



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

Case No. CUP-2025-0001, a request for a Conditional Use Permit to develop a one hundred fourteen (114)-unit cottage development on approximately 9.51 acres. The property is identified as Tract 4 on North Mesa along San Ildefonso Road, legally described as “A Subdivision of Tract D, Section 10, Township 19 North, Range 6 East, N.M.P.M., in Los Alamos County, New Mexico”.

ORDER ON APPLICATION CUP-2025-0001

NOW COMES, the Planning and Zoning Commission (“Commission”) of the Incorporated County of Los Alamos (“County”), that hereby finds as follows:

I. FINDINGS OF THE COMMISSION

1. On or about July 16, 2025, Consensus Planning and Titan Development, agent on behalf of property owner Sonja Donaldson and Sande Cremer (“Applicant”), submitted an application (“Application”) for approval for a Conditional Use Permit to develop of a one hundred fourteen (114)-unit Cottage Development on approximately 9.51 acres. The subject property, identified as Tract 4 on North Mesa along San Ildefonso Road, is legally described as a Subdivision of Tract D, Section 10, Township 19 North, Range 6 East, N.M.P.M., Los Alamos, New Mexico (“Property”). See PLANNING & ZONING COMMISSION STAFF REPORT by Danyelle Valdez, Planning Manager, Senior Planner (hereafter “CDD Staff Report”), Attachment A, Page 1.

2. The Application was assigned case number CUP-2025-0001. *Id.*

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3. A quorum of the Commission was present at the public hearing held on August 27, 2025¹. The public hearing was open to the receipt of evidence and testimony given under oath, which was subject to cross-examination, in accordance with Section 16-72(f)(5) of the County Development Code².

4. Present for the Applicant was Josh Rodgers and Brian Patterson of Titan Development, 6300 Riverside Plaza #200 NW, Albuquerque, New Mexico, 87120.

5. Present for the County's Community Development Department ("CDD") was Danyelle Valdez, Planning Manager ("CDD Staff Valdez"), and Desirae Lujan, Senior Planner ("CDD Staff Lujan").

6. Melissa Boswell, 817 Kristi Lane, Los Alamos, New Mexico, affected party, was sworn in and testified in opposition of this Conditional Use Permit.

7. David Hampton, 300 Aragon, White Rock, New Mexico, resident outside of the 300-foot radius from the Property, was sworn in and testified in favor of this Conditional Use Permit.

8. Evidence received by the Commission at the public hearing included: 1) CDD Staff Report, Attachment A; 2) Public Notices, Attachment B; 3) Application Packet, Attachment C; and 4) public hearing presentation, questioning, testimony from Applicant, CDD Staff Valdez, CDD Staff Lujan, Melissa Boswell, and David Hampton.

9. The Property is located within the Single-Family Residential (SFR-4) pursuant to the County's adopted Zoning Map, which allows cottage development subject to Conditional Use approval. The Property is located within the North Mesa neighborhood of the Los Alamos Townsite on North Mesa along San Ildefonso Road and consists of a vacant 17.07-acre lot that

¹ The Video for this hearing is available at [Planning and Zoning Commission Meeting – August 27, 2025](#). All citations to testimony are from this video and is in Hour:Minute:Second format

² Available at [Municode Chapter 16](#).

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was officially divided in 2023 to create eighty-five (85) single family residential lots for a new subdivision called Arbolada. *See* CDD Staff Report, Attachment A, Pages 1-2; *see also* Testimony of CDD Staff Valdez at 01:18:20.

10. The Conditional Use Permit will allow construction of a one hundred fourteen (114)-unit cottage development on approximately 9.51 acres. The proposed project is designed as a build-to-rent community of attached and detached dwellings organized around shared access drives, parking areas, and common open spaces. The development concept emphasizes a neighborhood-scale design that combines individual living units with communal amenities and managed open space, which will provide an alternative form of housing option for the Los Alamos community. *See* CDD Staff Report, Attachment A, Page 1; *See also* Testimony of CDD Staff Valdez starting at 01:18:07.

