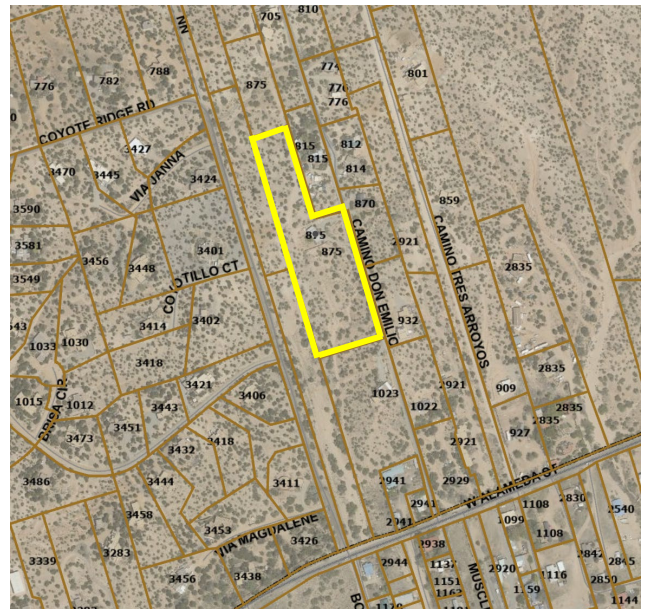




## Planning and Land Use Department Planning Commission Staff Report

<b>Case Number</b>	#2025-11270
<b>Hearing Date</b>	March 5, 2026
<b>Agent</b>	NM Land Solutions
<b>Applicant</b>	Nancy Hoffman
<b>Request</b>	Family Transfer Subdivision
<b>Location</b>	875 Camino Don Emilio, Santa Fe, NM 87507
<b>Case Manager</b>	Alexa Hempel
<b>Zoning</b>	R-1 (Residential, 1 Dwelling Unit per Acre)
<b>Overlay</b>	Suburban Archeological Review District
<b>Pre-App Meeting</b>	April 24, 2025
<b>ENN Meeting</b>	August 19, 2025
<b>Proposal</b>	The Applicant requests approval of a family transfer subdivision to subdivide the 4.59-acre lot into 3 lots, gifting the 2 new lots to her children for future residential development.



**Site Map**

**Case #2025-11270. 875 Camino Don Emilio Family Transfer Subdivision.** NM Land Solutions, “Agent” for Nancy Hoffman, Owner and Applicant (“Applicant”), requests approval of a Family Transfer Subdivision to split the existing 4.59-acre lot at 875 Camino Don Emilio into 3-lots, gifting the 2 created lots to her children. The property is zoned R-1 (Residential, 1 Dwelling Unit per Acre). (Alexa Hempel Case Manager, [anhempel@santafenm.gov](mailto:anhempel@santafenm.gov)).

*\*This application was reviewed under the previous Land Development Code. SFCC 1987 Ch. 14\**

## I. RECOMMENDATION:

Staff recommends the Planning Commission **APPROVE** Case #2025-11270, “875 Camino Don Emilio Family Transfer Subdivision,” subject to the Conditions of Approval and Technical Corrections outlined in Attachment A of this report.

One motion will be required for this case:

- **APPROVE** or **DENY** Case #2025-11270, “875 Camino Don Emilio Family Transfer Subdivision,” subject to the Conditions of Approval and Technical Corrections outlined in Attachment A of Staff’s report.

## II. EXECUTIVE SUMMARY

The subject property is located at 875 Camino Don Emilio, northeast of the intersection at Alameda St and Siler Rd. The Property is 4.59-acres with one existing home.

The Applicant requests approval of a family transfer subdivision to split the existing residential lot into 3 lots. Lot 1, where the Applicant currently lives, will become 2.087-acres. Lots 2 and 3 will each become approximately 1.25-acres and be given to the Applicant’s two (2) children. Both new lots will be serviced through an extension of the existing driveway off Camino Don Emilio and will use the existing private well through a well-share agreement. Both new properties will install their own private septic systems at the time of development.

This application was received on September 9, 2025. This date is prior to the adoption of phase 1 of the Land Development Code Update and therefore is subject to the regulations of the previous version of Chapter 14, SFCC 1987. Any future applications or building permits at this property, except the driveway extension, will be governed by the new Land Development Code, effective January 1, 2026 via Ord. No. 2025-25.

