

**MINUTES OF THE**  
**SANTA FE COUNTY**  
**PLANNING COMMISSION**

**Santa Fe, New Mexico**

**March 20, 2024**

1. This meeting of the Santa Fe County Planning Commission was called to order by Chair Erik Aaboe the above-cited date at approximately 4:00 p.m.

A. & B. Roll call preceded the Pledge of Allegiance and indicated the presence of a quorum as follows:

**Members Present:**

Erik Aaboe, Chair  
Steve Brugger  
J.J. Gonzales  
Jeremy Mier  
Dan Pava  
Wendy Pierard  
Carl Trujillo

**Member(s) Absent:**

None

**Staff Present:**

Jordan Yutzy, Building & Development Manager  
John Lovato, Building & Development Supervisor  
Roger Prucino, Assistant County Attorney  
Dominic Sisneros, Building & Development Supervisor  
Marie Martinez, Building & Development Review Specialist

2. **Approval of Agenda**

A. **Amendments**

B. **Tabled or Withdrawn Items**

Mr. Yutzy identified the one item under miscellaneous as the final order for Case #24-5200, Rancho Viejo Solar, LLC. The case was approved by a majority vote and therefore not placed on the consent agenda. New Business case #24-5270, Robert Sherwin Variance, has been tabled.

Member Pierard moved to approve as published. Member Trujillo seconded and the

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motion passed by unanimous [7-0] voice vote.

### 3. Approval of Minutes

#### A. February 3 & 4, 2025 – Special Meeting Minutes

Chair Aaboe had a number of corrections [*Exhibit 1*] that were not deemed of substance and rather typos.

Member Pava noted that on page 99 of the February 3<sup>rd</sup> portion, the minutes inaccurately show him as voting against recessing.

As corrected, Member Pava moved to approve. Member Trujillo seconded and the motion passed by unanimous [7-0] voice vote.

#### B. February 20, 2025

Member Brugger noted on page 12, where he said, "...although what was disclosed to you, Ms. Stricker, at the time of the sale is really unfortunate..."

Member Brugger moved to approve the minutes of the February 20, 2025 meeting with that correction. Member Mier seconded. The motion passed by unanimous voice vote.

### 4. Miscellaneous Agenda

**A. Case #24-5200 Rancho Viejo Solar, LLC; AES Clean Energy Development, LLC, Applicants, request approval of a CUP to allow a 96-Megawatt solar facility on an 828-acre tract. The site is zoned Rural Fringe (RUR-F). Appendix B, Use Matrix illustrates that a commercial solar energy production facility is a conditional use within RUR-F zoning. The site is addressed at 11 Twilight Way which will be accessed via Hwy. 14, SDA-2 (Commission District 5). Dominic Sisneros, Case Manager, Approved (6-1) roll call vote**

MR. YUTZY: Chair, Commissioners, thank you. This isn't on consent because there wasn't a unanimous vote. There is nothing to present but this is the final order resulting from AES special hearing.

CHAIR AABOE: Right, and we all got the final order within our packets and were able to review that. May I have a motion to approve that final order.

MEMBER PIERARD: Move to approve.

CHAIR AABOE: Thank you, Commissioner. May I have a second?

MEMBER GONZALES: Second.

CHAIR AABOE: Thank you, Commissioner. All those in favor – oh, do we need roll call?

MR. YUTZY: I would prefer a roll call vote on this, please.

