POS-P	POS-AO	POS-PO	RA	RE	SFR	MHC	RM	RM-NC	MFR-L	MFRL-NC	MFR-M	MFR-H	MU	WRTC	DTLA	PLINS	PO	GC	IND		
		EXISTING ZONE DISTRICTS	PL	W2	W1	R-A	R-E	R-1	R4 R5 R6	R-M	R-M-NC	R-3-L	R-3-L-NC	R3H	R3H40	MU	New	DTs	PL	P-0 RD	C1 C2 C3	M1 IM2	USE SPECIFIC	
Vehicle and Equipment-Related	Light Vehicle and Equipment Sales, Rental, And Repair ⁴³														S	S	S			P	P	P		
	Heavy Vehicle and Equipment Sales, Rental and Repair ⁴⁴																					S	P	<u>3-2(B)(XII)</u>
	Vehicle Fuel Sales																					P	P	
	Vehicle Storage ⁴⁵														S							S	P	<u>3-2(B)(XIII)</u>
	Vehicle Wash																					P	P	
Transportation	Airport																						P	
	Heliport																S	S				S	S	
	Parking Facility														P	P	P	P	P	P	P	P	P	
	Transit Terminal or Station														S	P	P	P	P	P	P	P	P	
	Truck Terminal																							P
INDUSTRIAL USES																								
Manufacturing & Warehousing	Above-Ground Storage of Fuels																					S	S	
	Artisan Manufacturing														P	P	P			P	P	P	<u>3-2(C)(I)</u>	
	Light Manufacturing ⁴⁶														S	S	S			S	S	P	<u>3-2(C)(III)</u>	
	Heavy Manufacturing ⁴⁷																						P	<u>3-2(C)(III)</u>
	Special Manufacturing ⁴⁸																						S	<u>3-2(C)(IV)</u>
	Cannabis Cultivation or Manufacturing Facility ⁴⁹																					S	P	<u>3-2(C)(V)</u>
	Distribution, Warehouse, or Wholesale Facility ⁵⁰																				S	S	P	

43 Includes "Equipment, small; storage, repair and rental", "Small electrical appliances and equipment repair", and "Equipment, small; storage, repair and rental"
 44 Includes "Automobile and motorcycle, repairing, body work and painting", "Equipment, heavy; storage, repair and rental", "Recreation equipment retail and rentals", and "Truck and trailer rental, sales and service", "Truck repair shops", "Tire stores, sales and service", and "Electrical appliances and equipment repair"
 Electrical appliances and equipment assembly and/or mfg.
 45 Includes "Recreational vehicles, storage", and "Vehicle storage yards"
 46 Includes "Assembly, miscellaneous", "Food processing facilities", "Blacksmith shop and harness repair", "Cabinet and carpenter shops", "Cesspool services", "Cold storage", "Dry cleaning plants", "Electrical appliances and equipment repair", "Electrical appliances and equipment assembly and/or mfg.", "Electronics assembly", "Furniture and household goods, transfer and storage", "Furniture, repair", "Metallurgical labs" and, "Manufacturing, light"
 47 Includes "Manufacturing, heavy", "Brick, tile cement or block, products and mfg.", "Asphalt and concrete batch plants", "Acid mfg. and storage", "Machine shops", and "Sheetmetal or welding shops"
 48 New use
 49 New use
 50 Formerly "Warehousing/storage" and "Wholesale, materials/products"

TABLE 27: PERMITTED USE TABLE

	PROPOSED ZONE DISTRICTS	POS-P	POS-AO	POS-PO	RA	RE	SFR	MHC	RM	RM-NC	MFR-L	MFRL-NC	MFR-M	MFR-H	MU	WRTC	DTLA	PLINS	PO	GC	IND	USE SPECIFIC
		PL	W2	W1	R-A	R-E	R-1	R4 R5 R6	R-M	R-M-NC	R-3-L	R-3-L-NC	R3H	R3H40	MU	New	DTs	PL	P-0 RD	C1 C2 C3	M1 M2	
	Natural Resource Extraction																				S	3-2(C)(VI)
	Outdoor Storage														C	C	C	C	C	P	P	
Utilities & Communications	Public Utilities	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	S	S	S	
	Radio And TV, Studio or Station	S	S	S											P	P	P	P	P	P	P	
	Recycling Station												S	S	S	S	P	S	S	P		3-2(C)(VII)
	Salvage Yard																				S	3-2(C)(VIII)
	Transfer Station																	P			S	
	Wireless Telecommunications Facility ⁵¹	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P	P	
ACCESSORY USES																						
Accessory	Accessory Dwelling Unit				S	S	S		S	S	S	S										3-2(D)(I)
	Accessory Structure				A	A	A	A	A	A	A	A	A	A	A	A	A					3-2(D)(II)
	Caretaker Unit		S												A	A	A	A	A	A	A	3-2(D)(III)
	Daycare Facility ⁵²				S	S	S	S	S	S	S	S	S	S	S	S	S					3-2(D)(V)
	Daycare Home				S	S	S	A	S	S	S	S	S	S	S	S	S					
	Greenhouse ⁵³		A		A	A	A	A	A	A	A	A										3-2(D)(V)
	Hay Or Feed Storage				A															P		
	Home Business				S	S	S		S		S	S	S	S	A	A	A					3-2(D)(VII)
	Home Occupation				A	A	A		A		A	A	A	A	A	A	A					3-2(D)(VII)
	Livestock Husbandry				A																	3-2(D)(VIII)
	Outdoor Dining																					3-2(D)(XIII)
	Outdoor Storage														A	A	A	A	A	A	A	3-2(D)(IX)
	Recreational Vehicle Storage				A	A	A		A													3-2(D)(X)
	Residential Community Amenity ⁵⁴				A	A	A	A	A	A	A	A	A	A	A	A	A					
Microwave Dish ⁵⁵														S	S	S	S	S	S	S	S	3-2(D)(XII)

51 New use
52 Changed from Accessory to Special Use Permit per existing requirements in section 16-277
53 New use
54 New use
55 New use

TABLE 27: PERMITTED USE TABLE

	PROPOSED ZONE DISTRICTS	POS-P	POS-AO	POS-PO	RA	RE	SFR	MHC	RM	RM-NC	MFR-L	MFRL-NC	MFR-M	MFR-H	MU	WRTC	DTLA	PLINS	PO	GC	IND	USE SPECIFIC
		PL	W2	W1	R-A	R-E	R-1	R4 R5 R6	R-M	R-M-NC	R-3-L	R-3-L-NC	R3H	R3H40	MU	New	DTs	PL	P-0 RD	C1 C2 C3	M1 M2	
Accessory	Satellite Dish Antenna				A	A	A		A		A	A	A	A	S	S	S	S	S	S	S	<u>3-2(D)(XII)</u>
	Solar Collection System				A	A	A		A		A	A	A	A	A	A	A	S	A	A	P	<u>3-2(D)(XIV)</u>
	Swimming Pool		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A			<u>3-2(D)(XV)</u>
TEMPORARY USES																						
Temporary	Construction staging area, trailer, or office				T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	<u>3-2(E)(I)</u>
	Dwelling, temporary				T	T	T	T	T	T	T	T										<u>3-2(E)(II)</u>
	Fair, carnival, or circus																	T				<u>3-2(E)(III)</u>
	Garage or Yard Sale				T	T	T	T	T	T	T	T										<u>3-2(E)(IV)</u>
	Open air market														T	T	T	T		T		
	Mobile vending														T	T	T	T	T	T	T	<u>3-2(E)(V)</u>
	Parklet														P	P	P	P	P	P	P	<u>3-2(E)(VI)</u>
	Real estate office or model home				T	T	T	T	T	T												<u>3-2(E)(VII)</u>
	Seasonal outdoor sales														T	T	T	T	T	T	T	<u>3-2(E)(VIII)</u>
	Special event				T	T	T	T	T	T	T	T	T	T	T	T	T	T				<u>3-2(E)(IX)</u>
	Temporary storage ⁵⁶				T	T	T	T	T	T	T	T	T	T								

⁵⁶ New use

SECTION 16-3-2 USE-SPECIFIC STANDARDS

3-2(A) RESIDENTIAL USES

3-2(A)(I) DWELLING, COTTAGE DEVELOPMENT

1. ~~If cottage dwelling units are located on one lot, the minimum lot size for the cottage development shall be one (1) acre.~~ The minimum lot size for co-housing development is 1 acre.
2. Underlying zone district lot and setback requirements shall apply to the project site boundaries as a whole, but not to individual co-housing dwellings.

~~———— A cottage development shall have no more than the total residential gross floor area that would be allowed on an equal size property in the same zone district for single-family detached development.~~

3. A minimum common open space of 10 percent of the total site area shall be designated and permanently reserved as usable common open space.
4. The development may contain shared indoor community space for all residents to use for activities, cooking, and/or dining. ~~If such a space is provided, the building area is not included in the maximum total residential gross floor area.~~

3-2(A)(II) DWELLING, TOWNHOUSE

1. A minimum common open space of 10 percent of the total site area shall be designated and permanently reserved as usable common open space.

3-2(A)(III) DWELLING, LIVE/WORK

1. Live/work dwelling units shall contain distinct areas for working and living.
2. The non-residential work area shall not occupy more than 50 percent of the total floor area of each live/work unit.
3. The non-residential use shall be operated by a resident of the live/work unit.

3-2(A)(IV) DWELLING, CO-HOUSING DEVELOPMENT

1. This use may provide shared kitchen if kitchens are not provided in each dwelling unit.
1. ~~The minimum lot size for co-housing development is one (1) acre.~~
2. ~~Underlying zoning district lot and setback requirements shall apply to the project site boundaries as a whole, but not to individual co-housing dwellings.~~
3. ~~A shared open space containing a minimum of ten (10) percent of the project area shall be provided.~~
1. This use ~~The development~~ may contain shared indoor community space for all residents to use for activities, cooking, and/or dining.

3-2(A)(V) DWELLING, MULTIPLE-FAMILY

1. If developments include less than 20 units, a minimum common open space of 10 percent of the total site area shall be designated and permanently reserved as usable common open space.
2. If developments include more than 20 units, a minimum common open space of 15 percent of the total site area shall be designated and permanently reserved as usable common open space.

3-2(A)(VI) ASSISTED CARE FACILITY

1. This use must comply with all applicable local, State, and Federal regulations and licensing.

3-2(A)(VII) GROUP CARE FACILITY

1. This use must comply with all applicable local, State, and Federal regulations and licensing.
2. Prior to occupancy, required licensing or exemption thereof must be filed with the Community Development Director.
3. Underlying zone district requirements applicable to other residential uses permitted in the district shall apply.
4. In any residential zone district, Group Care Facilities shall appear outwardly to be compatible with other dwellings in the neighborhood.

3-2(A)(VIII) GROUP RESIDENTIAL FACILITY

1. This use must comply with all applicable local, State, and Federal regulations and licensing.
2. Prior to occupancy, required licensing or exemption thereof must be filed with the Community Development Director.
3. Underlying zone district requirements applicable to other residential uses permitted in the district shall apply.
4. This use shall require a Special Use Permit pursuant to Section X⁵⁷ if located within 500 feet of another Group Residential Facility.
5. In any Residential district, Group Residential Facilities shall appear outwardly to be compatible with other dwellings in the neighborhood.

3-2(B) COMMERCIAL USES

3-2(B)(I) ADULT ENTERTAINMENT OR ADULT RETAIL

1. This use is prohibited within 300 feet of any Residential districts, School, or Daycare Center.
2. This use shall require a Special Use Permit pursuant to Section X⁵⁸ if within 500 feet of another Adult Entertainment or Retail establishment.

3-2(B)(II) BED AND BREAKFAST

1. This use shall outwardly appear to be a residential dwelling which is compatible with other dwellings in the neighborhood, with no evidence of a business use other than allowed signs.
2. The establishment shall be owner-occupied or shall be occupied by a resident manager.
3. The total number of persons that may occupy the Bed and Breakfast is twice the number of bedrooms for the dwelling units as a whole.
4. This use is limited to a maximum of 8 guestrooms.
5. Lodging accommodation for each guest is limited to a maximum of 30 consecutive days.
6. Off-street parking shall be provided in the amount of 1 space per bedroom.
7. All required parking shall occur in designated parking areas, such as parking lots, driveways, and/or garages. No parking shall occur on lawns or sidewalks. On-street parking is prohibited.
8. One non-illuminated sign, not exceeding 2 square feet in sign display area shall be permitted. Signs shall be mounted flat against the wall of the dwelling. Also see [Section 16-4-8](#) for sign requirements.

57 Appropriate cross-reference to be provided in Module 3.

58 Appropriate cross-reference to be provided in Module 3.

3-2(B)(III) CAMPGROUND OR RECREATIONAL VEHICLE (RV) PARK

1. The minimum lot size for this use is 2 acres.
2. The maximum gross density within a project shall not exceed 25 campground sites per acre.
3. Campground sites designated for recreational vehicles shall be sized to adequately accommodate the largest recreational vehicles allowed in the park so that no portion of a recreational vehicle extends beyond the campground site and onto any drive aisle.
4. All campground sites shall be located at least 25 feet from any project boundaries.

3-2(B)(IV) SHORT-TERM RENTAL

Reserved

3-2(B)(V) LABORATORIES

1. In the Downtown zone districts (DTLA, WRTC), laboratories as a primary use or incidental to Research and Development facilities shall require a Special Use Permit approval pursuant to Section X⁵⁹.

3-2(B)(VI) RESEARCH AND DEVELOPMENT

1. Any facility using hazardous materials or procedures subject to additional review, licensing, or approval by State or Federal law, or emitting electromagnetic radiation or other radiation, shall comply with all State and Federal requirements regarding the storage, handling, transfer, use, and safety of those materials, procedures, or radiation, and shall require a Special Use Permit pursuant to Section X⁶⁰.
2. Any facility conducting incidental animal experimental research shall require a Special Use Permit approval pursuant to Section X⁶⁰.

3-2(B)(VII) CANNABIS RETAIL

1. This use must comply with all applicable local and State regulations and licensing.
2. No cannabis retail establishment shall be licensed if located within 300 feet of a School or Daycare Center.
3. No cannabis retail establishment shall be licensed if within 300 feet of another cannabis retail establishment.
4. It shall be unlawful for any cannabis retail establishment licensed pursuant to this Development Code to remain open to the public at any time other than between the hours of 7:00 a.m. and 12:00 a.m. daily.
5. Cannabis retail establishments shall not be permitted to have indoor or outdoor designated vaping or smoking areas as defined in Section 18-31 of Chapter 18 the County Code of Ordinances.

3-2(B)(VIII) DAYCARE CENTER

1. This use shall obtain a Special Use Permit pursuant to Section X61 as required by Table 27 Permitted Use Table.
2. This use must comply with all applicable local, State, and Federal regulations and licensing.
3. Prior to operation, the license must be filled with the Community Development Director.
4. This use shall provide off-street parking per Table 28 Minimum Off-Street Parking Requirements and

59 Appropriate cross-reference to be provided in Module 3.

60 Appropriate cross-reference to be provided in Module 3.

61 Appropriate cross-reference to be provided in Module 3.

a procedure for pickup and delivery of children according to a site plan filed with the application.

~~Any outdoor play area(s) shall be enclosed with a wall or fence of at least 4 feet high and provide at least 1 latched gate for an emergency exit. When adjacent to any Residential and Mixed-Use districts, the required wall or fence shall be increased to 6 feet in height.~~

5. No outdoor activities for children shall be allowed before 7:30 a.m. or after 6:00 p.m. daily.
6. Noise levels shall be governed by the provisions of Chapter 18 of the County Code of Ordinances.

3-2(B)(IX) NICOTINE RETAIL

1. This use must comply with all applicable local and State regulations.
2. No Nicotine Retail establishment shall be allowed if located within 300 feet of any Residential zone district, a School, or Daycare Center.
3. This use shall require a Special Use Permit if within 500 feet of another Nicotine Retail establishment.
4. It shall be unlawful for any Cannabis Retail establishment licensed pursuant to this Development Code to remain open to the public at any time other than between the hours of 8:00 a.m. and 10:00 p.m. daily.

3-2(B)(X) KENNEL

1. Outdoor facilities associated with this use, including outdoor kennels or runs, shall not be located within 300 feet of any Residential zone district.

3-2(B)(XI) LIGHT VEHICLE AND EQUIPMENT SALES, RENTAL, AND REPAIR

1. Vehicle fueling stations abutting a Single-family Residential zone district (SFR) shall require a Special Use Permit pursuant to Subsection X⁶².
2. In any Mixed-use zone district, vehicle service and maintenance shall be conducted within fully enclosed portions of a building and any incidental outdoor vehicle or equipment display or storage is prohibited.
3. Any incidental outdoor vehicle or equipment display, storage, or service and maintenance areas must be screened from any abutting Residential or Mixed-use zone districts as required by Section 4-4(E)(III).
4. Open storage of inoperable, wrecked, or discarded machinery or equipment is prohibited.

3-2(B)(XII) HEAVY VEHICLE AND EQUIPMENT SALES, RENTAL, AND REPAIR

1. This use is prohibited within 300 feet of a Single-family Residential zone district (SFR).
2. Any incidental outdoor vehicle or equipment display, storage, or service and maintenance areas must be screened from any abutting Residential or Mixed-use zone district as required by Section 4-4(E)(III).
3. Open storage of inoperable, wrecked, or discarded machinery or equipment is prohibited.

3-2(B)(XIII) ~~OUTDOOR~~ VEHICLE STORAGE

1. Commercial vehicle storage shall be prohibited in any Residential zone district.
2. All outdoor vehicle storage areas shall be screened from any adjacent Residential or Mixed-use zone district as required by Section 4-4(E)(III).

62 Appropriate cross-reference to be provided in Module 3.

3-2(C) INDUSTRIAL USES

3-2(C)(I) ARTISAN MANUFACTURING

1. All activities associated with this use shall occur entirely within an enclosed structure.
2. The incidental Retail Sales of goods produced on the property are allowed.

3-2(C)(II) LIGHT MANUFACTURING

1. All activities associated with this use shall occur entirely within an enclosed structure.
2. The incidental Retail Sales of goods produced on the property are allowed.

3-2(C)(III) HEAVY MANUFACTURING

1. This use may be conducted outside of a building, provided it complies with all applicable standards of Section 4-4(E).
2. This use is prohibited within 500 feet of any Residential zone district, School or Daycare Center.
3. Incidental Outdoor Storage is allowed, provided it is compliant with the standards of Section 3-2(D)(X).

3-2(C)(IV) SPECIAL MANUFACTURING

1. This use must comply with all applicable local, State, and Federal regulations and licensing.

3-2(C)(V) CANNABIS CULTIVATION & MANUFACTURING FACILITY

1. A Cannabis Cultivation & Manufacturing Facility is allowed, provided that the establishment complies with all applicable local and State requirements and licensing.
2. No Cannabis Cultivation & Manufacturing Facility shall be licensed if located within 300 feet of a School, or Daycare Center or any Residential zone district.
3. This use shall require a Special Use Permit pursuant to Section X⁶³ when within 300 feet of another Cannabis Cultivation & Manufacturing Facility.
4. All activities associated with this use must be conducted within the fully enclosed portions of a building unless a Special Use Permit is obtained pursuant to Section X⁶⁴.
5. The incidental Retail Sales of goods produced on the property is allowed, provided it complies with Section 3-2(B)(VII) and the Cannabis Regulation Act.
6. Incidental Outdoor Storage is allowed, provided it is compliant with the standards of Section 3-2(D)(X).

3-2(C)(VI) NATURAL RESOURCE EXTRACTION

1. This use must obtain all applicable State and Federal regulations and permits and comply with the terms of those permits throughout the duration of the activity.
2. This use is prohibited within 500 feet of any Residential zone district, School, or Daycare Center.
3. This use shall be screened from adjacent properties by all applicable standards of Section 4-4(E).

63 Appropriate cross-reference to be provided in Module 3.

64 Appropriate cross-reference to be provided in Module 3.

3-2(C)(VII) RECYCLING STATION

1. This use shall occupy an area not greater than 1,000 square feet.
2. Recycling stations shall be operated and maintained in a safe, healthful, and convenient manner and shall not be operated so as to become offensive, noxious, hurtful, injurious, or dangerous to persons or adjoining properties.
3. Recycling stations should not be directly accessed from the public right-of-way and should be situated and designed so as not to create traffic and/or pedestrian circulation problems on existing properties.

3-2(C)(VIII) SALVAGE YARD

1. This use is prohibited within 300 feet of any Residential zone district, School, or Daycare Center.
2. This use shall be screened from adjacent properties by all applicable standards of Section 4-4(E).

3-2(C)(IX) WIRELESS TELECOMMUNICATIONS FACILITY

Reserved

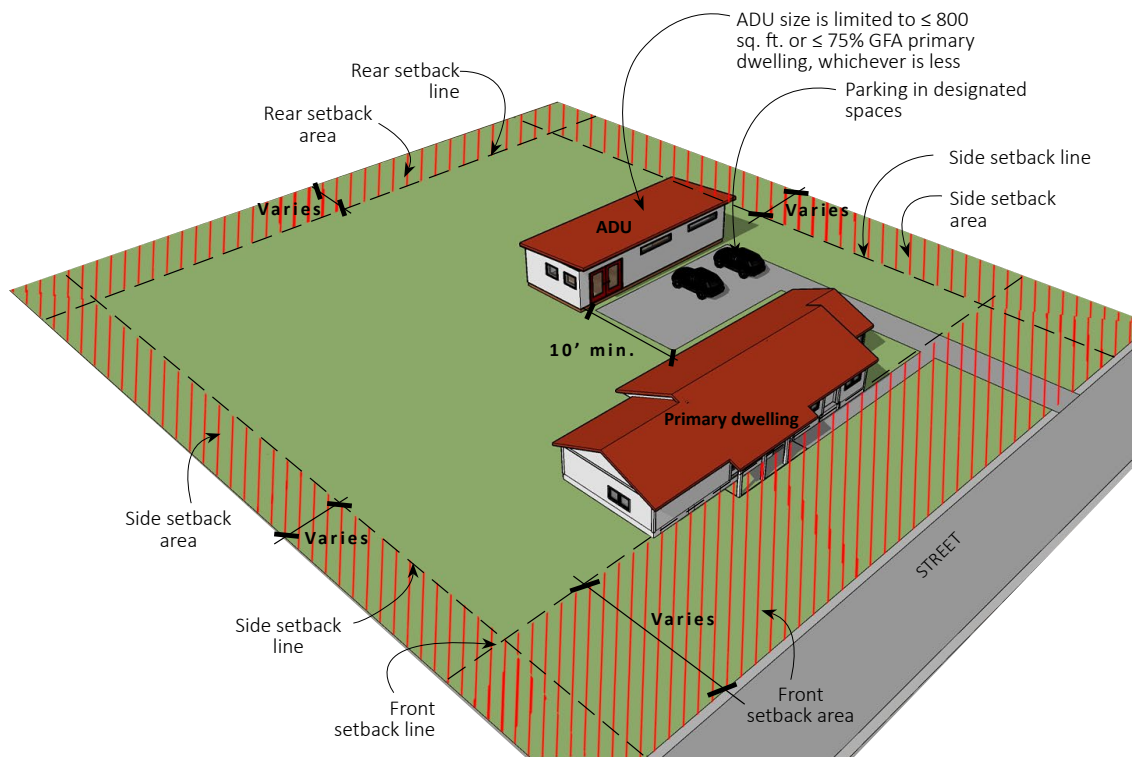
3-2(D) ACCESSORY USES

3-2(D)(I) ACCESSORY DWELLING UNIT

1. The erection of any Accessory Dwelling Unit requires a Building Permit pursuant to Section X⁶⁵ prior to commencing construction.
2. No more than 1 Accessory Dwelling Unit either attached or detached is permitted per lot.
3. The underlying base zone district requirements including lot, setback, and coverage standards shall apply to an Accessory Dwelling Unit.
4. The lot coverage of Accessory Dwelling Units located in the required rear yard shall not exceed 25 percent of the required rear yard area.
5. The square footage of the Accessory Dwelling Unit shall not be more than 75 percent of the total living area of the house or 800 square feet, whichever is less. The lot coverage of the detached Accessory Dwelling Unit cannot exceed the lot coverage of the primary dwelling.
6. The Accessory Dwelling Unit shall not be located in the required front, side, or rear setback areas.
7. The Accessory Dwelling Units shall be at least 10 feet from the primary dwelling on the lot.
8. The Accessory Dwelling Unit shall outwardly be compatible with the primary dwelling unit on the lot in terms of color, material, and architectural design.
9. Off-street parking shall be provided in the amount of 1 space per bedroom with a minimum of 1 per unit.
10. All required parking shall occur in designated parking areas, such as driveways and/or garages. No parking shall occur on lawns or sidewalks.

65 Appropriate cross-reference to be provided in Module 3.

FIGURE 16: Accessory Dwelling Unit (ADU) Standards

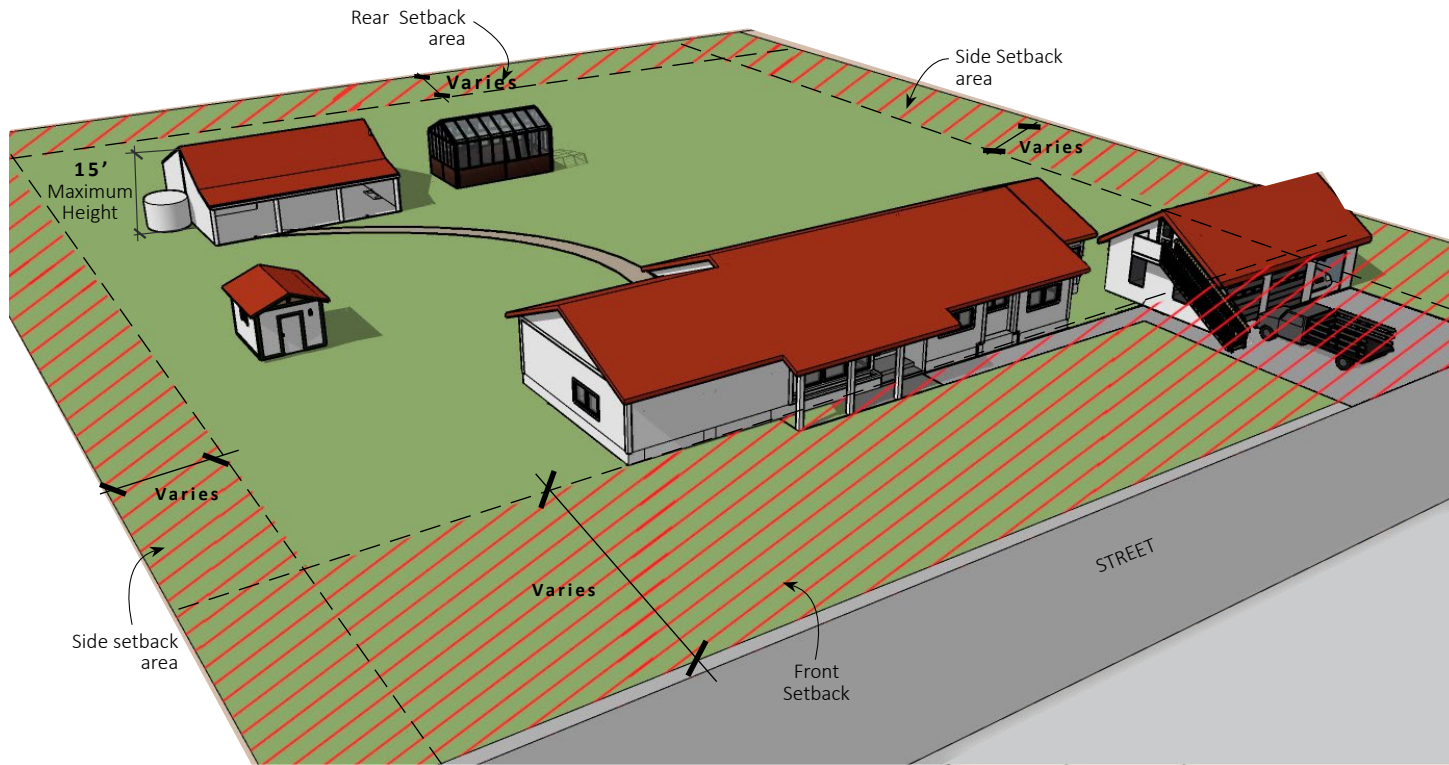


3-2(D)(II) ACCESSORY STRUCTURES

1. The erection of any Accessory Structure requires an Accessory Structure Permit pursuant to Section X⁶⁶ prior to commencing construction.
2. Accessory Structures shall comply with any maximums and dimensional standards of the underlying zone district in which they are located, pursuant to section *PART 16-2 Zone Districts*.
3. Unless otherwise specified within this Code, Accessory Structures shall be a maximum height of 15 feet.
4. No Accessory Structure, except as modified below, may be located closer to the front property line than the main structure on any lot.
5. Garages and carports may be located in the front yard behind the minimum front setback in any Residential zone district.
6. No other Accessory Structure may be located in the front yard within 40 feet of the front property line in any zone district.
7. No Accessory Structures shall be located in required side yards in any zone district.
8. Small Accessory Structures, not exceeding 120 square feet, shall be at least 10 feet from the primary dwelling and other accessory structures on the lot.
9. In any Residential zone district, no Accessory Structure shall be located within 3 5 feet of any rear lot line.

66 Appropriate cross-reference to be provided in Module 3.

FIGURE 17: Accessory Structure Standards



3-2(D)(III) CARETAKER UNIT

1. No more than 1 caretaker dwelling unit is permitted per lot as allowed per Table 27 Permitted Use Table.

3-2(D)(IV) DAYCARE FACILITY CENTER

1. This use shall obtain a Special Use Permit pursuant to Section X⁶⁷ as required by Table 27 Permitted Use Table.
2. This use must comply with all applicable local, State, and Federal regulations and licensing.
3. Prior to operation, the license must be filled with the Community Development Director.
4. This use shall provide off-street parking per Table 28 Minimum Off-Street Parking Requirements and a procedure for pickup and delivery of children according to a site plan filed with the application.

Any outdoor play area(s) shall be enclosed with a wall or fence of at least 4 feet high and provide at least 1 latched gate for an emergency exit. When adjacent to any Residential and Mixed-Use districts, the required wall or fence shall be increased to 6 feet in height.

5. This use shall be limited to a minimum of 5 and maximum of 7 individual children.
6. This use shall outwardly appear to be a residential dwelling which is compatible with other dwellings in the neighborhood.
7. No major alterations to the dwelling are allowed that prevent the continuing use or the structure as a residence.
8. All required parking shall occur in designated parking areas, such as parking lots, driveways, and/or garages. No parking shall occur on lawns or sidewalks.
9. Outside recreation areas shall be fenced from adjoining residential properties.
10. No outdoor activities for children shall be allowed before 7:30 a.m. or after 6:00 p.m daily.

67 Appropriate cross-reference to be provided in Module 3.

11. Noise levels shall be governed by the provisions of Chapter 18 of the County Code of Ordinances.

3-2(D)(V) DAYCARE HOME

1. This use shall be an accessory use and home occupation in ~~an~~ any Residential zone district.
2. This use must comply with all applicable local, State and Federal regulations and licensing.
3. Prior to operation, required licensing or exemption thereof must be filed with the Community Development Department.
4. This use shall be limited to a maximum of ~~46~~ children.
5. This use shall outwardly appear to be a residential dwelling which is compatible with other dwellings in the neighborhood.
6. No major alterations to the dwelling are allowed that prevent the continuing use or the structure as a residence.
7. This use shall provide a minimum of 1 off-street parking space per employee.
8. All required parking shall occur in designated parking areas, such as parking lots, driveways, and/or garages. No parking shall occur on lawns or sidewalks.
9. Outside recreation areas shall be fenced from adjoining residential properties.
10. No outdoor activities for children shall be allowed before 7:30 a.m. or after 6:00 p.m. daily.
11. Noise levels shall be governed by the provisions of Chapter 18 of the County Code of Ordinances.

3-2(D)(VI) GREENHOUSE

1. Within residential zone districts, this use must comply with all provisions for Accessory Structures in Section 3-2(D)(II).

3-2(D)(VII) HOME BUSINESS

1. This use shall obtain a Special Use Permit per the requirements of Section X⁶⁸ prior to conducting businesses.
2. This use shall acquire a Business Permit, pursuant to Chapter 12 - Business of the County Code of Ordinances.
3. This use shall provide a minimum of 1 off-street parking space per employee.
4. All required parking shall occur in designated parking areas, such as parking lots, driveways, and/or garages. No parking shall occur on lawns or sidewalks.
5. Other than restrictions on employment, this use shall comply with all regulations of the Home Occupations in Section 3-2(D)(VIII).

3-2(D)(VIII) HOME OCCUPATION

1. This use shall acquire a Business Permit, pursuant to Chapter 12 - Business of the County Code of Ordinances.
2. The conductor of this use shall be the permanent resident of the structure in which this use is conducted.
3. ~~No more than one person outside of the one other than a~~ residents of the dwelling shall be employed in the use or activities of a Home Occupation.
4. This use shall outwardly appear to be a residential dwelling which is compatible with other dwellings in the neighborhood.
5. No major alterations to the dwelling are allowed that prevent the continuing use of the structure as a residence.
6. The following uses from Table 27 Permitted Use Table are prohibited as a Home Occupation:

68 Appropriate cross-reference to be provided in Module 3.

- A. Any use in the Food and Beverage category.
 - B. Any use in the Vehicle and Equipment-related category.
 - C. Any use in the Industrial category, with the exception of Artisan Manufacturing.
 - D. Contractor Facility or Yard.
 - E. Crematorium.
 - F. Mortuary.
 - G. Cannabis Cultivation & Manufacturing Facility, unless as authorized by the State as a licensed producer pursuant to the Lynn and Erin Compassionate Use Act.
 - H. Cannabis Retail, unless as authorized by the State as a licensed producer pursuant to the Lynn and Erin Compassionate Use Act.
7. All business activities shall be conducted in the primary building or an allowed Accessory Structure, except in the RA zone district where agricultural, horticultural, or animal husbandry uses may be carried out on the outside of a building.
 8. No more than 10 ~~25~~ percent of the total floor area of the dwelling unit where the operator of the home occupation resides or a maximum of 300 square feet shall be designated to the Home Occupation use.
 9. The incidental retail sales of goods and services created on the premises may be sold on the premises, provided the retail component is not more than 10 percent of the total floor area of the dwelling unit.
 10. No equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises or causes fluctuations in line voltage off the premises.
 11. The Home Occupation shall not generate vehicular traffic and parking greater than that which would be generated by a residential use of the underlying base zone district.
 12. One non-illuminated sign, not exceeding 2 square feet in sign display area shall be permitted. Signs shall be mounted flat against the wall of the dwelling. Also see Section 16-4-8 for sign requirements.
 13. Any violation of these regulations may result in the revocation of any Home Occupation Permit in addition to any other remedy for such violation provided in this Code or by law.