The Property is within Annexation Phase 3 of the City of Santa Fe. Phase 3 has not been annexed into the City yet but is governed by the Santa Fe Extraterritorial Land Use Authority Subdivision, Platting, Planning, and Zoning Ordinance (SPPaZO) (Santa Fe County Ordinance 2009-01). SPPaZO gives the City of Santa Fe Land Development Code authority over regulation of zoning, subdivision, planning, and platting of properties within the Areas to be Annexed (See Figure 1 and Attachment D).

The Applicant has complied with SFCC 1987 Sections 14-3.1(E) "*Pre-Application Conferences*", 14-3.1(F) "*Early Neighborhood Notification Procedures*," and 14-3.1(H) "*Notice Requirements*."

Staff's analysis finds that the Applicant has addressed the necessary findings per Section 14-3.7(C) "*Approval Criteria*" and recommends **APPROVAL** subject to conditions identified in Attachment A "*Conditions of Approval*" & "*Technical Corrections*."

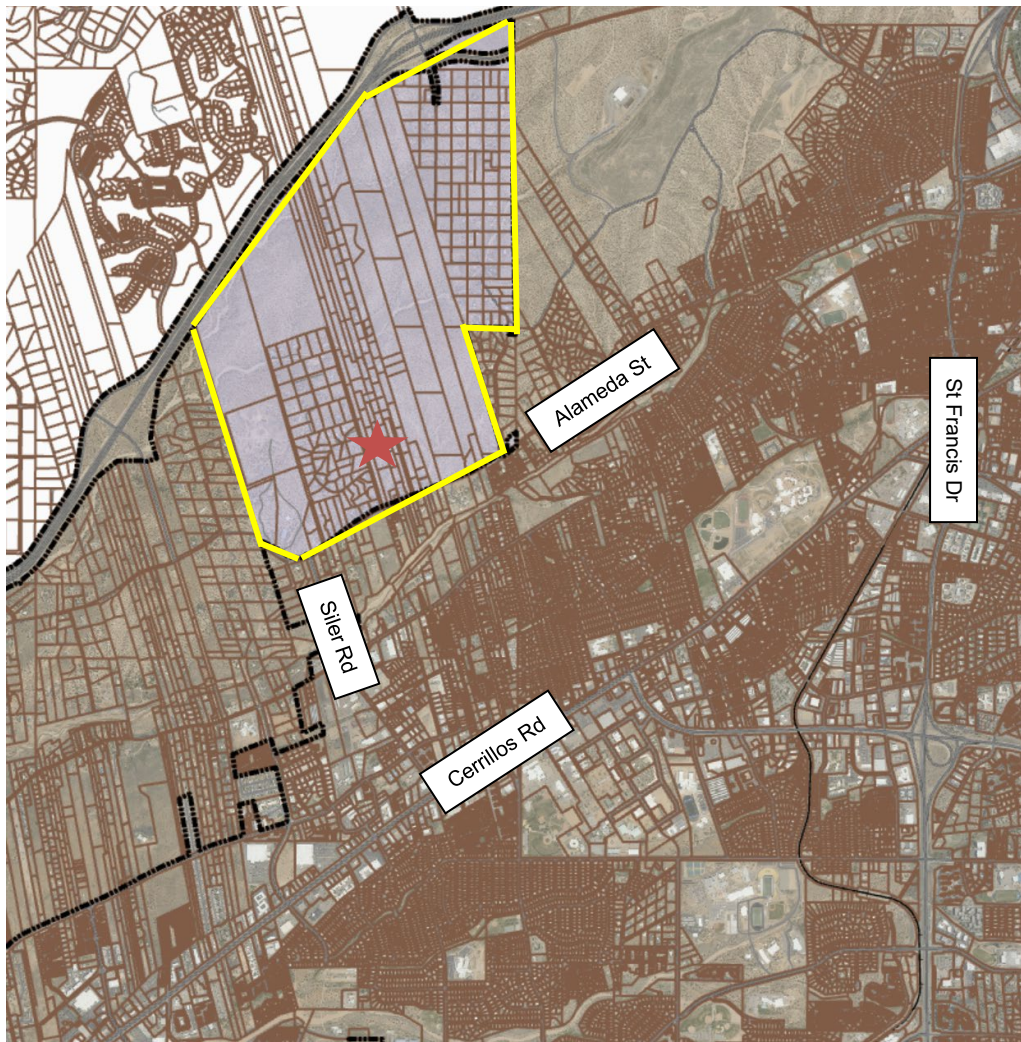


Figure 1: Annexation Phase 3 area outlined in yellow. Property approximated with red star.