The motion passed by unanimous [7-0] roll call vote as follows:

Steve Brugger                      Yes

|               |     |
|---------------|-----|
| J.J. Gonzales | Yes |
| Jeremy Mier   | Yes |
| Dan Pava      | Yes |
| Wendy Pierard | Yes |
| Carl Trujillo | Yes |
| Erik Aaboe    | Yes |

**4. Consent Agenda**

**A. Case # 24-5210 ORR Acquisitions, LLC (James Omstrom, Trevor Cutler and Chase Becker), Applicant, propose the consolidation of the existing 8.03-acre Santa Fe KOA Journey site and the 3 lots to the east (1.46-acre lot, 1.42-acre lot and 2.566-acre lot) to increase the size and use of the Santa Fe KOA Journey site to 13.476-acres in total. The Applicant will be requesting SDP approval to allow changes to the Santa Fe KOA Journey portion and CUP approval for the remaining portion. The existing 8.03 acre Santa Fe KOA Journey site is zoned Commercial General (CG) where the use of Camps, Camping and Related Establishments is a permitted use and expansion or change of the existing site requires a Site Development Plan. The 3 lots to the east are zoned Residential Estates (Res-E) where the use of Camps, Camping and Related Establishments requires approval of a Conditional Use Permit (CUP). These parcels are located at 934, 946, 956 and one unassigned address at Old Las Vegas Highway, SDA-2, (Commission District 4) Case Manager, Jessica Gonzales. Approved (7-0) unanimous voice vote**

CHAIR AABOE: May I get a motion to approve the final order please.

MEMBER TRUJILLO: Mr. Chair, I'll make a motion to approve case #24-5210.

MEMBER PIERARD: Second.

CHAIR AABOE: Thank you very much.

**The motion passed by unanimous [7-0] voice vote.**

**5. New Business**

**A. Case # 24-5270 Robert Sherwin Variance – TABLED.**

**B. Case #24-5250 James and Jeanette Wood Variance. James and Jeanette Wood., Applicant request a variance of Chapter 10 Section 10.4.2.3 (Building and Site Design Standards) RES-E of the SLDC regarding the secondary access. The site is within Township 15 North, Range 9 East, Section 13 within the Eldorado at Santa Fe. The property is located at 4 Herrada Court (Commission District 5). SDA-2 Parcel ID # 128311605. Marie L. Martinez, Case Manager**

MR. YUTZY: Mr. Chairman, before we get started, just to let you know the applicant will be on line.



CHAIR AABOE: Thank you. Is the applicant on line now or do we need to wait a bit?

MR. YUTZY: He's on line now.

CHAIR AABOE: Please go ahead, Ms. Martinez.

[Marie Martinez read the case caption]

MARIE MARTINEZ: Thank you, Mr. Chairman and Commissioners. Marie Martinez, Building and Review Specialist with the Growth Management Division.

History: the applicant is the owner of the property as indicated by warranty deed recorded in the records of the Santa Fe County Clerk on December 13, 2023, as Instrument #2025027. The 1.40-acre lot was created in 1974 by warranty deed recorded in the Santa Fe County Clerk's office under book 5 page 10. In 2019 a permit was issued from Santa Fe County for a single-family residence home issued to Andrea and Ken Kramer permit #19-230. In 2021 permit #21-718 was issued for the construction of a garage. In 2024 permit #24-162 was issued for the conversion of the garage into an accessory dwelling. Written in the Development Order for Permit #24-162 conditions of approval the second entrance will be abandoned and reclaimed

Summary: the applicants are requesting a variance for secondary access to allow extended family members to park in front of the detached accessory dwelling structure. The Applicant is requesting a variance of Chapter 10.4.2.3.3m Building and Site Designs, to allow separate access onto his property. The proposed access to the site will be off 4 Herrada Court.

The applicant has addressed the variance criteria as detailed in this memo.

Hearing Officer Recommendation: On February 13, 2025, this request was presented to the Sustainable Land Development Hearing Officer. The Hearing Officer memorialized findings of facts and conclusions of law in a Recommended Order on this request. The Hearing Officer, based on the evidence presented, recommended approval of the applicants' variance with conditions proposed by staff. The written order and the minutes of February 13, 2025, hearing are attached as Exhibits K & L.

Staff Recommendation: Staff recommends denial of a variance of Chapter 10.4.2.3.3, Building and Site Design, to allow separate access for the accessory dwelling.

