

1194326

SANTA FE COUNTY

Ordinance No. 1995 - 04

AN ORDINANCE IMPOSING FIRE AND RESCUE IMPACT FEES

SECTION 1. FIRE AND RESCUE IMPACT FEES ORDINANCE

A new Article XII is hereby added to the Santa Fe County Land Development Code, entitled "Capital Impact Fees", and a new Section 1 to Article XII, entitled "Fire and Rescue Impact Fees".

A. Short Title

This Ordinance shall be known and cited as the Fire and Rescue Impact Fees Ordinance.

B. Findings and Declarations

The Board of County Commissioners (hereinafter "Commission") hereby finds and declares that:

- 1) The County is responsible for and committed to the provision of fire and rescue services at levels necessary to cure any existing deficiencies in already developed areas of the County; and
- 2) Such facilities and service levels shall be provided by the County utilizing existing funding sources allocated and earmarked for fire and rescue services such as the State Fire and EMS funds and the Fire Excise Tax; and
- 3) However, new residential and non-residential development causes and imposes increased and excessive demands on County public facilities and services including fire protection; and

- 4) The Land Use Assumptions, adopted on June 14, 1994, and incorporated herein, indicate that such development will continue and will place ever increasing demands on the County to provide necessary public facilities; and
- 5) To the extent that such development in the County places demands on the fire and rescue services that cannot be met by existing funding sources, those demands should be satisfied by shifting the responsibility for financing the provision of such facilities from the public-at-large to the developments actually creating the demands; and
- 6) A review of the existing state funding sources indicates that less than 50% of the State Fire Funds received by the State are actually distributed to the fire districts statewide; and
- 7) The impact fees should be recalculated if the County receives its fair share from the State in the future; and
- 8) The amount of the impact fees to be imposed shall be determined by the cost of the additional fire and rescue facilities and equipment needed to support such development, which shall be identified in the "Fire Capital Improvements Plan", fully incorporated herein; and
- 9) The Commission, after careful consideration of the matter, hereby finds and declares that it is in the best interest of the general welfare of the County and its residents to impose an impact fee upon residential and nonresidential development in order to finance specified major fire and rescue facilities and equipment in designated service areas for which the demand is created by the development; and
- 10) The Commission further finds and declares that such an impact fee is equitable, does not impose an unfair burden on development by forcing developers and builders to pay more than their fair and proportionate share of the cost, and deems it advisable to adopt this Ordinance as hereinafter set forth; and
- 11) The Commission further finds that there exists a rational relationship between the capital costs of providing the fire and rescue services and the impact fees imposed on development under this Ordinance; and
- 12) The Commission further finds that there exists a rational relationship between the impact fees to be collected pursuant to this Ordinance and the expenditure of those funds on capital costs relating to fire and rescue services, as limited and restricted by this Ordinance; and

- 13) The Commission further finds and declares that this Ordinance has approached the problem of determining the impact fee in a conservative and reasonable manner and that it is consistent with both the procedural and substantive requirements of the "Development Fees Act" (Sections 5-8-1 through 5-8-42 NMSA 1978).

C. Intent and Purpose

This Ordinance is intended to assess and collect an impact fee in an amount based upon the gross covered floor area of both nonresidential and residential development in order to finance fire and rescue facilities and equipment, the demand for which is generated by development in designated service areas. The County intends to maintain a minimum level of service of ISO 7/9 for fire and rescue protection. The Commission intends to impose impact fees within the entire unincorporated areas of the County. However, such fees will not be imposed within the extraterritorial jurisdiction until a joint powers agreement has been executed between the County and the Cities for imposition of such fees within the extraterritorial jurisdictions. The joint powers agreement will reflect the mutual aid response agreements. The County is responsible for and will meet all fire and rescue capital improvement needs associated with existing development within the unincorporated areas of the County. Only capital improvement needs created by new development in the designated service areas will be met by impact fees. Impact fees shall not exceed the cost to pay for a proportionate share of the cost of system improvements, based upon service units, needed to serve new development. The impact fees shall be spent on new or enlarged capital facilities and equipment that substantially benefit those developments that pay the fees. The impact fees may also be spent on (1) the estimated cost of preparing and updating the fire capital improvements plan, (2) for the fees paid for services directly related to the construction of capital improvements or facility expansions and (3) for administrative costs associated with this Ordinance, such administrative costs not to exceed three (3%) percent of the total impact fees collected.

D. Authority

The County is authorized to impose impact fees under Sections 5-8-1 through 5-8-42 NMSA 1978 (the "Development Fees Act"). The provisions of this Ordinance shall not be construed to limit the power of the County to utilize any other methods or powers otherwise available for accomplishing the purposes set forth herein, either in substitution or in conjunction with this Ordinance.

E. Rules of Construction

For the purposes of administration and enforcement of this Ordinance, unless otherwise stated, the following rules of construction shall apply:

- 1) In case of any difference of meaning or implication between the text of this Ordinance and any caption, illustration, summary table or illustrative table, the text shall control.
- 2) The word "shall" is always mandatory and not discretionary; the word "may" is permissive.
- 3) Words used in the present tense shall include the future and words used in the singular number shall include the plural and the plural the singular, unless the context clearly indicates the contrary.
- 4) The word "person" includes an individual, a corporation, a partnership, an incorporated association or any other similar entity.
- 5) The word "includes" shall not limit a term to the specific example but is intended to extend its meaning to all other instances or circumstances of like kind or character.

F. Definitions

As used in this Ordinance, the following words and terms shall have the following meanings, unless another meaning is plainly intended:

- (1) Advisory Committee means the group of appointed citizens of Santa Fe County selected by the Commission pursuant to Section 5-8-37 NMSA 1978 and Resolution 1993-44.
- (2) Applicant means the person seeking a development approval, a development permit or a refund, whichever is applicable.
- (3) Assess and assessment means a determination of the amount of the impact fee.
- (4) Capital improvements means the public buildings for fire and rescue services as well as essential vehicles and equipment costing ten thousand dollars (\$10,000) or more and having a life expectancy of ten years or more. 'Capital improvements' does not include costs associated with the operation, administration, maintenance or replacement of capital improvements unless otherwise specified herein.
- (5) Collect and collection means the time of payment of the impact fee.
- (6) Commission means the duly constituted governing body of the County of Santa Fe.