### III. PROJECT ANALYSIS: FAMILY TRANSFER SUBDIVISION

#### Property

The Property is located off a private street, Camino Don Emilio. The Applicant will retain the existing driveway off this street, extending it further into the property to provide access for the two (2) new lots created via the subdivision. The subdivision will split the existing 4.59-acre lot into the following three lots, all remaining zoned R-1 (Residential, 1 Dwelling Unit per Acre), with intention of the construction of one single-family dwelling on both new lots. One accessory dwelling unit per legal lot of record is also permitted.

- Lot 1: 2.087-acres, Nancy Hoffman
- Lot 2: 1.254-acres, Julia Hoffman
- Lot 3: 1.250-acres, Jordan Hoffman

#### Zoning & Land Use

The 875 Camino Don Emilio site and all properties surrounding it are zoned R-1 (Residential, 1 dwelling unit per acre) (Figure 3). All lots on the Property will be serviced through well and septic, which creates a minimum lot size of 1.25-acres via family transfer (SFCC 1987 Section 14-7.2-1, Note 16). This subdivision complies with the minimum lot size required.

Future construction of homes on the lots created will require compliance with the current zoning standards in Ch. 14 of the adopted City Code (Ord. No 2025-25, as amended). This includes height, lot coverage, and setbacks.

Table 1: R-1 Dimensional Standards (SFCC 1987 Section 14-3.2.C.2, as adopted in Ord. No. 2025-25)

Requirement	R-1*
Height	26' maximum for residential structures 38' maximum for nonresidential structures
Lot Coverage	40% maximum, may increase to 50% if private open space is provided
Setbacks	Street: 7 feet Rear: 15 feet Side: 5 feet

\*Refer to SFCC Section 14-3.2(C)(2) for more detailed information

The General Plan’s Future Land Use Map (“FLUM”) proposes that this Property and surrounding properties remain 1 dwelling unit per acre. The

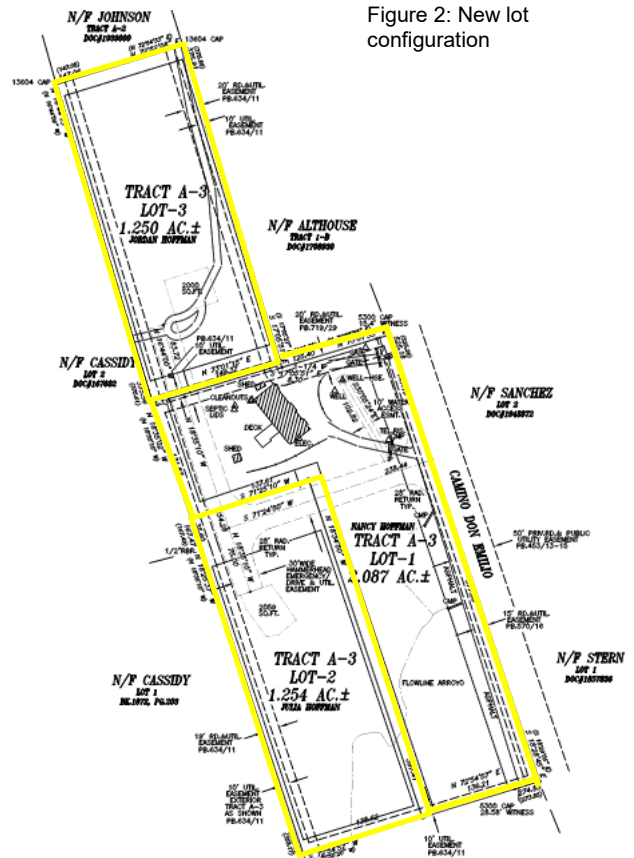


Figure 2: New lot configuration

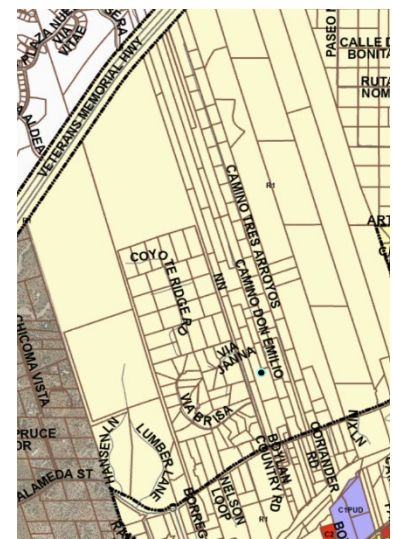


Figure 3: R-1 zoning in light yellow

subdivision proposed complies with this designation.