If the Santa Fe County Planning Commission finds that the application has met the variance criteria and recommends approval of the variance, staff recommends the following conditions be imposed. Mr. Chair and Commissioners, may I enter these conditions into the record:

CHAIR AABOE: Yes you may.

Conditions:

1. The applicant must adhere to all requirements in the Sustainable Land Development Code (SLDC) Chapter 7.11 Road Design Standards.
2. The applicant must adhere to all Santa Fe County Fire Prevention Division requirements.
3. The applicant must install an 18" culvert at the driveway entrance and install delineator posts with reflective buttons at the inlet and outlet ends of the 18" culvert at the access to the secondary driveway requested for the accessory

dwelling.

4. No further accessory dwellings will be allowed.

MS. MARTINEZ: This report and the exhibits listed below are hereby submitted as part of the hearing record. Thank you and at this time I stand for any questions.

[EXHIBITS: A. Applicant's Request; B. Applicant's Variance Criteria; C. Site Plan; D. Section 10.4 Accessory Dwelling Units; E. Section 4.9.7 Variances; F. Review Comments; G. Pre-application Neighborhood meeting materials; H. TAC Letter; I. Notice; J. Permits #24-162, #21-718 & #19-230; K. Draft Hearing Officer Minutes L. Hearing Officer Recommended Order]

CHAIR AABOE: Thank you. Commissioners, do you have any questions of Ms. Martinez? Commissioner Brugger.

MEMBER BRUGGER: Ms. Martinez, I have a few questions. The first one has to do with when the case came up in April when the County granted the accessory dwelling unit in April and then there were conditions attached to that. From what I gather from the information and the photo the unit was improved but the driveway was not reclaimed, abandoned and reclaimed; is that correct?

MS. MARTINEZ: That is correct, Mr. Chair and Commissioner.

MEMBER BRUGGER: What happens when a condition, a condition of approval – was it an administrative approval rather than, did it come to the Planning Commission before? What happens when a condition of approval is not met? And I guess a month and a half after that then the request to be on the Technical Advisory Committee for a variance occurred.

MR. YUTZY: Chair, Commissioners, this is a different situation in that it was an RV-storage structure that was on the side over there that was permitted. They converted part of it into the ADU but left part of the RV storage so the driveway that's there is still for the part of the RV storage that is there. They didn't convert the entire structure only half the structure.

MEMBER BRUGGER: But the condition of approval back on April 24 was that that driveway would be abandoned and reclaimed; correct?

MR. YUTZY: I do not have the order in front of me but we cannot force them to get rid of the driveway for the existing RV structure. So at that point in time, they chose to come forward with the variance. They were given the option of not using it for the ADU and they decided that their primary driveway is too far away from the ADU to access it so they decided to go through the variance process.

MEMBER BRUGGER: Okay, thank you.

CHAIR AABOE: Thank you, Commissioner. Do any other Commissioners have questions for Ms. Martinez? Thank you very much. And I understand the applicant is on line.

MR. YUTZY: Mr. Chair, that is correct. Mr. Woods and Mrs. Woods are on line.

CHAIR AABOE: Mr. Wood, please present your case and if you have a camera please do. Thank you. We can't hear you yet; are you muted?



MR. WOOD: Well, I see there's a phone number and that might be our Plan B.

CHAIR AABOE: Well, your audio seems to be working now.

MR. WOOD: I turned the camera off because I think that was taking up too much bandwidth. I don't have wifi. We're on vacation and if we could just proceed without the video. I think that may be the best alternative.

CHAIR AABOE: Okay, and before you begin, and we'll trust you on this, raise your right hands, whoever is going to speak, raise your right hand and be sworn in.

[Duly sworn, James Wood and Jeanette Wood, testified as follows:]

JAMES WOOD: Jim and Jeanette Wood, 4 Herrada Court, Santa Fe, 87508.

CHAIR AABOE: Thanks very much. Now that you've been sworn, please present your case. Thank you.