3-2(D)(IX) LIVESTOCK HUSBANDRY

1. The keeping and maintenance of livestock shall comply with the regulations and provisions of Chapter 6 – Animals of the County Code of Ordinances.

3-2(D)(X) OUTDOOR STORAGE, ACCESSORY

1. Incidental Outdoor Storage shall be limited to goods or materials sold or used on the premises as part of the principal use of the property.
2. No Outdoor Storage shall be allowed in required off-street parking, landscape areas, or public rights-of-ways and pedestrian pathways.
3. Outdoor Storage of material shall create no hazard or visual obstructions to required sight visibility triangles of Section 4-2(C)(IV), or create a fire, safety, or health hazard.
4. All outdoor vehicle storage areas abutting any Residential or Mixed-use zone district is prohibited.
5. Each outdoor storage area shall be screened from view from all property lines and adjacent rights-of-way pursuant to all applicable standards in Section 4-4(E)(I).
6. In any zone district except for IND, the height of any items stored outside shall not exceed the height of any screening fence or wall.
7. Where the outside storage is necessary during construction, it must comply with Section 3-2(E)(I).

3-2(D)(XI) RECREATIONAL VEHICLE STORAGE

1. Parking of Recreational Vehicle, Boat, and/or Recreational Trailer shall occur in one of the following areas:
 - A. Inside an enclosed Accessory Structure.
 - B. Outside in a side or rear yard.
2. A Recreational Vehicle, Boat, and/or Recreational Trailer Recreation equipment shall not be parked or stored in front yards except for periods for loading or unloading purposes provided it does not exceed 10 days at a time; except if the lot, because of topography or shape, and the structures located on the lot, cannot reasonably accommodate the location of recreation equipment in areas other than the front yard. In those instances, the recreational vehicle shall be kept in reasonable, operable condition and repair and parked at least 11 feet from the face of the curb.
3. No part of any recreational vehicle or equipment may extend over any public sidewalk or into any required clear sight triangle.
4. No parked vehicle or equipment may be used for dwelling purposes, except one recreational vehicle may be used for dwelling purposes for a maximum of 30 days in any calendar year on any lot if used by house guests of the resident(s) of the premises, provided that no money is received by the resident(s) of the site for this privilege or as a temporary dwelling during the construction of a single-family or two-family dwelling, through the issuance of a Temporary Use Permit, pursuant to Section X⁶⁹.

3-2(D)(XII) RESIDENTIAL COMMUNITY AMENITY

1. Outdoor recreational areas, including but not limited to swimming pools, tennis courts, basketball courts etc., are permitted as an accessory use to townhouse, multi-family, or mixed-use developments. Swimming pools shall comply with the standards in *Section 3-2(D)(XVI)*.
2. Any structures required for this use, such as clubhouses, must comply with the dimensional regulations of the underlying base zone district and shall appear outwardly to be compatible with other dwellings in the development or neighborhood.

3-2(D)(XIII) MICROWAVE & SATELLITE DISH ANTENNAS

1. A maximum of 1 satellite dish antenna per residential lot is permissive as an accessory use.
2. Installation will be in accordance with manufacturer's specifications. In the absence thereof, installation will be in accordance with specifications established by the County Engineer.

3-2(D)(XIV) OUTDOOR DINING

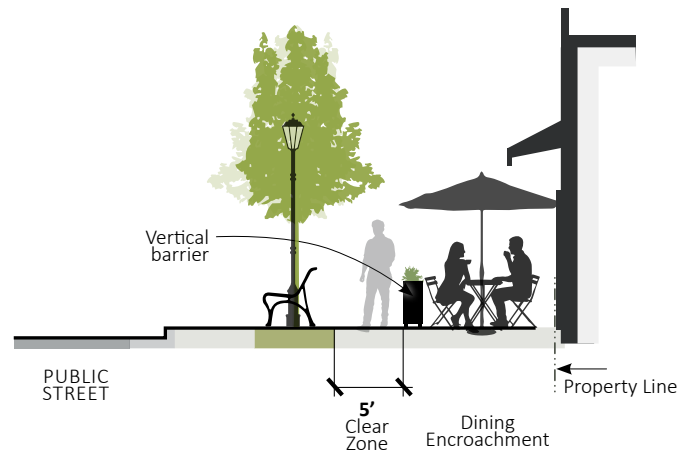
1. Outdoor dining areas located in the public right-of-way shall require a Special Use Permit, pursuant to the requirements of Section X⁷⁰, provided they meet the standards of this subsection.
2. Outdoor dining areas shall be limited to the area directly adjacent to the business they serve.
3. Outdoor dining areas shall not interfere with ingress or egress of surrounding establishments.
4. Outdoor dining areas shall not obstruct required sight visibility triangles as defined in *Section 4-2(C)(IV)*.
5. Outdoor dining areas shall maintain a minimum of 5 feet of unobstructed sidewalk clear zone along the public sidewalk at any time.

⁶⁹ Appropriate cross-reference to be provided in Module 3.

⁷⁰ Appropriate cross-reference to be provided in Module 3.

FIGURE 18: Outdoor Dining Standards

6. Outdoor dining areas that have more than 4 tables or other furnishings shall provide a maximum 4-foot vertical separation between the dining area and the sidewalk with fencing, decorative plants, landscape planters, or other architectural barriers approved by the Community Development Director that prevent encroachment of tables and chairs into the 5-foot clear zone maintained for pedestrian access.
7. The outdoor dining use operator shall maintain the outdoor dining area in a clean and safe condition at all times.



3-2(D)(XV) SOLAR COLLECTION SYSTEMS

1. When a solar energy collection system is installed on a lot, Accessory Structures or vegetation on an abutting lot shall not be located so as to block the solar collector's access to solar energy. The portion of a solar collector that is protected is that portion which:
 - A. Is located so as not to be shaded between the hours of 10:00 a.m. and 3:00 p.m. by a hypothetical 12-foot obstruction located on the lot line; and
 - B. Has an area not greater than one-half of the heated floor area of the structure, or the largest of the structures served.
2. Subsection (1) of this section does not apply to accessory structures or vegetation existing in any abutting lot at the time of installation of the solar energy collection system, or on the date of adoption of this chapter, whichever is later. Subsection (1) of this section controls any Accessory Structure erected on, or vegetation planted in, abutting lots after the installation of the solar energy collection system.
3. ~~A statement that a solar energy collection system has been installed on a lot, and a right to solar access is claimed, shall be filed and recorded with the County Clerk on the day the Building Permit for the improvement is issued. A copy of the recorded statement shall be provided to the Community Development Department by the person owning the solar energy collection system. The solar energy collection system must be completed and have a final inspection by the County Building Inspector within 1 year from the statement's recorded date.~~

3-2(D)(XVI) SWIMMING POOLS

1. Swimming pools, public or private, shall not be located in any required front or side setback area.
2. Swimming pools shall maintain a minimum distance of 10 feet from all property lines. Associated equipment such as pool coping, walks, or apron is not restricted by this 10-foot setback requirement.
3. A structure designed to enclose a pool shall meet the applicable accessory or main structure setback and height and coverage requirements of the underlying base zone district.
4. Swimming pools and associated equipment shall comply with Building Code requirements.
5. Every outdoor swimming pool, or the yard in which it is located, must be completely surrounded by a fence not less than 42 inches in height, and all fence gates or doors opening to the pool must be equipped with at least a self-closing and self-latching device for keeping the gates or doors securely closed at all times when not in actual use.

6. No private swimming pool shall be operated as a business or as a private club, unless in accordance with other provisions of this Code.

3-2(E) TEMPORARY USES

3-2(E)(I) CONSTRUCTION STAGING AREA, TRAILER, OR OFFICE

1. This use requires a Temporary Use Permit pursuant to procedures outlined per Section X⁷¹.
2. This use may only be ancillary to a construction project and shall only be allowed 30 calendar days before construction begins to 30 calendar days after issuance of a Certificate of Occupancy for a structure, or 30 calendar days after construction finishes if no Certificate of Occupancy is required.
3. Security fences not exceeding 8 feet in height may be erected on the construction site, with the location and material of the fence to be approved by the Community Development Director as part of the Temporary Use Permit for the contractor's office and/or equipment shed. Barbed wire may be utilized for added security, but only at the top of the fence above 6 feet. Such fences shall be removed on or before the expiration of the Temporary Use Permit.

3-2(E)(II) DWELLING UNIT, TEMPORARY

1. This use requires a Temporary Use Permit pursuant to procedures outlined per Section X⁷².
2. Temporary Dwelling Units shall only be permissive during construction of a permanent single-family or two-family dwelling unit and shall be located in a structure, mobile home, or recreational vehicle on the same premises as the activity or construction that it serves.
3. The applicant shall arrange for appropriate utility services to the Temporary Dwelling Unit.
4. The dwelling unit's location on the site shall conform to the site development standards of the residential district in which it is to be located.
5. The Temporary Dwelling Unit shall be removed from the site on or before occupancy of the permanent dwelling unit.

3-2(E)(III) FAIR, CARNIVAL, CIRCUS

1. This use requires a Temporary Use Permit pursuant to procedures outlined per Section X⁷³.
2. This use shall only operate for a maximum period of 15 days in any 6-month period at the same site.

3-2(E)(IV) GARAGE OR YARD SALE

1. This use shall be permitted multiple times per year, provided the duration of any sale shall not exceed 3 consecutive calendar days.

3-2(E)(V) MOBILE VENDING

1. This use may be operated outside an enclosed structure.
2. Mobile Vending operators intending to operate in the public right-of-way shall obtain all required licenses and permits from the County, which shall be available on-site for inspection by government officials.
3. Mobile Vending operating on private property shall obtain written consent from the private property owner(s) of properties on which they intend to operate.

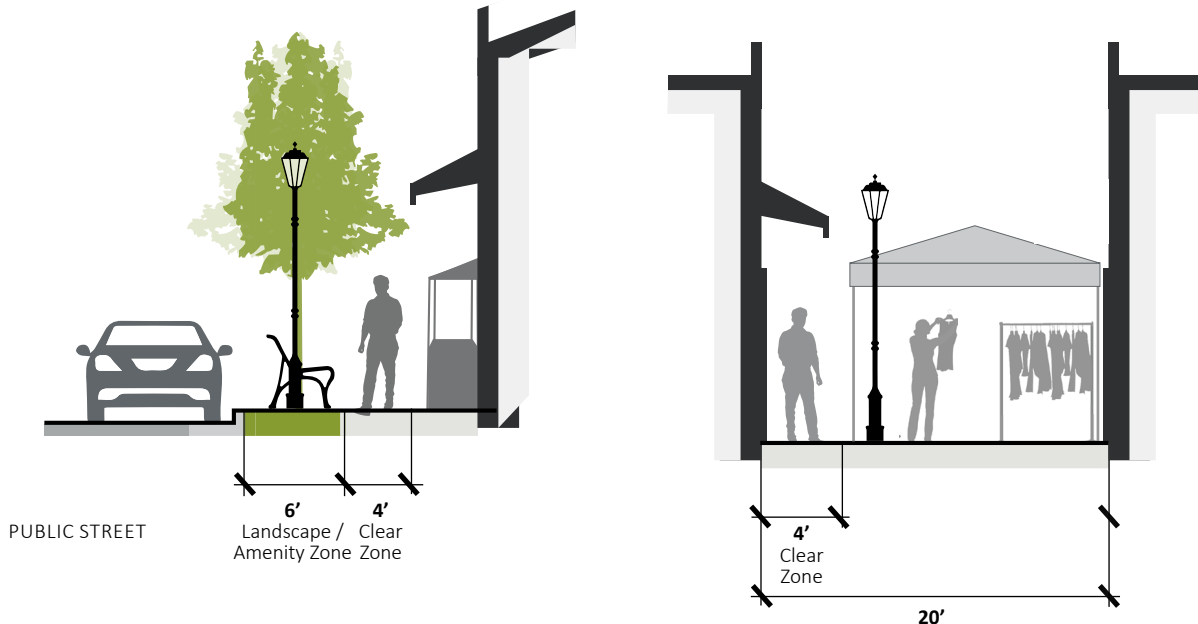
71 Appropriate cross-reference to be provided in Module 3.

72 Appropriate cross-reference to be provided in Module 3.

73 Appropriate cross-reference to be provided in Module 3.

4. Mobile Vending operators shall obey all parking and traffic laws. No part of the Mobile Vending operation shall obstruct required parking stalls.
5. Mobile Vending operations shall not obstruct pedestrian or bicycle access or passage, or parking lot circulation. Mobile Vending on sidewalks or on-site pedestrian walkways shall maintain a minimum of 4 feet of unobstructed sidewalk clear zone along the public sidewalk at any time.
6. The display or sales of merchandise is permitted in the MU, WRTC, DTLA, GC, P-O, and the IND zone districts for a maximum period of 30 calendar days cumulative in any 12-month calendar year period.

FIGURE 19: *Mobile Vending*

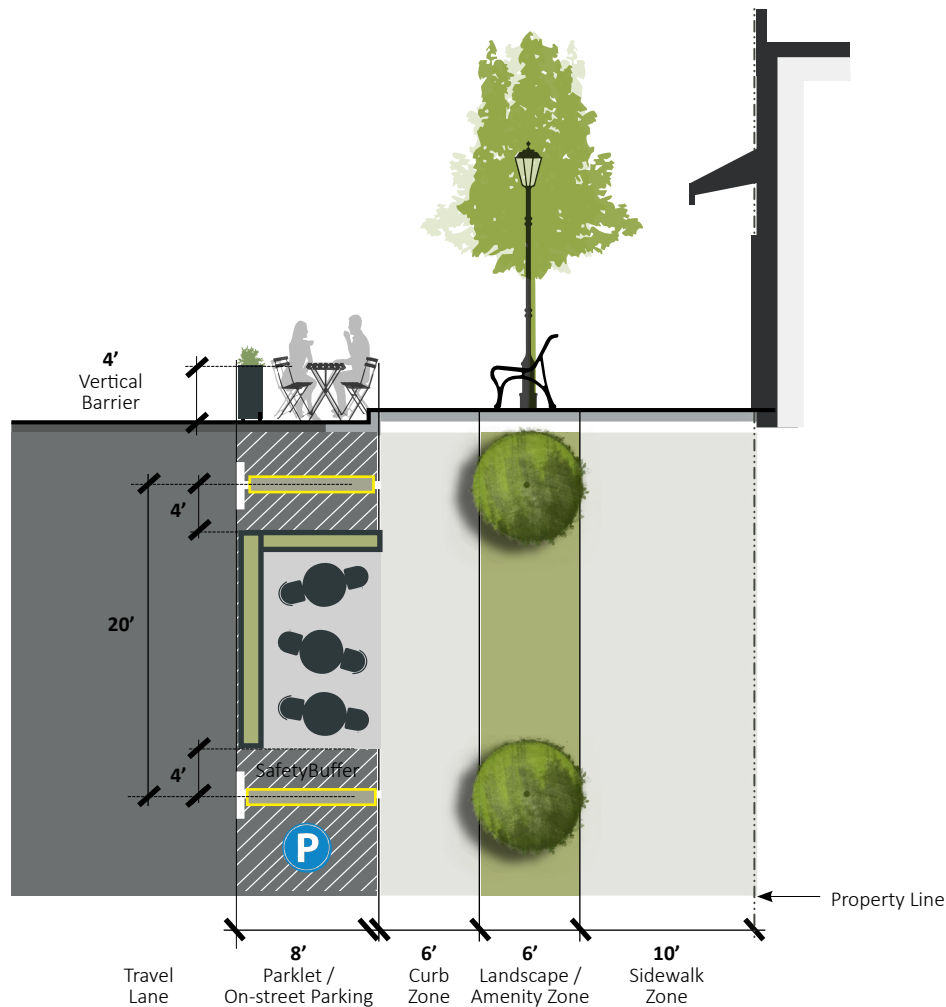


7. This use may include any activity involved with food preparation or sales, provided all applicable Environmental Health and other County and State regulations shall apply and the use is compliant with the following regulations:
 - A. Mobile food vendors must comply/ address gray water and grease waste per state regulations
 - B. Mobile food vending operators shall maintain trash receptacles and all areas used for food vending in a safe and clean condition and must dispose of all waste in accordance with health department regulations.
8. In the PL zone district, student vendor sales shall be permitted only with the consent of the owner of such property provided the following standards are met:
 - A. Applicants shall comply with the provisions of Chapter 12 - Business of the County Code of Ordinances.
 - B. Student vendor sales of food products shall comply with state law.
 - C. Temporary Use Permits for student vendor sales shall be valid from, and including, Memorial Day weekend to Labor Day weekend.
 - D. Student vendor sales are limited to persons currently enrolled in high school or college. Proof of such enrollment shall be required at the time the application for a Temporary Use Permit is submitted to the County.
 - E. Student vendor sales on the public rights-of-way is prohibited.

3-2(E)(VI) PARKLETS

1. Parklets are permissible on roadways with speeds of 30 mph or less, provided an Encroachment Temporary Use Permit is obtained, pursuant to the requirements of Section X⁷⁴.
2. A safety buffer shall be established around the parklet though the use of wheel stops placed a minimum of 4 feet from the parklet.
3. Parklets shall include vertical elements, such as posts or bollards, to increase visibility to traffic.
4. Parklets shall be a minimum width of 6 feet or the width of the parking lane, whichever is greater.
5. Parklet design shall not inhibit adequate drainage of stormwater runoff.
6. Parklet location shall not obstruct fire hydrants, transit stops, utilities, fire lanes, and sight visibility triangles or be located in any place deemed unsafe by Los Alamos County Public Works Department.

FIGURE 20: *Parklet Standards*



3-2(E)(VII) REAL ESTATE OFFICE

1. This use requires a Temporary Use Permit pursuant to procedures outlined per Section X⁷⁵.
2. Real Estate Office and model homes may be located within a Residential zone district as part of an on-going residential development.

74 Appropriate cross-reference to be provided in Module 3.

75 Appropriate cross-reference to be provided in Module 3.

3-2(E)(VIII) SEASONAL OUTDOOR SALES

1. This use requires a Temporary Use Permit pursuant to procedures outlined per Section X⁷⁶.
2. This use shall only operate for a maximum period of 45 days in any calendar year, with the exception of seasonal produce sales which may be granted for a period that accommodates the growing / harvest season.
3. In any PL zone district, seasonal sales are permitted only with the consent of the owner of such property for a period of no longer than 45 days. The County Council shall designate those County lands where lot sales are to be permitted.
4. Seasonal Outdoor Sales shall not obstruct nor encroach upon any required side yard setback, pedestrian or bicycle access or passage, or parking lot circulation. Seasonal Outdoor Sales on sidewalks or on-site pedestrian walkways shall maintain a minimum of 4 feet of unobstructed sidewalk clear zone along the public sidewalk at any time.

3-2(E)(IX) SPECIAL EVENT

1. This use requires a Temporary Use Permit pursuant to procedures outlined per Section X⁷⁷.
2. This use shall only operate for a maximum period of 15 days in any 90-day period.

3-2(E)(X) TEMPORARY STORAGE

1. This use requires a Temporary Use Permit pursuant to procedures outlined per Section X⁷⁸.
2. This use shall only operate for a maximum period of 60 consecutive days in any calendar year. Temporary storage containers shall not be permanently placed within any front, side, or rear yard.
3. Temporary storage containers shall not be placed within public rights-of way or interfere with required sight visibility triangles pursuant to Section 4-2(C)(IV).

76 Appropriate cross-reference to be provided in Module 3.

77 Appropriate cross-reference to be provided in Module 3.

78 Appropriate cross-reference to be provided in Module 3.

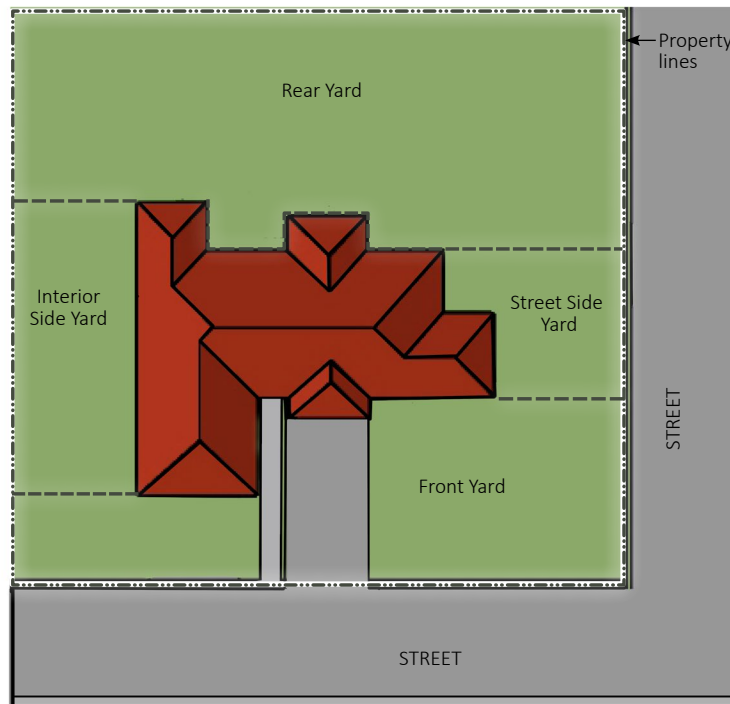
PART 16-4. DEVELOPMENT STANDARDS

SECTION 16-4-1 DIMENSIONAL STANDARDS

4-1(A) YARD REQUIREMENTS

1. A yard is the open space between the lot line and a building line.
 - A. Front Yard refers to the part of a lot from the front lot line to any front façade of the primary building, extended to both side lot lines. If there is no primary building on the lot, the front yard refers to the part of a lot within the minimum setback in the zone district on the side of the lot where the property will be addressed.
 - B. Interior Side Yard refers to the part of a lot from an interior side lot line to the side façade of the primary building.
 - C. Street Side Yard refers to the part of a lot from a street side lot line the side façade of the primary building.
 - D. Rear Yard refers to the part of a lot from the rear lot line to any rear façade of the primary building, extended to both side lot lines.

FIGURE 21: *Yards*



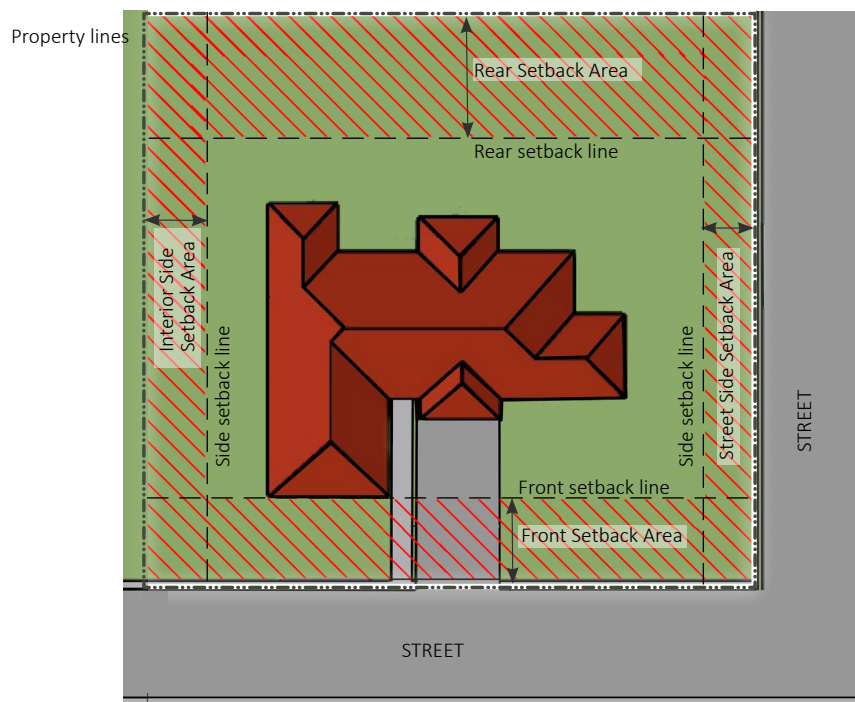
2. On a corner lot in any Residential zone district, the owner has a choice of which yard is the front yard and to construct the dwelling unit accordingly, unless the front yard is designated on the recorded plat of the subdivision.
3. The elected or designated front yard shall conform to the site development requirements for the underlying base zone district pursuant to the standards of *PART 16-2 Zone Districts*.
4. The other yard abutting a street is a side yard and shall have a minimum setback of 15 feet or the setback required by the underlying base zone district pursuant to the standards of *PART 16-2 Zone Districts*, whichever is larger.

5. On double frontage lots, one yard shall be designated as the front yard, and the other yard abutting a street shall be the rear yard but shall be subject to all site development requirements of a front yard of the underlying base zone district pursuant to the standards of *PART 16-2 Zone Districts*.
6. Fences, walls, and hedges in any yard are subject to the height limitations as defined in *Table 42 Maximum Height of Walls and Fences*.

4-1(B) REQUIRED SETBACK AREAS

1. A setback is the required distance between the established lot line and any building on the lot or, where the lot line is within a street or access easement, the edge of the street or easement and any building on the lot.
2. Front Setback refers to the line that defines the depth of the required front setback area. The front setback shall be parallel with the street line or future right-of-way line.
3. Side Setback refers to the line that defines the width or depth of the required side setback area. The side setback line shall be parallel with the property line or if abutting a street shall be parallel with the street line or future right-of-way line.
4. Interior Side Setback refers to the line that defines the width or depth of a required side setback area that is parallel with an adjacent property line that is not abutting a street or public right-of-way and is not defined as a front or rear setback area.
5. Street Side Setback refers to the line that defines the width or depth of a required side setback area that is parallel with the abutting street line or future right-of-way line and is not defined as a front or rear setback area.
6. Rear Setback refers to the line that defines the width or depth of the required rear setback area. The rear setback line shall be parallel with the property line or if abutting the street shall be parallel with the street line or future right-of-way line. The rear setback area is that which is furthest away from the front setback area.

FIGURE 22: *Required Setbacks*



7. Required setbacks shall be determined by the underlying base zone district pursuant to the standards in *PART 16-2 Zone Districts*, except if a multi-family, Mixed-use or Non-residential zone

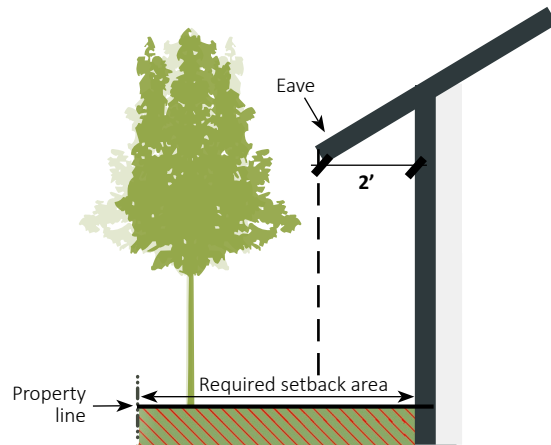
district lot abuts or is adjacent to any low-density residential lot when it shall comply with the standards of *Section 16-4-5 Neighborhood Protection Standards*.

8. Except as allowed elsewhere in this Code, no building or Accessory Structure shall be allowed within a required setback areas between a property line and required front, side or rear setback pursuant to the standard of the underlying base zone district in *PART 16-2 Zone Districts*.
9. Except as allowed elsewhere in this Code, every required setback area shall remain open, unobstructed, and free of ruins, wreckage, rubbish, and debris.

4-1(C) PERMISSIVE PROJECTIONS INTO REQUIRED SETBACK AREAS

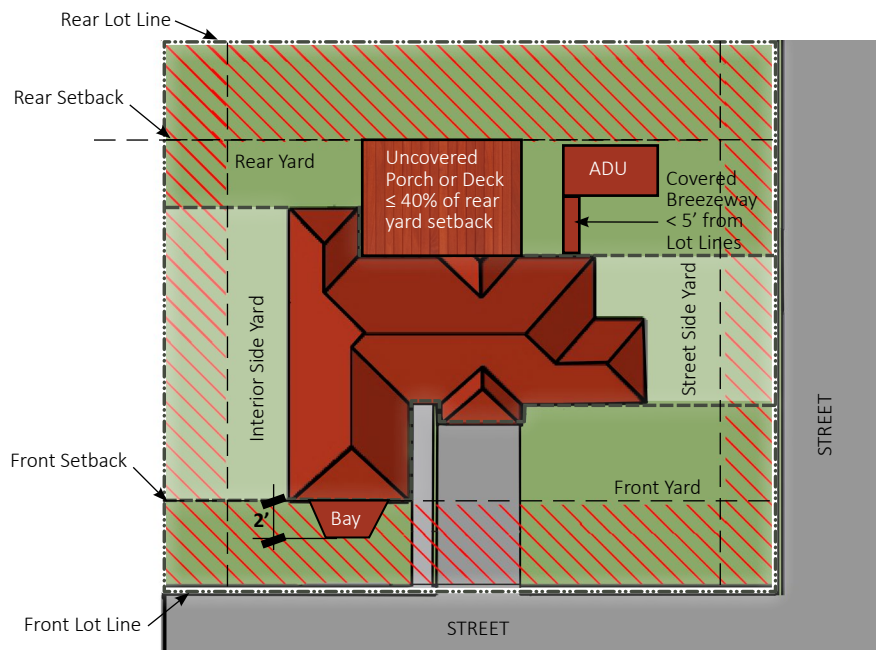
1. Uncovered walkways, driveways, steps, patios, or courtyards may extend any distance into any required setback area.
2. Non-structural architectural features such as eaves, cornices, sills, chimneys, awnings, or similar features may project a maximum of 2 feet into any required setback area.
3. Fire escapes and fire-resistive outside stairways may project into any required rear or side setbacks as permitted by the latest version of the New Mexico Building Code adopted by the County.
4. Uncovered porches or decks may extend a maximum of 40 percent of the required setback area into a required rear setback area, but shall not extend any distance into a required side or front setback area.

FIGURE 23: *Non-structural Projections*



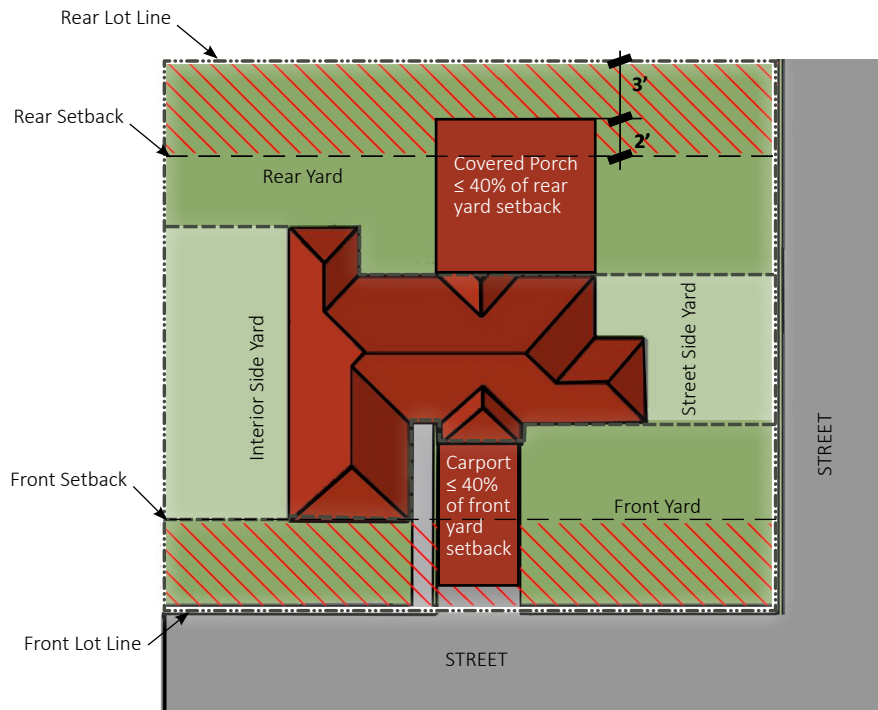
5. Except as otherwise provided in this Code, structural architectural features including arcades, balconies, bay windows, or similar may project a maximum of 2 feet into the required front setback area and 5 feet into any required rear setback area.
6. Carports may occupy a maximum of 40 percent of the required front setback area.

FIGURE 24: *Uncovered Projections*



7. Covered patios, porches, or decks attached to the primary building may occupy a maximum of 40 percent of the required rear setback area provided that the space under the cover is open on at least 3 sides and the eave of the patio or porch cover may encroach up to 2 feet into a required side or rear yard setback, but not closer than 3 feet from any lot line.
8. A roofed breezeway connecting a primary building and an Accessory Structures may project into the required rear yard in any Residential zone district provided that the breezeway is a minimum of 5 feet from all lot lines and open on all sides except for the supporting posts.

FIGURE 25: Covered & Structural Projections



SECTION 16-4-2 ACCESS AND CONNECTIVITY

4-2(A) PURPOSE

The purpose of this section is to improve connectivity in existing and future development areas by:

1. Promoting multimodal travel in the County by providing options for automobiles, transit, bicycles, and pedestrians.
2. Ensuring convenient and efficient access to current and future neighborhoods.
3. Connecting neighborhoods to local destinations such as employment, schools, parks, and shopping centers.
4. Mitigating the traffic impacts of new development.
5. Reducing vehicle miles traveled and travel times.
6. Increasing the effectiveness of local service delivery and reducing emergency response times.
7. Avoiding the creation of large, isolated tracts without routes for through traffic or pedestrian and bicycle connections.

4-2(B) APPLICABILITY

Except as otherwise provided in this section, the provisions of this section shall apply to all development.

