

## **Las Placitas Communities District – review of Placitas Area Plan Draft Jan. 2009**

Overall, input from the community has been condensed into a fairly coherent draft plan and we appreciate the effort this has required. We have had the opportunity to voice our concerns and desires and, in most cases, feel we have been heard. We have no desire to nit-pick this document, but rather want to concentrate on those few items where there is either no clear direction or the community's voice is not being reflected. Please take this criticism as constructive, for that is how it is intended. But don't mistake our generally cooperative attitude for a willingness to be taken for granted or discounted.

### **Acequias – The Plan needs strengthening, analogous to the Jemez plan:**

Las Placitas Communities District submitted comments as follows:

*Value 1: Water/three incorporated acequia systems.*

*Acequias are defining elements of the Las Placitas Communities. Cooperation, respect for the land and water, stewardship, and a sense of continuity through time and legacy lend a sense of value and identify. Acequias are political subdivisions of the State of New Mexico and are a part of local governance essential to the preservation of water resources and cultural elements. They provide a means of sustenance and security to the people. We are adamant in our belief that the watersheds, acequias and the agricultural lands fed by the acequias be protected. Water/acequia use in the greater area of the village of Placitas is integrally tied to land use, as evidenced by the orchards, flower and vegetable gardens and verdant valleys. Our springs and surface water are the foundation of these acequias and the community at large. The senior water rights, jurisdictions, and easements of acequias must be honored and incorporated into any ordinances.*

A search of the draft document finds only a few references to acequia/acequias outside the above value statement and most of these are in connection with history or background of the area.

- On page 38 reference is made to an acequia system – there are three historic acequia systems.
- On page 50 the term multiple acequias is used correctly, but only as a matter of background information.

Please refer to page 17 of the Jemez Valley Area Plan, second paragraph: “A major cultural aspect of the farmland in this area is the traditional acequia system which is the historic irrigation channels that divert the water from the river into canals that are used to supply farmland with surface water to sustain crops. The acequias in the Jemez Valley date back to the 1700s in the communities of San Ysidro and Cañon and as far back as the 16<sup>th</sup> century in the Pueblo of Jemez. The communities of the Jemez Valley adamantly express their concerns in protecting the irrigated farmlands of the Valley from the impacts of development. Associated with the protection of the acequia system is the protection of surface water rights associated with the land.”

Page 28 of the Jemez Plan, second and third paragraphs: “One of the most valued and passionately defended natural resources in the Jemez Valley are the surface waters of the acequia systems ... Protection of surface waters and active resistance to transfers of water rights out of the Jemez Valley should be supported by Sandoval County as a matter of public policy.”

Page 36 of the Jemez Plan: Under Goals/Cultural Resources and Implementation Strategy: “Protect acequias and agricultural land – Better protection for acequia water rights – Support water banking of acequias.”

The Jemez Valley Plan shows a willingness on the part of the County to **actively protect and preserve** acequias and surface water rights associated with the land. Just as the residents of the Jemez area are passionate in their defense of their acequias, we who live in the Placitas areas where acequias exist and sustain us are passionate in our defense of their continuation through protection and preservation by the county. We ask that similar wording demonstrating the county's support be included in the Placitas plan.

### **Right to Farm – The Plan needs correction, and then strengthening analogous to the Jemez plan:**

Las Placitas Community District submitted comments as follows:

*Value 3: Agriculture/land use.*

*Local agriculture has been the sustenance and economic basis of these communities for centuries. Small scale agricultural use must be not only preserved but encouraged. Agriculture must be a right to practice and no ordinance should constrict these activities. The residents wish to leave these practices and the resources that support them to*

*future generations. Las Placitas Communities District must be designated as a “Right to Farm” area including the keeping of farm animals.*

While the district is defined as a Right to Farm area, there is no mention of the keeping of animals and there is a general disregard for the importance of this cultural resource to the residents of the district.

- On page 34 it is said that – While the Village of Placitas and the Tecolote communities support some limited kitchen gardens and small orchards, the plan area on the larger scale has very little agricultural uses.
- On page 38 under Typical Development in Traditional Community Areas: Small plot kitchen gardens and orchards are common.
- On page 50, first paragraph: The sub-area plan will recognize this unique community, featuring the small orchards and kitchen garden tracts connected to the multiple acequias ubiquitous to the Traditional Placitas area.

The name Las Huertas means “the gardens”. There are gardens and orchards of all sizes – including many small farmers who sell locally and a few larger commercial endeavors. We encourage the expansion of agriculture and wish to develop a local Farmers Market. The words diverse gardens should replace limited kitchen gardens and the statement that the plan area on the larger scale has very little agricultural uses.

Again, reference to the Jemez Valley Plan shows a willingness on the part of the County to **actively protect and preserve** agricultural lands. We believe that the county should actively support the Placitas areas’ right to farm with wording similar to what is in the Jemez Plan which clearly acknowledges the value of agricultural lands.