MR. WOOD: I'd like to begin by saying you've probably had a chance to read the Hearing Officer's report. So I'm not going to go into that in detail because I think that that was covered fairly well. But I would like to point out a couple of things that were omitted from that report that I think were relevant. So if you would just indulge me I'll just kind of cover that in brief and then we'll both be happy to answer any questions that you might have.

CHAIR AABOE: Thank you.

MR. WOOD: As I think you were able to surmise from the previous question, we did agree to close the secondary access but that was at the advice of Santa Fe County staff. We had our contractors all in line and we needed to get the permit to proceed and they recommended that we just go forward with that and then we could request a variance at a later date which is what we did.

In the sequence of things because, as was stated, only half of the accessory structure was converted we were able to keep the secondary access primarily at that point for the RV access. The other half of the garage is an RV-storage unit. So that's what we did and then we came forward with the variance process because we learned that although we could use the secondary driveway we wouldn't be able to park in front of it. So that's really the nature of this variance request.

I'd like to backup just a little bit and if you'd look on the staff's response you will see that they made a site visit to the property and revealed that after that site visits there were no terrain constraints and the staff confirmed that with the site inspection of the property that was conducted. If you look at the Sustainable Land Development Code 10.3.2.2, "the accessory structure shall share a driveway and utilities with the primary use or structure unless prohibited by terrain constraints." So based on that the secondary access really should have never been approved without the original owners that we purchased the property from without them going through a variance process similar to what we're doing now. So as such that driveway should have never been approved as it was.

In conversations with the previous landowners, they told us that they would have never built the accessory structure if they weren't able to have that secondary access. If they hadn't built that structure, we would have never bought the property.

So in our mind, the County has inherited a significant liability with regard to this particular situation. It really has an easy solution and that's to grant the variance.

The reason we feel the variance is justified is because currently our son resides in that dwelling unit and eventually, he's young enough, he's going to move on and we may have an elderly relative, more than likely, that would come in – or if the property sold that is more than who is going to occupy this accessory dwelling unit and if they had to park in the primary driveway, it would either need to walk through the house to get to the dwelling unit, walk through the courtyard to get to the dwelling unit or walk all the way around the end of the cul-de-sac and back to the secondary driveway. That would clearly create an unreasonable situation especially if they were elderly which they likely would be or if they had limited mobility because they were handicapped or whatever that might be.

So that's the nature of this request and we are respectfully requesting that it be granted. The last thing that I would like to point out and I'd be more than happy – we're both more than happy to answer any questions, the original owners in their permit were to have built or installed a culvert at the entrance to the secondary driveway and you can see that that's one of the staff recommendations if it is approved. And I just want to make note that we have already installed that 18-inch culvert as per the requirements. It's in place and several of the neighbors have actually indicated that we did a really nice job with it.

With that, I'll turn it back to you and again we're happy to answer any questions you might have.

CHAIR AABOE: Thank you very much, Mr. Wood. Do any Commissioners have any questions of the applicant? Commissioner Brugger.

MEMBER BRUGGER: Thank you, Mr. Chair. Mr. Wood, first off when you applied back when the approval was granted for the accessory dwelling unit and what is in the code clearly states that the accessory dwelling unit shall be clearly incidental and subordinate to a principal residence. And I believe that's the reason why the staff put in the condition in the approval that was granted to you in April for using the same driveway. My question to you is, did you object at that time to that conditions that staff would have made for that approval?

MR. WOOD: No, and in fact it was delivered via an email so we asked for something more substantial and there was at least one item that was left out in that guidance and we requested clarification from the staff and that clarification was would somebody be allowed to park in front of the dwelling unit and that's when it became clear that that would not be allowed unless we sought a variance. And that's when we began the process of seeking this variance to allow someone, whoever resides in that dwelling unit, would be able to park there and have convenient access to the unit.