4-2(C) ACCESS AND CONNECTIVITY STANDARDS

4-2(C)(I) GENERAL

- A. Every lot shall have sufficient access providing reasonable means of ingress and egress for emergency vehicles and for those requiring access to the property for its intended use.
- B. All driveway entrances and other openings onto streets shall be constructed so that:
 - I. Vehicles may safely enter and exit the property;
 - II. Interference with the free and convenient flow of traffic in abutting or surrounding streets is minimized; and
 - III. Shared driveways are provided to the maximum extent feasible to minimize the number of access points to streets, except for driveways within residential subdivisions or along private residential streets.

4-2(C)(II) RESIDENTIAL DEVELOPMENT ACCESS

- A. Driveways on residential corner lots shall not be located closer than 20 feet to the radius return.
- B. Driveways providing direct access from a public street to a garage, carport, or residential structure shall be not less than 20 feet in depth.
- C. Residential driveways shall be designed and constructed per the County's Public Works Design and Construction Standards.

4-2(C)(III) MULTI-FAMILY, MIXED-USE AND NON-RESIDENTIAL DEVELOPMENT ACCESS

- A. The number, location, and design of driveways shall be reviewed and approved by the County Engineer.
- B. The number of driveways shall be kept to a minimum to reduce potential vehicular, bicyclist, and pedestrian traffic flow conflicts. Driveways along low speed or low volume streets shall be no closer than 100 feet of each other on the same street frontage or within 100 feet of an existing driveway or cross street on the same street frontage, unless otherwise approved by the County Engineer as

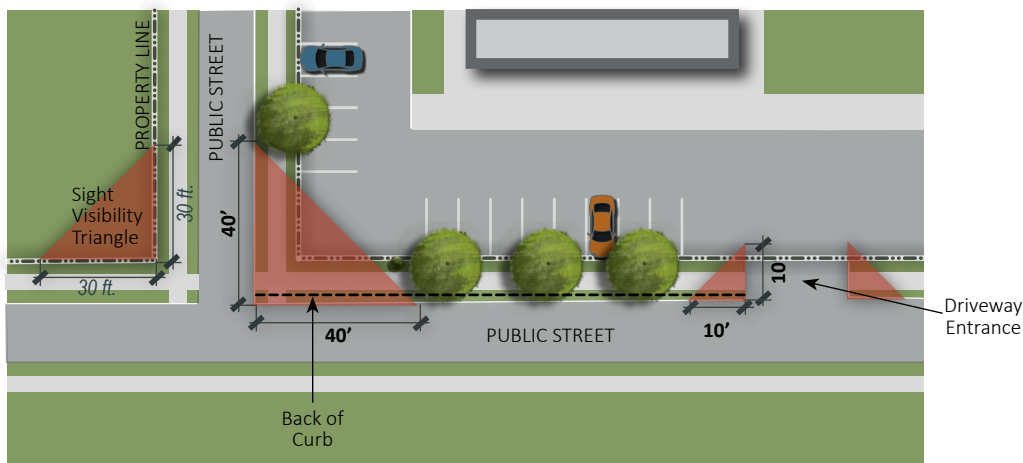
being required to make the lot buildable. The County Engineer may require a traffic engineering assessment, study, or impact analysis per Section X⁷⁹ to evaluate the number, location, and design of proposed driveways including considerations for full or partial access and operational and safety impacts.

- C. Driveways providing access to a public street shall be a minimum of 16 feet wide for one-way traffic and 30 feet wide for two-way traffic. Driveway width may vary by an applicable design vehicle's turning radius and off-tracking.
- D. The slope of driveways providing access to public streets shall not exceed 8 percent unless otherwise approved by the County Engineer as being required to make the lot buildable.
- E. Turning and maneuvering space shall be located entirely on private property unless otherwise approved by the County Engineer as being required to make the lot buildable.
- F. Ingress to and egress from any off-street parking area shall not be located closer than 20 feet from point of tangent to an intersection or pedestrian crosswalk unless otherwise approved by the County Engineer as being required to make the lot buildable.
- G. The County Engineer may require ingress separate from egress for safer flow of traffic.
- H. Driveways shall be designed and constructed per the County's Public Works Design and Construction Standards unless otherwise approved by the County Engineer.
- I. All properties that directly or indirectly access a state highway are regulated by the New Mexico Department of Transportation pursuant to New Mexico Administrative Code, 18.1.36 NMAC, and the requirements contained in the State Access Management Manual.

4-2(C)(IV) SIGHT VISIBILITY TRIANGLES

- J. Site entrances and driveways in all developments shall maintain a sight triangle area formed by joining points measured 30 feet along the property lines or 40 feet along the face of curb from the intersection of two streets, whichever is greater, or by joining points measured 10 feet back along a driveway and the face of curb from the point of intersection of the driveway and street for the safety of pedestrians, bicycles, and vehicles, *Figure 26 Sight Visibility Triangles*.

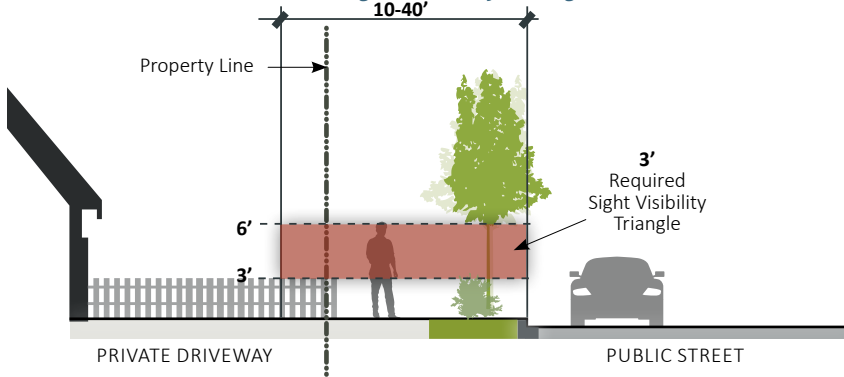
FIGURE 26: Sight Visibility Triangles



- K. The area within required sight visibility triangles shall be free of visual obstruction.
- L. Landscaping, fences and walls, and shrubs shall not exceed 3 feet within the required sight visibility triangle. Signage and trees between 3 feet and 6 feet tall are prohibited within the required sight visibility triangle. See *Figure 27 Restrictions in Sight Visibility Triangles*.

79 Appropriate cross-reference to be provided in Module 3.

FIGURE 27: Restrictions in Sight Visibility Triangles



- M. Vertical measurements shall be made from the top of the travel surface on the street.
- N. Objects that may be located in the sight visibility triangle, include, but are not limited to, hydrants, utility poles, utility junction boxes, and traffic control devices, provided these objects are located to minimize visual obstruction.

4-2(C)(V) CROSS-ACCESS BETWEEN ADJACENT USES

- A. Mixed-use and non-residential development shall be designed to allow for cross-access to adjacent properties to encourage shared parking, shared access points, and increased connectivity on private development to the maximum extent feasible, see *Figure 28 Cross-access Between Adjacent Uses*. This may be established by one or more of the following:
 - I. Providing shared driveways for two adjacent lots from public rights-of-way to minimize curb cuts;
 - II. Connecting private streets and driveway
 - III. Coordinating parking structure and parking lot entrances;
 - IV. Linkages between parking lots and parking structures; or
 - V. Common service/delivery areas.

FIGURE 28: Cross-access Between Adjacent Uses



- B. When cross-access is deemed impractical by the City Engineer or undesirable based on topography, the presence of natural features, vehicular or pedestrian safety factors, or unsafe conditions, this requirement may be waived.
- C. Cross-access and maintenance agreements associated with such interconnections shall be provided, if necessary, with the associated subdivision or site plan.

4-2(C)(VI) PEDESTRIAN AND BICYCLE CIRCULATION

4-2(C)(VI)(1) SIDEWALKS

- A. Unless exempted in this section, sidewalks shall be installed on both sides of all arterials, collector streets, and local streets, including cul-de-sacs, and within and along the frontage of all new development or redevelopment.
- B. Unless otherwise stated in this Code, sidewalks shall be constructed per the County’s Public Works Design and Construction Standards.
- C. Sidewalks are not required on local streets in zone districts where the minimum lot size is 1 acre or greater or in steep-slope areas where sidewalks on 1 side of the street may be approved to reduce excessive slope disturbance, adverse impacts on natural resources, and potential soil erosion and drainage problems according to the County Engineer.

4-2(C)(VI)(2) ON-SITE PEDESTRIAN WALKWAYS

- A. All multi-family, mixed-use and non-residential developments shall provide a network of safe, reasonably direct, and convenient on-site pedestrian walkways with a minimum width of 5 feet to and between the following areas:
 - I. Entrances to each multi-family, mixed-use or non-residential building on the site, parking areas, and open spaces;
 - II. Public sidewalks or on-site pedestrian walkways on adjacent properties that extend to the boundaries shared with the subject development;
 - III. Adjacent public transit stops and shelters, public parks, trails, schools, and adjacent neighborhoods.

FIGURE 29: Required On-site Pedestrian Walkways



- B. When on-site pedestrian walkways are deemed impractical by the County Engineer or undesirable based on topography, the presence of natural features, vehicular or pedestrian safety factors, or unsafe conditions, this requirement may be waived.

4-2(C)(VI)(3) BICYCLE CONNECTIONS

- A. New development involving more than 1 lot or sites over 5 acres in size adjacent to existing or planned bikeways or multiuse trails shall provide at least 1 access point to these facilities to provide safe and convenient access for cyclists or pedestrians.

SECTION 16-4-3 OFF-STREET PARKING, LOADING, AND QUEUING

4-3(A) PURPOSE

The purpose of this section is to provide for adequate, convenient, and safe off-street parking and loading areas for various land uses addressed in this chapter.

4-3(B) APPLICABILITY

1. Off-street parking and loading spaces shall be provided as an accessory use in all zone districts in accordance with the requirements of this article. The provisions of this section apply to the following:
 - A. Construction of a new primary building;
 - B. Change of use or occupancy of a building(s), including additions, that require more parking;
 - C. Expansion of the gross floor area of an existing building by more than 25 percent. Parking and Loading Requirements shall apply to the expanded gross floor area of the building(s).
 - D. It shall be unlawful to discontinue, reduce, modify or otherwise dispense with parking and loading facilities that comply with the requirements of this section.

4-3(C) OFF-STREET PARKING STANDARDS

4-3(C)(I) CALCULATION OF OFF-STREET PARKING AND LOADING

1. All square footage based parking and loading requirements shall be computed on the basis of gross floor area of the subject use. Structured parking within a building shall not be counted in such computation.
2. Lots containing more than one use shall provide parking and loading in an amount equal to the total of the requirements for all uses.
3. In case of fractional results in calculating required parking supply, the required numbers of the sum shall be rounded up to the nearest whole number.

4-3(C)(II) UNLISTED USES

1. For uses not explicitly listed in *Table 28 Minimum Off-Street Parking Requirements*, the Community Development Director is authorized to do any of the following:
 - A. Apply the minimum required parking spaces for the use listed in *Table 28 Minimum Off-Street Parking Requirements* that is most similar to the proposed use;
 - B. Establish the minimum required parking spaces based on standard parking resources or local or national best practice; or
 - C. Establish the minimum required parking spaces based on a parking study submittal conducted by a Registered Professional Engineer.

4-3(C)(III) MINIMUM OFF-STREET PARKING REQUIREMENTS

1. Unless otherwise noted in this Code, minimum off-street parking spaces shall be provided in accordance with *Table 28 Minimum Off-Street Parking Requirements*.

TABLE 28: MINIMUM OFF-STREET PARKING REQUIREMENTS			
LAND USE		EXISTING REQUIRED PARKING	REVISED REQUIRED PARKING
RESIDENTIAL			
Household Living	Dwellings, single-family	2 spaces per dwelling unit	2 spaces per unit
	Dwelling, co-housing development		1 space per unit Plus .25 guest space per unit
	Dwelling, cottage development		1 space per up to 2-bedroom unit 2 spaces per 3 or more bedroom unit
	Dwelling, duplex	2 spaces per dwelling unit	2 spaces per unit
	Dwelling, townhouse. Dwelling, triplex		2 spaces per unit Developments with 10 or more units shall require 1 additional guest parking space per every 10 units.
	Dwelling, fourplex		2 spaces per unit Developments with 10 or more units shall require 1 additional guest parking space per every 10 units.
	Dwelling, townhouse		1 space per up to 2-bedroom unit 2 spaces per 3 or more bedroom unit
	Dwelling, live/work		1 space per unit plus as required for commercial use
	Dwelling, multiple-family	2 spaces per dwelling unit, plus 1 space for each 5 dwelling units, parking spaces in front of garages shall not satisfy the 1 space for each 5 dwelling unit requirement For dwellings less than 700 square feet of heated area: 1 space per dwelling unit, plus 0.5 unassigned spaces per dwelling unit. For dwellings 700—1,000 square feet of heated area: 1 space per dwelling unit, plus 0.75 unassigned space per dwelling unit. For dwellings 1,000—1,400 square feet of heated area: 1 space per dwelling unit, plus 1 unassigned space per dwelling unit. For dwellings more than 1,400 square feet of heated area: 1 space per dwelling unit, plus 1.2 unassigned spaces per dwelling unit Senior Living- 1 space per dwelling, plus 1 space for each 10 dwellings for guest or recreation vehicle parking, plus 1 space for each permanent employee at maximum shift level	1 space per up to 1 bedroom units 1.5 spaces per 2-bedroom units or more

Congregate Living	Assisted Care Facility		1 space per 3 beds
	Dormitory	1 space per bed, plus 2 spaces per owner or manager	1 space per bed, plus 2 spaces per owner or manager
	Group Care Facility	In addition to spaces otherwise required by this section, the group home will provide 1 off-street space for each employee on the largest shift or in the largest group of employees with overlapping work hours	1 space per 3 beds
	Group Residential Facility		1 space per 3 beds
Public, Institutional, and Civic Uses	Art gallery, museum, or library	Art Gallery –1 space per 250 square feet of net usable floor area used to display art work Museum- 1 space per 1,000 square feet of net usable floor area Library- 1 space per 600 square feet of net usable floor area	2 spaces per 1,000 sf
	Funeral home or mortuary	1 space per 3 seats, maximum capacity in main meeting area	1 space per 3 seats
	Institutional and civic buildings		4 spaces per 1,000 sf
	Hospital	1 space per 1.5 beds	2 spaces per 3 beds
	Medical or dental clinic		6 spaces per 1,000 sf
	Private club or lodge		1 space per 4 persons design capacity
	Religious institution	1 space per 4 seats in the main meeting area, based on maximum capacity. (each 30 inches of pew space equals 1 seat.)	1 space per 4 persons design capacity
	Schools, private	2 spaces per teacher	2 spaces per classroom, plus 1 space per 300 sf administrative space
	Schools, public		2 spaces per classroom, plus 1 space per 300 sf administrative space
	High school	7 spaces per teacher	6 spaces per classroom or 1 seat per 3 seats in main auditorium, whichever is greater, plus 1 per 300 sf administrative space
	Higher education facility	Colleges and universities, including stadium areas 0.75 spaces per student, teacher and employee	4 spaces per 1000 sf
	COMMERCIAL		
Agriculture	Fish hatchery		1 space per 1,000 sf
	Community garden		No Requirement
	Plant nursery or greenhouse		4 spaces per 1,000 sf

Recreation & Entertainment	Adult entertainment 80		1 space per 4 persons design capacity
	Golf course or country club 81	1 space per 4 persons at maximum capacity. Golf Course – In addition to clubhouse requirements, 5 spaces per hole	1 space per 4 persons design capacity, plus 5 spaces per hole
	Indoor entertainment facility 82	Bowling Alley- 4 spaces per lane Auditoriums, clubs, lodges and theaters- 1 space per 4 seats at maximum seating capacity	1 space per 4 persons design capacity
	Outdoor recreation facility	Tennis Court- 3 spaces per court	1 space per 1,000 sf of site area where persons circulate, participate, or watch activities.
	Park or playground	1 space per 3 acres open space plus spaces for recreation use as required by this chapter	1 space per 3 acres
	Sports field 83	Ballfields, stadiums, amphitheaters – 1 space per 3 persons at maximum capacity	1 space per 1,000 sf of site area where persons circulate, participate, or watch activities.
Lodging	Bed and breakfast 84	1 space per bed, plus 2 spaces per owner or manager	1 space per room, plus 2 staff spaces
	Campground or RV park.		1 space per RV or campsite
	Hotel or motel	1 space per unit	1 space per room
Food and Beverage	Bar, lounge, or tavern		10 spaces per 1,000 sf
	Microbrewery, distillery, or winery ⁸⁵		7 spaces per 1,000 sf
	Restaurant	1 space for each 100 square feet of net usable floor area plus stacking for 10 cars	10 spaces per 1,000 sf
Office, Business, and	Office, business or professional	1 space per 250 square feet of net usable floor area	4 spaces per 1,000 sf
	Laboratory		1 space per 1,000 sf
	Research and development	1 space per 1,000 square feet of net usable floor area	1 space per 1,000 sf
	Financial institution	1 space per 200 square feet of net usable area	5 spaces per 1,000 sf
	Adult retail		4 spaces per 1,000 sf
	Retail sales	1 space per 200 square feet of net usable floor area	5 spaces per 1,000 sf
	Cannabis retail		4 spaces per 1,000 sf

80 Includes any sexually orientated entertainment uses

81 New use

82 Includes "Amusement centers, indoor", "Bowling alleys", "Recreation facilities", "Theaters, (enclosed)", "Swimming pools, commercial or clubs"

83 New use

84 Change from accessory to special use within all residential districts

85 New use

	Contractor facility or yard	1 space per 200 square feet of enclosed net usable floor area plus 1 space per 500 square feet of display area	5 spaces per 1,000 sf of enclosed net usable floor area plus 2 spaces per 1,000 sf of display area
Retail Sales and Service	Daycare center	1 space for each employee	2.5 spaces per 1,000 sf
	Fitness Center	1 space per 4 persons at maximum capacity	5 spaces per 1,000 sf
	Liquor retail	Drive-in liquor stores: 1 space per 500 square feet of net usable floor area plus stacking for 5 cars	4 spaces per 1,000 sf
	Nicotine retail		4 spaces per 1,000 sf
	Meeting, banquet, or event facility	Community Center- 1 space per 2 persons at maximum capacity	1 space per 4 persons design capacity
	Mobile home sales	1 space per 2,000 square feet of indoor and outdoor display area	1 space per 1,000 sf, plus 1 space per 6,000 sf outdoor display area
	Personal services ⁸⁶	1 space per 250 square feet of net usable floor area	4 spaces per 1,000 sf
	Kennel		2.5 spaces per 1,000 sf
	Self-service storage facility	1 space per manager's office: for one-story buildings, with two-lane traffic aisles, the area between buildings shall constitute the parking area. When one-lane traffic aisles are proposed, the driveway aisle shall be a minimum of 24 feet in width. For multiple story buildings, 1 space per 1,000 feet for net usable floor area for area on second story, plus aisle width for one-way or two-way traffic	1 space per 20 units or 1 space per 1,000 sf, whichever is greater
	Veterinary hospital		5 spaces per 1,000 sf
Vehicle and Equipment-Related	Ambulance services		5 spaces per 1,000 sf
	Light vehicle and equipment sales, rental, and repair	1 space per 2,000 square feet of indoor and outdoor display area 4 spaces per service bay	3 spaces per 1,000 sf office or retail space 3 spaces per service bay
	Heavy vehicle and equipment sales, rental, and repair		3 spaces per 1,000 sf office or retail space 3 spaces per service bay
	Vehicle fuel sales		4 spaces per 1,000 sf
	Vehicle storage		1 space per 1,000 sf office space

⁸⁶ Includes "Laundries", "Home and business services", "Newsstands, portable"

	Vehicle wash	Stacking of 3 spaces for each washing station	3 spaces per 1,000 sf
Transportation	Airport		7 spaces per 1000 sf waiting room area 2 spaces per 1000 sf maintenance floor area 5 spaces per 1000 sf office area
	Heliport		No requirements
	Parking facility		No requirements
	Transit terminal or station		Determined by transportation authority
	Truck terminal		7 spaces per 1000 sf waiting room area 2 spaces per 1000 sf maintenance floor area 5 spaces per 1000 sf office area
INDUSTRIAL			
Manufacturing & Warehousing	Above-ground storage of fuels		1 space per 1,000 sf
	Artisan manufacturing		3 spaces per 1,000 sf
	Light manufacturing	1 space per 350 square feet of net usable floor area; or 1 space per 2 employees on maximum shift, whichever is greater	2 spaces per 1,000 sf
	Heavy manufacturing		1 space per 1,000 sf
	Cannabis cultivation or manufacturing facility		1 space per 1,000 sf
	Distribution, warehouse, or wholesale facility ⁸⁷	1 space per 2,000 square feet of net usable floor area	1 space per 1,000 sf warehouse/wholesale facility 5 space for 1,000 sf office
	Natural resource extraction		No Requirement
Utilities &	Public utilities		No Requirement
	Radio and TV, studio or station		4 spaces per 1,000 sf

⁸⁷ Formerly "Warehousing/storage" and "Wholesale, materials/products"

Utilities &	Recycling station		1 space per 5,000 sf
	Salvage yard		1 space per 5,000 sf
	Transfer station		1 space per 5,000 sf
	Wireless Telecommunications Facility (WTF)		No Requirement
ACCESSORY USES			
	Accessory dwelling	1 space per unit	1 space per unit or per bedroom
	Caretaker unit		1 space per unit
	Daycare home ⁸⁸		1 space per employee
	Home business		1 space per employee
TEMPORARY USES			
	Construction staging area, trailer, or office		4 spaces per 1,000 sf
	Dwelling, temporary		2 spaces per unit
	Fair, carnival, or circus		4 spaces per 1,000 sf
	Open air market		No Requirement
	Special event		As determined by Community Development Director

4-3(D) ACCESSIBLE PARKING

1. The number and design of accessible parking spaces shall be pursuant to the International Building Code (IBC) as adopted in Los Alamos County, New Mexico State Statutes, and the Americans with Disabilities Act (ADA), as amended.
2. Accessible parking spaces shall be required for all non-residential uses and multi-family uses according to Table 29 Accessible Parking Requirements.

Total Number of Parking Spaces	Minimum Number of Required Accessible Parking Spaces	Minimum Number of Required Van Accessible Parking Spaces
1-25	1	1
26-35	2	1
36-50	3	1
51-100	4	1
101-300	8	2
301-500	12	2
501-800	16	3
800-1000	20	4
1001 and over	20, plus 1 for each 100, or fraction thereof, over 1,000	For every 6 accessible parking spaces, at least one shall be van accessible.

3. Accessible parking spaces shall be located closest to the accessible building entrances and dispersed among the various types of parking facilities and uses.

⁸⁸ Changed from Accessory to Special Use Permit per existing requirements in section 16-277

4-3(E)(I) SHARED PARKING REDUCTION

- Two or more listed uses with opposite peak parking demand hours may share parking facilities. *Table 30 Shared Parking Reduction* indicates the percentage of the total off-street parking requirement that may be reduced by shared parking facilities.

	MULTI-FAMILY	PUBLIC, CIVIC, AND INSTITUTIONAL	FOOD & BEVERAGE, AND RECREATION & ENTERTAINMENT	RETAIL SALES	OFFICE, BUSINESS, AND PROFESSIONAL SERVICES
Multi-family	N/A	30%	15%	15%	50%
Public, Civic, and Institutional	30%	N/A	30%	15%	20%
Food & Beverage, and Recreation & Entertainment	15%	30%	N/A	N/A	30%
Retail Sales	15%	15%	N/A	N/A	15%
Office, Business, and Professional Services	50%	20%	30%	15%	N/A

For example, when Multi-family, Retail Sales, and Food & Beverage uses share parking facilities, the total off-street parking requirement for the site may be reduced by 30 percent. See total parking requirement calculation below.

Use	Size	Parking Standard	Parking Requirement
Multi-family	40, 2 bedroom dwelling units	2 spaces per 2 or more BR Unit	80 spaces
Retail	10,000 square feet	5 spaces per 1,000 sf	50 spaces
Restaurant	5,000 square feet	10 spaces per 1,000 sf	50 spaces
Total required parking prior to allowed reductions			180 spaces
Total allowed reduction			30% of 180 = 54 spaces
Total required parking after allowed reduction			180-54 = 126 spaces

- A parking study outlining with conformance *Table 28 Minimum Off-Street Parking Requirements* and *Table 30 Shared Parking Reduction* for the shared parking shall be prepared by a Registered Professional Engineer and approved through the site plan approval process per Section X⁸⁹. Other shared uses not listed in the *Table 30 Shared Parking Reduction* may apply for parking reductions by submitting a parking study conducted by a Registered Professional Engineer for approval through the site plan approval process.
- The cumulative total of all applicable reductions to off-street parking requirements shall not exceed 50 percent.
- Shared parking lots that are utilized to meet the required off-street parking spaces shall be located within 500 feet of the use to be served.
- The sharing of any required off-street parking shall be guaranteed by a legally binding recordable parking agreement between the owner of the parking area and the owner of the building or use that is located on a different lot and served by the parking area. Such agreement shall address the

89 Appropriate cross-reference to be provided in Module 3.

issue of how parking will be shared if the parties change their business hours and peak business periods. Such agreement shall be submitted and reviewed through the site plan approval process per Section X⁹⁰.

4-3(E)(II) ADDITIONAL PARKING REDUCTIONS

1. Additional parking reductions may be granted for items listed in *Table 31 Applicable Off-Street Parking Reductions*.
2. The cumulative total of all applicable reductions to off-street parking requirements shall not exceed 50 percent.

TABLE 31: APPLICABLE OFF-STREET PARKING REDUCTIONS	
FACTOR	ALLOWED REDUCTION
On-street parking	1 on-street parking space on adjacent public streets may be counted for 1 required off-street parking space.
Proximity to transit	The total number of required parking spaces may be reduced by 20% for developments within 1,320 feet of a public transit stop.
Provisions for bicycle infrastructure	The total number of required parking spaces may be reduced by 10% for developments that provide robust bicycle amenities (i.e., lockers and repair facilities) and additional designated bicycle parking areas in excess of what is required for the project.
Electrical charging stations	1 electrical station may be counted toward 2 required parking spaces.
Solar parking canopies	The total number of required parking spaces may be reduced by 10% for developments that utilize solar parking canopies.

4-3(F) MOTORCYCLE PARKING

1. Up to 3 percent of the required parking spaces, excluding accessible parking spaces, may be motorcycle parking spaces. All motorcycle parking stalls shall be 4 feet wide by 8 feet long.
2. Motorcycle parking spaces shall be located in a well-lit area that is visible from the primary building entrance on the site.
3. Motorcycle spaces shall be clearly signed and marked “Motorcycle Only” per the Manual on Uniform Traffic Control Devices (MUTCD) standards.

4-3(G) BICYCLE PARKING

1. Bicycle Parking requirements shall apply to all multi-family, mixed-use, and non-residential uses.
2. Minimum off-street bicycle parking spaces shall be provided in accordance with *Table 28 Minimum Off-Street Parking Requirements*.

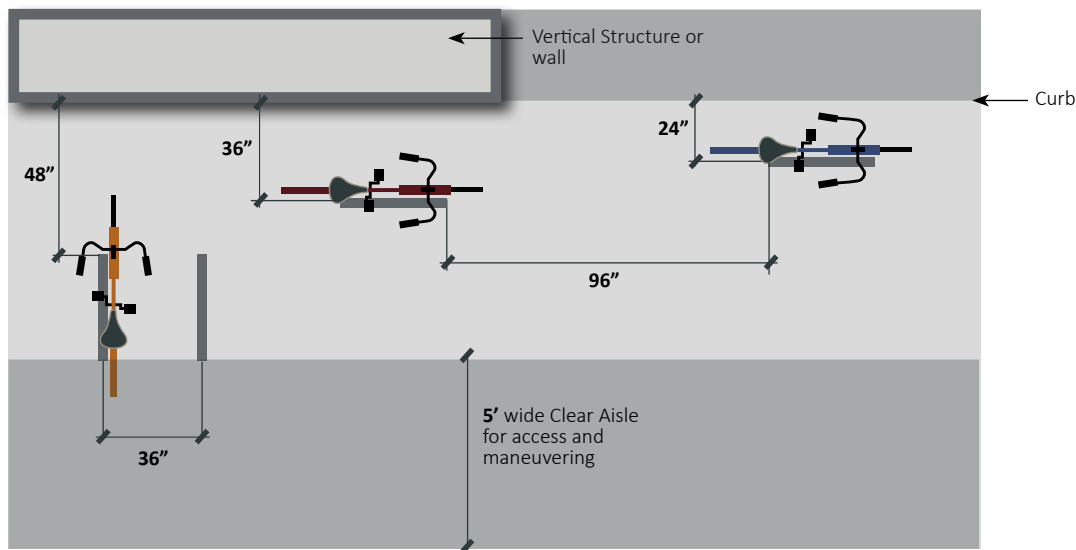
TABLE 32: MINIMUM OFF-STREET BICYCLE PARKING REQUIREMENTS	
AUTOMOBILE PARKING SPACES REQUIRED	BICYCLE PARKING SPACES REQUIRED
1-5	2
6-15	4
16-50	6
51-100	10
100 or more	14

3. Bicycle parking spaces shall be in a well-lit area, visible from and, where feasible, located within 50

⁹⁰ Appropriate cross-reference to be provided in Module 3.

- feet of the primary building entrance on the site measured along the most direct pedestrian access route. Location shall not impede pedestrian access.
4. Bicycle parking facilities shall be racks or lockers that are installed and anchored to prevent removal except by authorized personnel.
 5. All racks must provide two points of contact with a frame at least 6 inches apart horizontally and accommodate a bicycle frame where at least 1 wheel can be locked to the rack with a high security U-shaped shackle lock. An inverted U type rack is the preferred rack design.
 6. Racks placed parallel (side by side) to each other, including rack units sold as multiple units attached together, must be at least 36 inches apart. Racks aligned end-to-end must be at least 96 inches apart.
 7. Racks placed perpendicular to a wall, curb, or pedestrian aisle must be at least 48 inches from the wall, curb, or pedestrian walkway to the nearest vertical component of the rack.
 8. Racks placed parallel to a wall must be at least 36 inches from the wall to the nearest vertical component of the rack.
 9. Racks placed parallel to a curb must be at least 24 inches from the curb to the nearest vertical component of the rack.
 10. Each bicycle parking space must be accessible without needing to move another bicycle.
 11. Bicycle parking spaces should be located adjacent to a clear aisle at least 5 feet wide to allow for maneuvering of the bicycle. Where bicycle parking is located next to a sidewalk, the maneuvering area may extend into the sidewalk.
 12. The area devoted to bicycle parking must be hard surfaced.

FIGURE 31: *Bicycle Parking Design*



4-3(H) PARKING LOCATION & DESIGN

4-3(H)(I) USE OF PARKING AND LOADING AREAS

1. No required off-street parking or loading space shall be used for any purpose other than the parking of vehicles, unless otherwise allowed by this Code.
2. Parking shall be prohibited in aisle ways, fire lanes or similar areas not officially designated for parking purposes. These areas shall be posted with "No Parking" signs and/or other means as required by the Community Development Director.

3. Required parking spaces and areas shall not be used for the sale, display or repair of motor vehicles or other goods and services unless authorized by a Temporary Use Permit issued in accordance with Section X⁹¹.
4. Parking lots shall not be used for overnight occupancy and parking of recreational vehicles, campers, trailers, buses, vans, motor homes, moving vans, refrigerator trucks or similar vehicles, except as authorized by the Community Development Director.

4-3(H)(II) LOCATION OF PARKING AREAS

1. No portion of an off-street parking facility shall be located in a public street or sidewalk, alley, or other public right-of-way.
2. Parking in any low-density Residential zone district shall be located on the same lot as the residential use they serve and is prohibited on any portion of the front yard or street side yard setback areas other than on a driveway or drive aisle.
3. Required parking spaces for any residential use other than those listed in *Section 4-3(H)(II)2* above may be located in a designated communal or shared parking area located on a lot adjacent to at least 1 of the lots served by such parking.
4. For all other uses, required off-street parking, loading, and vehicle stacking spaces for mixed-use or non-residential development shall be located on the same lot as the principal use, except as otherwise provided in this subsection or as allowed in *Section 4-3(E)(I)*.
5. All parking spaces shall be internally accessible to one another without re-entering adjoining public right-of-way unless otherwise approved by the County Engineer as being required to make the lot buildable.

