



**SANDOVAL COUNTY
STATE OF NEW MEXICO**

In the Matter of the zone change request by PCR Investments SP4 LLC agent for Diamond Tail Limited for a Zone Map Amendment from Rural Residential Agricultural District (RRA) to Special Use District (SU) for parcels: 1035072263264 in S:1 T:12N R:6E, 1035072241370 in S:2 T:12N R:6E, 1036073338275 & 1036073062200 in S:36 T:13N R:6E, 1035073330135 & 1035073265396 in S:35 T:13N R:6E, 1034073400260 in S:34 T:13N R:6E in Sandia Park, NM. The subject site contains 1,833 acres.

No. ZNCH-24-005

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND
ORDER APPROVING A ZONE MAP AMENDMENT FROM RRA TO SU**

The SANDOVAL COUNTY BOARD OF COUNTY COMMISSIONERS pursuant to NMSA 1978, §39-3-1.1 (2000 Cum. Sup.), hereby enters its Findings of Fact, Conclusions of Law and Order on this matter brought on for public hearing on February 18, 2025 pursuant to Section 19 of the Comprehensive Zoning Ordinance, as follows:

FINDINGS OF FACT: ZNCH-24-005

- (1) This is a request by PCR Investments SP4 LLC agent for Diamond Tail Limited for a Zone Map Amendment from Rural Residential Agricultural District (RRA) to Special Use District (SU) for parcels: 1035072263264 in S:1 T:12N R:6E, 1035072241370 in S:2 T:12N R:6E, 1036073338275 & 1036073062200 in S:36 T:13N R:6E, 1035073330135 & 1035073265396 in S:35 T:13N R:6E, 1034073400260 in S:34 T:13N R:6E in Sandia Park, NM. The subject site contains 1,833 acres.
- (2) The purpose of the request is to construct the Diamond Tail Solar Energy and Storage Project.
- (3) The proposed Solar Energy and Storage Facility is considered a “Power plant or transformer yard of a public utility” as noted in the Comprehensive Zoning Ordinance (CZO), Section 10. SU - Special Use District.
- (4) The subject site, is zoned Rural Residential Agricultural (RRA), a district that allows single-family residential and agricultural uses, including ranching. The properties within 100 feet of the perimeter of the subject site to the North, West and South are zoned RRA and will not be negatively impacted by the proposed Solar Project. The properties East of the subject site are in Santa Fe County. There are no existing residential uses on the lands surrounding the subject site.
- (5) The request for Special Use (SU) district zoning for the proposed development is consistent with policies in the Sandoval County Comprehensive Plan.

- (6) The request for Special Use (SU) Zone Map Amendment satisfies the criteria for review for a Zone Map Amendment as established in Section 19, Amendments, Subsection F, Guidelines (1- 7). Subsection F.
- (7) The conditions of approval **listed in the corresponding ordinance** must be addressed on the required plans for permit review submittals.
- (8) **In this corresponding ordinance**, staff identified conditions that warranted recommendations for special requirements to the Planning and Zoning Commission regarding this request.

CONCLUSIONS OF LAW

- (1) The request for Zone Map Amendment is in conformance with the Sandoval County Comprehensive Zoning Ordinance and the Sandoval County Comprehensive Plan.

ORDER

The SANDOVAL COUNTY BOARD OF COUNTY COMMISSIONERS, having brought this matter on for public hearing on request by PCR Investments SP4 LLC agent for Diamond Tail Limited for approval of a Zone Map Amendment from RRA to SU for the location referenced above and having considered the sworn presentations of the Applicant, the Zoning Officer, and the entire record in this matter,

IT IS ORDERED that the Applicant's request for approval of a Zone Map Amendment from RRA to SU be and hereby is **GRANTED** subject to the **CONDITIONS** stated on the record and to be confirmed in writing by the Sandoval County Planning and Zoning Department.

SANDOVAL COUNTY
BOARD OF COUNTY COMMISSIONERS

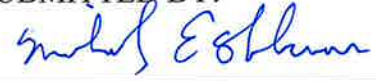
By: 
Michael Meek, Chairman



ATTEST:


Anne Brady-Romero, County Clerk

SUBMITTED BY:


Michael Eshleman, County Attorney

NOTICE OF APPEAL RIGHTS

Pursuant to NMSA 1978, 3-21-9 any person aggrieved by this decision may appeal pursuant to the provisions of NMSA 1978, 39-3-1.1 (2000 Cum. Sup.). Any such appeal must be initiated by the filing in District Court of a notice of appeal within thirty (30) days of the filing of this final decision with the Sandoval County Clerk. The procedures for such appeal are governed in part by the Rule of Civil Procedure 1-074.