MEMBER BRUGGER: Thank you. May I ask a question of staff?

CHAIR AABOE: Please do.

MEMBER BRUGGER: My issue has to do with the separate driveway not where you park. Could they park in front of the accessory dwelling unit without having a separate driveway entrance or not?

MR. YUTZY: Mr. Chair, Commissioners, if he was to build a circular driveway around his property then, yes, they could park in front of it. But the code reads that there can be no separate driveway for an ADU.

MEMBER BRUGGER: So then with that, if this variance was not granted then they could not park, no one could park really, practically, in front of the accessory



dwelling unit?

MR. SISNEROS: Chair, Commissioners, that is correct.

MEMBER BRUGGER: I can keep rolling.

CHAIR AABOE: Please do.

MEMBER BRUGGER: Mr. Wood, would you please elaborate on what you would use the accessory dwelling unit for now and in the future?

MR. WOOD: Well, currently my son lives in that unit. He moved here with us or moved to Santa Fe with us. He works remotely. He's a software engineer so it was convenient for him to be there locally. And we built that unit so that he would have his own separate area and also with the idea that if one of our elderly relatives came at some point and he had moved on that they would occupy that unit as well.

MEMBER BRUGGER: So in the future you would have absolutely no plans at all to use that for a short-term rental.

MR. WOOD: No, absolutely not.

MEMBER BRUGGER: So that's for the record, okay. Thank you.

CHAIR AABOE: Mr. Wood, I have a question. You indicated that when the previous owner put in the accessory structure he put in the drive and you indicated that there was some sort of liability there. But I believe, and correct me if I am wrong, I believe that there is no limitation on an accessory structure having a separate entrance. And staff maybe you can correct me. That was triggered when it became an accessory dwelling unit, I believe; is that right, staff?

MR. SISNEROS: Accessory structures as well has to share the driveway with the primary residence. It's only allowed if there are terrain constraints when a second driveway is allowed.

CHAIR AABOE: My mistake, thanks. Any other Commissioners have questions? Mr. Pava.

MEMBER PAVA: Thank you, Mr. Chair. Mr. or Ms. Wood, how long has the and I'll call it the secondary driveway that serves the former RV garage, which is now an RV garage and also an accessory dwelling unit, how long has that driveway been in place?

MR. WOOD: They built the original house, I believe, in 2019 or thereabouts. And then they built the secondary structure, the accessory structure, for the RV unit I believe in 2022. I don't have those notes right in front of me but it is somewhere thereabouts. It came subsequent to the primary dwelling. I guess I would like to point out again just in case there's not clarity on this, is because there were no terrain constraints that secondary driveway did not meet the code and should not have been approved and the County approved it. If they had not approved it the accessory structure would have never been built by the previous owner and we would have never bought the property. That's where I'm talking about the liability on the County. And we, as you might well suspect, we paid a significant amount of money not only for the property but also to convert part of it to the dwelling unit.

MEMBER PAVA: A follow up question on that, once one passes by the driveway on Herrera Court and is heading essentially south, how many more dwelling units/homes are there on the street?

MR. WOOD: If you pass the secondary driveway?

MEMBER PAVA: Yes.



MR. WOOD: There are three homes on the left hand side and two homes on the right hand side. And I'm not sure you were able to see but our neighbors directly on the right hand side that we have adjoining property, they submitted a letter of support that they were totally in agreement with the driveway. We talked to all of our neighbors. There was only a handful of folks on Herrera Court and as you can probably see, it's a dead-end of the cul-de-sac. We went to all of our neighbors and asked them if they had a problem with it and they were all in support that it remain as is.

MEMBER PAVA: Yes, I believe I saw that letter in the file. Those are my questions for the applicant but I do have a question for staff. Does our code address a minimum separation distance for driveways in a subdivision like this? I see the driveway across the street from them on the bulb-out is probably 80 feet distance. I'm just trying to get a sense for – it seems to me a bit peculiar and special. This is a corner lot and a corner lot can often have more than one frontage and I don't think it is unusual to see a corner lot in a large-lot subdivision having more than one access and that's why I asked about the separation distance between driveways.