- (7) County means the County of Santa Fe, a duly constituted political subdivision of the State of New Mexico.
- (8) Development means the division of land; reconstruction, redevelopment, conversion, structural alteration, relocation or enlargement of any structure; or any change of use or extension of the use of land; any of which increases the number of service units.
- (9) Development permit means the permit required for new construction and additions pursuant to the Santa Fe Land Development Code 1992-1, as it may be amended from time to time. The term 'development permit', as used herein, shall not be deemed to include permits required for remodeling, rehabilitation or other improvements to an existing structure or rebuilding a damaged or destroyed structure, provided there is no increase in the gross covered floor area nor a change to a higher NFPA risk level.
- (10) Extraterritorial jurisdiction means the area subject to both the county and municipal platting and subdivision jurisdiction.
- (11) Fire capital improvements plan means the plan required by the Development Fees Act that identifies capital improvements or facility expansion for which impact fees may be assessed.
- (12) Gross covered area means the total square feet of covered space on each floor or floors comprising the structure whether enclosed or not, including carports, garages, portales, breezeways, verandas and porches.
- (13) Impact fee means the charge imposed pursuant to this Ordinance on development in order to generate revenue for funding or recouping the costs of capital improvements or facility expansions necessitated by and attributable to the development.
- (14) Impact fee coefficient means the charge per square foot of development as calculated for each NFPA Class.
- (15) Land Use Administrator means the governmental officer charged with administering development regulations.
- (16) Land use assumptions means the analysis and projections of future growth and development prepared as the basis for planning future capital improvements. The 'land use assumptions' includes a description of the service area(s) and projections of

changes in land uses, densities, intensities and population in the service area(s) over at least a five-year period.

- 17) Mobile home means any vehicle or transportable structure without motive power, that is equipped with wheels and axles, is designed with bathroom and kitchen facilities, and is intended for occupancy as a dwelling d\for unlimited periods of time.
- (18) Mobile home park means any area of land upon which five or more mobile homes, occupied for dwelling or sleeping purposes are located, and where a charge is made for such accommodations or where mobile homes are proposed to be located and a charge made.
- (19) NFPA means the National Fire Protection Act which classifies land use according to risk on a scale of 3 to 7 with 7 being the least risky of the classes.
- (20) Risk level means the classifications prepared by the NFPA for various types of buildings and structures and the risks for fire inherent in such classifications.
- (21) Service areas means those areas designated on the Fire Protection Service Areas Map, incorporated herein, to be served by the capital improvements or facility expansions specified in the fire capital improvements plan.
- (22) Service units means the gross covered area of a structure or building and the applicable NFPA risk level.
- (23) Site means the land on which development takes place.

G. Applicability of Impact Fee

This Ordinance shall be uniformly applicable to all development that occurs within a designated service area. However, impact fees shall not be imposed on development within the extraterritorial jurisdiction of any city until such time as a joint powers agreement is executed between that city and the county for imposition of such fees within the extraterritorial jurisdiction.

H. Advisory Committee

The Advisory Committee is a standing committee established pursuant to Resolution 1993-44. The Advisory Committee shall meet at the direction of the Commission or from the committee itself in order to file annual written reports with the Commission regarding the implementation of

the fire capital improvements plan and advise the Commission on the need to update or revise the land use assumptions, fire capital improvements plan and impact fee. The Planning Department and Fire Marshal's Office shall serve as staff to the Advisory Committee.

I. Establishment of Service Areas

Service areas are established as shown on the Fire Protection Service Areas Map, a copy of which is attached as Exhibit "A" and incorporated herein by reference. The service areas include the unincorporated areas within Santa Fe County and are consistent with the service areas established in the fire capital improvements plan. The service areas provide a nexus between those paying the fees and the benefits received to ensure that those developments paying impact fees receive substantial benefits. Service areas may be deleted, added or modified by amendment to this Ordinance and the Fire Protection Service Areas Map.

The service areas are:

- | | |
|---------------------|---------------------|
| (a) Agua Fria | (h) La Cienega |
| (b) Chimayo/Cundiyo | (i) La Puebla |
| (c) Edgewood | (j) Madrid |
| (d) Eldorado | (k) Pojoaque |
| (e) Galisteo | (l) Stanley |
| (f) Glorieta | (m) Tesuque |
| (g) Hondo | (n) Turquoise Trail |

J. Land Use Assumptions

1. The land use assumptions provide a description of the service areas and projections of changes in land uses, densities, intensities and population in the service areas over at least a five-year period. The Commission hereby adopts the "Santa Fe County Fire and Rescue Impact Fees Study: Land Use Assumptions" approved by the Commission on June 14, 1994, which is incorporated herein by reference.
2. The Land Use Assumptions shall be reviewed and updated, if necessary, in conjunction with the update of the fire capital improvements plan described below.

K. Fire Capital Improvements Plan

1. The Fire Capital Improvements Plan identifies capital improvements or facility expansions for which impact fees may be assessed. The Commission hereby adopts the Fire Capital Improvements Plan, which is incorporated herein by reference, particularly as it relates to the allocation of a fair share of the costs of new facilities

for fire protection and emergency services to be borne by new users of such facilities and services, and level of service to be provided to the citizens of the County for fire and rescue.

2. The Fire Capital Improvements Plan shall be updated at least every five years from the date of adoption of this Ordinance. Appropriate revisions and amendments to the impact fee schedule and this Ordinance shall be made following such update, if necessary.

L. Presumption of Maximum Impact

New development shall be presumed to have maximum impact on the necessary fire and rescue capital facilities and equipment as permitted under the highest risk level based on the NFPA classifications for that development.

M. Assessment and Collection of Impact Fee

1. No development permit shall be issued for development in a designated service area as herein defined unless the impact fee is assessed and collected pursuant to this Ordinance.
2. No business license shall be issued for a new business which involves a change of use or conversion of an existing structure to a higher NFPA risk level unless the impact fee is assessed and collected pursuant to this Ordinance. The impact fee will be assessed by calculating the applicable fee for the higher risk level minus the fee which would have been applicable for the previous occupancy.
3. Mobile home parks, as defined herein, shall be assessed impact fees based on the average size of a mobile home unit (adding the typical double-wide unit and typical single-wide unit together and dividing by two) multiplied by the total number of spaces provided in the mobile home park. (See Section N. Schedule of Impact Fees, below.) Impact fees shall also be assessed for any community buildings located within the mobile home park. The applicable impact fee shall be collected at the time the owner of the mobile home park obtains the development permit for the park. Mobile homes located outside of established mobile home parks shall be assessed impact fees based on the gross covered area in the applicable risk level for a single family home. Mobile homes shall be exempt from the fifty (50') foot requirement in Section M(8).