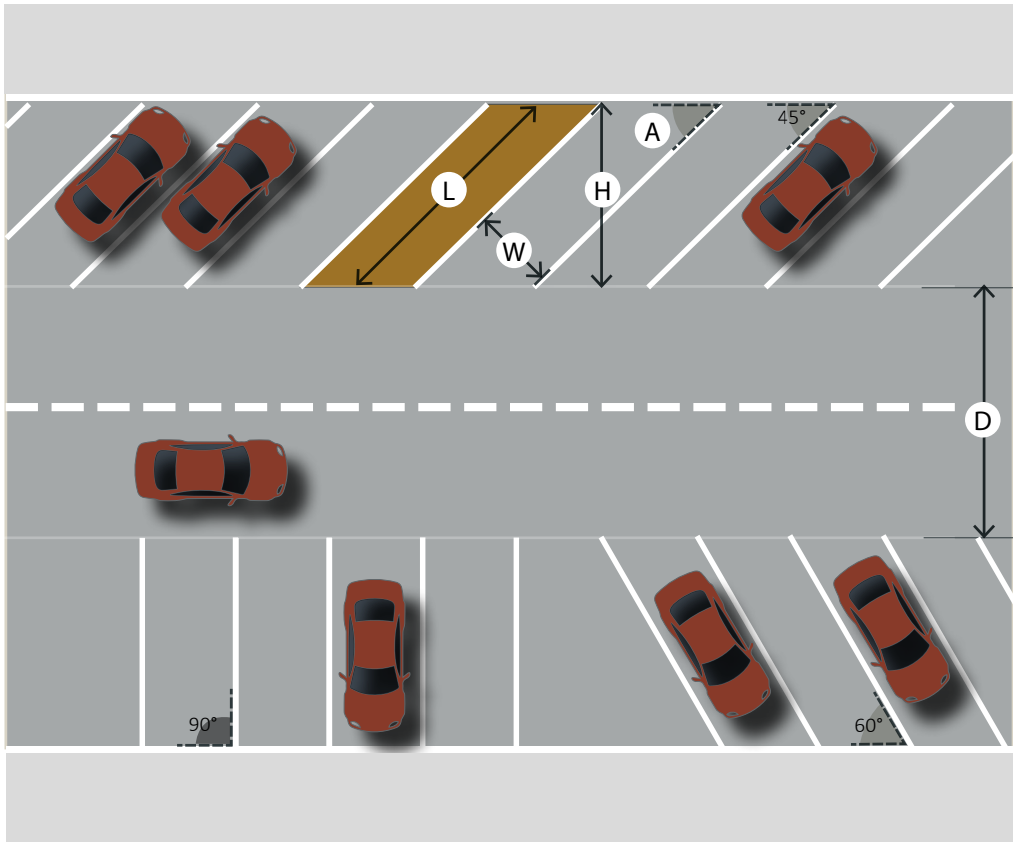
4-3(H)(III) DIMENSIONS

1. Standard parking stalls and drive aisle dimensions shall be per *Table 33 Parking Stall & Aisle Dimensions*.

TABLE 33: PARKING STALL & AISLE DIMENSIONS						
	PARKING ANGLE (A)	STALL WIDTH (W)	STALL LENGTH (L)	STALL DEPTH (H)	DRIVE AISLE (D)	
					ONE-WAY AISLE	TWO-WAY AISLE
Head In Standard	90 degree	9'	20'	20'	24'	24'
Head In Compact	90 degree	8'	18'	18'	24'	24'
Angled	60 degree	9.8'	20'-9"	21'	20'	22'
Angled	45 degree	12'	22'-5"	19'	20'	20'
Parallel	0 degree	8'	20'		12'	20'

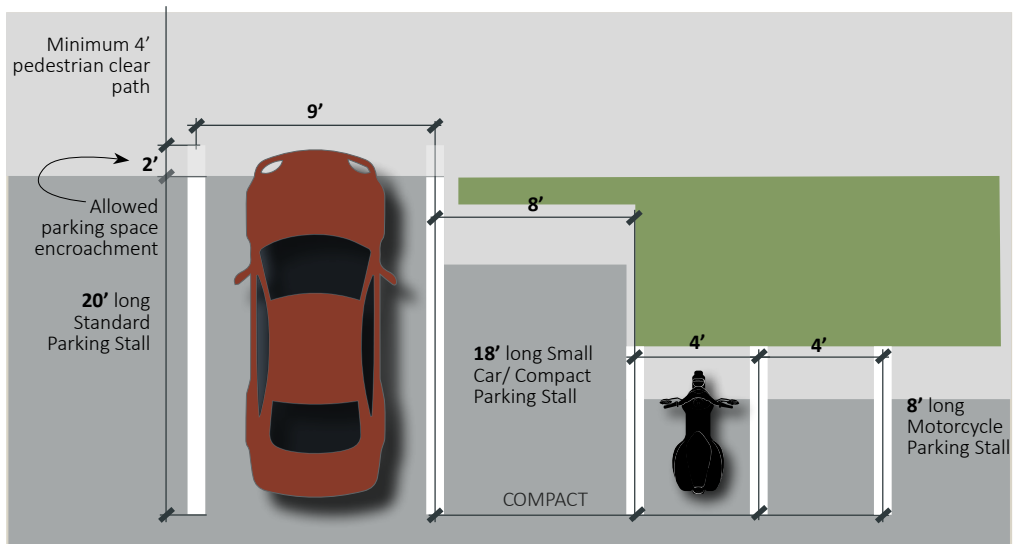
91 Appropriate cross-reference to be provided in Module 3.

FIGURE 32: *Parking Stall & Aisle Dimensions*



2. Compact parking spaces shall not exceed 20 percent of the total required parking spaces. Projects providing parking in excess of the minimum required number of spaces may utilize any combination of compact and standard spaces for excess parking areas.
3. The front of the parking space may encroach 2 feet into a landscape strip or pedestrian walkway; however, any parking spaces protruding over a pedestrian walkway shall maintain at least a 4-foot wide clearance for pedestrian access, see *Figure 33 Parking Space Design*.

FIGURE 33: *Parking Space Design*



4-3(H)(IV) PEDESTRIAN WALKWAYS

1. All parking lots that contain more than 100 parking spaces shall include pedestrian walkways through the parking lot to the primary building entrance or a sidewalk providing access to the primary building entrance.
2. At a minimum, walkways shall be provided for every 3 driving aisles or at a distance of not more than 150-foot intervals, whichever is less.

4-3(H)(V) SURFACING

1. All required parking lots or parking facilities, except in the RA and RE zone districts and public parks, shall be paved and have grading and drainage as approved by the County Engineer.
2. Surfacing shall consist of Asphalt Concrete or Portland Cement Concrete Pavement with an aggregate base of design and depth as recommended by a pavement or geotechnical engineer. Permeable materials such as permeable pavers, gravel, or other porous materials may be used for parking area surfacing where appropriate, with approval by the Community Development Director.
3. The maximum grade slope of the parking lot or parking facility shall not be more than 5 percent unless determined by the Community Development Director to be required to make the lot buildable.

4-3(H)(VI) WHEELSTOPS, STRIPING AND SIGNAGE

1. Except for single-family, duplex and three-family dwelling types, all parking stalls shall be marked with painted lines not less than 4 inches wide.
2. Signage shall comply with MUTCD.
3. All traffic-control devices such as parking stripes, designated car stalls, directional arrows for signs, wheel stops, curbs, and other developments shall be installed and completed as shown on the approved site plan or Special Use Permit.
4. Bumper guards and/or wheel stops shall be required on the periphery of all required parking facilities so that vehicles will not protrude into the public right-of-way or strike a building, fence, or landscaping or protrude over public or private sidewalks.

4-3(H)(VII) LIGHTING

1. Lighting provided for off-street parking facilities shall meet the standards of *Section 16-4-6 Outdoor Lighting*.
2. Parking facility lighting may be subject to review and approval by the Utilities Department for energy efficiency, the Traffic and Streets Division, and by the Police Department for personal and property security.

4-3(H)(VIII) OFF-STREET LOADING REQUIREMENTS

1. Whenever the normal operation of any development requires that goods, merchandise, or equipment be routinely delivered to or shipped from that development or whenever loading areas are required by the Community Development Director, sufficient off-street loading and unloading areas must be provided to accommodate the delivery or shipment operation in a safe and convenient manner, as laid out in *4-3(H)(VIII)*.

TABLE 34: REQUIRED LOADING SPACES

GROSS FLOOR AREA (GFA)	NUMBER OF REQUIRED LOADING SPACES
Less than 50,000 square feet	None
50,000 to 100,000 square feet	1
100,000 to 125,000 square feet	2
Each additional 100,000 square feet above 125,000	1

2. The Community Development Director may waive the required loading spaces or require additional loading spaces if a given use or extraordinary site characteristics warrant them.
3. Loading spaces shall be located on the same lot as the use and structure they serve.
4. Loading areas shall not be permitted in any required front setback area or the public right-of-way.
5. Loading areas located within 50 feet of any Residential zone district shall be screened by any applicable standards of *Section 4-4(E)(I)*.
6. Vehicles parked in the loading areas shall not encroach into required parking spaces, required setbacks, access aisles, or fire lanes.
7. Loading areas shall be designed so that delivery vehicles do not have to back into the loading area from a public street or back out of the loading area onto a public street.
8. Vehicle stacking spaces shall be integrated into the site layout and shall not interfere with site access points, access to parking or loading spaces, internal circulation aisles, pedestrian facilities, and public streets and rights-of-way.
9. Vehicle stacking spaces shall be a minimum of 9 feet by 20 feet per vehicle.
10. All uses with drive-through and drive-up facilities shall provide the minimum number of vehicle stacking spaces per *Table 35 Required Vehicle Stacking Spaces*.

TABLE 35: REQUIRED VEHICLE STACKING SPACES

USE	EXISTING REQUIRED VEHICLE STACKING SPACES	PROPOSED REQUIRED VEHICLE STACKING SPACES	MEASURED FROM END OF STACKING LANE TO:
Drive-through or Drive-up Food and Beverage	Stacking for 10 cars	10 per window	Service Window
Vehicle Wash	Stacking of 3 spaces for each washing station	3 per bay	Outside of washing bay
Vehicle Fuel Sales		1 per pump	End of fuel pump island
Retail Sales		4 per drive-through station	Service window
Financial Institutions or Automated Teller Machine (ATM)		3 per drive-through station 2 per ATM	Service window ATM

SECTION 16-4-4 LANDSCAPING, SCREENING, AND BUFFERING

4-4(A) PURPOSE

This section regulates landscaping to ensure visually attractive and sustainable landscapes that enhance the County's overall appearance and benefit the health, safety, and welfare of the community by:

1. Ensuring the use of native and low water-use species, regionally appropriate, sustainable design, and maintenance techniques to conserve water resources.
2. Mitigating the urban heat island effect.
3. Contributing to the processes of air purification, oxygen regeneration, groundwater recharge, and stormwater runoff retention. Landscape should be designed to retain soil moisture, buffer road noise, and prevent erosion while aiding in the abatement of air and water pollution, dust, noise, heat, and glare.
4. Improving the aesthetic appearance of commercial, industrial, and multi-family residential developments, and to protect and enhance public and private investments and property values.

4-4(B) APPLICABILITY

The provisions of this section apply to the following:

1. New construction of multi-family, mixed-use, or non-residential structures; and the
2. Expansions of existing multi-family, mixed-use, and non-residential structures of 25 percent or more of building floor area.

4-4(C) EXCEPTIONS

The provisions of this section do not apply to the following:

1. Single-family development in the RA, RE, SFR, RM, and RM-NC districts are not required to comply with these standards.

4-4(D) GENERAL LANDSCAPE STANDARDS

4-4(D)(I) MINIMUM LANDSCAPE SITE AREA

1. A minimum of 10 percent of the site shall be landscaped in accordance with the requirements of this section.
2. For the purpose of this section, the net site area is defined as the square footage of the entire lot to be developed minus the square footage of any structures.
3. Landscaping for phased development may be determined based only on the square footage of the portion of the lot that is actually being developed per each phase.

4-4(D)(II) TYPE AND AMOUNT OF PLANT MATERIALS

1. Trees and other plant materials selected should emphasize native or regionally adapted materials and water conservation practices, taking into consideration site specific constraints such as:
 - A. Water demand, drought tolerance, appropriateness of native and naturalized species, and geological and topographical conditions;
 - B. The protection and preservation of native species, appropriate naturalized species, and natural areas; and
 - C. Using high maintenance plants only for accents.
2. Landscape design should use a variety and mixture of plant materials to avoid destruction of

- singular species through blight and/or disease.
- All vegetation required shall meet the minimum requirements in *Table 36 Minimum Plant Material and Standards*.

TABLE 36: MINIMUM PLANT MATERIAL AND STANDARDS		
PLANT MATERIAL	MINIMUM AMOUNT	SPECIES AND SIZE
Trees	2 trees per 1,000 square feet of landscaped area	Deciduous 2-inch minimum caliper trunk*
		For Multi-trunk trees, minimum of 3 trunks with a 1-inch minimum caliper per trunk
		Evergreen 15 gallon size, 2-inch minimum caliper trunk* If used for screening requirements in Section 1-1(D)(6), species that grow to a minimum height of 6 feet at maturity
Shrubs	10 shrubs per 1,000 square feet of landscaped area	At least 30 percent of the required shrubs shall be an evergreen species. 5 gallon in size and grow to a minimum height and width of 1 foot at maturity. If used for screening requirements in Section 1-1(D)(6), species that grow to a minimum height of 4 feet at maturity.
Ground Cover	75% coverage of the ground area at maturity	Grass and/or low-lying green plants shall be planted to provide at least 75% coverage of the ground area at maturity. For slopes steeper than 3:1 this coverage shall be increased to 90% coverage of the ground area at maturity. Ground cover shall include low shrubs, annual or perennial flowers or native grasses. Decorative bark material and/or stone, gravel, excluding asphalt, concrete or soil that is untreated may be substituted at the discretion of the Community Development Director. Irrigated turf shall be limited to: <ul style="list-style-type: none"> 10% of total required ground cover for non-residential development 25% of the total gross main floor area for residential development

*Caliper measurements shall be taken at the trunk 2 feet above grade.

- Existing healthy trees with a minimum trunk diameter of 3 inches or more and or shrubs with a height of at least 4.5 feet may be counted toward the requirements of this section.
- For landscape designs that integrate hardscapes (i.e. plazas, courtyards, trails etc.), the hardscape areas may be counted toward 25 percent of the overall project site's landscape requirements. Acceptable hardscape materials include but are not limited to concrete, concrete or permeable pavers, and brick. Asphalt is prohibited for integrated hardscapes.

4-4(D)(III) IRRIGATION SYSTEMS

1. The County strongly encourages the use of native or drought tolerant plants without the need for irrigation.
2. Watering methods shall be required if the proposed planting materials are not native or drought tolerant plants and trees.
3. An irrigation system, consisting of an underground system (automatic or manual), that includes a USC approved reduced principal backflow preventer, pipes, valves, and heads of adequate size to irrigate properly the proposed planting may be required.

4-4(D)(IV) INSTALLATION AND MAINTENANCE

1. All required landscaping and irrigation systems shall be maintained as shown on the approved landscape plan.
2. Regular maintenance is required of all landscaping and irrigation improvements in good condition and in a way that presents a healthy, neat, and orderly appearance. All landscaping shall be maintained free from disease, pests, weeds, and litter. This maintenance shall include weeding, watering, fertilizing, pruning, mowing, edging, mulching, or other maintenance as needed and in accordance with acceptable horticultural practices.
3. Any plant materials not surviving shall be replaced within 30 days of its demise or in the next appropriate season.
4. Failure to maintain the improvements or landscaping required by this section constitutes a violation of this Code.

4-4(D)(V) STREETScape AND FRONT SETBACK AREA LANDSCAPING

1. Up to 50 percent of the required landscaping for all projects may be located in the public right-of-way for streetscaping purposes. The abutting property owner shall maintain landscaped areas within the public right-of-way.
2. Lots abutting a public street are required to provide street trees at a minimum of 25 feet on center on average when mature.
3. Plant materials in a sight visibility triangle as defined in *Section 4-2(C)(IV)* shall be selected and maintained to ensure there is no appreciable obstruction to vision within the clear zone.
4. Where more than 4 feet of space exists between the back of curb and the sidewalk, street trees shall be planted with their centerline 2 feet from the sidewalk. Where less than 4 feet exists, required street trees may be planted within 20 feet of the back of curb of the abutting street.

FIGURE 34: Streetscape Landscaping Where 4 Feet Exists

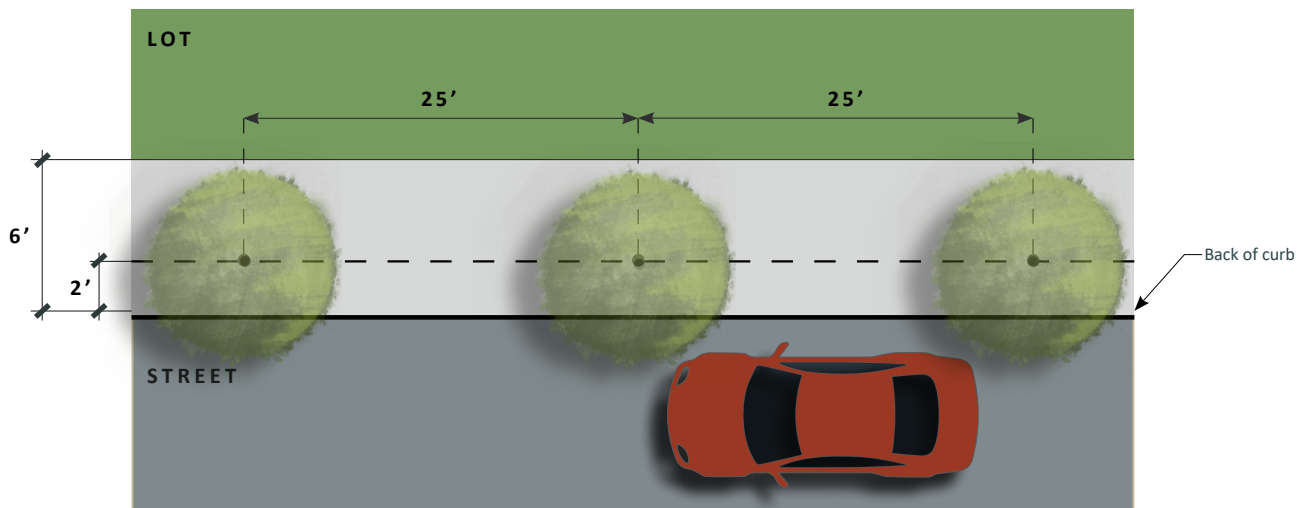
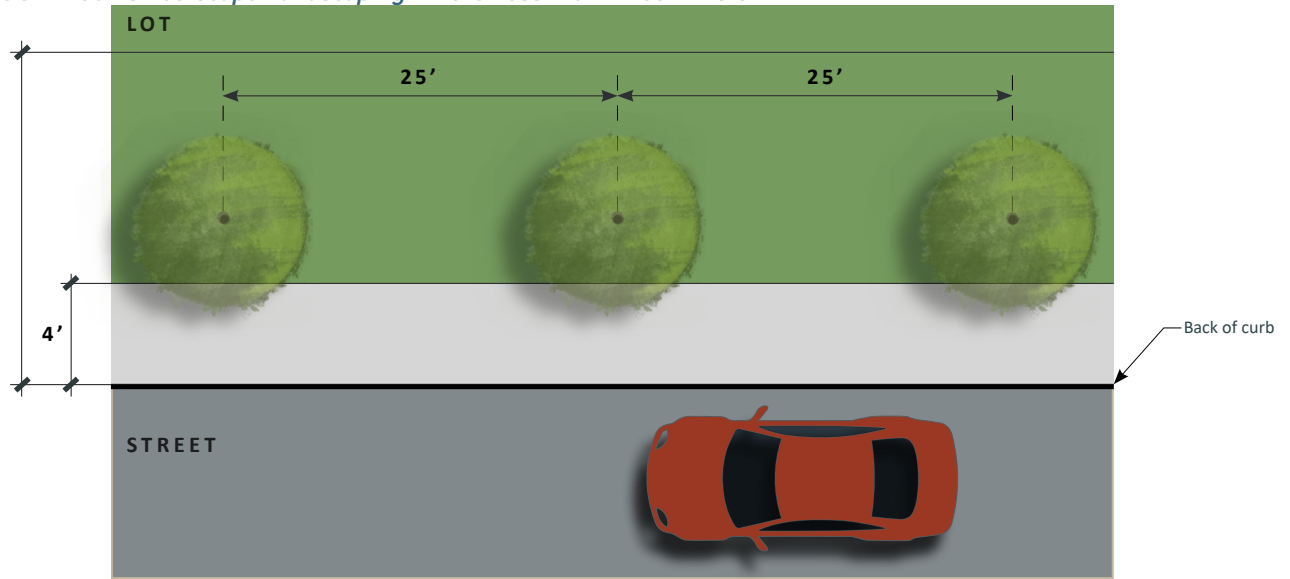


FIGURE 35: Streetscape Landscaping Where Less than 4 Feet Exists

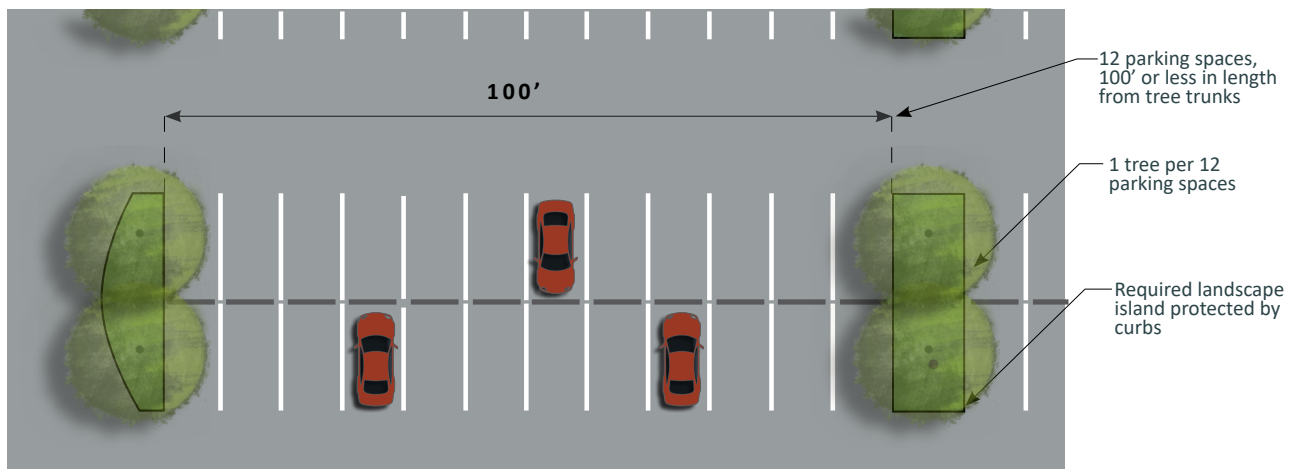


- Alternative streetscape landscaping may be approved by the Community Development Director as part of the site plan review as outlined in Section X⁹².

4-4(D)(VI) PARKING LOT LANDSCAPING AND SCREENING

- All new surface parking lots containing 25 or more spaces, or the expansion of an existing parking lot by 25 spaces or more shall provide landscaping that meets the standards of this subsection.
- Any surface parking lot located within 20 feet of a front, side, or rear lot line, where no side or rear lot line buffer is required by *Section 4-4(E)*, shall be screened from the side or rear lot line by a masonry wall or a landscaped strip at least 6 feet wide containing at least 2 trees and 6 shrubs per 50 feet of the parking lot edge closest to the lot line, or by other means that the Community Development Director determines provides equal or better screening of the headlights of parked vehicles.
- The minimum number of trees shall be 1 tree per 12 parking spaces.
- No parking space may be more than 100 feet in any direction from a tree trunk.

FIGURE 36: Parking Lot Tree Requirements



92 Appropriate cross-reference to be provided in Module 3.

5. All trees and plantings within parking lots shall be in planting areas or landscape islands, protected by curbs or wheel stops.
6. Required parking lot landscaping may be incorporated with one or more consolidated bioretention areas (e.g. rain gardens).

FIGURE 37: *Parking Lot Bioretention*



4-4(E) BUFFERING AND SCREENING STANDARDS

4-4(E)(I) REQUIRED LANDSCAPE BUFFERS AND SCREENS

1. Landscape buffers shall be required along the adjacent property line of abutting developments per *Table 37 Required Landscape Buffers* to mitigate the impacts of significant differences in property use, size, or scale.

DEVELOPMENT TYPE	ADJACENT TO	REQUIRED BUFFER
MFR-L, MRF-M	RA, RE, SFR or RM	Type A Buffer
MFR-H, MU, WRTC, DTLA, GC, PO, PL	RA, RE, SFR or RM	Type B Buffer
IND	Any non-industrial	Type C Buffer

2. When properties are required to have a landscape buffer per *Table 37 Required Landscape Buffers*, the requirements of *Table 38 Minimum Landscape Buffer Requirements*, shall apply.

BUFFER TYPE	MINIMUM WIDTH	TYPE AND AMOUNT	WALL, FENCE, OR BERM	REQUIRED OPACITY
Type A	10 feet min.	2 trees- deciduous or evergreen- for every 100 linear feet 12 shrubs for every 100 linear feet	Not required	Semi-opaque, defined as having only seasonal horizontal openings not exceeding 25% of the total buffer length from the ground to a height of 6 feet within 2 years of planting
Type B	20 feet min.	1 deciduous trees for every 100 linear feet 2 evergreen trees for every 100 linear feet 24 shrubs for every 100 linear feet, 60% of which shall be evergreen	Required wall, fence or berm ≥6 feet	Semi-opaque, defined as having only seasonal horizontal openings not exceeding 10% of the total buffer length from the ground to a height of 6 feet within 2 years of planting
Type C	25 feet min.	4 deciduous trees for every 100 linear feet 4 evergreen trees for every 100 linear feet 36 shrubs for every 100 linear feet, 60% of which shall be evergreen	Required wall, fence, or berm ≥8 feet	Completely opaque defined as having no horizontal openings from the ground to a height of 8 feet within 2 years of planting

FIGURE 38: Type A Buffer



FIGURE 39: Type B Buffer

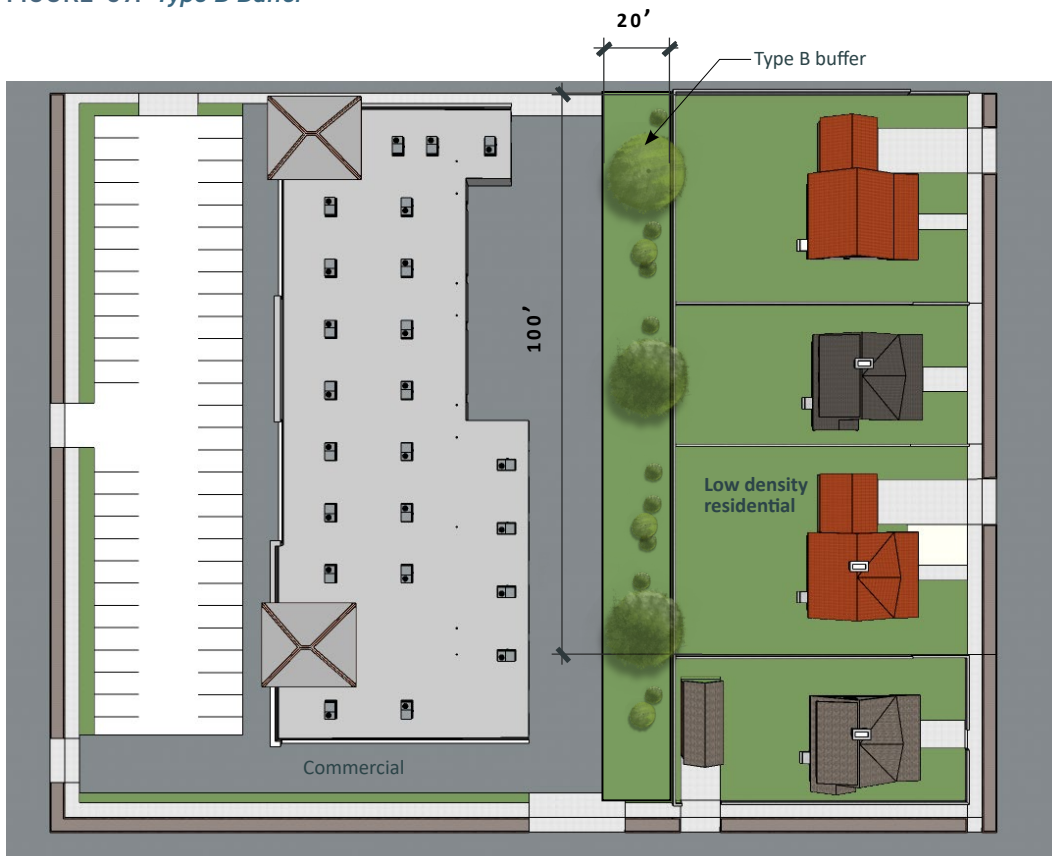


FIGURE 40: Type C Buffer



3. For the purposes of this subsection “industrial development” refers to the any uses indicated under the Industrial category of *Table 37 Required Landscape Buffers* and “non-industrial” development refers to all other uses.
4. If walls or fences are required in *Table 37 Required Landscape Buffers*, the material(s) of which shall be opaque. A chain link fence or similar is not considered a solid fence for purposes of this section. The side of the wall facing the development being buffered shall maintain a finished appearance.
5. All berms, if provided, shall not exceed a slope with maximum rise of 1 foot to a run of 2 feet (a ratio of 1:2) and a maximum height of 4 feet with a compacted flat top of at least 15 inches wide. All berms, regardless of size, shall be stabilized with a ground cover, another suitable vegetation, or a permanent slope retention device. A combination of trees and shrubs are to be installed in an appropriate design scheme along the berm.

4-4(E)(II) GENERAL SCREENING STANDARDS

1. Any landscaping provided to meet screening standards will be credited towards the overall landscaping requirement.
2. In any case where a wall or fence is required or installed, chain link fencing shall not satisfy this requirement.

4-4(E)(III) OUTDOOR STORAGE FOR VEHICLES, EQUIPMENT, AND MATERIALS

1. Outdoor storage areas shall be screened from public streets and adjacent residential land uses and Residential zone districts using one or a combination of fences, walls, berms, or landscaping that is at least 6 feet in height and provides a permanent opaque, year-round screen.
2. Walls, fences, or enclosures used to screen outdoor storage areas shall be visually compatible with the architectural design and materials of the development.

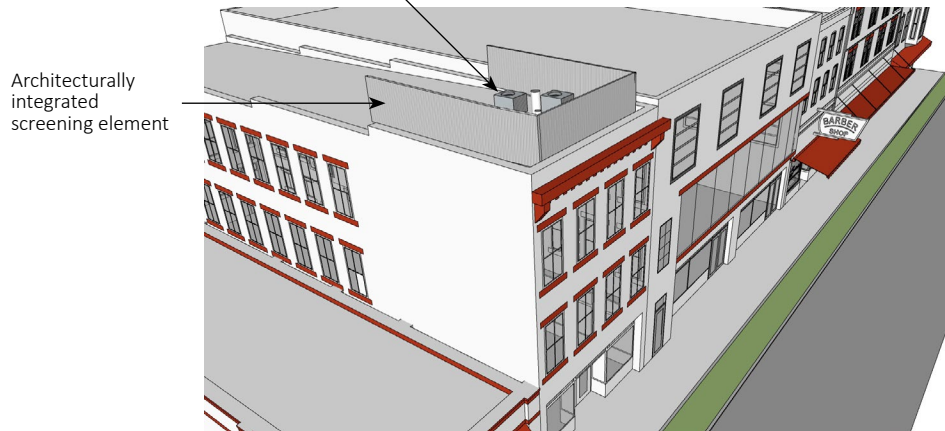
4-4(E)(IV) SCREENING OF REFUSE CONTAINERS

1. Refuse containers shall be screened on 3 sides by a solid 6-foot high wall or fence per *Section 4-4(E)(IV)*.
2. Refuse container enclosures shall be located at the rear or side of buildings, or in other inconspicuous locations, where they are generally not noticeable from public streets, pedestrian walkways, other public areas, or residential uses or Residential zone districts.
3. Refuse enclosures shall be constructed of materials that are compatible with the overall architectural design of the development.

4-4(E)(V) SCREENING OF MECHANICAL AND UTILITY EQUIPMENT

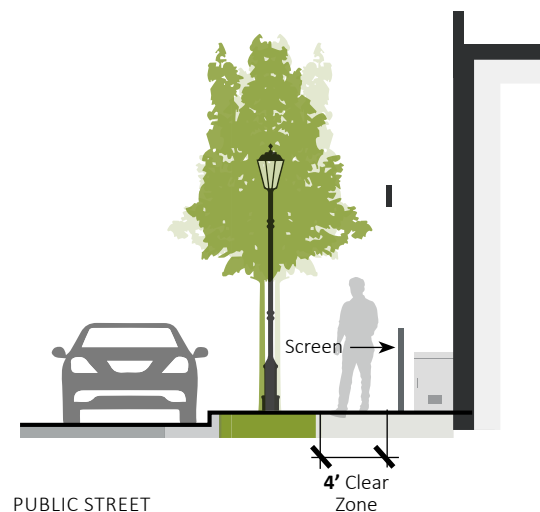
1. Roof-mounted mechanical equipment of mixed-use and non-residential developments shall be screened by a parapet wall or similar architectural feature sufficient to screen the equipment from all sides when viewed from the ground level.

FIGURE 41: *Screening of Roof-Mounted Equipment*
Rooftop-mounted equipment



2. Ground-mounted mechanical equipment of mixed-use and non-residential development shall be located so that it is not visible from a public right-of-way, customer entrances, pedestrian walkways, other public areas or from the adjacent properties to the maximum extent possible.
3. Ground-mounted mechanical equipment located within the view of public right-of-way, customer entrances, other public areas and adjacent properties shall be screened from public view using one of the following options:
 - A. Decorative wall, fence or enclosure that is constructed of materials that is compatible with the overall architectural design of the development and of a height that is not less than the height of the equipment to be screened; or
 - B. Vegetative screen that is of sufficient height at maturity and of opacity to effectively soften and screen the equipment.

FIGURE 42: *Screening of Ground-Mounted Equipment*



SECTION 16-4-5 NEIGHBORHOOD PROTECTION STANDARDS

4-5(A) PURPOSE

The purpose of this section is to provide for adequate transitions and preserve the character of established neighborhoods in instances where any mixed-use or non-residential uses located near low-density Residential zone districts.

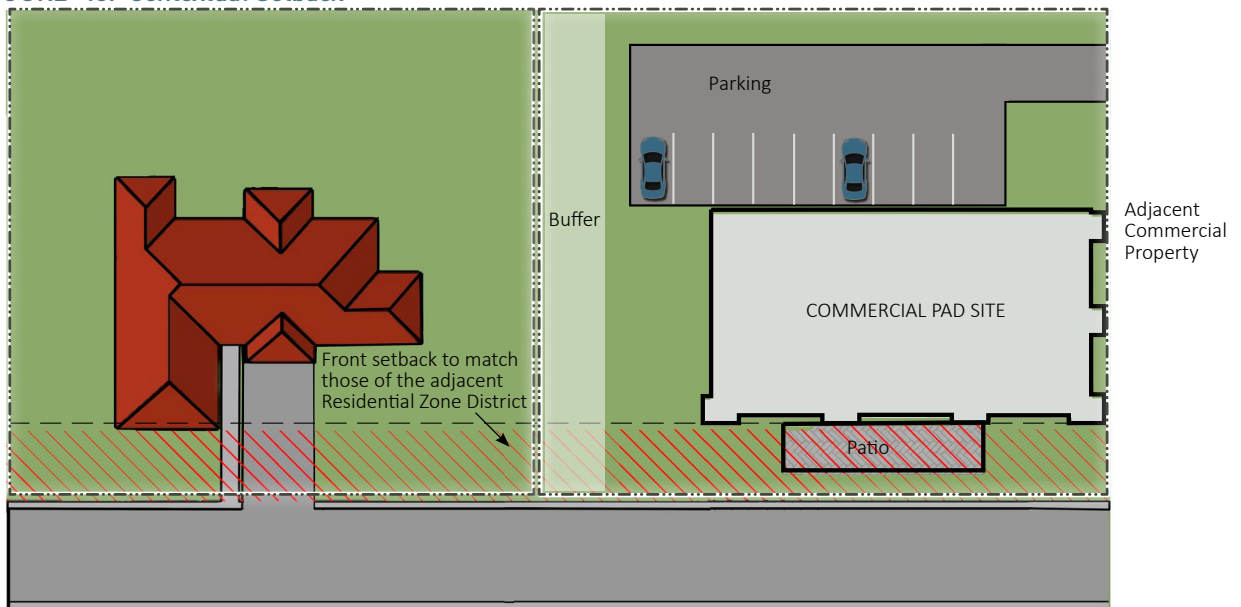
4-5(B) APPLICABILITY

The provisions of this section apply to the multi-family, mixed-use, and non-residential developments abutting low-density Residential zone districts. For the purpose of this subsection, low-density development is considered any lot in the RA, RE, SFR, RM and RM-NC zone districts.