MR. SISNEROS: Mr. Chair, Planning Commission members, separation between driveways is typically 100 feet unless they are directly across from each other. To bring up another point to one of your earlier questions, the accessory structure and driveway was permitted in 2021, September 14, 2021 was actually approval date so it was probably built closer to 2022. But if you look at one of the exhibits and I believe it is Exhibit J, page 8, shows that approval in 2021 which shows the driveway connecting to the RV driveway so that permit was approved for that accessory structure with a separate driveway but indicating that there was to be a connection to the existing driveway to the residence which never was developed.

MEMBER PAVA: Thank you.

MEMBER PIERARD: So on that, could they have a driveway that went continuously through the property and out the other access?

MEMBER PAVA: Yes, so the driveway basically came into the existing – the existing driveway for the primary residence looped around the house and then exited off where the new driveway was proposed. It was connected but I think the intent there was that since it was for an RV that that second driveway was going to be allowed to park that RV and then the [inaudible] question came into effect when it was converted into an ADU about that second access.

MEMBER PIERARD: Okay, thanks. You can see why it would be necessary to have a second access on this.

CHAIR AABOE: Thanks and Commissioner Pava did you have any further questions?

MEMBER PAVA: No, Mr. Chair, thank you.

CHAIR AABOE: I have a question for staff and it is kind of "why" question. As I understand it a semi-circular drive or something that is shown on page 8 of Exhibit J, is kind of unusual but connected drive is allowed but separate drives are not. So can you understand – do you know the logic behind that requirement?

MR. YUTZY: Chair, Commissioners, I wish I knew the logic behind it. I can tell you that is something that we're looking at in the code. It doesn't really make sense. For the year I've been here, I've been trying to wrap my mind around it and I really can't. I can see limiting driveways if you have X number of footage on a County

road but in some situations it doesn't make logical sense and that is something that we're looking to changing.

CHAIR AABOE: Okay, thank you. Commissioner Brugger.

MEMBER BRUGGER: Mr. Chair, your question was directed to staff but I'm sitting close to staff so I feel compelled to response too. I believe the section 10.4.2 applicability, "accessory dwelling units shall be clearly incidental and subordinate to the use of the principal dwelling." So I believe that the premise is that as long as you use the same driveway as the principal structure it is ancillary and subordinate to. But if you have a separate driveway entrance just serving that unit that it is no longer ancillary or subordinate. It's pretty standard which may or may not be a bad thing but it is and I believe that is the logic behind that.

CHAIR AABOE: Thank you. Let's dive into this rabbit hole if we could. So if the applicant were to improve the connection between one driveway and the next, is there a standard for that improvement? Do you have to drive over it a few times? Can it be allowed to be overgrown subsequently? I'm just trying to understand what, you know, the original premise in this A to Exhibit J that we are looking at an interconnection and would obviate the need for a variance. But what is the requirement for the driveway? Does it have to be fire accessible because each leg is but that weird interconnection is not? And I'm sorry to push on this but this –

MR. SISNEROS: Mr. Chair, Planning Commission members, the requirements of that driveway would have to be a minimum of 14 feet and an all-weather access. Not necessarily paved or graveled but an all-weather access that way emergency response could get back to that further point of that driveway.

CHAIR AABOE: Okay, understood, thanks. Any other Commissioners have any other questions of the applicant? Commissioner Gonzales, Commissioner Pava? Commissioner Gonzales.

MEMBER GONZALES: The question I had of Mr. Wood is the shared utilities. Are you allowed to split up the utilities for this additional dwelling unit, like, gas, water and electric, septic? And do you have any restrictions on how much water you can use on your property from the Eldorado Mutual Domestic? Tell me a little bit about the utilities please.