#### **Water Conservation – The Plan needs the county to take a less passive role on water:**

It has been generally agreed that there is limited willingness by the County to have much impact on wells and water usage in the Placitas area since this is primarily the domain of the State Engineer. But we are, frankly, disappointed by the decision to avoid requiring community water systems on the larger subdivisions (more than five lots). This is the one area where some control could be exercised without cost to the county. On page 62 of the draft plan, the word require has been replaced by encourage. Is there some valid reason for this, or does it simply reflect pressure from those who would seek to avoid supervision by the State Engineer.

Suggested wording is “Single or shared domestic wells shall be allowed only in subdivisions of five or fewer lots (administrative subdivisions). Community water systems shall be required on all subdivisions of six or more lots.”

#### **Open Space Conditions – The Plan’s implied need for eminent domain is unacceptable:**

All Placitas residents value our open space and want to preserve wildlife corridors and viewsheds. But in various parts of the plan the Las Huertas Arroyo is identified as potential open space with no regard to private ownership:

- Page 24: A major landscape feature that is not in public ownership, but is important to the community as an open space landscape feature, is the Las Huertas Arroyo.
- Page 29: Currently the stretch of the Las Huertas Arroyo is predominantly private land but does represent open space potential.

Improving SR165 for biking and walking is an important goal. Continuing to improve the trail system through the portion of Las Huertas Arroyo on the Open Space is an important goal. However, condemning private land for public recreation purposes is unacceptable. Were we in a dense urban setting with few options, the situation might be different, but not in Placitas. The above wording from pages 24 and 29 should be deleted from the plan completely.

It is worth noting that the following statement, in the Las Placitas Communities' previously submitted comments, was deleted from the draft document. Perhaps that was done in error, but we strongly wish to have it re-inserted:

- ***The use of eminent domain is contrary to our values!***

**Wildlife Corridors – The Plan should make these a part of development evaluation criteria:**

Page 60: While further studies may be warranted, corridor studies have been done which identify the Sandia Mountains as a critical management area since development threatens to completely cut off movement of wildlife between the Sandias and the Ortiz Mountains. There needs to be some sense of urgency here and we request that preservation of existing wildlife corridors be one of several criteria used in review of proposed developments.

**Recommendation for Transportation Policy – The Plan should not override unambiguous public input:**

Page 60: Virtually all participants from the area were overwhelmingly in opposition to a loop road through Placitas. Although the county understands the concerns of area residents, Sandoval County cannot forever close the opportunity to study transportation issues based on future needs or growth driven conditions in other parts of the county.

We certainly understand that no governmental agency can forever close off discussion of the need for roads and other infrastructure; what we have asked for is transparency in the process. We also request that preservation of wildlife corridors be one of the criteria used in the review of proposed roads.

Suggested wording is “Prior to any study of new roadways, the County shall bring the proposed study or plan forward for input from the residents of the Placitas Planning Area.”

**Waste Water Recommendations The Plan should indicate the need for County financial participation:**

Page 61: Sandoval County may need to collaborate in the future regarding options available to provide community scale treatment systems. Costs of compliant (advanced septic) systems in the high density areas (traditional village) will likely tax the ability of individual home owners to pay for these improvements.

Recognize that this situation exists in Dome Valley and other areas of the district with traditional septic systems, although to a lesser degree than the village.

Suggested wording: In the future, Sandoval County should consider the development of a study that can evaluate the impact of individual septic tanks and what alternatives may be available for improved waste water infrastructure. Also, replace “may need to collaborate” with “will need to collaborate”.

**Village of Placitas Rural Commercial District zoning recommendations – The Plan should lower floor size limits and less style detail:**

Page 53: The residents of the district requested a maximum floor area not larger than 4,000 square feet for new commercial property, not the 8,000 feet in the draft document. We recognize that the post office is larger than 4,000 feet, but since this refers to new properties that should not be a limiting factor.

Page 53: The proposed restrictive design criteria (defined pallet, stucco, steel roofing, etc.) is not compatible with the character of the village or vision of the residents of the district. Simply saying “design criteria reflecting southwestern style” is sufficient, leaving room for northern New Mexico pitched roofs, territorial style, flat roofs, even mountain cabin styles, etc. Uniformity is not necessarily desirable.

**Some housekeeping items – The plan needs some minor corrections:**

Please recognize that non-conforming lots (less than  $\frac{3}{4}$  acre) exist throughout the district, although they are most concentrated in the village. Zoning recommendations and ordinances related to non-conforming lots need to apply to the entire district, not just the village.

There is no uniformity in how the Las Placitas Communities District is named or defined. We desire the term Las Placitas Communities District because we are, as Placitas has always been, a series of smaller communities with shared values. Some are traditional; some are not. We either need to be defined by the complete list of communities as was done in our original submissions or simply “neighborhoods within the historic boundaries of the San Antonio de Las Huertas Land Grant plus upper Las Huertas Canyon”. It would be helpful to include a readable map of the districts in the plan document so Placitans can identify their district.

We remain opposed to unreasonable restrictions on residential building citing, as reflected in our previously submitted comments.

In more than one instance, Clear Light Cedar Company is referred to as Clear Light Candle Company.

We support One Placitas request that subdivisions be allowed a guest home. It seems that in a traditional community this is an important issue. Many families take care of elderly relatives. Perhaps people would like to have a guest home for a caretaker so they are not forced out of the community into assisted living.