**Access and Traffic**

The current home on the Property is serviced via a driveway off Camino Don Emilio. The two (2) additional lots created through this subdivision will utilize the same driveway, through an easement, extended via a hammerhead to reach the new lots. The extended driveway will be a 20-foot wide gravel surface.

Camino Don Emilio is a private paved street that has a 50-foot-wide private access and utility easement. This street does not meet the City’s Street Improvement and Design Standards in SFCC 1987 Section 14-9.2, however; the current design was approved by the Extraterritorial Zoning Commission and Santa Fe County Board of Commissioners in 1999 and 2000 as part of the Eco-Seco Subdivision (See Attachment C-1). County approval classified this street as a ‘cul-de-sac’ and allowed for service of up to 30 dwelling units. With the creation of 2 additional lots to become dwelling units in the future, Camino Don Emilio will remain under the 30 dwelling units permitted. This subdivision therefore does not increase the extent of the nonconformity of the street, requiring the City to recognize the County’s approval under the SPPaZO Ordinance Section 7(D):

*“Permits and approvals granted by the Extraterritorial Zoning Authority and the Extraterritorial Zoning Commission prior to enactment of this ordinance for which rights have vested (whether or not the permit or approval conforms to City Land Development Code) shall be recognized by the City and the County.”*

City traffic review also found that this subdivision would create minimal impacts to the intersection with public infrastructure at W. Alameda, estimating two (2) additional peak hour trips using ITE Trip Generation LUC 2010 for each of the lots.

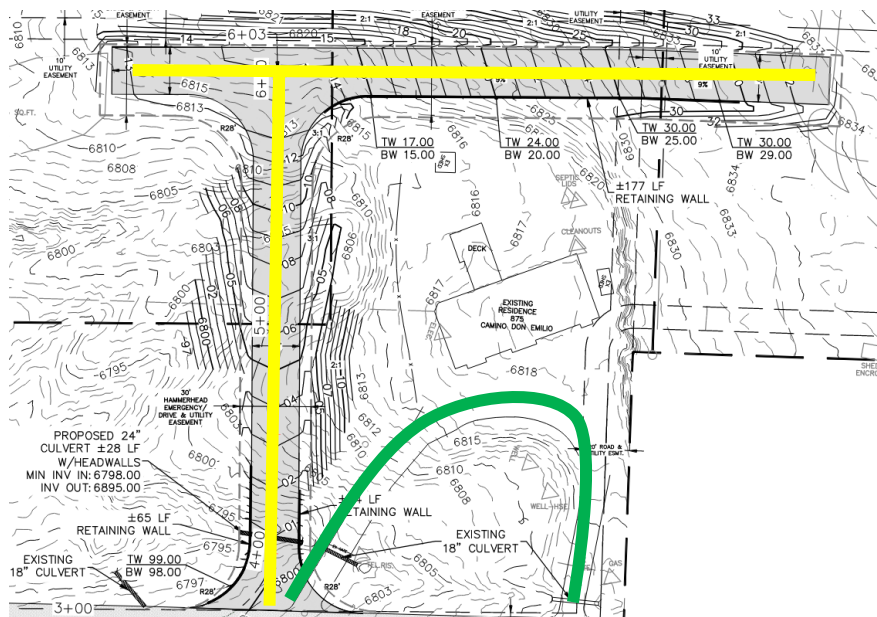


Figure 4: Existing driveway in green. Proposed hammerhead driveway extension to reach the 2 new lots in yellow.