4-5(C) NEIGHBORHOOD PROTECTION STANDARDS

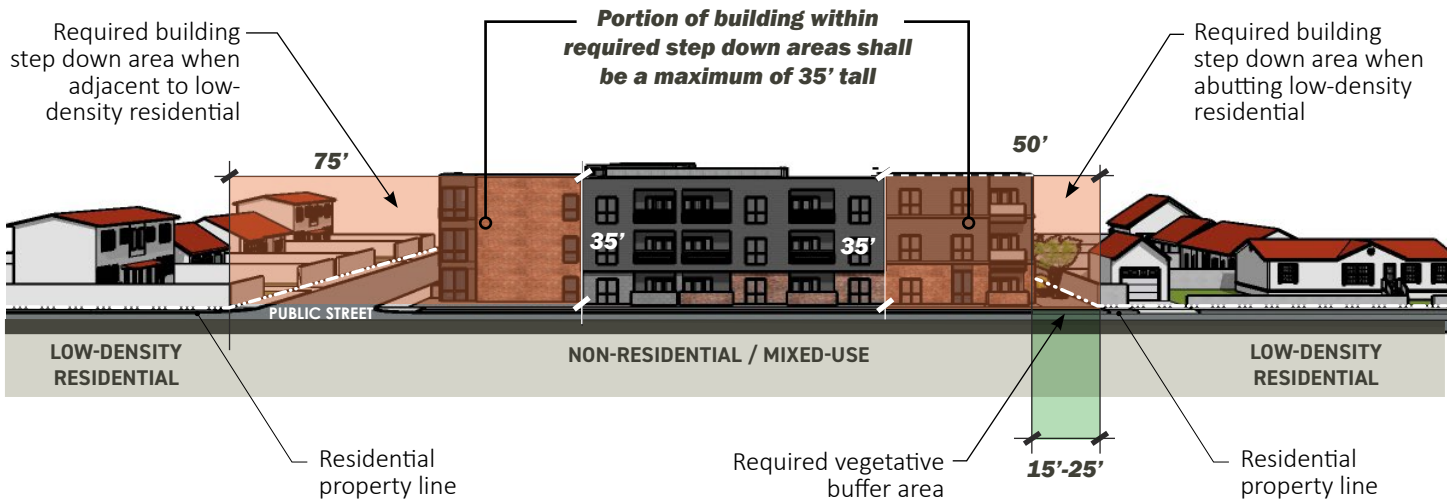
1. If a multi-family, Mixed-use or Non-residential zone district lot is adjacent to, exclusive of right-of-way or abuts any low-density residential lot, that portion of the multi-family, Mixed-use or Non-residential zone district property shall have a minimum side or rear yard setback equal to the required minimum side or rear yard setback of the adjoining low-density Residential zone district lot.

FIGURE 43: Contextual Setback



2. Any portion of a primary building within 50 feet of any lot line that directly abuts a low-density Residential zone district shall step down to a maximum height of 35 feet.
3. Any portion of a primary building within 75 feet of any lot line that is adjacent to a low-density Residential zone district shall step down to a maximum height of 35 feet.
4. A minimum buffer and vegetative screen shall be provided based on the requirements of [Section 4-4\(E\)](#).

FIGURE 44: Neighborhood Protection Standards



5. The placement and design of buildings should take into consideration the privacy of adjacent residential properties by avoiding the placement of elements like windows or balconies that face directly into the site.
6. The placement and design of buildings should take into consideration the privacy of adjacent residential properties by avoiding the placement of elements like windows or balconies that face directly into the site.

SECTION 16-4-6 OUTDOOR LIGHTING

4-6(A) PURPOSE

The purpose of this article is to provide regulations for outdoor lighting that will:

1. Minimize adverse impacts of artificial light on human health, well being, and functioning.
2. Increase nighttime visibility while reducing light trespass, glare, and obtrusive light.
3. Protect wildlife and the natural environment from the adverse effects of artificial light.
4. Curtail light pollution, reduce sky glow, and improve the nighttime environment for outdoor enthusiasts and astronomers.
5. Conserve energy.
6. Ensure that sufficient lighting can be provided where needed to promote safety for roadway users and security.

4-6(B) APPLICABILITY

1. Unless specifically exempted, the provisions of this section shall apply to all exterior light fixtures or luminaires used for illumination or advertisement on all residential, mixed-use and non-residential properties and installed after the effective date of this ordinance.
2. Modifications, additions, or replacements of more than 25 percent or more of building floor area requires that all outdoor lighting be brought into compliance with this ordinance. For the purposes of this section, replacement of burned-out lamps with new lamps or fixtures of the same type and lighting output level is not considered a modification, replacement, or repair.
3. Any light fixture that was legally erected before the effective date of this ordinance that is no longer in compliance with the standards in this section may be retained in use, subject to the provisions of Section X⁹³, Nonconforming Site Elements.

4-6(C) EXEMPTIONS

The provisions of this section do not apply to the following:

1. Indoor lighting.
2. Temporary emergency lighting for public safety and emergency services, including searchlights, floodlights, laser source lights, strobe or flashing lights, or any similar high intensity lights when used in emergencies by police, fire, medical or utility personnel.
3. Specialized signal, directional, and marker lighting for transportation including traffic control devices.
4. Lighting required by the Federal Aviation Administration or the Federal Communications Commission.
5. Special event lighting.
6. Underwater lighting used for the illumination of swimming pools, hot tubs, and decorative water fountains.
7. Lighting of Federal and State flags provided the flag is lit from the top down.
8. Lighting that is integral to equipment or instrumentation that has been installed by the equipment or instrumentation manufacturer.
9. Temporary lighting for construction.

4-6(D) LIGHTING PLAN

1. Site development applications for new development and modifications shall include lighting plans, pursuant to section X⁹².
2. A photometric illumination study shall be required for development in commercial zone districts and for complex residential lighting projects, as determined by the Community Development Director.

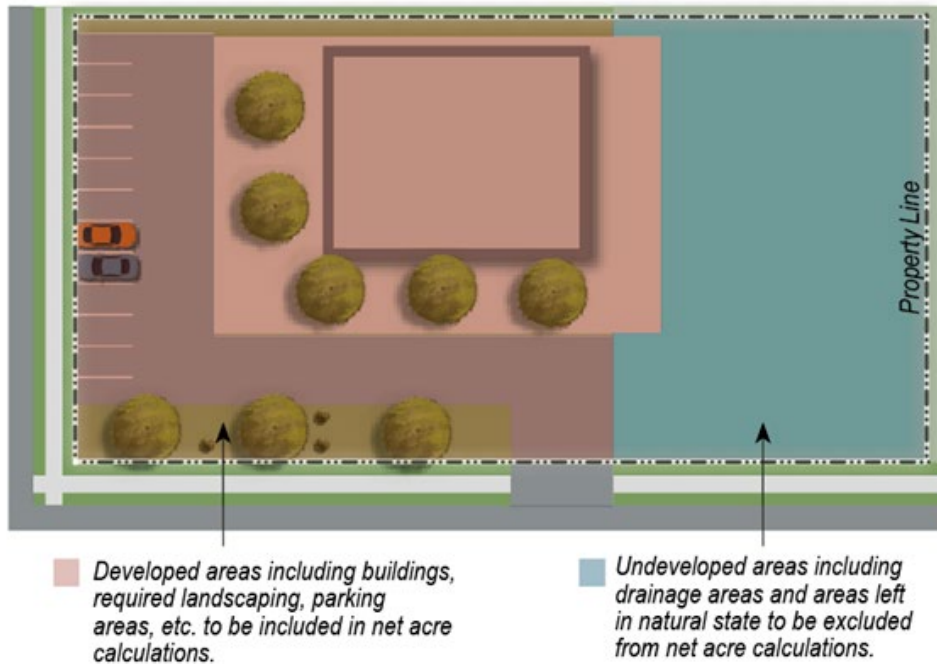
93 Appropriate cross-reference to be provided in Module 3.

4-6(E) SITE LIGHTING STANDARDS

1. Outdoor lighting shall be installed in conformance with the provisions of this Development Code, applicable Electrical and Energy Codes, and applicable sections of the Building Code.
2. Correlated color temperature (CCT) shall be equal to or less than 3000K.
3. Lamps shall be selected for high color rendition index (CRI) values in association with the corresponding CCT value to optimize nighttime color accuracy.
4. Light fixtures are required to be fully shielded with a BUG rating of U0. Exceptions to the fully-shielded requirement are as follows:
 - A. Partly shielded luminaires at doors not exceeding 700 lumens.
 - B. Low-voltage landscape lighting not exceeding 300 lumens that does not create light trespass on adjacent properties.
 - C. Landscape or architectural lighting aimed so that direct light is not visible from adjacent properties and not exceeding 1000 lumens.
 - D. Open-flame gas lamps
 - E. Lighting installed with a motion sensor where the lights are extinguished no more than 5 minutes after the area is vacated, and not exceeding 1000 lumens. The motion sensor must be adjusted so that it is only triggered by activity within the property lines and not triggered by activity within the public right-of-way.
 - F. String lights or other ambience lighting, not intended for holiday lighting, not exceeding 1000 lumens and extinguished at the close of business hours in Non-residential zone districts and after 11:00 PM in Residential zone districts.
 - G. Partially shielded light fixtures aside from those listed above may be approved by the Community Development Director as part of an alternative lighting plan as outlined in Section X⁹⁴.
5. The total installed initial luminaire lumens of outdoor lighting (calculated as the sum of the initial luminaire lumens for all luminaires) shall not exceed the total site lumen limit. The total site lumens calculation includes lights installed in parking lots and existing lighting. "Net acre" means the area of the property that is developed. In determining what portion of a property is developed, the following criteria shall be employed and *Figure 45 Developed Area Calculations for Lighting*:
 - A. All areas where there are physical improvements (e.g. buildings, parking areas, walkways, driveways, patios, pools, courtyards, walls, accessory structures, etc.) are included as developed areas.
 - B. All areas of landscaping required by *4-4(E)(I) Required Landscape Buffers and Screens* are included as developed areas.
 - C. Drainage areas not included in the required landscaping and areas left in their natural state are not included as developed areas.

94 Appropriate cross-reference to be provided in Module 3.

FIGURE 45: *Developed Area Calculations for Lighting*



- Total site lumen limits for each zone district are laid out in *Table 39 Site Lighting Standards*. These lumen allowances are upper limits for the total lumens per acre and should not be interpreted as design goals. Instead, design goals should be the lowest levels of lumens necessary to meet lighting requirements of the site.

TABLE 39: SITE LIGHTING STANDARDS				
LIGHTING CATEGORY		NO ARTIFICIAL LIGHTING	LOW AMBIENT LIGHTING (LZ-1)	MODERATE AMBIENT LIGHTING (LZ-2)
ZONE DISTRICT		PL, POS	RA, RE, SFR, MFR, RM, MHC	MU, PO, GC, IND, PL, DTLA, WRTC
Total Site Lumen Limit		0	Average 20,000 lumens per net acre or 5 lux	Average 50,000 lumens per net acre or 12 lux
Limits to Off-Site Impacts	Backlight	0	500 lumens per luminaire BUG rating B1	1000 lumens per luminaire BUG rating B2
	Glare	0	100 lumens per luminaire BUG rating G1	225 lumens per luminaire BUG rating G2
	Uplight	0	0 BUG rating U0	0 BUG rating U0

7. Lighting shall not create a hazard to operators of motor vehicles.

4-6(F) PROHIBITED LIGHTING

The following types of lighting are prohibited:

1. Aerial lasers and searchlights, except those used for public safety and emergency services purposes.
2. Unshielded luminaires capable of emitting light in any direction, upwards as well as horizontally and downwards.
3. Lighting resembling traffic-control devices.
4. Beacon lights or blinking, flashing, fluttering, or other illuminating devices which have a changing light intensity, brightness, or color, except for roadway lighting.

4-6(G) SPECIALIZED OUTDOOR LIGHTING STANDARDS

1. Parking lots, outdoor security lighting, and other applications where general illumination is provided for safety must limit light source emissions to 3000k. Ornamental parking lot lighting shall require an Alternative Lighting Plan approved by the Community Development Director as outlined in Section X⁹⁵.
2. Vehicle Fuel Sales and Service Station Canopies may be illuminated provided all fixtures are attached to the underside of the canopy and all fixtures are fully shielded. The lumen outputs of all such fixtures shall be counted against the total site lumen limit of 50,000 lumens per net acre per *Table 39 Site Lighting Standards*.
3. Dispensing Machines and kiosks that provide self-service dispensing (e.g. vending machines, gas pumps, ATMs) may be illuminated provided the machine is under an opaque cover or canopy such that the light does not escape into the nighttime sky.
4. Sign lighting shall comply with the standards of *Section 16-4-8 Signage*.
5. Sports Facilities Lighting shall be installed and operated so as to confine the illumination to the recreational area, bleachers, track, or field, and not to illuminate any other part of the property on which the lighting is installed. Shielding to prevent light trespass, glare, and light emitted above the horizontal plane shall be installed (BUG rating U0, B1, G0). The recreational lighting shall not exceed illuminance levels for class IV sports lighting set by the Illuminating Engineering Society (IES). Direct light from the light sources for these facilities must not be visible from adjacent properties. These lights must be extinguished within 30 minutes after the end of the sporting event.
6. Additional shielding may be required as part of the site plan review along ridgelines and hillsides to mitigate glare or light trespass to confine the illumination solely to the property on which the lamp is located.
7. Holiday Lighting requirements are as follows:
 - A. Holiday lights are exempt from color temperature, movement, blinking, flashing, changing light intensity, brightness, or color, and full shielding requirements set forth in this chapter.
 - B. Holiday lighting shall be turned off at the close of business hours in the MU, PO, GC, IND, PL, DTLA, WRTC zone districts and after 11:00 PM in all other zone districts.
 - C. Holiday lighting may be in place no longer than 60 consecutive days 3 times per year.

4-6(H) RIGHT-OF-WAY LIGHTING

1. Public or private roadway lighting shall be designed to the IES RP-8-18: IESNA Recommended Practice for Design and Maintenance of Roadway Lighting for one of the following County-designated, roadway lighting design categories (RLDC):
 - A. RLDC-1. Unlighted roadway.
 - B. RLDC-2. Roadway with partial lighting.
 - C. RLDC-3. Roadway with lighted intersections.

⁹⁵ Appropriate cross-reference to be provided in Module 3.

- D. RLDC-4. Roadway with lighted intersections and partial lighting between intersections.
- E. RLDC-5. Continuously lighted roadway (IESNA RP-8).
- 2. Partial lighting for the purpose of RLDC-2 and RLDC-4 means the additional lighting needed for a specific designated section of roadway where one or more streetlights would substantially improve public safety, but local conditions do not indicate the need for lighting based on a higher RLDC.
- 3. These design categories specify only the target light levels for the lighting system design and are not intended to prevent a reasonable variation from the design criteria necessitated by public safety or the details of the topography of the roadway for which the lighting system is being designed.
- 4. The RLDC category for a roadway shall be determined by County Council upon advice of the County Engineer. The County Engineer’s RLDC category recommendation for a given roadway, or portion thereof, shall occur only after a study of local conditions and shall take into account the lighting purposes stated in section 1-1(A) including minimizing light pollution and light trespass, especially in Residential zone districts.
- 5. The study of local conditions for a particular road or segment of road is to be prepared for the County by the Roadway Lighting Designer.
- 6. New roadway lighting systems shall be designed to the lowest RLDC consistent with the lighting goals of the neighborhood or subdivision in which it is to be installed but shall not be a lower light level than the minimum IES RP-8-18 recommendation needed for public safety as indicated by a study of local conditions.
- 7. Street lighting must conform to the standards outlined in *Table 40 Lighting Standards for Roads*.

TABLE 40: LIGHTING STANDARDS FOR ROADS

LIGHT LOCATION	LUMEN LIMIT	COLOR TEMPERATURE	BUG RATING
Pedestrian pathway fixtures < 18 inches tall, such as bollards.	300 lumen	3000 K maximum	Exempt
Pedestrian pathway fixtures > 18 inches tall	N/A	3000 K maximum	U0 B1 G0
Street lighting	N/A	3000 K maximum	U0 B1 G0

- 8. Street lighting must conform to the following maximum average illuminance limits in *Table 41 Illuminance Limits for Roads*. The spacing and lumen outputs of each street lighting luminaire shall be calculated so that these limits are not exceeded. The establishment of these limits shall not be construed to permit increasing existing levels of illuminance in any location.

TABLE 41: ILLUMINANCE LIMITS FOR ROADS

ROAD	MAXIMUM AVERAGE ILLUMINANCE
Central Ave	10 lux
Canyon Rd	9 lux
Diamond Dr	10 lux
Sherwood Blvd	6 lux
Rover Blvd	6 lux
Collector Roads	6 lux
Other Roads and Rights-of-way	5 lux

9. The County shall comply with requests supplied to the County Traffic and Streets Division to install, move, or remove a publicly owned streetlight when the request is signed by the majority of property owners within 300 feet of that streetlight and the request is feasible and does not create a public safety hazard, and the property owners requesting that change agree to bear the estimated cost of installing, moving, or removing that streetlight, said estimated cost to be provided by the County Engineer upon a request for information

SECTION 16-4-7 WALLS, FENCES AND GATES

4-7(A) PURPOSE

The purpose of this section is to provide for adequate privacy and security without degrading the aesthetic quality of the County, generating a public nuisance and/or hazards, or obstructing vision at intersections.

4-7(B) APPLICABILITY

The construction, replacement, and maintenance of all fences, walls, and retaining walls shall comply with the requirements of this section.

4-7(C) FENCE AND WALL PERMITS

A Fence/ Wall Permit is required prior to commencing construction of any wall or fence, per the provisions of Section X⁹⁶.

4-7(D) FENCE AND WALL STANDARDS

4-7(D)(I) LOCATION AND HEIGHT

1. The maximum permitted height for a fence or wall depends on the zone district and where the fence or wall is located on the property. All fences and walls shall comply with the height limits shown in *Table 42 Maximum Height of Walls and Fences*.

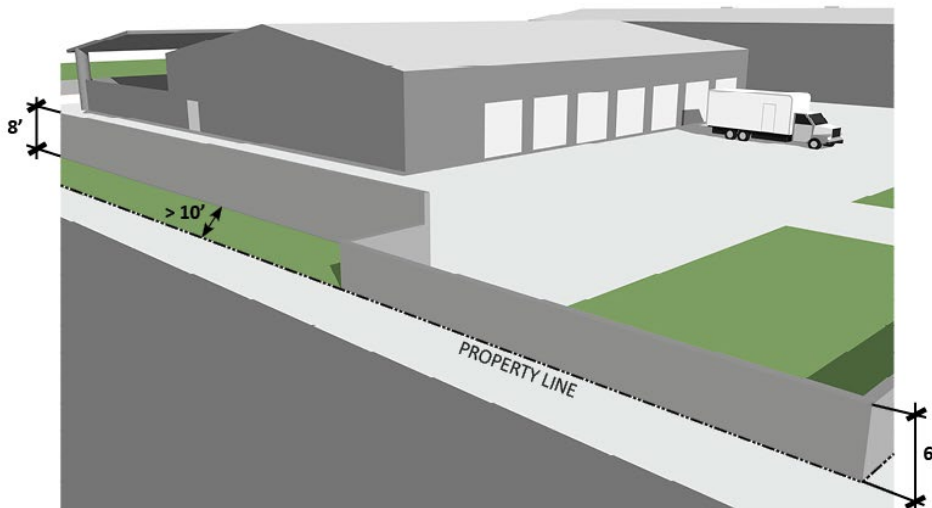
TABLE 42: MAXIMUM HEIGHT OF WALLS AND FENCES					
LOCATION OF FENCE/ WALL	MAXIMUM HEIGHT BY ZONE DISTRICT				
	RA, RE	SFR, RM, MHC	MFR, MU, WRTC, DTLA	GC, PO	IND
Within required front or street facing side yards ≤ 10 feet from property line	5'	3' solid 4' view	3' solid 6' view	6'	6'
		6'	6'	10'	10'
> 10 feet from property line					
Within required interior side and rear yards	7'	7'	8'	10'	10'
Within the sight visibility triangle at the intersections of streets, alleys, and driveways	3', see <u>Section 4-2(C)(IV) Sight Visibility Triangles</u>				

96 Appropriate cross-reference to be provided in Module 3.

FIGURE 46: Residential Fence Standards

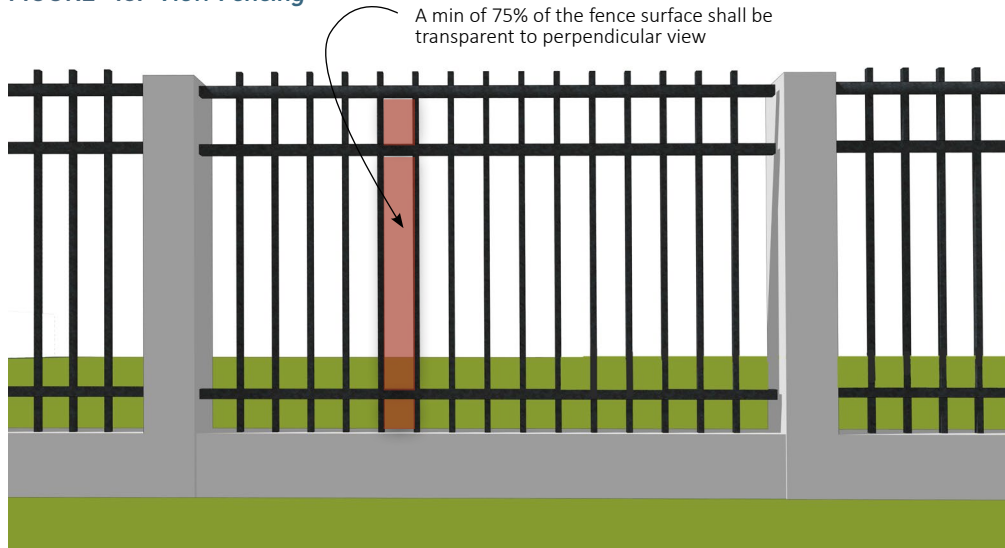


FIGURE 47: Industrial Fence Standards



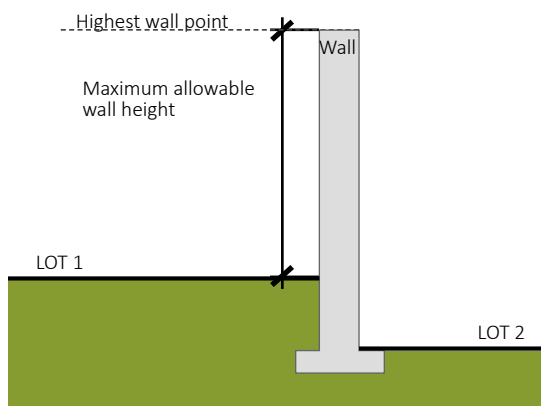
- Where view walls or fencing are specified in *Table 42 Maximum Height of Walls and Fences*, the wall or fence shall be constructed of materials, such as wrought iron, lattice, or something similar that permits at least 75 percent of the structure surface to be transparent.

FIGURE 48: View Fencing



- The maximum height of a fence or wall shall be measured as the vertical distance from the ground elevation or finished grade of the property on which the fence or wall is erected to the highest point of the fence or wall. Where there is a difference in the ground elevation or finished grade between two adjoining parcels of less than 2 feet, the height of any fence or wall constructed along the common property line shall be determined by using the finished grade of the highest contiguous parcel.

FIGURE 49: Maximum Fence/ Wall Height Measurement



- All fences and walls that restrict visibility shall be subject to *Section 4-2(C)(IV)* and must be limited to 3 feet in height.
- Fences 6 feet in height and taller shall comply with Building Code requirements.
- Fences shall be located on the the applicant's property. Fences shall not be located on shared property lines nor shall footings encroach onto any adjoining property.

4-7(D)(II) FENCE AND WALL MATERIALS

1. Fences and walls shall be constructed of durable materials that are weather and decay resistant.
2. The use of barbed wire, razor wire, or barbed tape shall be prohibited, except in GC, IND, and RA zone districts, provided it shall be placed as follows:
 - A. Not less than 6 feet from the ground at the fence line and shall not exceed 10 feet in height, and
 - B. At least 5 horizontal feet from any sidewalk.
3. Fences and walls visible from a public street shall be compatible with the overall site design and the primary building. The finished side of the fence shall front or face the public right-of-way or adjacent property.

4-7(D)(III) GATES

1. Gates shall be constructed so as not to obstruct Sight Visibility Triangles as set forth in Section 4-2(C)(IV).
2. Except as otherwise allowed by this Code, gates shall not exceed 12 feet in height.

4-7(D)(IV) RETAINING WALLS

1. Retaining walls over 4 feet high having a retained slope of 5 to 1 (5:1) or greater shall be designed, signed, and sealed by a professional civil engineer, registered in the state of New Mexico.
2. Retaining walls constructed of manufactured materials shall provide the manufacturers' specifications and shall be limited to 8 feet in height.

4-7(D)(V) MAINTENANCE

1. All fences, walls, and retaining walls shall be maintained in good condition, so as not to become a public or private nuisance, and so as not to be dilapidated or a danger to adjoining property owners or the public.
2. Fences, walls, and retaining walls which are no longer maintained in a safe manner and/or which create a hazard through neglect, lack of repair, manner of construction, method of placement, or otherwise, shall be repaired, replaced, or removed by the property owner.

SECTION 16-4-8 SIGNAGE

4-8(A) PURPOSE

Signs perform an important function in identifying and promoting positive conditions for sign communication. The intent of these regulations is to ensure that signs within the County are appropriate for the adequate identification, communication, and advertising of their respective uses, in keeping with the appearance of the affected property and surrounding environment, and protective of the public health, safety, and general welfare by:

1. Ensuring that signs are designed, constructed, installed, and maintained according to minimum standards to safeguard life, health, property, and public welfare.
2. Setting standards and providing uniform controls that permit reasonable use of signs and preserve the character of Los Alamos County.
3. Prohibiting the erection of signs in such numbers, sizes, designs, illumination, and locations as may create a hazard to pedestrians and motorists.
4. Avoiding excessive conflicts from large or multiple signs, so that permitted signs provide adequate identification and direction while minimizing clutter, unsightliness, and confusion.

4-8(B) APPLICABILITY

1. Unless specifically exempted, the standards contained in this section shall apply to all signs within the County.
2. Any sign legally erected before the effective date of this ordinance that is no longer in compliance with the standards in this section may be retained in use, subject to the provisions of Section X⁹⁷, Nonconforming Site Elements.

4-8(C) EXCEPTIONS

The following signs shall be exempted from the rules and regulations of this section:

1. Any sign, signal, or legal notice posted or erected by any city, County, State, Federal or other governmental entity in carrying out its responsibility to protect the public health, safety, and welfare.
2. Official government notices and notices posted by government officers or employees in the performance of their official duties and government signs to control traffic, provide information, identify streets, warn of danger, or perform other regulatory purposes.
3. Traffic control signs and devices, on-site or within the public right-of-way to control or direct traffic.
4. Any sign inside a structure not attached to the window.
5. Address numbering placed pursuant to the Code.
6. Any historic plaques erected or provided by the County, state, or federal entities, designating an area of historical significance.
7. Exterior works of art such as, but not limited to, paintings, murals, and sculptures conveying no commercial message.
8. Flags conveying no commercial message.

4-8(D) PERMIT REQUIREMENTS

1. Except as otherwise expressly provided in this section, the installation or placement of any permanent sign in the County must first obtain a Sign Permit pursuant to Section X⁹⁸, Sign Permits.
2. Temporary Signs as allowed by Section 4-8(F)(II) do not require a permit but must meet all other applicable requirements of Sections 4-8(F)(VI).

97 Appropriate cross-reference to be provided in Module 3.

98 Appropriate cross-reference to be provided in Module 3.

4-8(E) PROHIBITED SIGNS

The following signs are prohibited in all zone districts within the County:

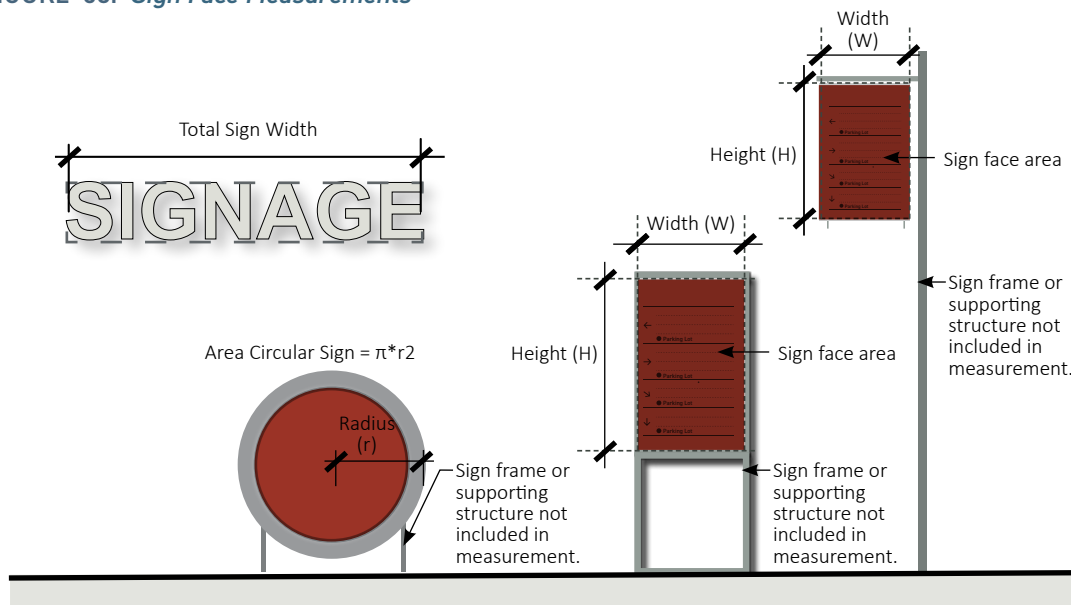
1. Any sign or sign structure which is in violation of this section.
2. Any sign maintained in conjunction with a use, event, service, or activity that is not lawful.
3. Any sign or sign structure which is deemed unsafe by the Chief Building Official or County Engineer.
4. Off-premises signs, except as specifically authorized in this section.
5. A sign located on or that projects over the public right-of-way, except as allowed under this section.
6. Any sign located so as to conflict with the clear and open view of public devices controlling public traffic, bicyclists, or pedestrians or to impair the safety of a moving vehicle by distracting the vision of the driver.
7. Animated mechanical or moving signs, or electrical appurtenances, such as, but not limited to, revolving beacons or flashing signs.
8. Signs with reflective surfaces.
9. A sign which obstructs a driver's, bicyclist's, or pedestrian's clear view of an intersecting road, alley, or major driveway.
10. Roof-mounted signs.
11. Billboards, stationary or mobile.
12. Any sign located in a required Sight Visibility Triangle, pursuant to Section 4-2(C)(IV).

4-8(F) SIGN STANDARDS

4-8(F)(I) SIGN MEASUREMENTS

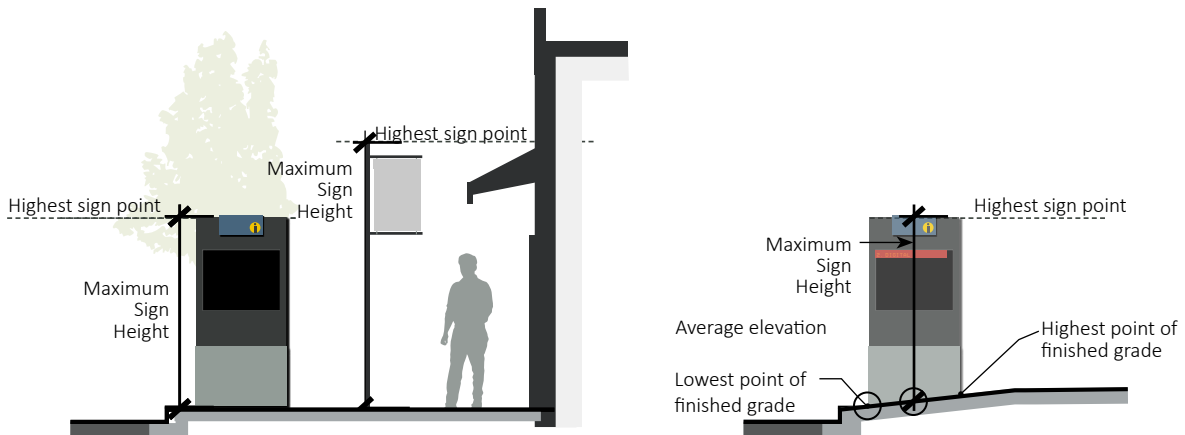
1. Sign area shall be computed by the area enclosed within a sign border or the sum of the areas of the minimum imaginary rectangles enclosing each word or non-verbal symbol if there is no sign border.
2. The sign face area for a multi-faced sign with more than 2 sides or a sign that is a three-dimensional object shall be computed by adding together the maximum areas of all faces or portions of the object that are simultaneously visible from a single point of view.