11. Pursuant to Section 16-74(b)(2)(a) of the County Development Code, Applicant attended a pre-application meeting with County Staff on March 4, 2025. *See* Testimony of CDD Staff Valdez at 01:24:00.

12. Pursuant to Section 16-74(h)(2)(a) of the County Development Code, Applicant conducted a Neighborhood Meeting, in accordance with Section 16-72(b)(2) of the County Development Code, on April 10, 2025. *See* Presentation of Applicant at 01:31:29.

13. As provided in the CDD Staff Report, notice of the public hearing was published in accordance with Section 16-72(c) of the County Development Code, as notice was published in the *Los Alamos Daily Post* on August 7, 2025, notice of the proposed action and public hearing was mailed via U.S. Mail to the owners of real property within three hundred (300) feet of the Property on August 7, 2025, and the notice was posted at the Property on August 11, 2025. *See* CDD Staff Report, Attachment A, Page 3; *see also* Testimony of Valdez at 01:24:16.

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14. The Application was presented to the Interdepartmental Review Committee (“IDRC”) and reviewed independently.

- a. The Los Alamos Fire Marshal required two (2) emergency access roads. This requirement was met through the extension of the road at the south end of the subdivision, near the cul-de-sac, to connect with the subdivision to the east. The Fire Marshal confirmed that the proposed fire access road between the two development areas satisfies applicable emergency response standards.
- b. The County Engineer requested a drainage report and a comparison of the original Traffic Impact Analysis with a new Trip Generation Report certified by a licensed engineer. These items were submitted and approved prior to the public hearing.
- c. The Department of Energy and the National Nuclear Security Administration reviewed the application and confirmed that they hold no ownership interest in the Property.

The IDRC worked with the Applicant and CDD staff to ensure all required information and revisions were incorporated prior to the public hearing. *See* CDD Staff Report, Attachment A, Page 3.

15. For the approval of a Conditional Use Permit Application, the Commission finds the applicable review criteria, in determining whether to approve, approve with conditions, or to deny the Application (*see* §16-69(b)(2)), are the review criteria found in Section 16-74(b)(3) of the County Development Code.

16. Although there was opposing testimony provided during the public hearing, the Commission, having received and duly considered all testimony and evidence provided during the public hearing, finds that the Applicant has met its burden and has demonstrated that the

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Application meets the requirements of Section 16-74(b)(3) of the County Development Code. The Commission, in support of this finding, provides the following:

a. As to criterion (a) of Section 16-74(b)(3), the Commission finds that it was demonstrated by the testimony and evidence at the public hearing that the Conditional Use substantially conforms to the intent and policies of the Comprehensive Plan and other adopted County policies and plans. The Conditional Use conforms to the 2016 Los Alamos County Comprehensive Plan, the 2025 Strategic Leadership Plan, the 2024 Affordable Housing Plan, and the Los Alamos County Development Code for the following reasons:

1) The proposed development introduces one hundred fourteen (114) build-to-rent cottage units, which directly supports the County's adopted housing goals to expand overall housing supply and increase the diversity of housing types available to meet community needs. This aligns with the 2025 Strategic Leadership Plan objective to "increase the capacity for new housing development and the amount and variety of housing types", particularly for middle- and lower-income households. The smaller single-family units contribute to a broader mix of housing options consistent with the Comprehensive Plan's direction to expand housing availability for a range of household types.

2) The proposed development aligns with the 2024 Affordable Housing Plan, which identifies an acute housing shortage in Los Alamos County, documents rent increases outpacing income between 2018 and 2023, and sets a goal of 1,300 to 2,400 new units between 2024 and 2029, with a particular emphasis on compact, diverse, and efficient "missing middle" housing types. The project adds new rental

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units in a form explicitly encouraged by the Plan, directly supporting these production targets and policy objectives.

3) The proposed development is consistent with the housing policies of the 2016 Comprehensive Plan, which emphasize expanding the diversity of housing types and encouraging infill development in areas already served by infrastructure and public services. Locating a cottage development within an established service area directly supports these goals and aligns with the plan's broader themes related to housing, neighborhoods, and managed growth.