MR. WOOD: Okay, no problem. The utilities are all part of the primary property so they are not separate. And, in fact, when we – because it was the same essentially as a fourth bedroom being added to the primary residence, it exceeded the septic requirements so we had to put in a whole new septic system. The requirement for that septic system was that it be tied to the original septic system which was at a substantial cost to us because it was clear on the other side of the property. But that made it one septic system as opposed to two separate systems. So we went along with that.

I will share with you that when the state inspector came out because the state has the final say on whether the new septic system passes the requirements or not and he basically shared with us that it was probably the most ridiculous thing that he had ever seen and the effluent would never make it to the other system. So it really was an unnecessary burden on us financially. But we did it and it is one septic system and they are both tied together.

MEMBER GONZALES: And you have two septic tanks on the property; right? But the leach fields are connected.



MR. WOOD: That's right but the – yes, the leach fields are connected.

MEMBER GONZALES: What about the water from Eldorado? Are you limited to .25 acre-foot or what is your usage out there?

MR. WOOD: We had to get approval from Eldorado as well and they approved it. In terms of the water use, it really wouldn't be any different than a four-bedroom structure. So we are well within our water use limitations.

MEMBER GONZALES: Thank you very much. Those are all the questions I have. Thank you.

CHAIR AABOE: Commissioner Pava.

MEMBER PAVA: Mr. and Mrs. Wood, a question about support for the proposal, I did read about that. Was there any interaction with – not that it matters to us per se but for the record – was there interaction with the homeowners, the community and homeowners association in Eldorado? I know that they tend to get fixated on things like rosters for example, but this isn't an issue?

MR. WOOD: Yeah, you're right. Again, we had to go through them to get approval and we were supported unanimously. So no problem on that.

MEMBER PAVA: Thank you.

CHAIR AABOE: And, Mr. Wood, does the Eldorado group prefer the trees not be removed? I believe that is one of your conditions; is that right?

MR. WOOD: Yes, absolutely. The less disturbance of the natural landscape the better. They are totally for that.

CHAIR AABOE: Right, and the interconnection between one and the other would take out four or five trees as I see it. So, thanks very much. Any other Commissioners have questions?

MR. WOOD: Yeah, not to mention it would create some impermeable surfaces too. I don't know if you saw, but in the one letter our neighbor admitted that they were adamantly opposed to that.

CHAIR AABOE: Thank you.

MR. WOOD: You are welcome.

CHAIR AABOE: Any other Commissioners have questions? Okay, this is a public hearing – is that all Mr. Wood?

MR. WOOD: It is unless you have any further questions.

CHAIR AABOE: No, it looks like we do not. This is a public hearing. Is there anyone who wants to speak here or on line to speak either in support or opposition to this?

MR. YUTZY: Mr. Chair, Commissioners, there is no one on line indicating that they wish to speak.

CHAIR AABOE: Okay, thank you. So I'll close the public hearing. Commissioners, what is the will of the Commission?

MEMBER TRUJILLO: Mr. Chairman, I'd like to make a motion that case 24-5250 due pass the variance with the four conditions that staff set on it.

CHAIR AABOE: Thank you, Vice Chair. Is there a second?

MEMBER MIER: I'll second.

CHAIR AABOE: Thank you, Commissioner.

**The motion passed by unanimous [7-0] voice vote.**

CHAIR AABOE: The variance is granted. Thank you, Mr. and Mrs. Wood, enjoy your vacation.

MR. WOOD: Thank you very much. Have a great afternoon.

6. **Petitions from the Floor** - None were presented.

7. **Communications from the Commission Members**

Mr. Yutzy announced that this is Commissioner Gonzales's last meeting. His replacement will be appointed next week.

Commissioner Gonzales thanked the Commission and staff for their kind comments back when he retired in December. He said it has been a pleasure to serve on the committee and he enjoyed working with Land Use staff and mentioned their professionalism and good job.