FIGURE 50: Sign Face Measurements



3. For freestanding and projecting signs, the sign face area of the board or surface exclusive of the frame or supporting structure.
4. Sign height is measured as the vertical distance from the average elevation of the finished grade to the top of the highest attached component of the sign. If natural grade at the base of a sign is lower than the grade of an adjacent road, the height of the sign may be measured from the top of curb elevation.

FIGURE 51: Sign Height Measurements



5. Clearance for projecting signs shall be measured as the smallest vertical distance between finished grade and the lowest point of the sign, including any framework or other structural elements.

FIGURE 52: Projecting Sign Clearance



4-8(F)(II) AUTHORIZED SIGNAGE

- All signs shall be in accordance with the provisions of *Table 43 Authorized Signage* and all other regulations set forth in this section.

TABLE 43: AUTHORIZED SIGNAGE

SIGN TYPE	TOPIC	POS-P, POS-AO, POS-PO	RA, RE, SFR, RM, RM-NC	MFR-L, MFRL-NC, MFR-M, MFR-H	MU, WRTC, DTLA	IND, PO, GC	IND
Permanent Signs	Sign area	4 sq.ft.	4 sq.ft.	2 sq.ft. per MF unit; 8 sq. ft. max	10 sq.ft. per LF building frontage; 100 sq. ft. max	10 sq.ft. per LF building frontage; 200 sq. ft. max	20 sq.ft. per LF building frontage; 100 sq. ft. max.
	Sign height	4 ft.	4 ft.	25 ft.			
	Sign illumination	Prohibited		Permitted pursuant to <i>Section 4-8(F) Sign Standards</i>			
Temporary Signs	Sign area	8 sq.ft.	10 sq.ft.	5 sq.ft. per MF unit; 20 sq.ft. max	30 sq.ft. per LF building frontage; 100 sq. ft. max.	30 sq.ft. per LF building frontage; 100 sq. ft. max.	10 sq.ft. per LF building frontage; 100 sq. ft.
	Sign height	4 ft.	4 ft.	8 ft.			
	Sign illumination	Prohibited					

LF= Linear Feet of the building frontage.

- Linear feet of building frontage is determined using the following processes:
 - For single tenant buildings the building frontage is the lineal distance of the building measured along a straight line parallel to the street. Where said building is not parallel to the street, the building frontage shall be measured along the exterior front wall of the building.
 - For an individual business located within a multi-tenant building, the building frontage shall be the length of the space occupied by said business measured in a straight line along the exterior front wall of the building, except for an individual business with minimal exterior frontage occupying the interior corner space of an "L" shaped multi-tenant building, in which case the building frontage may be determined by the length of the space occupied by the individual business measured in a straight line parallel to the nearest street. For multi-tenant buildings, the building frontage for each tenant shall be measured from the centerline of the party walls defining the occupied space.
- Signs shall be setback a minimum of 5 feet from any property line, except within the WRTC and DTLA zone districts where signs may be located on the front property line.
- No permanent signs shall be located within a public right-of-way.
- Right-of-way encroachments, including signs that project over the public right-of-way, shall require an Encroachment Permit pursuant to Section X⁹⁹.
- Signs that project over a sidewalk or on-site pedestrian walkways shall maintain a minimum clearance of 10 feet above finished grade.
- No sign shall be placed within a required sight visibility triangle, pursuant to *Section 4-2(C)(IV)*

99 Appropriate cross-reference to be provided in Module 3.

8. Signs allowed to be illuminated per Table 43 Authorized Signage, shall comply with the sign illumination standards of Section 4-8(F)(III).
9. Any permanent sign on County buildings, structures, or properties shall require the approval of the County Manager, or the Utilities Manager for utility infrastructure.
10. Temporary signs shall comply with all standards of Section 4-8(F)(VI).

4-8(F)(III) SIGN ILLUMINATION

1. If a parcel is authorized for an illuminated sign in Table 43 Authorized Signage, the illumination shall not exceed 3 lux above ambient lighting as measured horizontally 6 feet from the center of the face of the sign, 6 feet above grade at the edge of the property where the sign is located. Illumination can be measured in footcandles, lux, or luminance.
2. All sign lighting shall be designed, directed, and shielded in such a manner that the light source is not visible beyond the property boundaries where the sign is located and shall comply with the requirements of Section 16-4-6 Outdoor Lighting.
3. Internally illuminated signs shall consist of light-colored letters against a dark background and use semi-opaque material for sign text or images such that the light emanating from the sign is diffused.
4. Backlit signs shall be designed such that the light source is not visible, and that only diffuse light emanates from the sign.
5. Sign lighting may not blink, fluctuate, or otherwise give indication of movement except as permitted for Electronic Messaging Centers pursuant to Section 4-8(F)(IV).
6. All external sign light sources shall be shielded and aimed only at the sign.
7. No temporary signs shall be illuminated, unless required for public safety as determined by the Community Development Director.

4-8(F)(IV) ELECTRONIC MESSAGE CENTERS (EMC)

1. EMCs are prohibited in all Residential zone districts and Parks and Open Space zone districts, except for a Public School use, which may provide a maximum of 1 EMC per Section 4-8(F)(IV)2 below.
2. A maximum of 1 permanent sign per premises within a Non-residential zone district is allowed to be an EMC, provided the EMC shall not exceed 50 percent of the total allowed signage allowances.
3. A maximum of 1 permanent sign per premises within a Mixed-use zone district is allowed to be an EMC pursuant to the approval of a Special Use Permit per Section X¹⁰⁰, provided the EMC shall not exceed 50 percent of the total allowed signage allowances.
4. A maximum of 1 EMC sign is allowed per a Public School location, provided the EMC shall not exceed 50 percent of the total allowed signage allowances.
5. EMCs shall not be located within 100 feet of a road intersection.
6. EMCs shall be set back a minimum of 5 feet from any abutting Non-residential or Mixed-use zone district property line and shall be set back a minimum distance that equals the height of the sign when abutting a Residential zone district property line.
7. EMCs shall be placed so that the message or copy is oriented away from adjacent residential buildings or Residential zone districts to the maximum extent possible.
8. The EMC message or copy shall not change more than once every 8 seconds.
9. Transitions between displayed messages shall use fade, dissolve, or similar, but may not use scrolling, travel, or similar transition which creates a sense of motion.
10. Dynamic frame effect EMC signs are not permitted.
11. No sounds are permitted from EMC signs.
12. No EMC shall have the appearance of flashing.
13. EMCs shall have automatic dimming capability that adjusts the brightness to the ambient light at all times of the day and night.

14. EMCs shall be located, designed, and directed to not create light trespass on adjacent properties and shall comply with the intent of *Section 16-4-6 Outdoor Lighting* to the maximum extent possible.

4-8(F)(V) CONSTRUCTION AND MAINTENANCE OF PERMANENT SIGNS

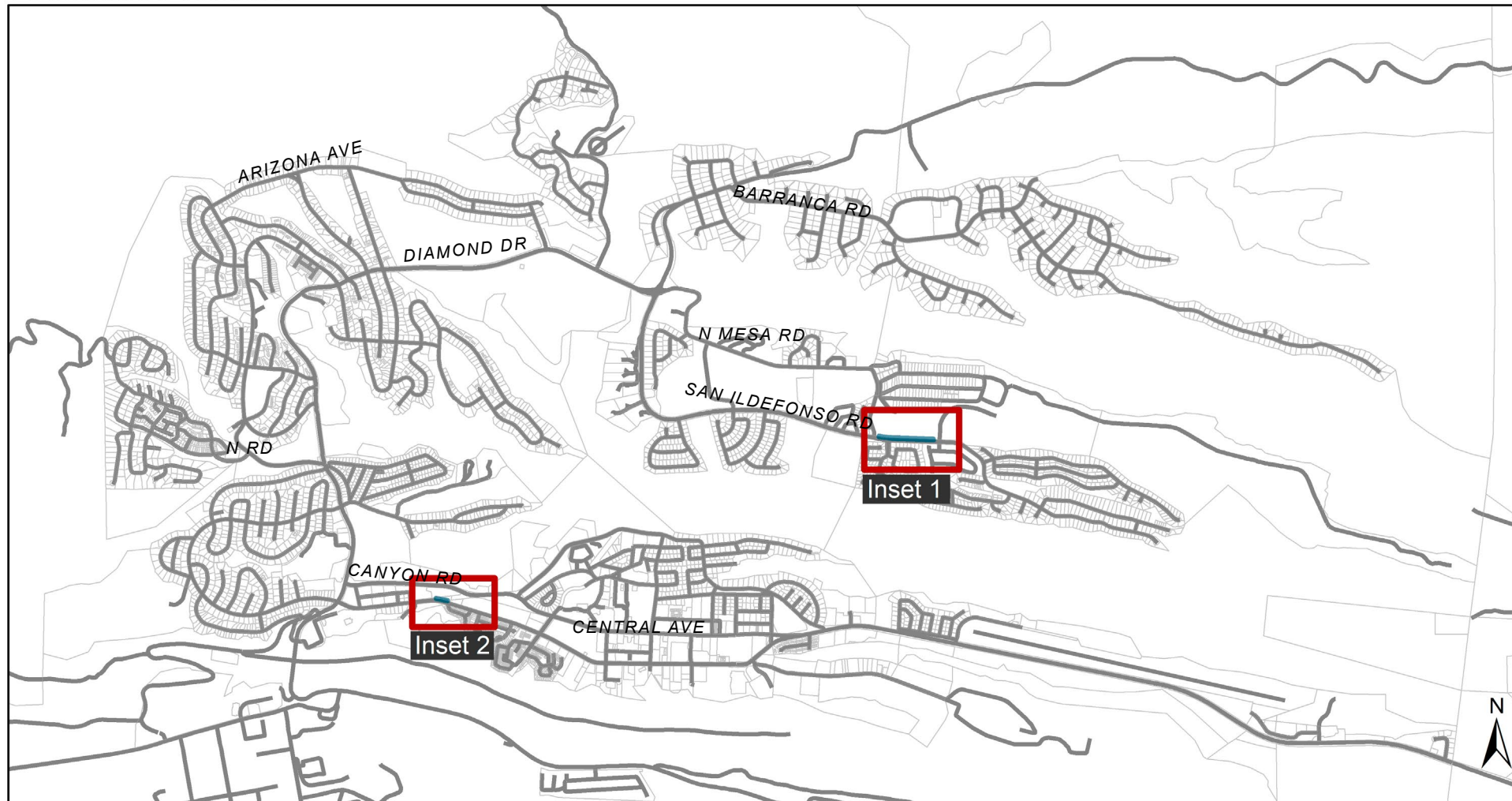
1. Every sign shall be constructed of durable materials and shall be structurally safe and erected or installed in strict accordance with the County Building Code permitting and approvals requirements.
2. All sign supports and elements such as angle irons, chains, wires, and electrical service must be concealed from public view to the maximum extent possible.
3. Any freestanding supports and foundations used in construction and placement of all signs and sign structures must be located outside of any public land or rights-of-way.
4. All signs and components thereof shall be structurally sound and maintained in good repair and in compliance with all currently adopted building or electrical codes.
5. Routine maintenance activities including but not limited to painting, cleaning, or repainting sign copy or sign faces within their existing framework and recladding do not require a permit.

4-8(F)(VI) TEMPORARY SIGNS

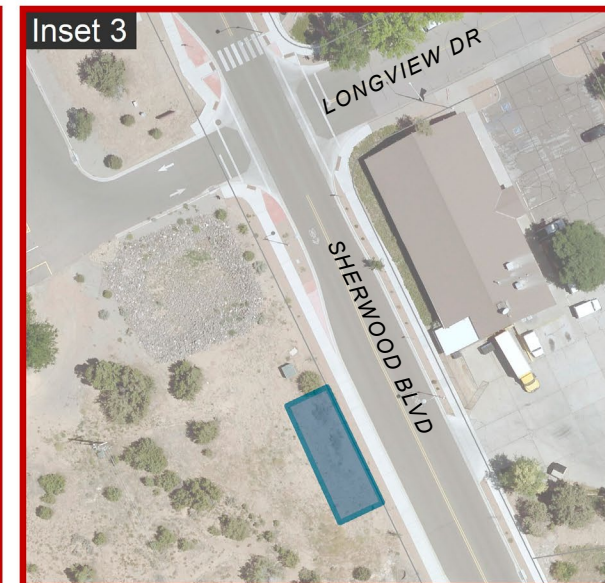
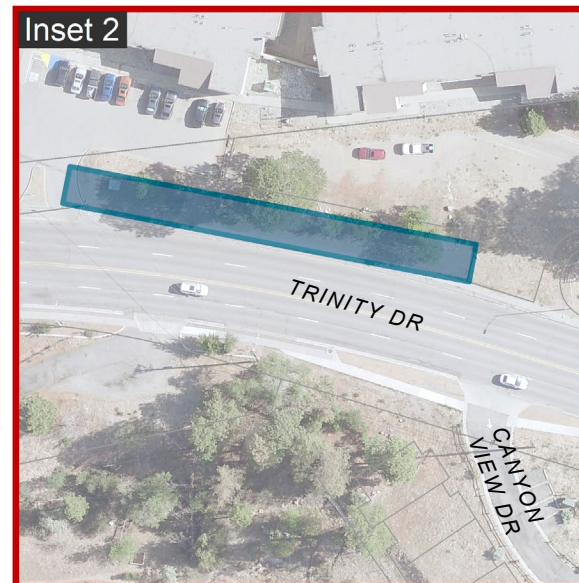
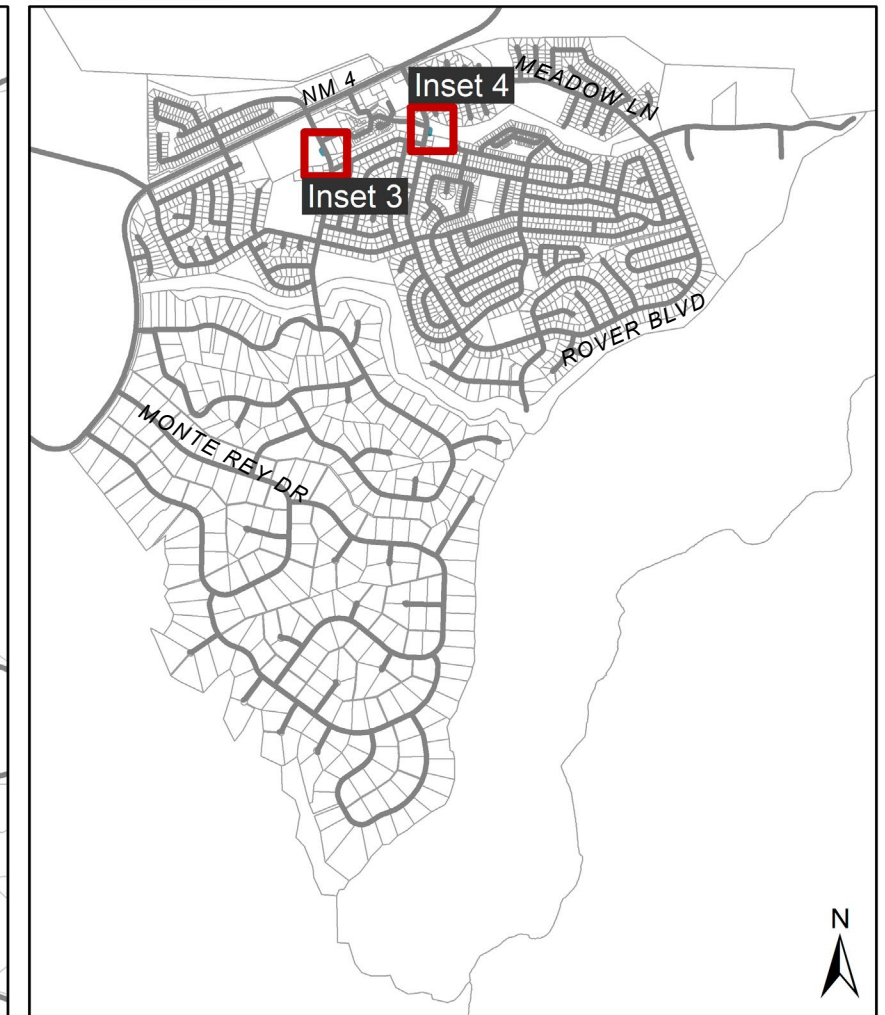
1. Temporary signs shall not exceed a sign area of 8 square feet and 8 feet in height.
2. Temporary signs may be in place no longer than 60 consecutive days, after which time they must either be removed or replaced.
3. No temporary sign in the right-of-way shall be placed on a sidewalk or in such a manner to block, impede, or limit the use of Americans with Disabilities Act (ADA) access points, nor shall any temporary sign in the right-of-way extend over or into any street, alley, sidewalk, or other public thoroughfare; nor shall it be erected so as to prevent free ingress to or egress from any door, window, or fire escape.
4. Signs in the right-of-way may not be located or posted on streetlights, stop signs, utility poles, or other utility structures located in the right-of-way.
5. No temporary sign in the right-of-way shall be illuminated except where required by the Community Development Director for public safety purposes.
6. Temporary signs may only be placed on public lands or public rights-of-way in designated temporary signage zones. See *Section 4-8(F)(VI)(1)*.

4-8(F)(VI)(1) DESIGNATED TEMPORARY SIGNAGE ZONES

Los Alamos Townsite



White Rock



LEGEND

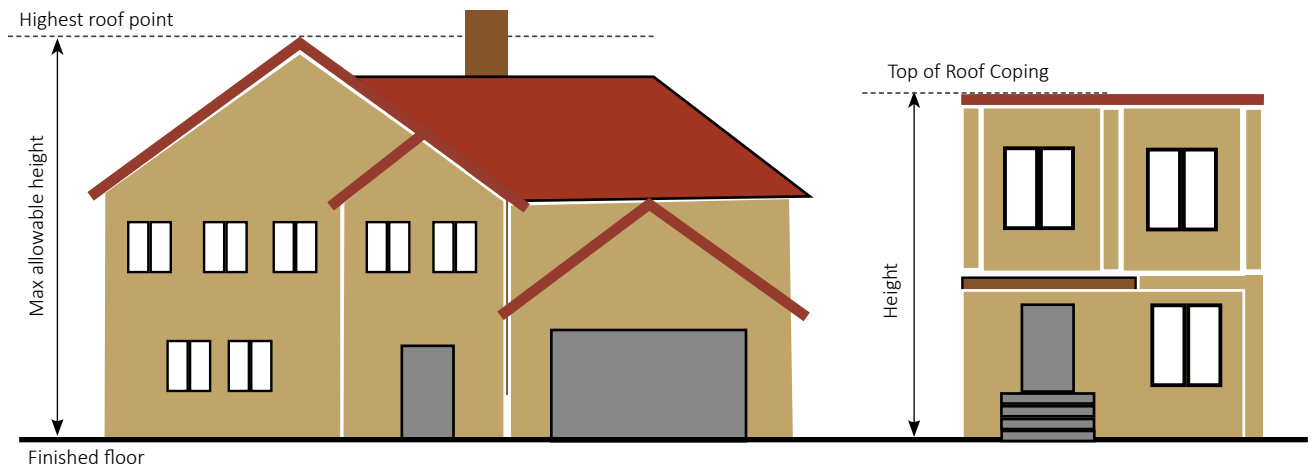
 Signage Zones

SECTION 16-4-9 BUILDING DESIGN

4-9(A) BUILDING HEIGHT

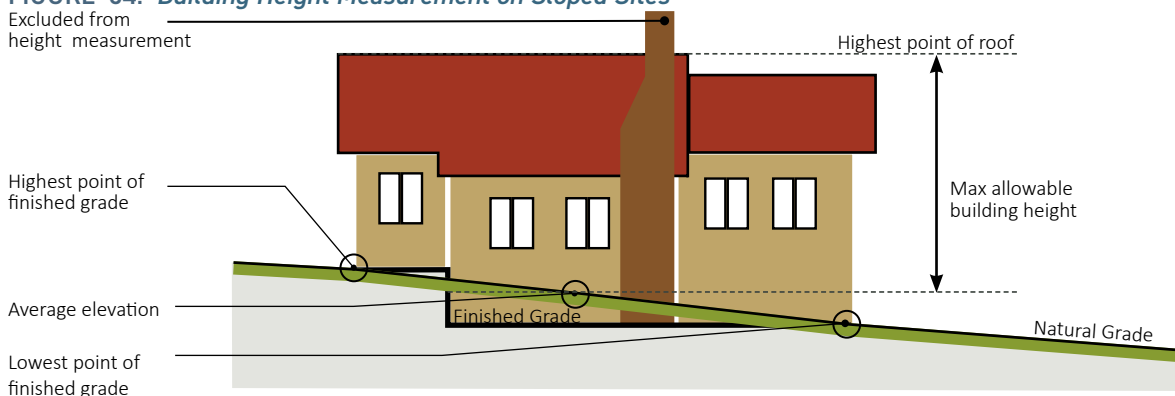
1. The maximum building height for buildings is described in *PART 16-2 Zone Districts* for each zone district.
2. The height of a building shall be measured as the vertical distance from the lowest finished grade of the structure to the highest point on the building roof. The “highest point” means peak of roof for a building with a sloping roof, the top of the roof coping for a flat roof, or the top of the ridgeline of the highest gable of a pitched roof or hip roof.

FIGURE 53: Building Height Measurement
PITCHED ROOF



3. On a stepped or sloped project site, the maximum height is to be measured as the vertical distance from the highest point of the structure to the average of the highest and lowest points of the finished grade.

FIGURE 54: Building Height Measurement on Sloped Sites



4. Rooftop appurtenances such as belfry, church spire or tower, conveyor, cooling tower, elevator housing chimneys, antennas, smoke and ventilation stacks, mechanical equipment and related screening, rooftop solar collectors and flagpoles are exempt from the building height limitations of this Code. Also see Section *3-2(D)(XIII)*.

5. Rooftop shade structures or trellis or similar shading systems shall also be exempt from the building height limitations of this Code, provided they shall not exceed 12 feet in height.

4-9(B) BUILDING FOUNDATIONS

1. That part of the foundation of a residential structure that is exposed shall not exceed 2.5 feet above the natural grade at any point on slopes of less than 15 percent. On slopes of 15 percent or more, that part of the foundation of a residential structure that is exposed shall not exceed feet above the natural grade at any point.



PART 16-5. ADMINISTRATION AND ENFORCEMENT

TO BE COMPLETED IN MODULE 3

PART 16-6. DEFINITIONS

SECTION 16-6-1 RULES

The following rules apply to definitions listed in this chapter:

1. Any numbers, abbreviations, terms or words defined in this section shall be used and interpreted, only as defined in this chapter. All other numbers, abbreviations, terms, and words shall have their generally accepted meaning.
2. Unless the context clearly indicates to the contrary, words used in the present tense include the future tense and words used in the future tense include the present tense; words used in the plural number include the singular and words used in the singular include the plural.
3. The words “shall” and “will” are mandatory. The word “may” is permissive. The word “structure” includes a “building”; the word “building” or “structure” includes any part thereof. The word “person” includes an individual, a partnership, a corporation, an incorporated association of persons such as a club, and a public entity.
4. Words not defined in this chapter but which are defined in the New Mexico Building Code as adopted by the County are to be construed as defined therein.
5. Measurements involving restricted uses identified in *Section 16-3-2 Use-Specific Standards* shall be measured from the nearest point of the exterior wall of the restricted use to the nearest point of the exterior wall of any protected use, i.e. an Adult Entertainment use shall be measured from the nearest point of the exterior wall of the proposed Adult Entertainment use to the nearest point of the exterior wall of any protected use (School or Daycare Center) or to the nearest edge of the Residential zone district boundary.

SECTION 16-6-2 DEFINED TERMS

The following words, terms and phrases, when used in this Code, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

A

~~**Abandoned Structure.** A structure that has not been used for a use authorized by this chapter for a period of three consecutive months and for which the owner has received, by registered mail, a notice of violation of the building code.~~

Abandoned Sign. Any sign which, for a period of at least 60 consecutive days or longer, no longer advertises or identifies a legal business establishment, product, or activity. See Section X¹⁰¹

Abut. To touch or share a common property line.

Accessory Dwelling Unit. A dwelling unit that is accessory to a primary single-family or two-family detached dwelling or non-residential use. Accessory dwelling units may be attached to the primary dwelling, contained within the primary dwelling, or built as a detached accessory structure and contain a separate kitchen.

Access. A way or means of approach to provide vehicular or pedestrian physical ingress and egress to a property or use.

101 Appropriate cross reference to be provided in Module 3

Accessory Structure. A structure detached from and located on the same lot as a primary building, clearly incidental and subordinate to the primary building or use. Accessory structures include but are not limited to shade structures such as covered patios, gazebos, pergolas, ramadas, or similar roofed structures. A structure attached by wall or roof to the main building is not an accessory structure but is a part of the main building. See also Building and Structure.

Accessory Use. A use incidental and subordinate in use, area, or purpose to the primary use of the premises or lot.

Addition. An extension or increase in floor area or height of an existing building or structure.

Adjacent. Those properties that are abutting or separated only by a street, alley, or trail. For example, an Industrial zone district across the street from a Residential zone district is adjacent to that zone district.

Adult Entertainment. An establishment such as an auditorium, bar, cabaret, concert hall, nightclub, restaurant, theater, or other commercial establishment, other than an adult retail establishment, that provides amusement or entertainment featuring live entertainment, audio and/or video displays or other graphic representations that are intended to provide sexual stimulation or sexual gratification and is distinguished or characterized by an emphasis on specified anatomical areas or specified sexual activities.

Adult Retail. An establishment where 50 percent or more of its gross area is devoted to sell or rent the following adult material that include, but are not limited to, books, magazines, newspapers, films (video tapes and/or DVDs), slides, photographic or written material, and other items or devices that are distinguished or characterized by an emphasis on the depiction, description, exposure, or representation of specified anatomical areas or the conduct or simulation of specified sexual activities. Adult retail is a primary use and is not accessory to any other use.

~~**Agent.** A legally authorized designee of an owner or applicant. Also see "Owner."~~

~~**Aggrieved party.** Any person who:~~

- ~~1. Is required to be served with notice by mail under this chapter; or~~
- ~~2. Has an immediate, pecuniary and substantial interest, with respect to any final action taken pursuant to this chapter.~~

Alley. A public right-of-way or private way providing secondary access to abutting property or primary vehicular access to residential properties, minimizing or eliminating the need for driveway access to the street.

Alteration. Any construction or renovation to an existing structure other than a repair or addition.

Applicant. Any person who submits a development application requesting a development permit or approval authorized by this Code.

Application. A formal request made by an applicant and/or agent to initiate any action as provided in this chapter, using forms provided by the Community Development Department for this purpose.

Architectural Lighting. Lighting designed to reveal architectural beauty, shape, or form and for which lighting for any other purpose is incidental.

Area, Floor. The area of all floors, including a basement, in a building, exclusive of exterior courts, garages and carports. All horizontal dimensions are taken from the exterior faces of walls, including enclosed porches.

Area, Gross. The area of a horizontal plane within the property lines of a lot before the area of public streets, easements or other land to be designated for public use is deducted.

Area, Net Building. The area of a horizontal plane within the property lines of a lot, less the area of all land designated for public use and less the area of all required yards.

Art Gallery. A building, room, or series of rooms where works of art are exhibited for display or sale.

Artisan Manufacturing. An establishment or business where an artist, artisan, or craftsman teaches, makes, or fabricates crafts or products by hand or with minimal automation and may include direct sales to consumers. This definition includes uses such as small-scale fabrication, manufacturing, and other industrial uses and processes such as welding and sculpting, as well as incidental storage, wholesaling of products manufactured at the facility, and direct sales to consumers. Also see Light Manufacturing and Heavy Manufacturing.

Assisted Care Facility. A facility that provides living and sleeping facilities and care to 5 or more individuals unrelated by marriage, birth, or legal adoption who, because of advanced age or physical or mental disability, require intermittent assistance in performing the activities of daily living, which may include the supervision and/or administration of medication, in a protective environment. Such care includes, but is not be limited to, meal preparation, laundry services, housekeeping, personal observation and direction in the activities of daily living, transportation for routine social and medical appointments, and the availability of a responsible adult for companionship or non-clinical counseling. The use does not include a “Hospital” or a “Group Residential Facility”.

B

Backlight. Light emitted in the quarter-sphere below horizontal and in the opposite direction from the intended orientation of the luminaire. For example, light visible from a property behind a curb-mounted streetlight is backlight. See illustration under BUG.

Balcony. An unenclosed platform projected from a wall of a building or structure above the first floor level and gaining sole access from said building or structure.

Banner. Any sign of lightweight fabric or similar material with no enclosing framework. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banners.

Bar. An establishment having as its primary or predominant uses the serving of beer, wine, or liquor for consumption on the premises, but that does not meet the definition for Tap Room or Tasting Room.

~~**Baseline data.** Information on the current usage of a public facility compared with its capacity including, but not limited to, streets, sewers, water lines, drainageways, etc.~~

Bed and Breakfast. A low-density residential development with a permanent resident and up to 5 guestrooms which may be rented for short term overnight lodging with breakfast served to overnight guests only. See also Hotel or Motel.

Bedroom. Any room in a dwelling that is partitioned by walls and doors, other than the following: kitchens, living rooms, dining rooms, family rooms, baths, foyers, corridors and closets (All as defined in Articles 14-1 and 14-3 of ROA 1994 (Uniform Administrative Code and Technical Codes and Uniform Housing Code)).

Billboard. An off-premise, freestanding sign which advertises or directs attention to a business, product, service, or event. None of the products or services may be conducted, sold, or offered on the premises

where the billboard is located.

Benchmark. A mark on a permanent monument indicating elevation and serving as a reference in topographical surveys.

Block. A unit of land bounded by streets or by a combination of streets and public land or any other barrier to the continuity of development. See figure "block and block-face".

Block-face. Abutting properties on one side of a street and lying between the two nearest intersecting streets or an intersecting street and unsubdivided land or county owned property. See figure "block and block-face."

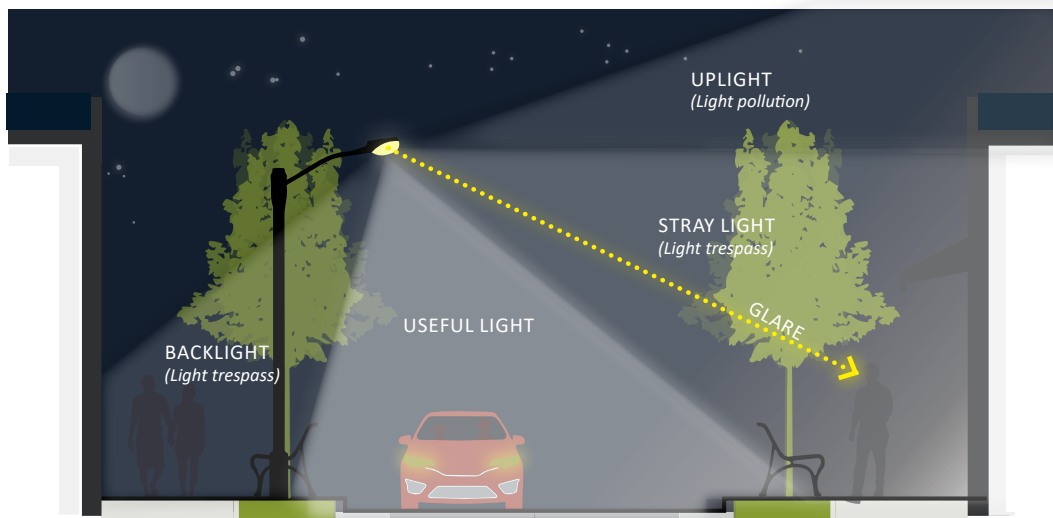
Bond. Any form of security including a cash deposit, surety bond, collateral, property or instrument of credit in an amount and form satisfactory to the county attorney and the county council. All bonds shall be approved by the county engineer wherever a bond is required by this chapter.

Boundary monument. A permanent object indicating a corner in the boundary of a lot.

Breezeway. A roofed, open-sided passageway which provides direct access between buildings.

Buffer. Open spaces, strips of land, landscaped areas, fences, walls or any combination of the same, used to physically separate and screen one use or property from another to visually shield or block noise or lights.

BUG. A luminaire classification scheme that distinguishes and classifies backlight (B), uplight (U), and glare (G).



Building. An independent, fully-enclosed structure built and maintained for the support, shelter or enclosure of persons, animals, or property of any kind.

Building Height. The vertical distance above finished grade measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the midpoint of the highest gable of a pitched or hipped roof.

Building, Main. A building within which is conducted one or more permitted or special uses. There may be more than one main building on a lot depending on the zone district designation.

Building marker. Any sign indicating the name of a building and date and incidental information about its

construction, which sign is cut into a masonry surface or made of bronze or other permanent material.

Business. A legal entity operating an enterprise in a space separate from any other enterprise.

~~**Business park.** A building or assembly of buildings on a single lot adaptable to a combination of office, light storage, distribution, and showroom uses, where a minimum of 25 percent of the floor area is used for office space and where common parking, access and maneuvering is provided.~~

C

Caliper. The diameter of the main stem of a tree or shrub measured 8 inches above the ground.

Campground or RV park. A lot developed or used for the temporary occupancy of recreational vehicles (RV) or shelters such as motor homes, travel trailers, camper vehicles, tent shelters and the like.

Caretaker Unit. A dwelling unit for a person residing on the premises of an employer and who is receiving meaningful compensation to assume the primary responsibility for the necessary repair, maintenance, supervision, or security of the real or personal property of the employer which is located on the same lot.

Cannabis. All parts of the plant genus Cannabis as defined by the Cannabis Regulation Act (“Act”).

Cannabis Cultivation and Manufacturing Facility. A facility in which cannabis is grown, harvested, dried, cured, or trimmed for consumption by smoking or inhalation, or cannabis is processed into products intended for use or consumption other than by smoking or inhalation, including but not limited to, edible products, ointments, and tinctures.

Cannabis Retail. A retail sales establishment licensed by the State to sell cannabis products to qualified patients, primary caregivers, and reciprocal participants as defined by the Act, or directly to consumers.

Canopy. A covered structure with at least 1 side open for pedestrian or vehicular access for automobile service stations or similar uses.