See CDD Staff Report, Attachment A, Pages 5-9; *see also* Testimony of CDD Staff Valdez at 01:19:53.

b. As to criterion (b) of Section 16-74(b)(3), the Commission finds that there was ample evidence to demonstrate that this Conditional Use is not detrimental to public health, safety, or welfare. As provided by the testimony and evidence at the public hearing, the criteria have been met for a Conditional Use and associated plan. The Applicant's development team met with the North Mesa neighborhood on April 10, 2025, where the full development concept was presented with the anticipated phasing of Commission hearings. The first concern addressed was traffic. A Traffic Analysis was prepared that shows a total of fifteen (15) peak travel time morning and evening trips will be added by the proposed developments, and the County Engineer has determined that a Traffic Impact Analysis is not required. Also discussed was the ingress/egress to the development, with no anticipated sight obstructions present due to the deep setbacks exceeding the required front yard setback adjacent to San Ildefonso Road. Architectural elevations were shared with the community, displaying Craftsman-inspired facades in earth tones to augment the variety of styles in the community. Lastly, concepts were discussed addressing landscape

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enhancements where the eastern portion of the development abuts the existing single-family development on its western edge, with a desire expressed to work with the neighbors on a design that meets development standards, provides adequate buffering, and preserves western views to the extent feasible. The project was also reviewed by the IRDC and determined to be compliant with all applicable County development standards, including those related to fire protection, utility infrastructure, stormwater management, and traffic circulation. The proposed internal circulation, pedestrian pathways, and open space areas have been designed to support a safe livable residential environment. Additionally, development will be required to comply with all adopted building, fire, and environmental codes during construction, ensuring protection of public health and safety throughout the life of the project. *See CDD Staff Report, Attachment A, Page 6.*

c. As to criterion (c) of Section 16-74(b)(3), the Commission finds the Conditional Use is in conformance with all applicable provisions of the County Development Code and other adopted County regulations. As provided by the testimony and evidence at the public hearing, the Applicant's development team submitted all required elements pursuant to the Preliminary Plat application checklist. A fire access roadway is shown on the plat and conforms to the requirements of the Los Alamos County Fire Marshal. Grading will be in conformance with the County Development Code. Rear-yard setbacks, particularly on the western edge of the single-family lots, avoid steep topography and adhere to all other setback and dimensional requirements. *See CDD Staff Report, Attachment D, Page 65.*

d. As to criterion (d) of Section 16-74(b)(3), the Commission finds the proposed use conforms with all applicable regulations of the district in which it is located. As provided by the testimony and evidence at the public hearing, the proposed cottage development conforms to all applicable regulations of the SFR-4 Zone District. The maximum allowable lot coverage in the

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SFR-4 district is forty (40%) percent, and the proposed structures represent approximately 38.52% lot coverage, remaining within the permitted threshold. All other dimensional standards, including minimum lot size, lot width, and front, side and, rear setbacks, have been reviewed and are confirmed to meet or exceed the requirements of the SFR-4 district. Additional development standards related to parking, landscaping, access, and utility infrastructure have been reviewed by the IDRC and found to be compliant. *See CDD Staff Report, Attachment A, Page 7.*

e. As to criterion (e) of Section 16-74(b)(3), the Commission finds that the Conditional Use does not cause significant adverse impacts on the properties in the vicinity. As provided by the testimony and evidence at the public hearing, the proposed use is a residential cottage development that includes one hundred fourteen (114) dwellings, a pool, and community amenities. The proposed cottage development consistent with the character of the surrounding neighborhoods and does not introduce impacts that would be incompatible with nearby residential properties. Setback along the eastern Property boundary, adjacent to existing single-family homes, exceed minimum requirements, with proposed building separation of over twenty-five (25') feet where only five (5') feet is required. These setbacks, combined with proposed tree plantings and landscaping, provide additional buffering and visual screening. The overall site layout also results in fewer buildings being placed directly adjacent to existing homes. Traffic circulation, emergency access, drainage, and utility impacts have been reviewed through the IDRC process and determined no adverse effects on surrounding properties. *See CDD Staff Report, Attachment A, Page 8.*

f. As to criterion (f) of Section 16-74(b)(3), the Commission finds there are adequate utilities, access roads, drainage, and other necessary improvements to allow the land use, or improvements are planned to provide adequate measures. As provided by the testimony and evidence at the public hearing, the proposed cottage development was determined by IDRC to

