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Flier Hammers Land Guide

By Jessica Dyer Journal Staff Writer

The controversy over Santa Fe County's new Sustainable Growth Management Plan has found its way into mailboxes.

A group called the Santa Fe County Property Owners Association last week sent out thousands of fliers contending that the plan will raise taxes, increase the price of new homes by up to \$130,000 and violate property rights.

The growth management plan, which the County Commission intends to vote on next month, is meant to guide county growth for the next 15 years and serve as the basis for a new land use code.

The plan identifies the county areas most suitable for future development and sets goals related to growth, including a focus on "compact" development with mixed uses and transit options. It also addresses issues related to economic development, public safety and open space. Supporters say it's meant to curb "sprawl" development.

The plan has drawn criticism in recent months, especially from landowners in the southern part of the county who say it doesn't jibe with a rural lifestyle.

The recently mailed flier earned a few mentions during Tuesday's County Commission meeting. Commissioner Harry Montoya said he received one at his household and that it was rife with statements that are "erroneous, false and misleading."

"I just ask people to not heed the message that's being sent through this mailer," he said.

Jerry Powers, a member of the association responsible for the flier, said it was sent to "several thousand" addresses last week, especially those in the northern and southern parts of the county.

The association formed recently because residents feel that the county hasn't adequately addressed their concerns about the plan — especially those related to rural living. They fear that the resulting code will restrict the use of farmland and make any nonclustered development too expensive.

"We all kind of got together and said what do we want to do? That's when we said we need to get the word out to people, because apparently we're not being heard at the county," said Powers, who lives between Moriarty and Stanley. He said the new association comprises people from across the county who share similar concerns.

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County Manager Katherine Miller said in e-mail comments that the staff "has gone through a significant public process, allowing for community input, discussion, and change through numerous public meetings throughout the community." More than 100 public meetings were held, a county spokeswoman said.

Miller also disputed the notion that the plan violates property rights.

"Under the Zoning and Enabling Act, counties are entitled to develop regulations and zoning restrictions, which must be in accordance with a comprehensive plan," she said.

The association's claims that new home costs will increase by as much as \$130,000 is based on a 2006 study by the libertarian Cato Institute that found homebuyers in states with mandatory growth-management planning had to spend more of their income on housing than those in states without it.

As for the tax assertion, Powers said the plan indicates that new development won't be approved unless public facilities like roads already exist or are paid for by the developer or landowner. He argues that existing taxes should already cover the public services and infrastructure.

"Why are there impact fees? It should be one thing or another," he said. "It's like they're piling on taxes and not using (existing) taxes to pay for services."

Miller noted that the plan is merely a guide.

"The Plan does not change law, statutes or ordinances, but serves as a guide for growth and development and only identifies existing tools currently available, including existing statutorily available financing mechanisms," Miller said.

Powers, whose phone number is listed on the flier, said he's received many phone calls regarding the flier and expects a good turnout for a meeting at 6 p.m. tonight at the Stanley Community Center.

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