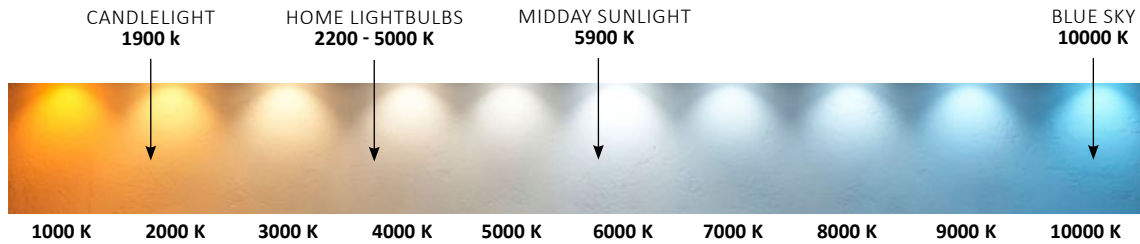
Carport. A permanent roofed structure with not more than 2 enclosed sides used or intended to be used for automobile storage.

Cemetery. A place dedicated to the interment of human or animal remains or cremated remains, including a burial park for earth interments, a mausoleum for vault or crypt interments, a columbarium for cinerary interments, or a combination thereof.

Character. Those attributes, qualities, and features that make up and distinguish a development or neighborhood and give such development or neighborhood a sense of purpose, function, definition, and uniqueness.

Club. An association of persons, whether or not incorporated, for social or recreational purposes and for purposes and activities generally not for personal gain and not elsewhere defined as a commercial or professional purpose or activity; it does not mean a group organized solely or primarily to render a service as a business for profit.

Color Temperature. The color temperature (correlated color temperature) of a light source is the temperature of an ideal black body radiator that emits light of a color comparable to the light source, measured in degrees Kelvin. See graphic below for an illustration of color temperature.



Compact Parking Space. A parking space designed by reducing the depth of the stall to 18 feet meeting the requirements of Section "4-3(H)(III) Dimensions".

Commercial. Any activity involving the provision of services carried out for profit, including but not limited to the purchase, sale or other financial transaction involving the handling or disposition of any article, substance or commodity; or the management of office buildings, offices, recreational, or amusement enterprises; or the maintenance and use of offices, structures, and premises by professions and trades rendering services; by for profit or not-for-profit uses.

~~**Commercial Center.** A building or assembly of buildings on one lot that may contain retail, offices, restaurants, lodging, theaters, automobile services, or other uses permitted by the zoning district, and that provide common parking and access.~~

~~**Commercial Message.** A message related by language, logo, or pictorial depiction to the advertisement of any product or service or the identification of any business.~~

Community Development Director. The Director of the County of Los Alamos Community Development Department or their designee.

Community Garden. A private or public facility for cultivation of fruits, flowers, vegetables, or ornamental plants by individuals or collectively by members of a group or organization.

Common Open Space. Outdoor space to be preserved on-site and managed privately to help ensure livable conditions on each site by providing light and air and meeting visual, psychological, and recreational needs. These areas can be used for a variety of purposes and are not required to be at ground level. Usable open space may include, but is not limited to, lawns; community gardens; decorative and native plantings; open balconies; rooftop decks; plazas; courtyards; covered patios open on at least 2 sides; walkways; landscaped buffers or setbacks; active and passive recreational areas; fountains; swimming pools; wooded areas; canyon areas; and water courses. Such space shall be available for entry and use by users of the development. Required drainage facilities or land within an easement for overhead utilities that are not landscaped shall not count toward required usable open space. Usable open space does not include public right-of-way, private ways, parking lots, off-street parking, driveways, drive aisles other private vehicular surfaces, or buildings other than swimming pool rooms.

~~**Complex.** A combination of two or more uses located on the same lot and sharing common facilities. Included in this definition are multiple building complexes.~~

Comprehensive Plan. The plan adopted by the County to guide overall growth and development and capital improvement planning in the County including amendments to that plan.

~~**Conditional Use.** A land use that is allowable in a particular zone district subject to conditional approval by the Planning and Zoning Commission based on a review of potential adverse impacts of the use and any appropriate mitigations to minimize those impacts on nearby properties.~~

Condominium. An estate in real property consisting of an individual interest in common in a parcel of real property, together with separate ownership of space within such real property. A condominium is not a cooperative.

Conforming Sign. A sign that is in compliance with all prevailing jurisdictional laws and ordinances.

~~**Consolidation.** A plat showing the combining of two recorded lots into one lot.~~

Contiguous. In contact with or sharing a common border, boundary, or property line.

Contractor Facility or Yard. A building and related outdoor area used to store and maintain construction equipment and materials including but not limited to plumbing, electrical, carpentry, roofing, and landscaping, and facilities customarily required in the building trade by a construction contractor.

~~**Construction plans.** The maps or drawings submitted prior to a final subdivision plat showing the specific location and design of improvements to be installed in a subdivision including, but not limited to, streets, sidewalks, utilities and drainage facilities.~~

~~**Cooperative.** A development that is collectively owned by members and operated for their mutual benefit. Each member is an owner and has an individual interest in the entire development. Each member in a residential cooperative has a lease for his own apartment, space or site but does not own the apartment, space or site. A cooperative is not a condominium.~~

~~**Correction plat.** The correction of an error, other than a lot line adjustment, after approval and recording of a plat.~~

County. The incorporated County of Los Alamos, New Mexico.

County Attorney. The attorney for the County of Los Alamos.

County Clerk. The elected clerk of the County of Los Alamos or his agent.

County Council. The elected County Council for the County of Los Alamos.

County Engineer. The engineer for the County of Los Alamos or their designee.

County Manager. The manager for the County of Los Alamos or their designee.

County Public Works Director. The public works director for the County or their designee.

County Surveyor. The surveyor of the County or their agent.

County Utilities Manager. The utilities manager for the County or their agent.

Court and Courtyard. An open, structurally unoccupied space, other than an open yard, on the same lot with a main building, and bounded on two or more sides by such building or exterior walls or fences.

Corner Lot. A lot located at the intersection of and having frontage on two or more streets.

Cottage Development. See Dwelling, Cottage Development.

Crosswalk. The portion of a pedestrian walkway which intersects and crosses a street.

Cul-de-sac. A street with one end open for vehicular and pedestrian access and the other end terminating in a vehicular turnaround.

D

Daycare Center. A business in a non-residential setting that is licensed by the County and State to provide care, service, and supervision for ~~12 or more children~~ for less than 24 hours per day to children or adults, and meetings the applicable state and local building and safety codes.

Daycare Facility. A private dwelling that provides care, services and supervision for a period of less than 24 hours of any day for at least 5 but no more than 7 children at 1 time who do not normally reside in the home, provided that such center is licensed by the County and State and conducted in accordance with County requirements.

Daycare Home. A business in a private residence which provides care, services, and supervision for not more than 4 children at 1 time who do not normally reside in the home, for less than 24 hours per day; provided, however, that such center is licensed by the County and conducted in accordance with County requirements.

~~**Debris.** The remains of past construction, hobbies and other activities, which have not been removed for over a year.~~

Deck. A roofless outdoor space built as an above-ground platform, freestanding or attached, projecting from the wall of a structure and supported by posts or pillars.

Decision-making Authority. The Community Development Director, the Board of Adjustment, the Planning and Zoning Commission, or the County Council, as appropriate, given the authority to take the action in question under this County of Los Alamos Development Code.

~~**Dedicated land.** Land transferred by a subdivider to the county, in fee simple ownership, for public use.~~

Density. The ratio of dwelling units permitted to gross land area.

Developer. Any individual, corporation, company, firm, partnership, joint venture, or other entity responsible for land platting or construction or placement of any structures or infrastructure on a lot.

Development. The construction, reconstruction, conversion, structural alteration, relocation or enlargement of any buildings, any use or change in use of any buildings or land, any extension of any use of land or any clearing, grading, or movement of land, subdivision of land, or activities to prepare land for construction or installation, such as grading.

Development Code. This Chapter 16 of the Los Alamos County Code of Ordinances.

Development Plan. The master schematic layout prepared as part of a Planned Development Overlay (PD-O) zone district submittal for an individual site or subdivision which summarizes the general project concept, allowable land uses, densities and development standards, and which shows developable and undevelopable areas, major streets, utilities, drainage ways, recreation and open space areas, buffers to adjacent land uses, and proposed general development areas.

Dissolve or Fade. A mode of message transition on an electronic message center sign in which the first message gradually appears to dissipate and lose legibility with the gradual appearance and legibility of the second message.

Dormitory. A residential building providing rooms for individuals or groups, with common spaces for living and cooking, related to an educational or research institution.

Drainage Facility. A system of structures for collecting, conveying, and storing surface and stormwater runoff. These include but are not limited to streams, natural swales, pipelines, channels, ditches, arroyos,

acequias, wetlands, infiltration facilities, retention/detention facilities, erosion/sedimentation control facilities, and other drainage structures and appurtenances, both natural and manmade.

Drive-in or Drive-through Facility. The portion of a commercial establishment which is designed and operated for the purpose of serving a motorist in a vehicle.

Driveway. ~~An unobstructed area with a stabilized surface which means a vehicular accessway to an off-street parking facility.~~ Driveways, also referred to as accessways, curb cuts or turnouts provides access along a public street for the purpose of vehicular ingress and egress between the public right-of-way and an adjoining property. Also referred to as accessways, curb cuts, and turnouts.

~~**Dry-cleaning, coin-operated,** means the use of single-batch, automatic cleaning machines, activated by the insertion of a coin.~~

Dwelling. A building or portion of a building designed and intended to be used by a person or family for private residential occupancy. A dwelling has its own separate entrance, permanent plumbing, and is equipped with facilities for sleeping, bathing, and cooking. ~~means a building containing one or more dwelling units.~~

Dwelling, Co-housing Development. A residential development in which dwellings share access, parking, common spaces, community kitchens, and dining rooms.

Dwelling, Cottage Development. A low-density residential development in which multiple attached or detached single-family dwellings share access, parking, and common spaces, and sometimes community buildings including a larger community kitchen and dining room. Cottage development can include homes on individual lots, homes owned as condominiums, or leased homes.

Dwelling, Duplex. A single residential building containing 2 dwelling units, each of which is designed for or occupied by 1 family only, with kitchens for each. Each unit in a duplex is completely separated from the other.

Dwelling, Fourplex. A single residential building on a single lot containing 4 dwelling units, each of which is designed for or occupied by 1 family only, with kitchens for each. Each unit in a two-family dwelling is completely separated from the other.

Dwelling, Live/Work. A residential dwelling unit containing a dedicated working space reserved for and regularly used by 1 or more residents of the dwelling unit, and in which the type or size of the work performed is larger or more extensive than that allowed as a home occupation. See also Home Occupation.

~~**Dwelling, Loft.** A residential dwelling located in a building that has no dwellings on the ground floor.~~

Dwelling, Mobile Home. A transportable structure that does not meet the construction safety standards of the federal Manufactured Housing Act of 1974.

Dwelling, Multiple-family. A residential building, multiple buildings, or a portion of a building located on a single lot, containing 5 or more dwelling units, each of which is designed for or occupied by 1 family only, with separate housekeeping and cooking facilities for each.

Dwelling, Single-family. A residential building used for occupancy by 1 household that is not attached to any other dwelling unit through shared side or rear walls, floors or ceilings, or corner points.

Dwelling, Townhouse. An individually owned, single-family dwelling constructed as a group of 3 or more attached single-family dwellings, each of which is situated on an individually owned, subdivided lot.

Dwelling, Triplex. A single residential building located on a single lot containing 3 dwelling units, each of which is designed for or occupied by 1 family only, with kitchens for each. Each unit in a triplex is completely separated from the other.

Dwelling Unit. One or more rooms designed for or used as a residence by one family and constituting a separate and independent housekeeping unit, with a single kitchen; it does not mean quarters for transients in a club, hotel, or motel.

Dynamic Frame Effect. A visual effect on a frame in which the illusion of motion and/or animation is used on an electronic message center sign or a digital multiple message sign.

E

Easement. A legal right to use another's land for a specific purpose. The purpose may include, but is not limited to, installing and maintaining stormwater drainage, water and sanitary sewer lines, fire hydrants, landscaping, and other infrastructure improvements. Easements may also be granted for access, open space, view protection, or other specific uses. A grant of use of land for a specific purpose, by the owner of the property to another person.

Electronic Message Center Sign (EMC). An on-premises permanent sign on which the message is changed by electronic process. Messages displayed include, but are not limited to, copy, art, graphics, time and temperature, public service announcements, and advertising of products or services.

Electric Vehicle Charging Station. A facility or area where electric-powered or hybrid-powered motor vehicles can obtain electrical current to recharge batteries and that is accessory to a primary use of the property.

Equestrian Trail. A trail or pathway intended for use by persons on horseback or pedestrians.

Establishment. A place of business, industry, institutional, or philanthropic activity, with its furnishings and staff.

Escrow. A sum of money deposited with the county to ensure completion of subdivision improvements to county standards.

Escrow agreement. A signed contract approved by the county attorney between a developer and the county that ensures completion of subdivision improvements in compliance with the standards of this chapter.

Excavation. The removal or recovery by any means whatsoever of soil, rock, minerals, mineral substances or organic substance other than vegetation, from water or land on or beneath the surface thereof, or beneath the land surface, whether exposed or submerged.

F

Façade. That portion of any exterior elevation of a building extending vertically from normal grade to the top of a parapet wall or eaves, and horizontally across the entire width of the building elevation.

Façade, Front. The street-facing principal façade that is parallel to and closest to the front lot line and that typically contains the front door or primary pedestrian entrance.

Façade, Side. Any façade that faces a side lot line that abuts another lot. A façade that faces a side lot line that abuts a street is considered a street-facing façade for the purposes of this Code.

Façade, Street-facing. Any façade that faces a property line abutting a street, not including alleys. A building may have more than 1 street-facing façade.

Fair. An organized event or set of events, including but not limited to musical performances and plays, usually happening in one place for a designated period of time with its own social activities, food, or ceremonies, and accessory sales of retail goods.

Fence. Any man-made structural device forming a physical barrier to enclose, screen, or separate areas between two open areas. It may be made of wire mesh, steel mesh, chainlink, louver, stake, masonry, lumber, or other similar materials or any combination thereof.

Fence Height. The vertical distance measured from the ground level to the highest adjacent board, rail, post, or wire, including retaining walls. See section 16-271, for the use and location of barbed wire.

Findings. A written statement of the reasons supporting a decision made by any reviewing body in the land development review process.

Financial Institution. An establishment that provides retail banking, mortgage lending, and financial services or administration by a commercial enterprise or offices or the conduct of professional or business service to individuals and businesses, including check-cashing facilities chartered under Federal or State law.

Finished Grade. The final elevation of the ground surface after completion of authorized development and associated man-made alterations of the ground surface such as grading, grubbing, fillings, or excavating.

Fitness Center. A non-medical service establishment intended to maintain or improve the physical condition of persons that contains exercise and game equipment and facilities, steam baths and saunas, or similar equipment and facilities.

Flag. Any fabric, banner, or bunting containing distinctive colors, patterns or symbols, used as a symbol of a government, political subdivision, or other entity.

Floor Area, Gross. The sum of the total horizontal areas of the several floors of all structures on a lot, measured from the outside faces of exterior walls. Basements, elevator shafts, hallways, and stairwells at each story, floor space used for mechanical equipment with structural headroom of 6 feet 6 inches or more, penthouses, attic space whether or not a floor has actually been laid that provides structural headroom of 6 feet 6 inches or more, interior balconies, and mezzanines are all included.

~~Floor area, net usable, means the sum of the total horizontal areas of all floors in a building, including basement, that are designed for tenant occupancy and exclusive use and measured to the inside faces of exterior walls. Garages, carports, unoccupied exterior courts, enclosed porches, mezzanines, hallways, mechanical rooms, closets, service areas and similar areas, as measured from the inside faces of exterior walls, are all excluded.~~

~~Front means that side of a building or property serving as the principal entrance.~~

Frame. A complete, static display screen on an electronic message center sign.

Footcandle. A measure of illuminance in which 0.1 footcandle equals one lumen per square foot.

Frontage. The side of a lot abutting a public right-of-way ~~regarded as the front of the lot.~~

Fully Shielded Luminaire. A luminaire constructed and installed so that all light emitted, either directly from the lamp or diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal plane through the luminaire's lowest light-emitting part. See illustration below (Bob Crelin, used with permission).

Funeral Home or Mortuary. A building or part thereof used for human funeral services. Services may include embalming and the performance of other services used in the preparation of the dead for burial, the performance of autopsies and other surgical procedures, the storage of caskets, funeral urns, and other related funeral supplies, the storage of funeral vehicles, and facilities for cremation. A funeral chapel is permitted as an accessory use.

G

Garage. A portion of a main building or a detached accessory building, having a roof and enclosed by walls on not less than 3 sides, and designed or used for the housing of vehicles, but not including a parking structure of the occupants of the main building.

Garage or Yard Sale. The occasional sale of household goods from a residential premise to the public, but not including the sale of new or used commercial goods not previously used as household goods by the individuals conducting the sale or goods purchased by the household specifically for resale.

Gate. An opening of ~~sufficient size as~~ part of a wall or fence that permits ingress and egress.

Glare. Light entering the eye directly from a luminaire or indirectly from reflective surfaces, producing a large contrast between foreground and background, reducing visibility into shadows, causing visual discomfort, or distracting the eye from a visual task. Glare is light emitted between 60 and 90 degrees from the downward direction from the luminaire.

Golf Course. A tract of land laid out with a course for playing the game of golf, including any fairways, accessory clubhouses, driving range, office, restaurant, concession stand, pro shop, maintenance building, or similar accessory uses or structure.

~~Government uses means those uses that result from the exercise of local, state or federal government powers and duties.~~

Grade. The average elevation of the finished ground surfaces immediately adjacent to each façade of a building. When applying to a street or other area, the term "grade" means the slope in percentage terms.

Greenhouse. A building or structure constructed chiefly of glass, plastic or translucent material, cloth or lath which is devoted to the protection or cultivation of flowers or other tender plants.

Ground Cover. Any landscaping material other than permanent hard surfaces (i.e., sidewalks, driveways, structures) which covers the natural earth. The definition includes living matter (plants) and non-living materials (rock outcroppings).

Ground-Mounted Mechanical Equipment. Any mechanical equipment, appliance, device, ducting, or similar features located at finished grade.

Group Care Facility. Any congregate residence or facility which provides room and board, programmatic

services, care, or assistance for up to 8 persons that meet the definition of a handicapped person or another person protected against housing discrimination under the federal Fair Housing Act Amendments of 1988 (as amended). This use does not include halfway houses for persons in the criminal justice system or residential facilities to divert persons from the criminal justice system, nor does it include facilities for persons who require such services by reason of the effects of current alcohol or drug abuse.

Group Residential Facility. Any congregate residence or facility which provides room and board, programmatic services, care, or assistance for up to 8 persons in the criminal justice system or residential facilities to divert persons from the criminal justice system or persons who require such services by reason of the effects of current alcohol or drug abuse.

H

Heavy Vehicle and Equipment Sales, Rental, and Repair. An establishment primarily engaged in the sale, rental, repair or maintenance of motor vehicles, trailers, and similar mechanical equipment, including paint, upholstery, muffler, transmission work and major engine and engine part overhaul.

Heavy Manufacturing. Industrial operations relying on the assembly, fabrication, or processing of goods and materials using processes that may include outdoor activities and ordinarily have greater impacts on the environment on the use and enjoyment of adjacent property in terms of truck traffic, railroad activities, noise, smoke, fumes, visual impact, odors, glare, or health and safety hazards, or that otherwise do not meet the definition of Light Manufacturing. Examples of this use include beverage bottling plants, tool and die shops, motor vehicle or heavy machinery assembly, carpet or furniture manufacturing, dairy works, ice works, metal fabrication, stonecutting, and food processing. Also see Artisan Manufacturing and Light Manufacturing.

Hedge. A plant or series of plants or other landscape material arranged to form a physical barrier or enclosure.

Height, Structure. The vertical distance between the highest point of any part of the structure and the natural grade or finish cut grade directly below that point, whichever is greater. If a structure is placed on fill, the depth of the fill is included in the height of the structure. If the natural grade is lowered in a cut, the depth of the cut is included in the height of the structure.

Historic Preservation Advisory Board (HPAB). The board established by Chapter 8 of the County Code and authorized by this article to make recommendations to the Planning and Zoning Commission and to County Council on proposed historic designations and projects affecting historic properties within the County.

Historic District. An area within Los Alamos County that has been so designated by ordinance pursuant to the procedures outlined in this article and section X and mapped as an overlay zone district on the County's Official Zoning Map.

Historic Landmark. An individual building, structure, or site within Los Alamos County that has been so designated by ordinance pursuant to this article and mapped as an overlay zone district on the County's Official Zoning Map.

Historic Property. A Historic landmark or any property located within a Historic District, including all structures or improvements thereon.

Historic Property Alteration Certificate. The official form issued under this article stating that proposed work on a historic property is compatible with the historic character of the property and therefore:

(1) has been recommended for approval as appropriate and may be completed as specified in the certificate subject to compliance with all local, State and Federal laws, as applicable; and (2) any building permits or other construction-related permits regarding work specified in the certificate may be issued by the Community Development Department or other regulatory department upon satisfaction of all requirements for such permits.

Holiday Lighting. Temporary seasonal lighting installed and operated in connection with holidays or traditions.

Home Business. A home occupation that employs more than one non-family member. Also see Home Occupation.

Home Occupation. An activity that is carried on for commercial or philanthropic purposes in a residential dwelling unit by the resident, that employs no more than one person outside of the residents of the dwelling, and that is clearly secondary to the use of the structure as a residential dwelling. See also Dwelling, Live-work and Home Business.

Hospital. An institution providing health services and medical or surgical care of the sick or injured, including as an integral part of the institution such related facilities as laboratories, outpatient departments, training facilities, central service facilities, and staff offices.

Hotel or Motel. A premises in which sleeping accommodations are offered to the public and intended primarily for rental for temporary occupancy by persons on an overnight basis, not including “Bed and Breakfast.”

~~Housing means residences of any kind as further described in this chapter.~~

IDA. International Dark-Sky Association.

IES. Illuminating Engineering Society.

Illuminance. The amount of light falling upon a real or imaginary surface. Expressed in English units as footcandles and in SI (metric) units as lux. Also referred to as “light level” or “illumination.”

Illuminated Sign. A sign characterized by the use of artificial light, including:

Externally or indirectly illuminated sign: emits light from a source(s) located outside of the actual sign.

Internally or directly illuminated sign: emits artificial light directly through any transparent or translucent material from a source located within or on the sign. This includes electronic message center signs.

Improvement. Any construction made on property and intended to enhance its value, utility, or beauty, or to adapt it to new or further uses.

Institutional and Civic Buildings. A building or structure owned, operated, or occupied by a governmental agency to provide a governmental service to the public.

~~Impact reports means studies to identify the potential adverse effects of the proposed development on public infrastructure and land as well as adjoining private properties. Reports required, see section 16-571, may include: traffic generation report; stormwater drainage report; utility capacity analysis report; and soils report.~~

~~Improvement means an addition made on property and intended to enhance its value, utility or beauty, or to adapt it to new or further uses.~~

Indoor Entertainment Facility. A commercial recreational use conducted entirely within a building, including amusement arcades, bowling alleys, billiard halls, skating rinks, theaters, art galleries and studios, art centers, assembly halls, athletic and health clubs, auditoriums, community centers, conference centers, exhibit halls, gymnasiums, swimming pools, and tennis courts. Accessory uses may include limited retail, concessions, and maintenance facilities.

Inoperable Vehicle. Any motor vehicle or vital component parts thereof which are either:

1. Unusable or inoperable because of lack of, or defects in vital component parts;
2. Unusable or inoperable because of damage from collision, deterioration, alteration, or other factors;
3. Beyond repair; or
4. Without a current vehicle registration.
5. Does not meet the minimum safety standards for operation on the public streets and highways of this state.

For the purposes of this definition, the term “vital component parts” shall mean those parts of a motor vehicle that are essential to the mechanical functioning of the vehicle including, but not limited to, the motor, drive train, and wheels. Also see section X .

Interdepartmental Review Committee. A technical advisory committee composed of the County Engineer, Traffic Engineer, Utilities Manager, Parks Division Manager, Police Chief, Fire Chief, and the Community Development Director, or as appointed by the County Manager. The purpose of the Interdepartmental Review Committee is to review development applications and to advise the Planning and Zoning Commission, other boards and commissions, and the County Council.

~~Inn means an owner-occupied building that contains up to 15 units, plus the owner's dwelling unit. Any or all of the units may contain a kitchen. Meal service by the owner is limited to breakfast.~~

J

~~Junk means used machinery, electronic/electrical components, scrap iron, steel or other ferrous and nonferrous metals, tools, implements or portions thereof, glass, plastic, cordage, building materials, or other waste that has been discontinued from its original use and may be used again in its present form or in a new form.~~

~~Junkyard and salvage yard mean an open area where junk, including dismantled or wrecked automobiles, is bought, sold, exchanged, stored, baled, packed, disassembled or handled. A junkyard includes an automobile wrecking yard.~~

K

Kennel. A premises on which 5 or more domesticated house pets over 6 months of age are kept, maintained, or boarded for profit, personal use or institutional keeping, except guard dog sites, state inspected veterinary hospitals, pet shops, refuges, and shelters.

Kitchen. An area where there is a sink of adequate size and shape for washing dishes and good items (as opposed to washing hands) and a cooking stove, range, or oven. The presence of a sink and a hot plate or microwave does not constitute a kitchen.

L

Laboratory. A facility for scientific laboratory research in technology-intensive fields. Examples include biotechnology, pharmaceuticals, genetics, plastics, polymers, resins, coatings, fibers, fabrics, films, heat transfer, and radiation research facilities.

Lamp. The generic term for a source of optical radiation (light), sometimes called “bulb” or “tube.” Examples include incandescent, fluorescent, high-intensity discharge (HID), high-pressure sodium (HPS) lamps, and light-emitting diode (LED) modules and arrays.

Landscape Lighting. Lighting of trees, shrubs, or other plant material as well as ponds and other landscape features.

~~Landscape plan, conceptual means a plan graphically showing the landscaping of property and including the areas to be landscaped and types of landscaping materials.~~

~~Landscape plan, final means a plan graphically showing the landscaping of property, including the areas to be landscaped, types of landscaping materials, irrigation, the final design of all landscaping areas, and long-term maintenance.~~

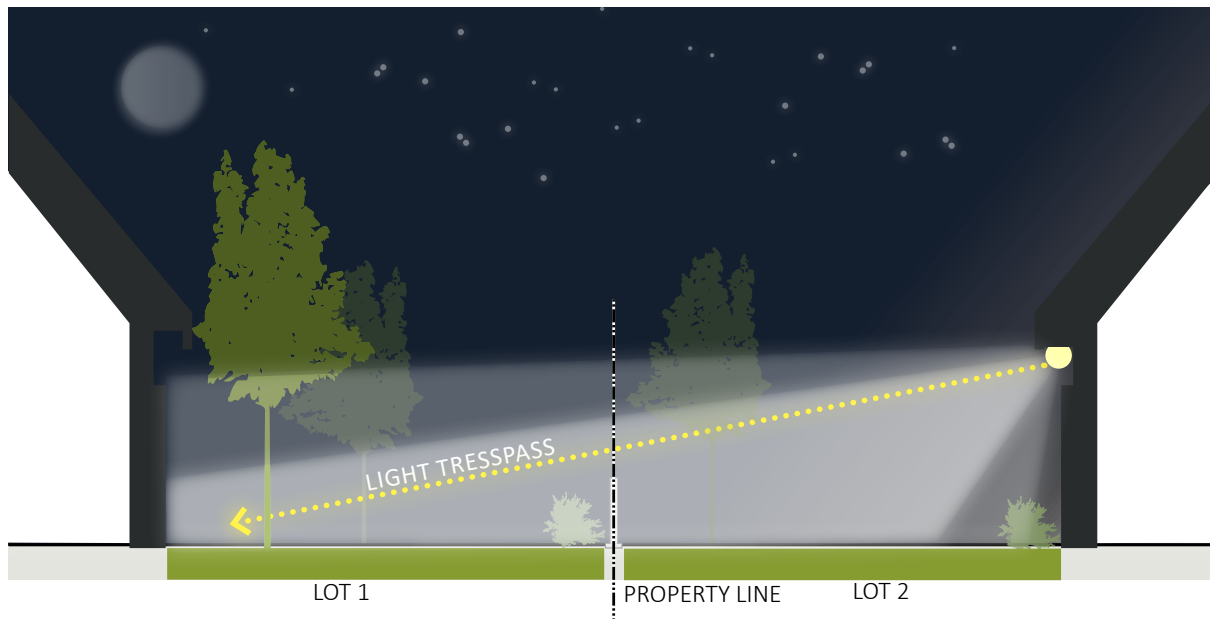
Landscaping. The planting and maintenance of various forms of vegetation and/or the use of architectural non-vegetative materials as ornamental features to enhance aesthetically and complement structures and the sites on which they are located.

~~Legal holiday means a holiday granted to regular employees of the county pursuant to the personnel rules and regulations of the county.~~

Library. A public facility for the use and loan, but not sale, of literary, musical, artistic, or reference material.

Light Pollution. Any adverse effect of artificial lighting including, but not limited to, glare, light trespass, sky glow, energy waste, compromised safety and security, and impacts on the nocturnal environment.

Light Trespass. Artificial light that falls beyond the property it is intended to illuminate. Such light does not need to be considered obtrusive by the adjacent property owner. Even if no one objects, light falling beyond the boundary of the property on which the light is located is light trespass. See illustration below.



Light Shielding. A method of directing the light emitted from a luminaire with a solid barrier.

Light Vehicle and Equipment Sales, Rental, and Repair. An establishment primarily engaged in the sale, rental, repair, or maintenance of motor vehicles, trailers, and similar mechanical equipment, including brake, muffler, tire repair and change, lubrication, and tune ups, provided it is conducted within a completely enclosed building. Major repairs such as vehicle bodywork or painting or repair of engines or drive trains is prohibited. See also Heavy Vehicle and Equipment sales, rental, and repair.

Light Manufacturing. Industrial operations relying on the assembly, fabricating, processing, repairing, servicing, storing, or wholesaling of goods or products, using parts previously developed from raw material primarily conducted within an enclosed building. This definition includes uses that ordinarily do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building where such assembly, fabrication, or processing takes place. This use does not include any use that meets the definition of Heavy Manufacturing. Also see Artisan Manufacturing and Heavy Manufacturing.

Liquor Retail. Establishment that is licensed by the state for the sale of beer, wine, or other alcoholic beverages for off-premise consumption. Establishments that operate under a Small Brewer's, Winegrower's, or Craft Distiller's license are not considered Liquor Retail.

Livestock Husbandry. The raising, practice of breeding, farming, and care of farm animals including, but not limited to, cattle, horses, sheep, and chickens for non-commercial purposes and as a secondary land use.

Loft. See "dwelling, loft."

Lounge. A premises where alcoholic beverages are sold to the public for consumption on the premises. Also see "Bar".

Lot. A parcel or tract of land as established by a survey, plat, or deed. ~~the description of which is of record.~~

Lot Area. The area of a horizontal plane bounded by a vertical projection of the property lines of a lot.

Lot, Corner. A lot located at the intersection or interception of two or more streets at an angle of not more than 135 degrees. If the included angle is greater than 135 degrees, the lot is an interior lot.

Lot Coverage. The percentage of the lot area covered by structures, including accessory buildings, main buildings and detached buildings as defined elsewhere in this chapter. Lot coverage includes all above-ground structures that exceed 30 inches above grade.

Lot, Double Frontage. Any lot having frontage on two parallel or approximately parallel streets.

Lot Line. The boundary of a deeded or platted lot.

~~Lot line adjustment means a replat of the recorded lot lines of two adjacent lots with no additional lots created~~

~~Lot, front, means that part of the lot which abuts the street, or that part which is designated the front of a corner lot, reverse corner lot, double frontage lot, or a lot with three or more sides abutting a street.~~

~~Lot, interior, means any lot other than a corner lot, a reverse corner lot or a double frontage lot.~~

~~Lot Line, Front. means the property line in the front yard. The legal boundary of a lot that abuts a street. On a corner lot or a double frontage lot, the side with the street number address is the front lot line.~~

~~Lot Line, Rear. The lot line legal boundary of a lot which is opposite and most distant from the front lot line, or in the case of an irregular lot, a line a minimum of 10 feet in length within the lot and farthest removed from the front lot line, and at or near right angles to the line comprising the depth of such lot.~~

~~Lot Line, Side. The legal boundary of a lot means those lot lines of a lot which are not the front or rear lot lines.~~

Lot, Nonconforming. A lot which does not conform to the provisions of this chapter.

~~Lot, rear, means that part of a lot opposite the front of the lot.~~

~~Lot, reverse corner, means a corner lot, the rear yard of which abuts a side yard of another lot.~~

~~lot split means the subdivision of one recorded lot into two lots.~~

Low-Density Residential Development. Low-density development is considered any lot in the RA, RE, SFR, or RM zone districts.

Lumen. The international unit of luminous flux, the total quantity of visible light emitted by a source per unit of time. US federal energy policy requires that lamps be sold with packaging indicating light output in lumens and power consumption in watts. For example, a 100-watt incandescent lamp has a light output of about 1600 lumens.

Luminance. Luminance means the light that is emitted by or reflected from a surface, measured in units of luminous intensity (candelas) per unit area. Expressed in English units as foot lamberts and in SI units as cd/m². Also referred to as "nits." Measured from 0.5 feet above grade on another premises or public right-of-way, but no closer than 20 horizontal feet from the object measured.

~~Luminance means the brightness of an object expressed in terms of foot lamberts, determined from a point five feet above grade on another premises or the public right-of-way, but no closer than 20 horizontal feet from the object measured.~~

Luminaire. A complete lighting unit, or fixture, consisting of lamp, or lamps (and ballast when applicable), together with parts designed to distribute the light (reflector, lens, diffuser), to position and protect the lamps, and to connect the lamps to the power supply.

Lux. The international unit of illuminance, measuring luminous flux per unit area. One lux is 1 lumen per square meter. Full moonlight averages about 0.1 lux and public outdoor areas in large cities have illuminances between 20 and 50 lux at night. 100,000 lumens per net acre is approximately 25 lux if the light is uniformly distributed.

M

Maximum Extent Possible. No feasible or prudent alternative exists, as determined by the relevant decision-making body, after the applicant has taken all possible steps to comply with the standards or regulations and to minimize potential harmful or adverse impacts. Constraints to compliance that are self-imposed, such as through a particular platting proposal when other options are feasible, shall not be considered sufficient justification. Economic considerations may be taken into account but shall not be the overriding factor.