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have adequate access, utilities, and infrastructure to support the proposed use. The department of Public Utilities, which provides water, wastewater (sewer), electric, and gas services, has confirmed adequate service availability to the site. The traffic analysis, along with grading and drainage plans, has been reviewed by the County Engineer and received compliance verification confirming that requirements were met. A subsequent review will occur at the construction permitting stage to ensure continued compliance with engineering standards, including stormwater management. *See* CDD Staff Report, Attachment A, Pages 8-9.

g. As to criterion (g) of Section 16-74(b)(3), the Commission finds that the location, size, design, and operating characteristics of the Conditional Use will be compatible with the use and development of properties in the vicinity. As provided by the testimony and evidence at the public hearing, the proposed cottage development is a residential use consistent with the established neighborhood character on North Mesa. The scale and design of the development, including clustered cottage-style units, provide a compatible residential form. The overall site design reduces the number of structures directly adjacent to existing homes compared to the previously approved subdivision layout, while additional buffering and landscaping along the eastern Property boundary further minimize potential impacts on adjacent single-family residences, thereby enhancing compatibility with neighboring properties. Operating characteristics of the development, including residential occupancy, parking, access, and traffic circulation, are typical of other residential neighborhoods. No adverse operational impacts were identified. The terrain is relatively flat, with steeper slopes towards Pueblo Canyon along the southern edge of the cottage development tract. Setbacks along the southern edge of the project accommodate and avoid the steep slope area while providing for private patios along this edge of the project. The Property was recently surveyed for the approved Arbolada subdivision, and no

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sensitive archaeological sites or structures were identified. The location and size of the Property accommodate the proposed cottage development and allows for access, circulation, appropriate setbacks, landscape buffering, and on-site amenities. This project will help the community meet its critical housing needs. *See CDD Staff Report, Attachment A, Page 9.*

h. As to criterion (h) of Section 16-74(b)(3), the Commission finds that the Conditional Use is in compliance with the site plan procedures and requirements of Section 16-74(h) and demonstrates that the site development will be compatible with properties in the vicinity. The Conditional Use Permit Application was reviewed pursuant to the site plan procedures and requirements outlined in the Los Alamos County Development Code, and more specifically, the proposed cottage development site plan mitigates any significant adverse impacts on properties within the vicinity to the maximum extent practicable. The site plan is designed to mitigate any significant adverse impacts to other properties in the vicinity by: 1) increased setback with landscaping along the eastern boundary adjacent to the existing homes; 2) increased setback along the southern Property line to protect and avoid the existing steep slopes of Pueblo Canyon; 3) safe and efficient access to San Ildefonso Road to the north; 4) emergency access shared with new subdivision to the west; and 5) provision of on-site amenities to the future residents. The Application, including the site plan, grading and drainage plans, utility layouts, and landscape plan have been determined to comply with applicable procedural and technical requirements. The proposed site development demonstrates compatibility with properties in the vicinity through compliance with zoning district standards, provision of adequate access and circulation, and buffering measures along Property boundaries. Increased setbacks and landscaping adjacent to existing single-family residences further ensure that the development will integrate appropriately with the surrounding neighborhood context. *See CDD Staff Report, Attachment A, Pages 9-10.*

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II. ORDER

The Commission, pursuant to Section 16-72(f)(5)(c)(3), by unanimous vote, hereby finds that the Applicant has sufficiently demonstrated that the request for a Conditional Use Permit meets all requirements, and after full hearing and consideration, **hereby Approves Application CUP-2025-0001.**

APPROVED on this date: 10/21/2025

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