4. The County shall calculate and assess the impact fee at the earliest possible time.
 - (a) For land that is platted after the effective date of this Ordinance, the impact fee shall be assessed at the time that the plat is recorded.
 - (b) For land that was platted prior to the effective date of this Ordinance or for development that occurs without platting, the impact fee shall be assessed at the time of issuance of a development permit.
5. The calculation and assessment of the impact fees shall be valid for a period of at least four years from the date of such assessment.
6. Notwithstanding #5 above, the calculation and assessment of impact fees may be revised under the following circumstances:
 - (a) If the number of service units in the specific development increases; or
 - (b) If construction is not commenced within four years from the date of development approval or issuance of the development permit, whichever date is earlier.
 - (c) If the proposed use changes after the assessment is made but before the impact fees are collected, placing the development in a different risk level.
7. The County shall calculate the amount of the applicable impact fee due by:
 - (a) Determining the applicable designated service area; and
 - (b) Determining the NFPA Classes (3-7) of the development; and
 - (c) Verifying the gross covered area of the development in each class; and
 - (d) Determining the applicable impact fee coefficient(s) from the table below; and
 - (e) Multiplying the gross covered area(s) by the impact fee coefficient(s).
 - (f) If gross covered area is not known at the time of assessment, the impact fee shall be stated in terms of the applicable coefficient for such development.
8. If the development for which a development permit is sought contains a mix of uses in different NFPA classes, the County shall calculate the impact fee due for the

highest risk and apply it to the entire structure. If the development consists of structures separated fifty (50') feet or more from each other, each structure shall be assessed separately according to the applicable NFPA class for each structure. Structures closer than fifty (50') feet to each other shall be considered in the same and highest NFPA class for purposes of assessing the impact fee.

9. The County shall retain a record of the impact fee assessment. A copy shall be provided to the applicant on the form(s) prescribed by the County. A notice of the impact fee assessment shall be recorded in the appropriate real property title records unless the impact fee is collected at the time of assessment.
10. The impact fee shall be due and payable at the time of issuance of a development permit or a business license, whichever is applicable.

N. Schedule of Impact Fees

The impact fee imposed by this Ordinance shall be determined by assignments of various types of structures and buildings to risk levels, and application of the impact fee coefficients below. In the event that a question arises as to which Risk Level applies to a particular development, the Fire Marshal shall make the final determination. Such determination may be appealed to the Commission as provided in Section T below.

(A) RISK ASSIGNMENTS

- 1) Risk Level RL 3 - Occupancies in this classification shall be considered SEVERE HAZARD OCCUPANCIES, where quantity and combustibility of contents are very high. Fires in these occupancies can be expected to develop very rapidly and have high rates of heat release. Such occupancies include: aircraft hangars, cereal/flour mills, chemical plants, chemical storage, chemical works, cotton processing, distilleries, explosive manufacturing, explosives storage, feed mills, grain elevators, grain warehouses, grist mills, hay bale storage, linseed mills, lumber yards, oil refineries, plastics manufacturing, plastics storage, sawmills, solvent extracting, straw bale storage, varnish/paint manufacturing, wood chip storage.
- 2) Risk Level RL 4 - Occupancies in this classification shall be considered HIGH HAZARD OCCUPANCIES, where quantity and combustibility of contents are high. Fires in these occupancies can be expected to develop rapidly and have high rates of heat release. Such occupancies include: auditoriums, commercial barns, bingo halls, casinos, convention centers, department stores, exhibition halls, feed stores, freight terminals, gaming parlors, mercantiles, paper/pulp mills, paper processing, repair garages, rubber manufacturing,

rubber storage, commercial stables, theatres, storage warehouses, department store, furniture storage, general storage, paint storage, paper storage, liquor storage, woodworking shops.

- 3) Risk Level RL 5 - Occupancies in this classification shall be considered MODERATE HAZARD OCCUPANCIES, where quantity and combustibility of contents are moderate and stockpiles of combustibles do not exceed twelve (12) feet in height. Fires in these occupancies can be expected to develop quickly and have moderately high rates of heat release. Such occupancies include: amusement parks, clothing manufacturing, cold storage warehouses, dairy barns, farm storage, grain storage, hatcheries, laundries, leather manufacturing plants, libraries (large rack), lithography shops, machine shops, metalworking shops, pharmaceutical manufacturing, plant nurseries, printing plants, publishing plants, restaurants, rope/twine manufacturing, sugar refineries, tanneries, textile manufacturing plants, tobacco barns, unoccupied buildings.
- 4) Risk Level RL 6 - Occupancies in this classification shall be considered LOW HAZARD OCCUPANCIES, where quantity and combustibility of contents are moderate and stockpiles of combustibles do not exceed eight (8) feet in height. Fires in these occupancies can be expected to develop at a moderate rate and have moderate rates of heat release. Such occupancies include: armories, auto parking garages, bakeries, barber shops, beauty salons, beverage manufacturing, boiler rooms, breweries, brick/tile manufacturing, canneries, cement plants, churches, creameries, doctor's offices, electronics plants, foundries, fur processing plants, gas stations, glass products manufacturing, municipal/county buildings, post offices, slaughterhouses, telephone exchanges, undertaking establishments, watch/jewelry manufacturing, wineries.
- 5) Risk Level RL 7 - Occupancies in this classification shall be considered LIGHT HAZARD OCCUPANCIES, where quantity and combustibility of contents are low. Fires in these occupancies can be expected to develop at a relatively low rate and have relatively low rates of heat release. Such occupancies include: apartments, colleges/universities, convalescent homes, detention centers, dormitories, dwellings, fire stations, fraternity/sorority houses, hospitals, hotels/motels, libraries (small rack), mental health uses, museums, nursing homes, business offices, police stations, prisons, reformatories, schools.

(B) IMPACT FEE COEFFICIENTS**1194337**

NFPA CLASS	VEHICLE FEE	STATION FEE	ADMIN. and PROJECT FEE	TOTAL IMPACT FEE
Class 7	\$0.17/sq.ft	\$0.095/sq.ft	\$0.01/sq.ft	\$0.275/sq.ft
Class 6	\$0.215/sq.ft	\$0.11/sq.ft	\$0.01/sq.ft	\$0.335/sq.ft
Class 5	\$0.215/sq.ft	\$0.13/sq.ft	\$0.01/sq.ft	\$0.355/sq.ft
Class 4	\$0.285/sq.ft	\$0.16/sq.ft	\$0.015/sq.ft	\$0.46/sq.ft
Class 3	\$0.355/sq.ft	\$0.215/sq.ft	\$0.015/sq.ft	\$0.585/sq.ft

(C) IMPACT FEE APPLICABLE TO MOBILE HOME PARKS

\$385 per mobile home space X (multiplied times) the number of spaces + plus any and all applicable impact fees for community buildings.

O. Use of Impact Fees Collected

1. The funds collected pursuant to this Ordinance shall be used solely for the purpose of administering, planning, acquisition, expansion and development of off-site related fire and rescue capital improvements determined to be needed to serve new development, including:
 - a) estimated capital improvements plan cost; and
 - b) planning, surveying and engineering fees related to the construction of capital improvements or facility expansions; and
 - c) fees related to the preparation or updating of the fire capital improvements plan.
2. All funds shall be used exclusively within the service area from which they were collected and in a manner consistent with this Ordinance and the requirements of the Development Fees Act [Sec. 5-8-1 NMSA 1978 et seq.]
3. Notwithstanding the above, the County shall be entitled to retain three percent (3%) of the impact fees collected annually. The retained funds shall be utilized to offset the administrative costs associated with the collection and use of such funds.

P. Variances

Petitions for variances to the application of this Ordinance shall be made to the Land Use Administrator in accordance with procedures to be established by resolution of the Commission.