**Terrain Management & Landscaping**

The Property slopes down from north to southwest with an overall grade change of approximately sixty (60) feet. There are areas of natural 30% or greater slopes on the property but their disturbance will be minimized in this subdivision and are not included in the buildable areas for the two (2) new lots. Sections of natural and manmade 30% or greater slopes will be disturbed for the extension of the driveway to access the new lots in accordance with SFCC 1987 Section 14-8.2(D)(2)(b). The disturbance will be mitigated via retaining walls and cut and fill slopes and will require site reclamation in accordance with SFCC 1987 Section 14-8.2(D)(5).

There are no floodplains on site but there are natural dry water courses which will be directed to culverts in the new driveway construction. All future development of the lots will require stormwater management measures governed by SFCC 1987 Section 14-8.2, as amended.

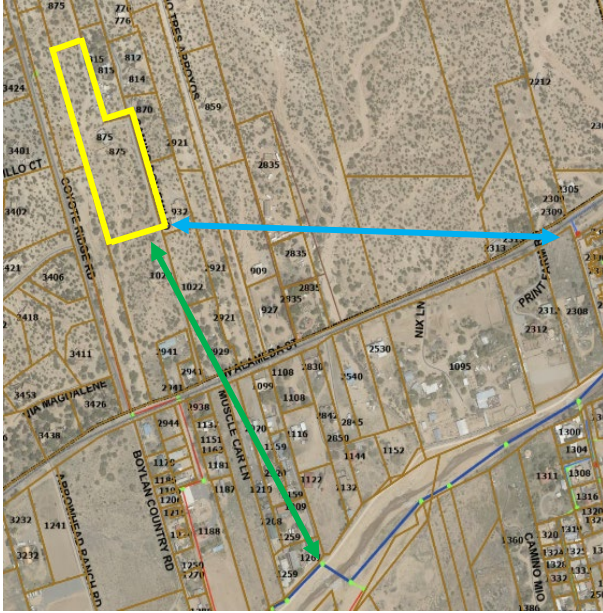
The property houses a combination of evergreen trees and shrubs, and the applicant understands requirements for preservation, replacement, and landscaping in SFCC 1987 Section 14-8.4. Landscaping and irrigation plans will be required at time of building permit in accordance with SFCC 1987 Section 14-9.6.

Terrain management and landscaping conditions can be found in Attachment A, “*Conditions of Approval & Technical Corrections.*”



Figures 5 and 6: Existing conditions site photos. Left shows Lot 3, right shows the existing driveway and surroundings

## Utilities



The Property is currently serviced by a private well and private septic system. Electric, gas, telephone, and cable exist within the Camino Don Emilio road infrastructure.

The two (2) new lots created with this family transfer subdivision will utilize the well at the existing home on Lot 1, via a well-share assurance from the State of New Mexico (Draft of this agreement is included in Attachment C-1). When homes are built on the new lots, individual septic systems will be installed in accordance with SFCC Ch. 22 and State of New Mexico regulations.

Well and septic are permitted on the subject property due to public water and sewer infrastructure being over 300 feet from the site (see Figure 7).

Figure 7: Blue arrow represents the closest water distribution line, approximately 2,000 linear feet from the property. Green arrow represents the closest wastewater collection pipe, approximately 1,700 linear feet from the property.

## Archaeology

The Property is within the Suburban Archaeological Review District; however, no further review is required unless utility plans exceed 550-linear feet of utility lines.

**IV. SUBDIVISION APPROVAL CRITERIA SECTION 14-3.7(C)**

SFCC 1987 Section 14-3.7 governs the authority, procedures, and restrictions for subdivisions, including family transfer subdivisions. Prior to approving a family transfer subdivision, the Planning Commission must make certain findings based off the approval criteria, or impose Conditions of Approval to ensure compliance with Chapter 14 and other applicable rules and regulations. The Criteria for approval of subdivisions are detailed below:

