



Legislation Text

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CITY of ALBUQUERQUE
TWENTY SEVENTH COUNCIL

COUNCIL BILL NO. R-26-3 ENACTMENT NO. _____

SPONSORED BY: Klarissa J. Peña

RESOLUTION

Amending The City Of Albuquerque Component Capital Implementation Program To Include A Storm Drain Facilities Improvement Project, Backbone Subdivision (Peña)

AMENDING THE CITY OF ALBUQUERQUE COMPONENT CAPITAL IMPLEMENTATION PROGRAM TO INCLUDE A STORM DRAIN FACILITIES IMPROVEMENT PROJECT, BACKBONE SUBDIVISION.

WHEREAS, Chapter 5 Article 8 Section 3 the "Development Fees Act" of the New Mexico Annotated Code authorizes local governments to adopt impact fee ordinances to collect impact fees based on land use assumptions and capital improvement plans. The fees are collected from private development projects to fund community infrastructure from which a project will benefit; and

WHEREAS, Chapter 5 Article 8 Section 4 of the State Code requires the assignment of impact fees only to capital improvements or facility expansions identified in a capital improvements plan; and

WHEREAS, Chapter 5 Article 8 Section 30 of the Development Fees Act authorizes local governments to periodically update the land use assumptions and capital improvement plans; and

WHEREAS, the City Council adopted § 14-19 ROA 1995, the Impact Fee Ordinance with the following findings:

1. The City is committed to funding the provision of capital facilities necessary to cure infrastructure deficiencies that exist in developed areas of the City.

2. An impact fee study commissioned by the City Council to develop land use assumptions and guide the establishment of impact fees determined that new development would continue and will place increasing demands on the City to provide additional capital improvements.

3. Impact fees provide a reasonable method of assessing a new development for a portion of the costs for new capital facilities and improvements to existing facilities that in accordance with applicable law are rationally related to the new development and are growth related projects.

WHEREAS, § 14-19-7(B) ROA 1994, adopts land use assumptions presented in the September 13, 2012, Impact Fee Study that are:

1. Applicable throughout the full impact fee service areas.
2. Consistent with the principles set forth in § 14-13-2-3 ROA 1994 “The Planned Growth Strategy Ordinance”.
3. Derived from calculations created from databases developed by the Mid Region Council of Governments that reports trends within the City of Albuquerque for population and employment growth and estimates for building square footage for single family and multi-family housing and non-residential structures.

WHEREAS, the City to comply with the New Mexico Development Impact Fees Act has adopted, § 14-19-8(D) ROA 1994 the Component Capital Improvements Plan (CCIP) for impact fees as part of the Capital Implementation Program-Decade Plan; and

WHEREAS, § 14-19-13 ROA 1994 adopts recommendations and the impact fee schedule established through the September 13, 2012, Impact Fee Study that:

1. Establishes a consumption-based impact fee system where storm drain impact fees are founded on an average cost for providing new storm drain capacity and improving existing facilities.
2. Derives the impact fee schedule for a storm drain projects eligible to receive impact fees using an average cost model; a model type that can be amended without affecting the basis for the impact fee calculation.

WHEREAS, § 14-19-3 ROA 1994 provides that projects identified in the Capital Component Improvement Plan are restricted to those that support growth; and

WHEREAS, the Albuquerque City Engineer has determined that constructing the storm drain system in the Backbone Subdivision in Southwest Albuquerque, is a growth-related project. The

storm drain is required to provide adequate capacity for the additional stormwater discharge that will be generated by the development of the Backbone single-family residential subdivision located in Southwest Albuquerque. The project fulfills the intent of the Impact Fee Ordinance and therefore should be included as a Storm Drain Facilities Project in the Component Capital Improvement Plan; and

WHEREAS, Titan Land Development, the developer of the Backbone residential subdivision, provided an engineering cost estimate to construct the storm drain of \$3,749,557.98 and is requesting impact fee credits of \$2,962,150.80; and

WHEREAS, the Impact Fee Coordinator for the City of Albuquerque Planning Department verified that the request complies with the provisions set forth in the State of New Mexico Impact Fee Act and the City of Albuquerque Impact Fee Ordinance and has approved the application for impact fee credits.

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

Section 1. The City Council accepts an engineering cost study (Attachment 1 to this Resolution), for the purposes of approving impact fee credits for a storm drain improvement project in the Backbone Residential Subdivision as approved by the Impact Fee Administrator of the City of Albuquerque via written communication to the City Council Services Department January 21, 2026 (Attachment 2 to this Resolution).

Section 2. The following new project is included on the list of Storm Drain Facilities Projects in the Component Capital Implementation Plan.

Project Description

Storm Improvements Backbone Residential Subdivision Southwest Albuquerque.

Project Cost Estimate

\$3,749,557.98

Impact Fee Request

\$2,962,150.80

Section 3. The City Council adopts Attachment 3 to this Resolution as the Updated Component Capital Improvements Plan (CCIP) for Storm Drain Facilities for the period 2012-2025.

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