Q. Administration of Impact Fee

1. *Transfer of funds to finance department:* Upon receipt of impact fees, the County Finance Department shall be responsible for placement of such funds into separate accounts as hereinafter specified. All such funds shall be deposited in interest-bearing accounts in a bank authorized to receive deposits of County funds. Interest earned by each account shall be credited to that account and shall be used solely for the purposes specified for funds of such account.
2. *Establishment and maintenance of accounts:* The County Finance Department shall establish and maintain separate accounts for each service area described herein.
3. *Maintenance of records:* The County Finance Department shall maintain and keep accurate financial records for each account that shall clearly identify the payor of the impact fee, the date of receipt of the impact fee and the amount received. The financial records shall show the disbursement of all revenues from each account. The County Finance Department shall prepare an annual report describing the amount of any impact fees collected, encumbered and used during the preceding year by service area.
4. *Public inspection:* The records of the accounts shall be available for public inspection and copying during ordinary County business hours.

R. Refunds

1. The current record owner of property on which an impact fee has been paid may apply for a refund of such fee if:
 - (a) the County has failed to provide a capital improvement included in the fire capital improvements plan within that service area within seven (7) years from the date of payment, or
 - (b) the fire and rescue service is not available within a reasonable period of time after completion of construction considering the type of capital improvement or facility expansion to be constructed, or
 - (c) the development permit for which the impact fee has been paid has lapsed for noncommencement of construction.
2. A petition for refund must be filed by the applicant within one (1) year of the event giving rise to the right to claim a refund.

3. The petition for refund must be submitted to the Land Use Administrator or his duly designated agent on a form provided by the County for such purpose.
4. Within thirty (30) days from the date of receipt of a petition for refund, the Land Use Administrator or his duly designated agent must provide the applicant, in writing, with a decision on the refund request including the reasons for the decision. If a refund is due the applicant, the Land Use Administrator or his duly designated agent shall notify the County Treasurer and request that a refund payment be made to the applicant.
5. The applicant may appeal the determination of the Land Use Administrator to the Commission within thirty (30) days of such determination, as provided in Section T below.
6. A refund shall bear interest calculated from the date of collection of the impact fee to the date of refund at the statutory rate as set forth in Section 56-8-3 NMSA 1978.

S. Credits

1. A property owner may elect to construct or purchase a capital improvement listed in the Fire Capital Improvements Plan. If the property owner elects to make such improvement, the property owner must enter into a written agreement with the County prior to issuance of any development permit. The agreement must establish the estimated cost of the improvement, the schedule for initiation and completion of the improvement, a requirement that the improvement be completed to accepted County standards, and such other terms and conditions as deemed necessary by the County. The County must review the improvement plan, verify costs and time schedules, determine if the improvement is an eligible improvement, and determine the amount of the applicable credit for such improvement to be applied to the otherwise applicable impact fee prior to issuance of any development permit. In no event may the County provide a refund for a credit that is greater than the applicable impact fee. If, however, the amount of the credit is calculated to be greater than the amount of the impact fee due, the property owner may utilize such excess credit toward the impact fees imposed on other development permits for development on the same site and in the same ownership.
2. The County shall reasonably provide for credits for other past and future monetary and nonmonetary contributions by the developer to the construction of the same capital improvements, as follows:
 - (a) Present value of amounts contributed within the past two years for any land dedications, physical improvements, financial contributions, or property taxes;

- (b) Present land dedications and physical improvements;
 - (c) Future land dedications, physical improvements and property taxes for a period of two years.
3. No credits shall be given for the construction of local on-site facilities required by zoning, subdivision, or other County regulation intended to serve only that development.
 4. The applicant shall have the burden of claiming such credit at the time the impact fee assessment is made. The Land Use Administrator shall make the final determination regarding the applicable credits. The applicant may appeal the decision of the Land Use Administrator to the Commission, as provided in Section T below.

T. Appeals

After calculation and assessment of the impact fee, an applicant may appeal the amount of the impact fee to the Commission. The applicant must file a notice of appeal with the Land Use Administrator or his duly designated agent within thirty (30) days following the assessment of the impact fee. If the notice of appeal is accompanied by a bond or other sufficient surety satisfactory to County counsel in an amount equal to the impact fee assessed, the Land Use Administrator or his duly designated agent shall issue the development permit. The filing of an appeal shall not stay the collection of the impact fee unless a bond or other sufficient surety has been filed.

U. Bonding of Excess Facility Projects

The County may issue bonds, revenue certificates, and other obligations of indebtedness in such manner and subject to such limitations as may be provided by law in furtherance of the provision of capital improvement projects. Funds pledged toward retirement of bonds, revenue certificates or other obligations of indebtedness for such projects may include impact fees and other County revenues as may be allocated by the Commission. Impact fees paid pursuant to this Ordinance, however, shall be restricted to use solely and exclusively for financing directly, or as a pledge against bonds, revenue certificates, and other obligations of indebtedness for the cost of capital improvements as specified herein.

V. Effect of Impact Fee on Zoning and Subdivision Regulations

This Ordinance shall not affect, in any manner, the permissible use of property, density of development, design and improvement standards and requirements, or any other aspect of the development of land or provision of capital improvements subject to the zoning and subdivision

regulations of the County, which shall be operative and remain in full force and effect without limitation with respect to all such development.

W. Impact Fee as Additional and Supplemental Requirement

The impact fee is additional and supplemental to, and not in substitution of, any other requirements imposed by the County on the development of land or the issuance of development permits. It is intended to be consistent with and to further the objectives and policies of the comprehensive plan, the fire capital improvements plan, and other County policies, ordinances and resolutions by which the County seeks to ensure the provision of public facilities in conjunction with the development of land.

X. Review and Amendment

The County Planning Department and Fire Marshal shall review, update and propose any amendments to the land use assumptions, fire capital improvements plan and the impact fee at least every five years from the effective date of this Ordinance. The Advisory Committee shall be consulted during such review and file its written comments concerning any amendments with the Commission. The Commission shall take action on any proposed amendments consistent with the provisions of the "Development Fees Act" [Sec. 5-8-1 NMSA 1978 et seq.].

SECTION 2. LIBERAL CONSTRUCTION

The provisions of this Ordinance are hereby found and declared to be in furtherance of the public health, safety, welfare and convenience, and shall be liberally construed to effectively carry out its purposes.

SECTION 3. REPEALER

All ordinances, code sections or parts thereof in conflict herewith be and the same are hereby repealed to the extent of the conflict.

SECTION 4. SEVERABILITY

Should any sentence, section, clause, part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part declared to be invalid.

1194342

SECTION 5. EFFECTIVE DATE

This Ordinance shall take effect on ^{August 27,} ~~September 23,~~ 1995.

APPROVED, ADOPTED AND PASSED this 11th day of July, 1995.