<p><b>Criterion 1: In all subdivisions, due regard shall be shown for all natural features such as vegetation, water courses, historical sites and structures, and similar community assets that, if preserved, will add attractiveness and value to the area or to Santa Fe.</b></p>	<p><b>Criterion Met:</b> (Yes/No) <b>YES</b></p>
<p><b>Applicant Response:</b> <i>The property features a combination of evergreen trees, predominantly juniper alongside a few pinon pines. Preservation or replanting of these trees is mandatory. An existing tree survey may be required at the time of building permit submittal and review by land use staff to ensure that vegetation considerations are adequately addressed. It's worth noting that the proposed building sites have limited vegetation, with the majority of the natural greenery situated in the elevated, unbuildable areas of the lot. The proposed layout suggests that the impact on existing trees will be minimal, allowing for both construction and ecological preservation to coexist.</i></p> <p><i>Natural dry water courses exist and will remain unaffected by the construction of the proposed driveway and any future homes. The driveway's grading and drainage plan includes engineered culverts and retaining walls designed for effective stormwater management. When future homes are constructed, an engineered grading plan will be necessary to assess whether additional stormwater mitigation is required. This may involve on-lot ponding or the collection of rainwater from roofs through the installation of cisterns, and/or passive water harvesting techniques.</i></p> <p><i>The subject lot is situated in an area devoid of historical sites or structures, ensuring that the proposed subdivision will not disrupt any culturally significant landmarks. Additionally, the subdivision aligns with the established urban/rural character of the neighborhood, maintaining consistency with the existing lot sizes and residential design prevalent in the surrounding community. This proposed project is in harmony with local land use patterns and contributes positively to the area's residential landscape.</i></p>	
<p><b>Staff Response:</b> Staff reviewed the Application with due regard for natural features, including vegetation, watercourses, historic and prehistoric sites, structures, and similar community assets in the area, and finds that the request satisfies this criterion subject to Conditions of Approval and Technical Corrections.</p>	

<p><b>Criterion 2: The planning commission shall give due regard to the opinions of public agencies and shall not approve the plat if it determines that in the best interest of the public health, safety or welfare the land is not suitable for platting and development purposes of the kind proposed. Land subject to flooding and land deemed to be topographically unsuited for building, or for other reasons uninhabitable, shall not be platted for residential</b></p>	<p><b>Criterion Met:</b> (Yes/No) <b>YES</b></p>
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<p><b>occupancy, nor for other uses that may increase danger to health, safety or welfare or aggravate erosion or flood hazard. Such land shall be set aside within the plat for uses that will not be endangered by periodic or occasional inundation or produce unsatisfactory living conditions. See also Section 14-5.9 (Ecological Resource Protection Overlay District) and Section 14-8.3 (Flood Regulations).</b></p>	
<p><b>Applicant Response:</b>  <i>The property does not fall within any FEMA-designated floodplains, and there is no evidence of flooding history in the vicinity. The two proposed vacant lots each have over 2,000 square feet of buildable area on slopes of 15% or less. This topographical characteristic allows for the preservation of the natural terrain, avoiding any disruption to areas with slopes of 30% or greater. By adhering to these guidelines, the project not only minimizes environmental impact but also ensures that development occurs in a safe and suitable manner.</i></p>	
<p><b>Staff Response:</b>  The FEMA 100-year flood zone is not present on the subject parcel. The proposed subdivision will minimize disturbance of natural 30% or greater slopes and will follow stormwater management guidelines in SFCC 14-8.2. The proposed subdivision has been reviewed by the Development Review Team (DRT) in conjunction with the relevant City Code requirements and has been found to have met this criterion.</p>	

<p><b>Criterion 3: All plats shall comply with the standards of Chapter 14, Article 9 (Infrastructure Design, Improvements and Dedication Standards).</b></p>	<p><b>Criterion Met:</b> (Yes/No) <b>YES</b></p>
<p><b>Applicant Response:</b>  <i>The subject request is located within the presumptive city limits and is currently pending final annexation. Access is from the intersection of W. Alameda St. and Camino don Emilio Road. Camino don Emilio Road was approved as a cul-de-sac road through the public hearing process before the Extraterritorial Zoning Commission (EZC) and Board of County Commissioners (BCC).</i></p> <p><i>According to the prior Santa Fe County Extraterritorial Subdivision Regulations, the design standards for the cul-de-sac allow for access to a maximum of thirty units. City staff have confirmed that there are presently twenty-one existing units along the road. In addition, Ordinance No. 2013-01, which governs Subdivision Platting and Planning and Zoning (SPPAZO), specifically states in Section 9 that previous approvals granted by Santa Fe County must be recognized by the City.</i></p>	
<p><b>Staff Response:</b>  The subject plats will retain access off Camino Don Emilio through an extension of the existing driveway. Camino Don Emilio is a private street that does not conform to SFCC 14-9, however, the road was approved in the County in 2000 (EZ Case #S 99-4010 approved by the Extraterritorial Zoning Commission on July 8, 1999 and EZ Case #S 99-4350 approved by the Board of County Commissioners January 11, 2000) and must be recognized by the City under the SPPaZO Ordinance (Attachment D). The addition of two (2) lots will not exceed the approved number of dwelling units for Camino Don Emilio.</p>	