Medical or Dental Clinic. An establishment where patients who are not lodged overnight are admitted for examination and treatment by a group of licensed health care practitioners, dentists, or licensed health care practitioners and dentists in practice together.

Meeting, Banquet, or Event Facility. A building and related facilities catering exclusively to guests for social, intellectual, recreational, or athletic purposes that are not conducted for profit.

Microbrewery, Distillery, or Winery. A small brewery, winery, or distillery operated separately or in conjunction with a drinking establishment or restaurant. The beer, wine, or liquor may be sold for consumption on-site or off-premises to other drinking establishments, restaurants, or wholesalers.

Mixed-use Zone District. Any zone district categorized as Mixed-use in PART 16-1 Zone Districts of this Code.

Mobile Home. A portable housing structure larger than 40 feet in body length, 8 feet in width or 11 feet overall height, designed for and occupied by no more than 1 family for living and sleeping purposes. It does not include structures built to the standards of the New Mexico Building Code and National Manufactured Home Construction and Safety Standards Act.

~~**Mobile home community.**~~

Mobile Vending. The sale, lease, or rent of new or used goods or food and beverages out of any portable vehicle, including trucks, carts, trailers, kiosks, and stands.

Motel. See Hotel, Motel.

~~Motor freight terminal means a building or area in which freight brought by motor truck is assembled or stored for local delivery or intrastate and interstate shipment by motor truck.~~

~~Multiple tenant building means a single structure housing two or more retail, office, commercial or industrial uses.~~

Museum. A facility open to the public, with or without charge, for the collection and display of paintings, sculptures, textiles, antiquities, other works of art, or similar items. Public facilities in which literary, artistic, or reference materials such as but not limited to books, manuscripts, computers, recordings,

films, art and sculptures are kept for use, loaning or viewing to patrons of the facility, but are not normally offered for sale.

Mural. A picture or work of art on an exterior surface of a structure and which covers all or a major portion of a wall, building, or structure. A mural is a sign if it is related by language, logo, or pictorial depiction to the advertisement of any product or service or the identification of any business.

N

Native or Regionally Adapted Plant Materials. Plants which are appropriate to the ecological setting, have noninvasive growth habits, are tolerant of the hydrological conditions of the site, and require little maintenance upon maturity.

Natural Resource Extraction. On-site extraction of surface or subsurface mineral products or natural resources, including solids, such as coal and ores; liquids, such as crude petroleum; and gases, such as natural gases. Uses may include quarries, borrow pits, sand and gravel operation, mining, soil mining, rock crushing, screening, and the accessory storage of explosives.

Nicotine Retail. Any establishment licensed to sell any tobacco product or electronic nicotine delivery system as defined in NM 2020 Senate Bill 131 (Tobacco Products Act). This use does not include the sale of cannabis. See also Cannabis Retail and General Retail.

Nonconforming Sign. A sign that was legally installed under all County sign regulations and ordinances in effect at that time, but which may no longer comply with subsequently enacted regulations and ordinances having jurisdiction over the sign.

Nonconforming Use. A use of a building or land, existing on the date of adoption of this chapter which does not conform to the uses permitted in the zone district in which it is located.

Non-residential Zone District. Any zone district categorized as Non-residential in PART 16-1 Zone Districts of this Code.

Noxious matter means material which is capable of causing injury to living organisms by chemical reaction or is capable of causing detrimental effects upon the physical or economic well-being of individuals.

O

Office, Business or Professional. A premises where professional, clerical, business management or public administration work is carried on and where the sale of merchandise on the premises is totally absent or a very limited activity in support of the work being carried on.

Official Zoning Map. The map adopted by the County Council in conjunction with this Code showing the location of the various zone districts within the County and may be amended from time to time.

Off-premises. Any place not within the boundary of the property to be developed, subdivided, or improved, whether or not in the ownership of the developer or subdivider.

Off-premises Sign. Any sign used to direct attention to a specific business, product, service, event, or activity, or other commercial or non-commercial activity on the premises upon which the sign is not located.

One-hundred Year Flood or 100-year Frequency Rainstorm. The flood having a 1 percent chance of

being equaled or exceeded in any given year and as defined elsewhere in this chapter; a 100-year frequency rainstorm means total accumulation of 5.24 inches of rain at the end of a 1-hour period.

One-hundred year flood or 100-year frequency rainstorm means:

1. ~~One-hundred year flood means the flood having a one percent chance of being equaled or exceeded in any given year and as defined elsewhere in this chapter; and~~
2. ~~One-hundred year frequency rainstorm means that total accumulation of 5.24 inches of rain at the end of a one-hour period.~~

Open-Air Vending. Any commercial activity which is conducted without the shelter of a building.

~~Open space, private, means that part of a lot, including courts or yards, which is open and unobstructed from its lower level to the sky and is accessible to and usable by all persons occupying a dwelling unit on the lot.~~

Ornamental Lighting. Lighting that does not affect the function and safety of an area but is purely decorated and included for aesthetic effect or for holiday celebration.

~~Open sun screen means a latticed or louvered assemblage, open on at least two sides, used for partial shade, providing no weather protection and not influencing ventilation or the amount of impervious cover of a lot.~~

Outdoor Recreation Facility. Recreation and entertainment activities operated by a commercial enterprise that are mostly outdoors or partially within a building, including picnic areas, outdoor swimming pools, skateboard parks, tennis courts, basketball courts, baseball diamonds, soccer and football fields, amphitheaters, outdoor arenas and/or stables, and drive-in theaters. Accessory uses may include limited retail, concessions, and maintenance facilities.

Outdoor Storage. The keeping of any goods, material, or merchandise outside of a building in the same place for more than 24 hours, but not including any storage activity or use of land listed separately in Table 2-1 1 Permitted Use Table.

Outdoor Vehicle Storage. The keeping, in an unroofed area, of motor vehicles or equipment not used for transportation purposes on an active, regular, or continuing basis, generally for a period of 1 week or more, whether or not the motor vehicle is titled, licensed, or operable, either as a primary use or accessory use, but not including a salvage yard.

Overlay Zone District. ~~A set of zoning requirements that are described in the text of this chapter that are mapped and are imposed in addition to those of the underlying base zone district. Development within the overlay zone districts must conform to the requirements of both zone districts or to the more restrictive of the 2. The Planned Residential Development Overlay (PRD-O) zone district, the Planned Development Overlay (PD-O) zone district, and the Historic Protection Overlay (HP-O) zone district are overlay zone districts. Also see section X. The wilderness (W-1 and W-2), special plan (SP), and the historic (H) districts are overlay districts. Also see sections 16-533, 16-534 and 16-577.~~

Owner. The person, corporation, or other legal entity listed as owner on the records of the County Clerk and Recorder. means any person, group of persons, firms, corporations, public agency or any other legal entity having legal chapter or equitable interest to the land sought to be subdivided or otherwise subject to this chapter. Also see "Agent."

P

Park or Playground. Public open space that is designed to serve public needs for recreation, and areas that serve to satisfy public needs for visual and/or psychologically pleasing spaces.

~~Parking area, private, means an open area, other than a street, used for the parking of motor vehicles and restricted from general public use.~~

~~Parking area, public, means an area other than a private parking area or street used for the parking of motor vehicles and available for public use either free or for remuneration.~~

~~Parking facility means any space on the streets or off the streets used for the purpose of parking motor vehicles, including buildings erected above or below the surface of the ground.~~

~~**Parking, Off-street.** A storage area for the parking of motor vehicles located on a lot. means the area used for public or private parking required by this chapter for temporary vehicular parking.~~

~~**Parking, On-street.** A storage area for the parking of motor vehicles located on a public or private roadway.~~

~~**Parking Space.** An on-street or off-street storage area for the parking of 1 motor vehicle. automobile, means space exclusive of driveways, ramps, columns, loading areas, office or work areas within a building, or an open parking area, for the parking of one automobile.~~

~~**Parking Structure.** A structure or part of a building designed to accommodate motor vehicle parking spaces that are partially or completely enclosed.~~

~~**Partly Shielded Luminaire.** A luminaire with opaque top and translucent or perforated sides, designed to emit most light downward, but unlike fully shielded luminaires, emits part of the light above the horizontal plane. See illustration below (Bob Crelin, used with permission).~~

~~Park roadway means a private road within a mobile home park, providing access to the mobile home sites from the street.~~

~~Parkways means the public right-of-way of a dedicated street located on either side of the actual street roadway improvements (curb, gutter and pavement). Parkway areas may or may not contain sidewalks and/or utilities.~~

~~**Patio.** A roofed or unroofed outdoor space at finished grade on a lot; if patio is roofed, at least 50 percent of the side surface is unscreened or unenclosed with a solid material.~~

~~**Pedestrian Walkway.** An accessway generally located between lots intended for pedestrian use and either publicly or privately owned, which may or may not be improved.~~

~~Percent of slope means the relation of the vertical rise from or to the contour line at horizontal intervals of not more than 50 feet and calculated as follows:~~

~~EXPAND~~

~~$$S = \frac{H - L}{D} \times 100$$~~

~~—~~

~~H = The highest elevation of the portion of the tract measured.~~

~~L = The lowest elevation on the portion of the tract measured.~~

D = The horizontal distance between H and L.

-

Percent of slope is used to measure grade.

Permanent Sign. A sign attached or affixed to a building, window, or structure, or to the ground in a manner that enables the sign to resist environmental loads, such as wind and snow as required in Chapter 10 of the County Code or other regulations, and that precludes ready removal or movement of the sign and whose intended use appears to be indefinite.

Permissive Use. A land use that is allowed by-right in a particular zone district, either as a primary or accessory use. means the specific, primary use of a lot. A lot may be put to more than one use at a time.

Personal Services. Establishment that provides repair, care, maintenance, or customizing of wearing apparel or other personal articles or human grooming services and includes such uses as beauty/barber shops, shoe repair, laundry or dry cleaning services, alterations, spas, tanning salons, photography studios, house cleaning services, small appliance repair, locksmiths, bicycle sales and repair, florist, pet grooming shops, massage, or yoga.

Planning and Zoning Commission. The Planning and Zoning Commission of the County and as further described in this chapter and in Section X of this Chapter.

Plant Nursery. A primary use of land for the growth, display, and/or sale of plants, shrubs, trees, and materials used in indoor or outdoor planting, conducted within or without an enclosed structure or greenhouse. Also see Greenhouse.

Plat. A graphic and written description of a lot or lots with survey reference ties to permanent survey monuments related to the subdivision, resubdivision (sometimes called a replat), or consolidation of land. means a map, drawing or chart on which the subdivider's plan of the subdivision is presented and which he submits for approval, and intends in final form to record. The county requires the submittal of three types of plats in any subdivision proposal. These are defined as follows:

1. Sketch plan: a conceptual plat showing the initial concept of the proposed subdivision including a layout of lots, streets, open areas, etc.
2. Preliminary plat: a much more detailed plat than the sketch plan, representing the final design of the subdivision. Detailed construction plans for all improvements associated with the subdivision are submitted subsequent to approval of the preliminary plat.
3. Final plat: a plat representing the final design which incorporates all improvement and legal requirements required by the planning and zoning commission at the preliminary plat stage. Once approved, this plat is the plat which will be filed and recorded in the county clerk's office.

Porch. An open platform above ground level typically attached to the wall or foundation of a building or structure and primarily supported in some structural manner from the ground; it may be roofed or unroofed.

Private Club or Lodge. An organization and its premises operating on a membership basis for the promotion of interests of the members including facilities for business organizations, facilities or spaces for physical exercise and recreational activities, civic, social, and fraternal organizations, and other similar organizations.

Professional Engineer. An engineer registered by the state board of registered engineers and surveyors.

Projecting Sign. An attached sign that projects more than 18 inches from the facade of a wall or building.

~~Public improvement means any drainage ditch, roadway, parkway, sidewalk, street, pedestrian way, tree, lawn, off-street parking area, lot improvement or other facility for which the county may ultimately assume the responsibility for maintenance and operation, or which may affect an improvement for which county responsibility is established.~~

Public Right-of-way. Land deeded, reserved by plat or otherwise acquired or occupied, used or intended to be used by the County or State, primarily for the public movement of people, goods, and vehicles or the conveyance of public utility services and drainage. Public right-of-way may be used for other public purposes pursuant to this chapter.

Q

Reserved.

R

~~Radio and TV towers and antennae means a structure situated on a non-residential site that is intended for transmitting or receiving television, radio or telephone communications, excluding those used exclusively for dispatch communications.~~

~~Ramp means a sloping roadway or passage used to join two different levels of streets, structures or buildings, or a driveway leading to parking aisles.~~

Real Property. Land and generally whatever is erected, growing upon, or affixed to land.

Recreation Equipment. Equipment whose primary function or design is for recreational purposes, whether originally so designed or subsequently modified, and is not capable of being self-propelled on land, and shall include the following or similar types of equipment: boats, boat trailers, camper when dismounted from a truck bed or chassis, horse trailer, houseboats, house trailers, rafts, tent trailers, travel trailers, and utility trailers when converted to recreational purposes.

Recreational Vehicle (RV). A motor vehicle or trailer equipped with living space and amenities, including but not limited to bus campers, camper trailers, pickup campers, travel trailers, motor homes, park model trailers, and tiny houses. ~~means a vehicle which is composed of a chassis, or a frame with wheels, which either has its own motive power or is drawn by another vehicle, and a camping body primarily designed or converted for use as temporary living quarters for recreational, camping or travel activities.~~

Recreational Vehicle (RV) Park or Campground. A lot developed or used for occupancy by recreational vehicles or tents for transient dwelling purposes. A campground/recreational vehicle park may include recreational services, facilities, and activities for use by the public and residents to provide extended livability options. See also Recreational Vehicle (RV).

Recycling Station. A premise where recyclable solid waste materials, including aluminum, glass, paper, metal, and similar materials are purchased or procured and temporarily stored.

Religious Institution. A structure or place where worship, ceremonies, rituals, and education pertaining to a particular system of beliefs are held, together with its accessory buildings and uses (including buildings used for educational, recreational, philanthropic, or humanitarian activities), operated, maintained, and controlled under the direction of a religious group. Accessory uses may include school

facilities, daycare, parking, caretaker housing, religious leader's housing, and group living facilities such as convents or monasteries.

~~Replat means the relocation or realignment of lot lines in a recorded subdivision where two or more original lots are involved, and where no additional lots are created.~~

Research and Development. Uses for carrying on investigation in the natural, physical, or social sciences, or engineering and development as an extension of the investigations with the objective of creating end products. A research and development use may include pilot plant operations.

Residential Community Amenity. A use provided for the comfort and convenience of residents of more than 1 unit in a low-density or multi-family residential development, including but not limited to a clubhouse, exercise room, swimming pool, tennis court, community room, or laundry facility.

~~**Residential Zone District.** Any zone district classified as residential in "2-4(A) Residential Zone Districts 16" in which residential uses are allowed. except that the Downtown-District-Neighborhood-Center and Downtown-District-Town-Center overlay zones and the mixed-use zone are not residential zone-districts. Any zone district categorized as Residential in PART 16-1 Zone Districts of this Code~~

Restaurant. A business establishment that serves prepared food or beverages primarily for the consumption by customers within the principal building, in an outdoor seating area on the premises, or off the premises as carry-out orders.

Retail Sales. Uses involving the sale, lease, or rent of new or used goods directly to the final consumer for direct use but not for the purpose of resale; including but not limited to the sale of general merchandise, clothing and other apparel, building materials, hardware and similar consumer goods, or other retail sales not listed as a separate use in "Table 27: Permitted Use Table".

~~Reversion to acreage means the vacation of all or a portion of an originally recorded subdivision, so that the vacated area becomes a single parcel of land.~~

Right-of-way. See public right-of-way.

Roof-Mounted Sign. An attached sign mounted on or extending above the uppermost edge of a wall or parapet of a building.

Rooftop Appurtenances. The visible, functional, or ornamental objects accessory to and part of a building's roof-top including, but not limited to, chimneys; parapets or other ornamental features; and elevator equipment and mechanical utility equipment, enclosed rooftop access and any associated screening or enclosures.

~~Room means an unsubdivided portion of the interior of a building; it does not mean a bathroom, closet, hallway or service porch.~~

~~Rubbish means waste or rejected material: anything worthless or valueless in its present form; trash.~~

~~Ruins means building material which has already been used, or buildings in a state of disrepair and falling down.~~

Runoff. The water from natural precipitation which flows over the surface of the land and does not percolate into the soil.

S

Salvage Yard. A premise, whether inside or outside a building, which is used for the storage, keeping, dismantling, demolition, or sale of used or scrap materials, mechanical parts, equipment, vehicles and the like.

Sanitariums. See "institution."

Satellite Dish Antenna. A device incorporating a reflective surface that is solid, open mesh, or bar configured, and is in the shape of a shallow dish, cone, horn, or cornucopia and is greater than 24 inches in diameter. Such device shall be used to transmit and/or receive radio or electromagnetic waves between terrestrially and/or orbitally based units. This definition includes, but is not limited to, satellite earth stations, television-reception-only satellite dish antennas (TVROs) and satellite microwave antennas.

Schools, Private. A school, academy, or institution, which conducts academic instruction at kindergarten, elementary, secondary, or collegiate levels. This use may include trade, technical, or vocational schools.

Schools, Public. Schools under the jurisdiction of the County school board or, in the case of a post high school institution, under the jurisdiction of a board of regents established by the State.

Scroll. A mode of message transition on an electronic message center sign in which the message appears to move vertically across the display surface.

Seasonal Outdoor Sales. The temporary outdoor display and sale of goods or products associated with a season or a cultural event and typically occurring at a location not devoted to such sales for the remainder of the year, such as the sale of Christmas trees, fireworks, pumpkins, or seasonal produce.

Self-Service Storage Facility. Any real property designed and used for the purpose of renting or leasing individual storage spaces to tenants who are to have access to such spaces for the purpose of storing and removing personal property.

~~Senior citizen multiple-family residential development means a residential development providing dwelling units specifically designed for the need of ambulatory elderly persons, with residents of such development being a minimum of 60 years of age (except that in the case of married couples only one person needs to be 60 years of age) and with such developments consisting of apartments or condominiums, or a combination of both dwelling types, but consisting of a minimum of 30 dwelling units within the project.~~

Setback. The least horizontal distance between a lot line and a building or structure exclusive of projections. Front setbacks are measured from the front lot line. Rear setbacks are measured from the rear lot line. Side setbacks are measured from side lot lines. See also Setback Area, Yard and Lot Definitions for Front Lot Line, Rear Lot Line, and Side Lot Line.

Setback Area. Required setback areas are the portions of a lot lying between the lot lines and the minimum required structural setback lines.

~~Setback line means a line parallel to or concentric with the lot line at the setback.~~

~~Setback, minimum structural, means the distance from the lot line to any setback or the main building setback, as required by this chapter.~~

Short Term Rental. A residential dwelling rented by the owner or party responsible for the property for the purpose of transient lodging for a period of time not to exceed 30 consecutive days.

Sidewalk. A publicly owned pedestrian way with permanent hard-surfacing, generally paralleling the side of streets.

Sign. Any device, structure, fixture, painting, emblem, or visual that uses words, graphics, colors, illumination, symbols, numbers, or letters for the purpose of communicating a message. A sign includes the sign faces as well as any sign supporting structure.

Sign Area. The total dimensions of a sign surface used to display information, messages, advertising, logos, or symbols. See Section 3-1(F)(1) for standards for measuring sign area.

Sign Face. The surface of a sign upon or through which the copy of the sign is displayed exclusive of the supporting structure.

Sign Height. A measure of the vertical distance from normal grade to the highest attached component of the sign structure using the standards in Section 3-1(F)(1).

Sign Structure. The area of all sign faces, structural supports, decorative trim, and architectural features of the complete sign.

Sign means:

1. — Any written, printed or symbolic device capable of visual communication or attraction, including any announcement, declaration, demonstration, display, illustration, insignia, structure or symbol, or architectural feature which serves no other purpose than communication, used to advertise or promote the interest of any person; or
2. — Any official notice issued by any court or public body or officer, or directional, warning or information signs or structures required by or authorized by law or by federal, state or county authority.

Sign area means the square foot area of all the sign facing on which the advertising message is located, including only that portion of the supporting structure or trim which carries any wording, symbols or pictures. In the case of wall signs, the sign area is the area of the sign structure containing the advertising message; in the case of cutout or painted signs, the area of a simple geometric figure completely enclosing the letters, message or symbols is the sign area.

Sign, canopy, means any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window or outdoor service area. A marquee is not a canopy.

Sign, electric, means an advertising structure lighted by electricity.

Sign, flashing, means any illuminated sign on which the artificial light is not maintained stationary or constant in intensity and color at all times when such sign is in use.

Sign, freestanding, means a permanent sign supported on a pole, poles or similar structure, placed into the ground and detached from a building, and with air space between the sign structure and the ground.

Sign, ground-based, means any sign supported by a solid structure of stone, metal, masonry, wood, or other such material, anchored in the ground and not attached to any building, and with no air space between the sign structure and the ground.

Sign, hanging, means a sign which is located under a portal. Also see "Sign, wall."

Sign, incidental, means a sign, generally informational, that has a purpose secondary to the use of the zone lot on which it is located, such as "no parking," "entrance," "loading only," "telephone" and other similar directives. No sign with a commercial message legible from a position off the zone lot on which the sign is located shall be considered incidental.

Sign, information, means a non-advertising sign designed and worded to inform about a specific facility on a site.

Sign, marquee, means a sign designed for changeable advertising copy. Also see "Sign, wall."

Sign, multiface, means a sign having more than one advertising surface, including spheres or pyramids.

Sign, portable, means a ground-based sign designed to be moved from place to place, and having no permanent attachment to the ground on which it stands.

Sign, portal, means a sign affixed to a portal and which does not extend above the roofline. Also see "Sign, wall."

Sign, projecting, means any sign affixed or attached to, and supported solely by a building, wall or other structure attached to the building and extending more than 12 inches beyond the building wall or structure.

Sign, residential, means any sign located in a district zoned for residential uses that contains no commercial message except advertising for goods or services legally offered on the premises where the sign is located, if offering such services at such location conforms with all requirements of the zoning ordinance.

Sign, roof, means any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extended vertically above the highest portion of the roof.

Sign, roof integral, means any sign erected or constructed as an integral or essentially integral part of normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six inches.

Sign structure means a structure supporting a sign except for those signs which are official notices issued by any court or public body or officer, notices posted by any public officer in performance of a public duty, or by any person in giving legal notice, or directional, warning or information required by or authorized by law or by federal, state or county authority.

Sign, suspended, means a sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.

Sign, temporary, means any sign, banner, pennant, valence or advertising displayed for a limited period of time.

Sign, wall, means a sign attached, hanging or painted on the wall, canopy, portal or marquee of a structure.

Site Plan. A graphic depiction showing the development of commercial property on an individual lot with or without a Planned Development Overlay (PD-O) zone district. The site plan includes, but is not limited to, the location and footprint of structures, building height and exterior facades, architectural design standards, location and dimension of off-street parking and traffic circulation, method of exterior lighting, landscape treatment, location and size of signs, easements, drainage, utilities, and other improvements. In addition, the Planned Development Overlay (PD-O) zone district site plan defines land uses, gross floor area, site development standards, and such other factors as may address the site plan approval criteria in section X.

Sky Glow. The brightening of the nighttime sky that results from artificial light emitted upwards or sideways, or scattered and reflected upwards by the ground, dust, water, or other particles suspended in

the atmosphere. Sky glow reduces one's ability to view the night sky and is frequently visible as a dome of light above a distant city.

~~Slope, building site, means the difference between the highest natural elevation on the building footprint and the lowest natural elevation of the building footprint divided by 100.~~

~~Slope, parcel, means that for any and all 100-foot horizontal distances on a parcel that can be legally subdivided, the maximum difference between the natural elevations at each end of the 100-foot horizontal difference are divided by 100.~~

Solar Energy Collection System, Active. A mechanical or electrical system for heating or cooling a structure by collecting, storing and transporting solar energy.

Solar Energy Collection System, Passive. A system that employs siting and orientation, structural materials, and landscaping to take advantage of solar energy for structural heating.

Special Use. A use which has been determined to be compatible with the purposes of the zone district, but which has one or more characteristics that could make it incompatible with other uses in the zone district; and as further described by this chapter. Special uses are allowable in a particular zone district subject to conditional approval by the Planning and Zoning Commission based on a review of potential adverse impacts of the use and any appropriate mitigations to minimize those impacts on nearby properties.

Special Use Permit. A permit for a use classified as a special use, as detailed elsewhere in this chapter.

Sports Field. A facility designed for youth, amateur or professional sporting events, exhibitions, or shows.

~~Spot zoning means rezoning of a lot or parcel of land to benefit an owner for a use incompatible with surrounding uses and not for the purpose or effect of furthering the comprehensive plan.~~

Storage. An area or space, either indoors or outdoors, where something is kept, housed or located for future use.

Storage, Contractor's Yard. An area where heavy equipment, materials, machinery, aggregates, and other objects used for the development of land or structures are stored.

~~Storm drainage plan means a detailed plan showing the location and proposed topography of streets, lots and other areas within a development, along with any proposed storm sewer facilities and easements for surface drainage, intended to satisfy the storm drainage performance standards of this chapter. It is further meant to include any drainage calculations requested by the county engineer.~~

Story. That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or above. If the finished floor level directly above a usable or unused underfloor space is more than 6 feet above grade for more than 50 percent of the total perimeter or is more than 12 feet above grade at any point, such usable or unused underfloor space shall be considered as a story.

~~**Stream means a low point on the natural topography where runoff collects and stormwaters flow on a periodic basis or a continuously running waterway.**~~

Street. A portion of the public or private right-of-way, from curb to curb (or from edge of paving to edge of paving if there is no curb, or from edge of visible travel way edge to edge of visible travel way, if there is no paving), that is primarily devoted to vehicular use. a strip of land or way subject to vehicular traffic

(as well as pedestrian traffic) that provides direct or indirect access to property.

Street, Arterial. A street which is or will, because of its design, location, or intensity of use with reference to other streets and other sources of traffic, be used primarily for larger volumes of traffic.

Street, Centerline. The center of a street or right-of-way as established by official surveys and shall normally be the midpoint of a street cross section.

Street Frontage. The distance for which a lot line of a lot adjoins a public street, from one lot line intersecting such street to the furthest distant lot line intersecting the same street.

~~Street, private, means a street as defined elsewhere in this chapter but differing in that it is not accepted by the county as a public improvement.~~

~~Street, public, means a street as defined elsewhere in this chapter.~~

~~Strip zoning means the rezoning of a parcel of land along a street to allow uses different from those along the same street.~~

~~Structural alterations means a change in the location of the outside walls or roof of a structure.~~

Structure. Anything constructed or built which requires location on or in the ground or is attached to something having a location on or in the ground. Underground storage tanks, patio slabs, paved areas, walks, tennis courts and similar facilities, the tops of which are not more than 30 inches above ground, are not structures.

~~Structure, original, means a structure as it existed at the date of adoption of this chapter.~~

~~Subdivider means an owner, or an owner's authorized agent, who undertakes the subdivision of land as set forth in this chapter.~~

Structure, Non-conforming. A structure lawfully existing on the date of adoption of this chapter, which was designed, erected or structurally altered for a use which is not a permitted use in the district in which it is located, or which is not in compliance with the site development requirements of the district in which it is located. A nonconforming structure does not mean a structure that was developed between January 31, 1977, and January 31, 1991, in violation of this chapter.

Subdivision. The division of any tract of land into 2 or more lots as provided in this chapter. ~~This also includes any two-lot subdivision in the P-L (public lands) zoning district.~~

Summary Plat. A plat which subdivides a lot into no more than 2 lots in any zone district or for adjustment of a lot line, consolidation of no more than 2 lots, or a technical surveying correction.

~~Summary procedure means the process whereby the community development director may review and act upon a summary plat.~~

T

Temporary Use. A use established for a fixed period of time, with the intent to discontinue such use upon the expiration of a period of time as defined in Section X, that does not involve the construction or alteration of any permanent structure.

Temporary, Construction Activities. Construction activities, such as asphalt batching and cement making operations, that occur on a temporary basis for a specific construction project.

Temporary, Dwelling. A portable dwelling, not attached to a permanent foundation, for use during temporary events or construction periods. Temporary use of a mobile home as a residence while building a single-family dwelling on the same lot.

Temporary Sign. A type of non-permanent sign that can be displayed for no more than 60 consecutive days at 1 time and is installed in a way that is easy to remove.

Temporary, Storage. Non-permanent storage structures, such as moving PODS, or temporary storage activities that occur on a temporary basis for no more than 60 consecutive days at 1 time and is easy to remove.

Temporary, Structure. Temporary use of a structure, including a mobile office, as a construction site office by a building contractor while a specific project is under construction, or as a real estate office during the construction and initial marketing phase of a new development.

Temporary/Seasonal Sales or Event. Temporary outdoor or indoor retail display and sales of new or used goods, produce, and/or handcrafts or services associated with the season or a cultural event such as sales of fireworks, pumpkins, Christmas trees, or other seasonal items; semi-annual sales of art or handcrafted items in conjunction with community festivals or art shows; and sidewalk or parking lot sales. Incidental sales of food and beverages is allowed.

Tenant. Any person or party who occupies any land or building who is not the owner but is granted the right of use by the owner.

~~**Traffic engineer means the county employee responsible for the administration and enforcement of county traffic-control regulations as set forth in this chapter.**~~

Trailer. Any vehicle without motive power, designed for carrying persons or property and for being drawn by a motor vehicle.

~~Trailer sales lot means an automobile and trailer sales lot.~~

U

Underlying Base Zone District. A base zone district which is applied directly to the land as identified on the official zoning map.

Uplight. The luminous flux emitted in the hemisphere above the horizontal plane through the luminaire's lowest light-emitting part. See illustration under BUG.

Use. The purpose to which land is put, a building or structure is put, designed or intended, or for which land and a building or structure is or may be occupied or maintained.

~~USE INDEX MEANS THE USE INDEX INCLUDED IN THIS COUNTY OF LOS ALAMOS DEVELOPMENT CODE, SETTING OUT FOR EACH ZONING DISTRICT PERMITTED USES, USES FOR WHICH A SPECIAL USE PERMIT IS REQUIRED, ACCESSORY USES, AND USES THAT ARE NOT PERMITTED:~~

~~VACATION MEANS:~~

- ~~1. — REVERSION OF ALL OR A PORTION OF A RECORDED SUBDIVISION TO A SINGLE LOT; OR~~
- ~~2. — THE ELIMINATION OF AN EASEMENT OR RIGHT-OF-WAY IN A PART OF A RECORDED SUBDIVISION:~~

V

Vehicle Fuel Sales. An establishment where flammable or combustible liquids or gases used as fuel are stored and dispersed from fixed equipment into the fuel tanks of motor vehicles. The incidental sale of retail or other convenience items and freestanding, automatic car wash are also permissive.

Vehicle Storage. The keeping of motor vehicles or equipment not used for transportation purposes on an active, regular, or continuing basis outside of a building, but not including a salvage yard. See also Salvage Yard.

Vehicle Wash. A building or portion thereof containing facilities for washing automobiles using production line methods with a chain conveyer, blower, steam cleaning device, or other mechanical devices or wherein the customer parks the vehicle in a bay and washes the vehicle using equipment provided.

1. ——— An "automatic carwash" means a building or portion thereof containing facilities for washing automobiles using production line methods with a chain conveyer, blower, steam cleaning device or other mechanical devices:

2. ——— A "self-service carwash" means a building or portion thereof containing facilities for washing automobiles wherein the customer parks the vehicle in a bay and washes the vehicle using equipment provided:

Veterinary Hospital. An establishment of licensed practitioners primarily rendering dentistry, surgical, and medical treatment for animals that may provide overnight accommodations to pets for a limited period before or after medical procedures.

W

~~**Waiver means an adjustment of the application of one or more dimensional requirements, parking regulations, or design standards contained in this chapter for a particular piece of property. Waivers shall not apply to regulations controlling density or land use.**~~

Walkway. A cleared passage or pathway for pedestrians which may or may not be paved.

Wall. A vertical structure that separates properties, portions of properties, or portions of a building.

Warehouse. The use of a building primarily for the holding or storage of goods including cold storage, and merchandise for onward transportation or for distribution to retailers, but not for sale to the general public and not including self-storage.

~~Warehousing means the use of a building with more than 500 square feet of storage space for the storage of goods of any type:~~

~~**Wholesale Facility.** A facility for the storage of products, supplies, and equipment offered for wholesale distribution, and not for direct sale to the general public.~~

~~Wholesaling means the selling of any type of goods for purpose of resale:~~

Wireless Telecommunications Facility. Any facility used for wireless communications, usually consisting of a support structure for antennas, an equipment shelter or cabinet, and/or other transmission and reception devices used for business or commercial purposes.

~~Wreckage means broken, disrupted, disordered mechanical or automotive parts, machinery or vehicles:~~

X

Reserved.

Y

Yard. Any open space on the same lot with a building, which is open from the ground to the sky, except for projections and accessory buildings, but not including any portion of any street or alley or private road right-of-way.

Yard, Front. The part of a lot from the front lot line to any front façade of the primary building, extended to both side lot lines. If there is no primary building on the lot, the part of a lot within the minimum setback in the zone district on the side of the lot where the property will be addressed. means an open area extending across the full width of the lot, the depth of which is measured in the least horizontal distance from the front lot line to the main building setback.

Yard, Rear. The part of a lot from the rear lot line to any rear façade of the primary building, extended to both side lot lines. means an open area extending across the full width of the lot, the depth of which is measured in the least horizontal distance from the rear lot line to the main building setback.

Yard, required, means the portions of a lot lying between the lot lines and the minimum structural setback lines.

Yard, Side. The part of a lot from a side lot line to the side façade of the primary building. means an open area extending along the length of the lot between the front and rear yard setback, the width of which is measured in the least horizontal distance from the side lot line to the main building setback. On a reverse corner lot, the side yard abutting the street extends to the rear lot line.

Z

Zoning. The laws and regulations governing the use of specific real estate for a specific purpose, including the types of activities that can be accommodated on a given piece of land, the amount of space devoted to those activities and the ways that buildings may be placed.