BOARD OF COUNTY COMMISSIONERS

Betty Platts
Betty Platts, Chairperson

Jona G. Armijo
Jona G. Armijo, County Clerk

Approved as to Form:

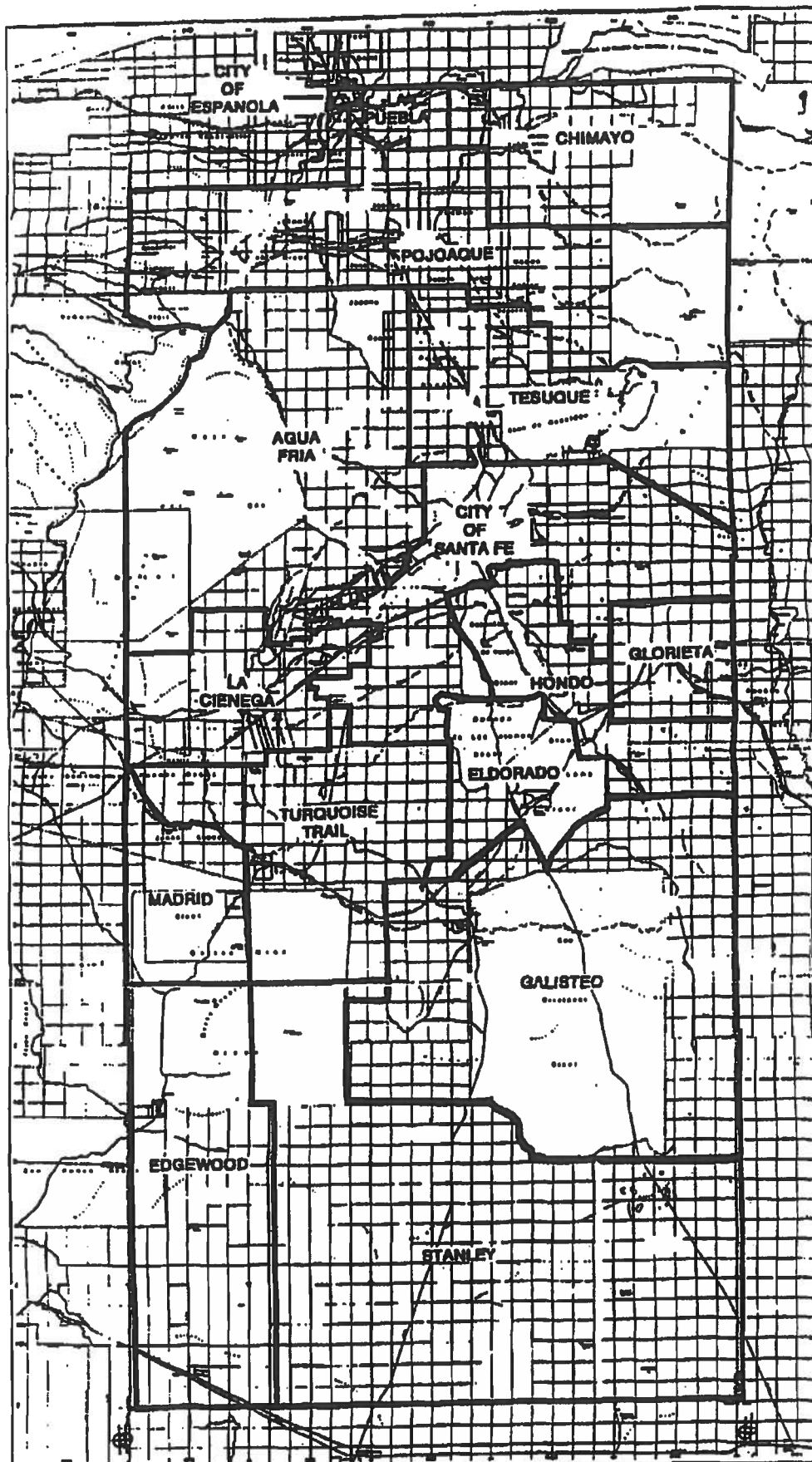
Steven Kopelman
Steven Kopelman, County Attorney



COUNTY OF SANTA FE
STATE OF NEW MEXICO 916,417 JSS
I hereby certify that this Instrument was filed
for record on the 28 day of Aug A.D.
19 95, at 2:17 o'clock P m
and was duly recorded in book 1194
page 326 - 343 of the records of
Santa Fe County.

Witness my Hand and Seal of Office
Jona G. Armijo
County Clerk, Santa Fe County, N.M.

Veronica Clayton
Deputy



1194343

SANTA FE COUNTY FIRE DISTRICT MAP (BASED ON E911 RESPONSE AREAS)

EXHIBIT A'

ONE SQUARE = ONE SQUARE MILE

**SANTA FE COUNTY FIRE AND
RESCUE IMPACT FEES STUDY**

LAND USE ASSUMPTIONS

SUBMITTED TO:

**SANTA FE COUNTY BOARD OF COMMISSIONERS
P.O. BOX 276
SANTA FE, NM 87504**

SUBMITTED BY:

**SOUTHWEST PLANNING & MARKETING
903 W. ALAMEDA #206
SANTA FE, NM 87501**

JUNE 1994

PROJECT SUMMARY

During the 1970's, as a result of the inability of many American communities to respond to the capital requirements of rapid population growth, development impact fees began to be adopted by certain communities. Many of the earliest impact fee ordinances were adopted in California. In most cases, these fees allocated the costs of new capital facilities to the residents and businesses creating the need for the facilities. The ordinances withstood legal challenges so long as it could be shown that there was a direct correlation between the costs incurred by new development and the fees charged.

Some New Mexico communities have adopted impact fee ordinances. For example, the City of Santa Fe adopted an ordinance in 1991. This ordinance establishes impact fees related to the cost of new traffic projects (e.g. arterial streets and signals), parks, and wastewater treatment facilities. Fees are charged for both new residential and commercial development.

Santa Fe County comprises an area of approximately 1.2 million acres, most of which is low density use with the majority of the population concentrated within the incorporated portions of the County (the Cities of Santa Fe and Espanola). However, as population growth within the incorporated portions of the County slows, many rural areas of the County are experiencing rapid population growth. Unfortunately, no mechanism is presently available to fund capital improvements for emergency services related to this growth.

The purpose of this project is to allow the County to establish a mechanism to collect funds for needed capital improvements for emergency services (fire, rescue, and emergency medical) from those parties responsible for generating the need for the new improvements.

LAND USE CLASSIFICATIONS

Since the inception of this project in 1992, an enabling statute has been passed by the New Mexico State Legislature. The "Development Fees Act" provides a framework for the project that had been previously lacking, making it more likely that the ordinance will withstand any legal challenges that might arise.

One of the requirements of the enabling statute is the development of a Land Use Assumptions (LUA) document. The LUA is defined as a "description of the service area and projections of changes in land uses, densities, intensities and population in the service area (the County) over at least a five-year period." The LUA provides the basis for developing equitable impact fees.