<b>Criterion 4: A plat shall not be approved that creates a nonconformity or increases the extent or degree of an existing nonconformity with the provisions of Chapter 14 unless a variance is approved concurrently with the plat .</b>	<b>Criterion Met:</b> (Yes/No) <b>YES</b>
<b>Applicant Response:</b> <i>The subject plat is designed in accordance with current zoning regulations and does not introduce any new non-conformities or exacerbate existing ones. The proposed development adheres to the established standards and requirements, ensuring that all aspects of the plat comply with applicable land-use regulations.</i>	
<b>Staff Response:</b> Staff finds that this subdivision will not increase the existing nonconformity of the private Camino Don Emilio Rd since the number of dwelling units approved for access by the County will not be exceeded. The subdivision plat and future development on the new lots will conform to the current provisions of Chapter 14.	

<b>Criterion 5: A plat shall not be approved that creates a nonconformity or increases the extent or degree of an existing nonconformity with applicable provisions of other chapters of the Santa Fe City Code unless an exception is approved pursuant to the procedures provided in that chapter prior to approval of the plat .</b>	<b>Criterion Met:</b> (Yes/No) <b>YES</b>
<b>Applicant Response:</b> <i>See #4 above.</i>	
<b>Staff Response:</b> Staff finds that the proposed Application does not create or increase the intensity of any nonconformity with other chapters of the City Code. No variances to the applicable provisions of the City Code are proposed or required. If the Conditions of Approval and Technical Corrections described in Attachment A are met, the subdivision plat would not create nonconformities to these provisions.	

**V. EARLY NEIGHBORHOOD NOTIFICATION**

The Applicant conducted an Early Neighborhood Notification (ENN) meeting on August 19, 2025. The Project Agent, City Staff, and approximately six (6) members of the public attended. Attendees expressed concern over the homeowner’s past and future contributions to the maintenance of the private road, Camino Don Emilio, as well as potential future flooding if the arroyos on the property become disturbed. The Agent clarified project details to address attendee concerns. Meeting notes from the Early Neighborhood Notification meeting can be found in Attachment C-4.

**VI. EXPIRATION**

Per SFCC 1987 Section 14-3.19(B)(3) *“Approval of a final plat for a subdivision, including a summary plat approved by the land use director and resubdivisions, shall expire three (3) years after final action approving it unless the plat is filed for record with the county clerk. If the final plat approval expires, then the approval of the corresponding preliminary plat expires simultaneously.”*

**VII. ATTACHMENTS**

**ATTACHMENT A: Conditions of Approval & Technical Corrections**

- 1. Table of Conditions of Approval
- 2. Table of Technical Corrections
- 3. Development Review Team Compiled Comments

**ATTACHMENT B: Maps & Photos**

- 1. Aerial View
- 2. Existing Condition Photos
- 3. Current Zoning Map
- 4. Future Land Use Map

**ATTACHMENT C: Applicant Submittals**

- C-1: Application
  - a. Application & Owner Authorization Letter
  - b. Letter of Intent
  - c. Subdivision Approval Criteria
  - d. Santa Fe Public Schools Notification
  - e. Legal Lot of Record & Eco Seco Subdivision Plat
  - f. Draft Well Share Agreement & Draft Documentation of Conveyance
- C-2: Proposed Plat
  - a. Subdivision Plat
  - b. Engineering Plans
- C-3: County Road Approval for Camino Don Emilio
  - a. Extraterritorial Subdivision Regulations
  - b. EZC Minutes
  - c. BCC Minutes
- C-4: ENN Meeting Minutes

**ATTACHMENT D: SPPaZO Ordinance**

**APPROVED AS TO FORM BY THE PLANNING AND LAND USE DEPARTMENT:**

<b>Title</b>	<b>Name</b>	<b>Initials</b>
Department Director	Heather Lamboy	<i>HLL</i>
Assistant Department Director	Maggie Moore	<i>MRM</i>
Planner Manager	Daniel A Esquibel	<i>DAE</i>
Planner Senior	Alexa Hempel	<i>ANH</i>