The Chair expressed the Commission's appreciation to Commissioner Gonzales.

8. **Communications from the Attorney** – None were presented.

9. **Matters from Land Use Staff** – None were presented.

10. **Next Planning Commission Meeting: April 17, 2025**

Mr. Yutzy said there were a couple of cases coming forward in April and he hoped to hold an overall training on the code for the Commission before or after the April meeting. He said he would reach out via email to select a time.

11. **Adjournment**

With no further business to come before this Commission, Commissioner Mier moved to adjourn and Chair Aaboe declared this meeting adjourned at approximately 4:50 p.m.

Approved by:



Erik Aaboe, Chair  
Planning Commission

ATTEST TO:

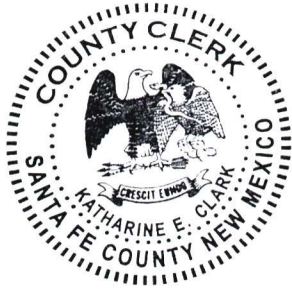


KATHARINE CLARK  
SANTA FE COUNTY CLERK

Respectfully submitted by: Karen Farrell, Wordswork.








COUNTY OF SANTA FE )  
STATE OF NEW MEXICO ) ss

PLANNING COMMISSION MI  
PAGES: 14

[ Hereby Certify That This Instrument Was Filed for  
Record On The 22ND Day Of April, 2025 at 03:35:14 PM  
And Was Duly Recorded as Instrument # **2057435**  
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office  
Katharine E. Clark  
Deputy  County Clerk, Santa Fe, NM

SFC CLERK RECORDED 04/22/2025



## Corrections to 2-3-25 and 2-4-25 meeting minutes -

February 3 -

Page 15. Replace "Hydrogen has a **wire** flammability limit." with "Hydrogen has a **higher** flammability limit."

Page 20. Replace "...there is currently nine times the amount of CO2 being **admitted** annually..." with "...there is currently nine times the amount of CO2 being **emitted** annually..."

Page 27. Replace "I **many** breeze through a few things here..." with "I **may** breeze through a few things here..."

Page 71 - Replace "...Commissioners, **I** Ken Hughes, 2300 West Alameda in Santa Fe." with "...Commissioners, **I'm** Ken Hughes, 2300 West Alameda in Santa Fe."

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Page 2 - Replace "Traumatic brain injury, broken **bonds**, burns, thermal burns, chemical burns. A lot of harm there." with "Traumatic brain injury, broken **bones**, burns, thermal burns, chemical burns. A lot of harm there."

Page 3 - Replace "...\$15 million for the gas operation, but for the battery storage that's **#20**." with "...\$15 million for the gas operation, but for the battery storage that's **\$20**."

Page 17. Replace "As Mr. Schannauer pointed out they tell us one **store** and their investors a very different story..." with "As Mr. Schannauer pointed out they tell us one story and their investors a very different **story**..."

Page 20 - Replace "To **buy** the transmission lines they plan to put it." with "To bury the transmission lines they plan to put it."

Page 27 - Replace "So in a **sign** table discussion with some of the folks from AES yesterday during one of the breaks..." with "So in a **side** table discussion with some of the folks from AES yesterday during one of the breaks..."

Page 30. Replace "In the worst possible case scenario that people are imaging by house could be hit by a toxic **flume**." with "In the worst possible case scenario that people are imaging by house could be hit by a toxic **plume**."

Page 41. Replace "[The Planning Commission recessed from **4:44** to 5:00.]" with "[The Planning Commission recessed from **4:44** to 5:00.]"

Page 51. Replace "California, which is at 54 percent now, has a rate of about 33 **center**, average per kilowatt-hour." with "California, which is at 54 percent now, has a rate of about 33 **cents**, average per kilowatt-hour."

Page 57. Replace "That's now **close**. Matters from the Attorney." with "That's now **closed**. Matters from the Attorney."

SFC CLERK RECORDED 04/22/2025