In order to comply with the enabling statute, it was necessary to classify the existing and projected growth by land use. Land uses were grouped according to the classes defined in the National Fire Protection Act (NFPA) 1231, the tool used most widely by the Santa Fe Fire Marshall's Office in classifying structures for fire protection services. Some classes present a higher fire risk than others; as a result, the impact fees assessed will vary across the land use classes.

The following is a description of the classes as defined in the NFPA 1231, along with a few examples of the types of uses found in each class.

Class 3 - Severe Hazard

"Occupancies in this classification shall be considered SEVERE HAZARD OCCUPANCIES, where quantity and combustibility of contents are very high. Fires in these occupancies can be expected to develop very rapidly and have high rates of heat release."

Usage Examples:

- Hay Bale Storage
- Straw Bale Storage
- Explosives Storage
- Wood Chip Storage
- Lumber Yards
- Aircraft Hangars

Class 4 - High Hazard

"Occupancies in this classification shall be considered HIGH HAZARD OCCUPANCIES, where quantity and combustibility of contents are high. Fires in these occupancies can be expected to develop rapidly and have high rates of heat release."

Usage Examples: Mercantiles, Groceries, Video
 Covered Malls, Strip Malls
 Repair Garages
 Woodworking Shops
 Building Materials
 General Storage

Class 5 - Moderate Hazard

"Occupancies in this classification shall be considered MODERATE HAZARD OCCUPANCIES, where quantity and combustibility of contents are moderate and stockpiles of combustibles do not exceed 12 feet in height. Fires in these occupancies can be expected to develop quickly and have moderately high rates of heat release."

Usage Examples: Machine Shops
 Plant Nurseries
 Restaurants
 Laundries
 Unoccupied Buildings
 Farm Storage

Class 6 - Low Hazard

"Occupancies in this classification shall be considered LOW HAZARD OCCUPANCIES, where quantity and combustibility of contents are moderate and stockpiles of combustibles do not exceed 8 feet in height. Fires in these occupancies can be expected to develop at a moderate rate and have moderate rates of heat release."

Usage Examples:	Beauty Salons/Barber Shops
	Churches
	Doctor's Offices
	Foundries
	Post Offices
	Gas Stations

Class 7 - Light Hazard

"Occupancies in this classification shall be considered LIGHT HAZARD OCCUPANCIES, where quantity and combustibility of contents are low. Fires in these occupancies can be expected to develop at a relatively low rate and have relatively low rates of heat release."

Usage Examples:	Residential
	Hotels/Motels/Bed and Breakfasts
	Fire Stations
	Schools
	Business Offices
	Prisons

FIRE DISTRICTS

The following 14 fire districts serve the unincorporated portions of Santa Fe County:¹

Agua Fria
Chimayo/Cundiyo²
Edgewood
Eldorado
Galisteo
Glorieta
Hondo
La Cienega
La Puebla
Madrid
Pojoaque
Stanley
Tesuque
Turquoise Trail

¹These districts and their boundaries are based on the E911 response map for Santa Fe County (see map).

²For the purposes of this study, Chimayo and Cundiyo Districts are treated as one district.

METHODOLOGY

We have developed estimates and projections of population and housing units and commercial square footage by NFPA class for each district over a 6-year period (1994 - 2000).³ What follows is a description of the methodologies utilized to develop the data.⁴

Residential (Class 7) Estimates and Forecasts Methodology⁵

Population (See Exhibit 1)

The residential 1994 population estimates by fire district were determined by first developing population estimates for 1990 and then growing those estimates forward to 1994 (a description of the population forecasting follows). The first step in this process was to overlay a map of the districts onto eighteen 1990 Census Tract/Block Group maps of Santa Fe County. We then estimated the percentage of population from each block that fell within each district. The block populations were then summed by district to determine the 1990 district population.

The total 1990 population estimate developed for this study is within 1.6 percent of the total Census unincorporated (i.e. outside of the cities of Santa Fe and Espanola) portion of the County; this difference is accounted for by small pockets of population in areas of the County that are served by the City of Santa Fe through a

³We were required by statute to produce at least a 5-year forecast. We chose to end our forecasts at the year 2000 because it is an even Census year and other forecasts have been developed for Santa Fe County for that year.

⁴The land use assumptions were developed with the help of the Santa Fe County Fire Marshall, Santa Fe County Planning and Land Use Staff, the Santa Fe County Fire Chiefs, and major County-wide developers and their consultants.

⁵The estimates of current population and square footage found in this document conform to the 1980 Santa Fe County General Plan and Land Development Code which currently governs land use in the County; our projections also conform to this document. However, it should be noted that the General Plan is in the process of being updated.

**EXHIBIT 2
SANTA FE COUNTY
HOUSING UNITS ESTIMATES AND FORECASTS**

FIRE DISTRICT	1980		1991		1992		1993		1994		1995	
	PERSONS PER UNIT	HOUSING UNITS	PERSONS PER UNIT	HOUSING UNITS	PERSONS IN HOUSE	HOUSING UNITS	PERSONS IN HOUSE	HOUSING UNITS	PERSONS IN HOUSE	HOUSING UNITS	PERSONS IN HOUSE	HOUSING UNITS
AGUA FRIA	2.96	2,315	2.94	2,469	2.92	2,633	2.91	2,806	2.89	2,894	2.87	3,193
CHIMAYO/CUNDIYO	2.84	1,159	2.83	1,177	2.81	1,194	2.80	1,212	2.78	1,231	2.77	1,249
EDGEWOOD	2.85	1,154	2.84	1,229	2.82	1,310	2.81	1,385	2.79	1,466	2.78	1,584
ELDORADO	2.81	940	2.80	1,039	2.78	1,149	2.77	1,270	2.75	1,404	2.74	1,552
GALISTEO	2.84	86	2.83	88	2.81	90	2.80	93	2.78	95	2.77	97
GLORIETA	2.82	255	2.81	261	2.79	268	2.78	275	2.76	282	2.75	289
HONDO	2.75	1,072	2.74	1,099	2.72	1,126	2.71	1,154	2.70	1,183	2.68	1,219
LA CIENEGA	2.95	893	2.93	1,048	2.91	1,108	2.90	1,170	2.88	1,236	2.86	1,305
LA PUEBLA	2.78	1,105	2.77	1,121	2.75	1,138	2.74	1,155	2.72	1,173	2.71	1,190
MADRID	2.85	96	2.84	101	2.82	105	2.81	108	2.79	112	2.78	116
POJOAQUE	2.73	2,110	2.72	2,195	2.70	2,283	2.69	2,375	2.68	2,471	2.66	2,570
STANLEY	2.85	227	2.84	232	2.82	238	2.81	244	2.79	250	2.78	257
TESUQUE	2.59	1,119	2.58	1,145	2.57	1,173	2.56	1,201	2.55	1,230	2.54	1,260
TURQUOISE TR.	2.92	1,195	2.90	1,200	2.89	1,257	2.87	1,339	2.85	1,414	2.83	1,494
TOTAL	2.82	13,767	2.81	14,405	2.80	15,082	2.78	15,800	2.77	16,561	2.76	17,369

