RESOLUTION

AMENDING F/SR-04-159 (ENACTMENT NO. R-2004-117) REGARDING THE
INTERIM COUNCIL POLICY TO LOWER IMPACT FEES DUE TO SERVICE
EFFICIENCIES, REDUCTIONS/OFFSETS OF IMPACT FEES BASED ON CITY
PLANNING POLICIES, AND IMPACT FEE WAIVERS FOR AFFORDABLE
HOUSING, TO CLARIFY THE INTENT THAT REDUCTIONS BE CALCULATED
ON THE FULL FEE, TO CLARIFY THE DEFINITION OF AFFORDABLE HOUSING
COST AND TO EVALUATE THE REDUCTION POLICY WHEN THE IMPACT FEE
ORDINANCES ARE EVALUATED.

WHEREAS, F/S R-04-159 was adopted by the Council on November 15,
2004 and enacted on December 10, 2004; and
WHEREAS, the Resolution called for the reduction of certain impact fees
based on City policies; and
WHEREAS, the definition of “affordable housing costs” should include
both rental and ownership housing; and
WHEREAS, the Resolution called for a review and evaluation six months
after the enactment while the Impact Fee Ordinances required an evaluation
within one year of their effective date; and
WHEREAS, the review and evaluation of the Resolution at six months will
occur before the Impact Fees Ordinances become effective; and
WHEREAS, a review and evaluation of the Resolution should also occur at
the time the Impact Fees Ordinances are also evaluated.

BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
ALBUQUERQUE:

Section 1. F/S R-04-159 (Enactment No. R-2004-117) is amended by
inserting the following sentence in the first paragraph of Section 1:
“Section 1. The City shall develop schedules of lower impact fees based on efficiencies and reduced impact fees based on adopted policies. The efficiencies and reductions shall be calculated based on a 100% assessment of the impact fee. These schedules shall be based on the following policies:”.

Section 2. Section 2.1. of F/S R-04-159 (Enactment No. R-2004-117) is amended to read as follows:

“Section 2. Waiver of Impact Fee for Affordable Housing.

1. Impact fees shall be completely or partially waived based on policies that support both affordable housing and stable neighborhoods. As used in this Resolution, “affordable housing” means housing owned and occupied or rented by households earning a defined percentage of Area Median Income (AMI) spending no more than 30% of household income on housing costs [defined as PITI—(principal and interest as well as taxes and insurance)]. For rental housing, housing cost is defined as rent and utilities. For ownership housing, housing cost is defined as principal, interest, taxes and insurance (PITI).”

Section 3. A new Section 7 shall be added to F/S R-04-159 (Enactment No. R-2004-117) to read as follows:

“Section 7. Evaluate F/S R-04-159 at the time that the Impact Fee Ordinances (Parts 1, 2, 3 and 4, Chapter 14, Article 19 ROA 1994) are evaluated.”