FIRE DISTRICT	1996		1997		1998		1999		2000	
	PERSONS PER UNIT	HOUSING UNITS	PERSONS IN HOUSE	HOUSING UNITS	PERSONS IN HOUSE	HOUSING UNITS	PERSONS IN HOUSE	HOUSING UNITS	PERSONS IN HOUSE	HOUSING UNITS
AGUA FRIA	2.96	3,405	2.94	3,631	2.92	3,872	2.90	4,129	2.79	4,403
CHIMAYO/CUNDIYO	2.78	1,268	2.74	1,287	2.73	1,307	2.71	1,326	2.70	1,346
EDGEWOOD	2.77	1,687	2.75	1,797	2.74	1,915	2.72	2,040	2.71	2,173
ELDORADO	2.79	1,716	2.71	1,997	2.70	2,097	2.69	2,318	2.67	2,563
GALISTEO	2.76	100	2.74	102	2.73	105	2.71	107	2.70	110
GLORIETA	2.74	296	2.72	303	2.71	311	2.70	319	2.68	327
HONDO	2.67	1,244	2.66	1,275	2.64	1,307	2.63	1,340	2.62	1,375
LA CIENEGA	2.85	1,379	2.83	1,457	2.81	1,539	2.79	1,625	2.78	1,717
LA PUEBLA	2.70	1,208	2.68	1,227	2.67	1,245	2.66	1,264	2.64	1,283
MADRID	2.77	120	2.75	124	2.74	129	2.72	133	2.71	138
POJOAQUE	2.65	2,673	2.64	2,781	2.62	2,893	2.61	3,009	2.60	3,130
STANLEY	2.77	263	2.75	270	2.74	276	2.72	283	2.71	291
TESUQUE	2.53	1,280	2.52	1,321	2.51	1,353	2.50	1,386	2.49	1,419
TURQUOISE TR.	2.82	1,578	2.80	1,657	2.78	1,761	2.77	1,860	2.75	1,965
TOTAL	2.74	19,227	2.73	19,199	2.72	20,108	2.70	21,140	2.69	22,238

(1990 district persons per housing unit figures represent extrapolations from the persons per housing unit of the census tracts found within each district. The overall 1990 average persons per housing unit, which is derived from the district estimates, is within 1.1% percent of the 1990 Census persons per housing unit for Santa Fe County)

Joint Powers Agreement with the County. We have excluded these areas in our projections because impact fees can be assessed only in those portions of the County that are served by Santa Fe County Fire and Rescue Services.

The residential population forecasts by district were determined through a two-tiered effort. First, we trended the historical growth in the non-City portion of the County between 1970 and 1989 and then we examined the trends in population forecasts for the year 2000 developed by County Land Use personnel and the Bureau of Business and Economic Research at the University of New Mexico. We combined the trended historical data with the population forecasts to develop an estimated annual growth rate for the County between 1990 and 2000 (4.4 percent); next, based on the growth rate and the 1990 population estimate, we calculated a control population figure for the unincorporated portion of the County for the year 2000 (59,807).

The second step in the population forecasts involved interviewing the chiefs of the fire districts, as well as major developers and their consultants to determine where, what type, and how much residential growth would occur in the County, by district, over the next six years. Based on the information gleaned from these interviews and using the overall County control population figure, we developed an annual growth rate for each district through an iterative process. The resulting aggregate County forecast for 2000 is within 0.02 percent of the County 2000 control population figure.

Housing Units (See Exhibit 2)

The next step in the study was to determine the number of housing units that exist in each fire district in the County currently (1994) and then to forecast housing units for the year 2000. The first step in this process was to estimate the number of housing units in each district in 1990 and then to grow those estimates forward to 1994.

To accomplish this task, we examined the 1990 average number of residents per housing unit for each census tract found within each district. Using a weighted average approach (based on an estimate

EXHIBIT 2
SANTA FE COUNTY
HOUSING UNITS ESTIMATES AND FORECASTS

FIRE DISTRICT	1990 PERSONS PER UNIT	1990 HOUSING UNITS	1991 PERSONS PER UNIT	1992 PERSONS IN HOUSE	1992 HOUSING UNITS	1993 PERSONS IN HOUSE	1993 HOUSING UNITS	1994 PERSONS IN HOUSE	1994 HOUSING UNITS	1995 PERSONS IN HOUSE	1995 HOUSING UNITS
AGUA FRIA	2.96	2,315	2.94	2,469	2,633	2.91	2,808	2.89	2,994	2.87	3,193
CHIMAYO/CUNDINCO	2.84	1,159	2.83	1,177	1,194	2.80	1,212	2.78	1,231	2.77	1,249
EDGEWOOD	2.85	1,154	2.84	1,229	1,310	2.81	1,395	2.79	1,486	2.78	1,584
ELDORADO	2.81	940	2.80	1,038	1,149	2.77	1,270	2.75	1,404	2.74	1,552
GALISTEO	2.84	86	2.83	88	90	2.80	93	2.78	95	2.77	97
GLORIETA	2.82	255	2.81	261	268	2.78	275	2.76	282	2.75	289
HONDO	2.75	1,072	2.74	1,099	1,128	2.71	1,154	2.70	1,183	2.68	1,213
LA CIENEGA	2.95	993	2.93	1,048	1,108	2.90	1,170	2.88	1,236	2.86	1,305
LA PUEBLA	2.78	1,105	2.77	1,121	1,138	2.74	1,155	2.72	1,173	2.71	1,190
MADRID	2.85	98	2.84	101	105	2.81	109	2.79	112	2.78	116
POJOAQUE	2.73	2,110	2.72	2,195	2,283	2.69	2,375	2.68	2,471	2.66	2,570
STANLEY	2.85	227	2.84	232	238	2.81	244	2.79	250	2.78	257
TESUQUE	2.59	1,119	2.58	1,145	1,173	2.56	1,201	2.55	1,230	2.54	1,260
TURQUOISE TR.	2.92	1,136	2.90	1,200	1,267	2.87	1,339	2.85	1,414	2.83	1,494
TOTAL	2.82	19,767	2.81	14,405	15,082	2.78	15,800	2.77	16,561	2.76	17,369

FIRE DISTRICT	1996 PERSONS PER UNIT	1996 HOUSING UNITS	1997 PERSONS IN HOUSE	1998 PERSONS IN HOUSE	1998 HOUSING UNITS	1999 PERSONS IN HOUSE	1999 HOUSING UNITS	2000 PERSONS IN HOUSE	2000 HOUSING UNITS
AGUA FRIA	2.96	3,405	2.94	3,631	3,872	2.90	4,129	2.78	4,403
CHIMAYO/CUNDINCO	2.76	1,268	2.74	1,287	1,307	2.71	1,326	2.70	1,346
EDGEWOOD	2.77	1,687	2.75	1,797	1,915	2.72	2,040	2.71	2,173
ELDORADO	2.73	1,716	2.71	1,897	2,087	2.69	2,318	2.67	2,563
GALISTEO	2.76	100	2.74	102	105	2.71	107	2.70	110
GLORIETA	2.74	296	2.72	303	311	2.70	319	2.68	327
HONDO	2.67	1,244	2.66	1,275	1,307	2.63	1,340	2.62	1,373
LA CIENEGA	2.85	1,379	2.83	1,457	1,538	2.79	1,625	2.78	1,717
LA PUEBLA	2.70	1,208	2.68	1,227	1,245	2.66	1,264	2.64	1,283
MADRID	2.77	120	2.75	124	129	2.72	133	2.71	138
POJOAQUE	2.65	2,673	2.64	2,781	2,893	2.61	3,009	2.60	3,130
STANLEY	2.77	263	2.75	270	276	2.72	283	2.71	291
TESUQUE	2.59	1,290	2.52	1,321	1,353	2.50	1,386	2.49	1,419
TURQUOISE TR.	2.82	1,678	2.80	1,867	1,761	2.77	1,860	2.75	1,965
TOTAL	2.74	18,227	2.73	19,139	20,108	2.70	21,140	2.69	22,236

(1990 district persons per housing unit figures represent extrapolations from the persons per housing unit of the census tracts found within each district. The overall 1990 average persons per housing unit, which is derived from the district estimates, is within 1.1% percent of the 1990 Census persons per housing unit for Santa Fe County)

of the percentage of each tract that was found in each district) we estimated the 1990 average number of residents per housing unit for each district. The resulting estimated 1990 County average number of residents per housing unit is within 1.1 percent of the 1990 Census average number of residents per housing unit for the unincorporated portion of Santa Fe County.

The number of housing units in each district in 1990 was then calculated by dividing the average number of residents per housing unit for each district into the 1990 district population estimates.

Finally, to project number of residents per housing unit in 2000, we trended the U.S. average number of residents per housing unit from 1992 to 2000 at the rate of decline from 1985 to 1992 to obtain a projected U.S. average number of residents per housing unit of 2.54. We then trended the difference between the rural County number of residents per housing unit and the U.S. average from 1980 to 2000 to arrive at a difference of 0.11 in 2000, producing a rural County average number of residents per housing unit of 2.65. This is 0.95 of the 1990 figure of 2.79.

Next, we grouped the fire districts by 1990 average number of residents per housing unit: Low (Tesuque), Medium (Chimayo/Cundiyo, Edgewood, Eldorado, Galisteo, Glorietta, Hondo, La Puebla, Madrid, Pojoaque, Stanley), and High (Agua Fria, La Cienega, Turquoise Trail). We then developed factors to adjust the average number of residents per housing unit for each group from 1990 to 2000: 0.96 for Low, 0.95 for Medium, and 0.94 for High.⁶ We then applied these factors to project average number of residents per housing unit and, in turn, number of housing units as a function of our population forecasts.

⁶The factor is higher for the districts with the lower existing residents per housing unit because it is likely that the average number of residents per housing unit in these districts will decline at a lower rate.

Commercial (Classes 3 - 7) Estimates and Forecasts Methodology

The lack of computerization of County records and the absence of an updated General Plan, combined with the fact that the Geographical Information System (GIS) is not yet operational, made determining commercial estimates and projections by sub-area (fire district) and NFPA class very difficult. Therefore, the commercial portion of this study is not intended to be a definitive compilation of the commercial square footage that exists in each district; the sole purpose of this section is to provide a basis for approximating land use in the County currently and in the future.

Wherever possible, we developed inventories of all the existing commercial businesses, schools, and hotels/motels and their square footages by district. Where this data were not available, we utilized wind-shield surveys and the information provided by the Santa Fe County Fire Marshall and the fire chiefs to estimate the amount of current commercial square footage by district. We forecasted growth in commercial square footage by district to 2000 by developing district-specific and, within each district, class-specific growth rates (based on our knowledge of future development within each class); we utilized information provided by the Santa Fe County Fire Marshall, the fire chiefs, and major developers and their consultants to develop the commercial growth rates.

These data are presented in Exhibits 3 - 17.

EXHIBIT 3 1994 DISTRICT COMMERCIAL SQUARE FOOTAGE BY NFPA CLASS						
FIRE DISTRICT	CLASS 7	CLASS 6	CLASS 5	CLASS 4	CLASS 3	TOTAL
AGUA FRIA	69,400	238,000	310,100	620,300	62,000	1,299,800
CHIMAYO/CUNDIYO	45,000	10,700	26,800	69,600	0	152,100
EDGEWOOD	68,700	101,700	10,500	66,800	46,300	294,000
ELDORADO	136,100	13,400	41,000	83,200	3,000	276,700
GALISTEO	10,000	1,500	0	1,500	2,500	15,500
GLORIETA	901,500	300,000	0	613,000	0	1,814,500
HONDO	2,000	3,000	4,500	7,500	0	17,000
LA CIENEGA	75,200	152,800	59,400	59,400	0	346,800
LA PUEBLA	44,000	0	0	10,000	10,000	64,000
MADRID	9,000	0	5,000	46,600	0	60,600
POJOAQUE	312,900	7,600	53,800	153,500	4,100	531,900
STANLEY	3,000	3,000	6,000	9,100	9,100	30,200
TESUQUE	154,700	4,800	19,000	348,000	0	526,500
TURQUOISE TRAIL	1,058,700	13,800	10,200	21,000	36,300	1,140,000
TOTAL	2,890,200	850,300	546,300	2,109,500	173,300	6,569,600

EXHIBIT
LAGUA FRIA COMMERCIAL ESTIMATES AND PROJECTIONS

NFPA CLASS	CLASS GROWTH RATE	ADDITIONAL COMMERCIAL ESTIMATED FIRE LOSSES							
		1994	1995	1996	1997	1998	1999	2000	
CLASS 3	1.01430	62,000	62,887	63,786	64,698	65,623	66,562	67,513	
CLASS 4	1.03250	620,300	640,460	661,275	682,766	704,956	727,867	751,523	
CLASS 5	1.02860	310,100	318,969	328,091	337,475	347,127	357,054	367,266	
CLASS 6	1.02860	238,000	244,807	251,808	259,010	266,418	274,037	281,875	
CLASS 7	1.01000	69,400	70,094	70,795	71,503	72,218	72,940	73,669	
TOTAL		1,299,800	1,337,216	1,375,755	1,415,452	1,456,341	1,498,460	1,541,847	

ANNUAL GROWTH = 2.89%

EXHIBIT 5
CHIMAYO/CUNDIYO COMMERCIAL ESTIMATES AND PROJECTIONS

NFPA CLASS	CLASS GROWTH RATE	ESTIMATED CORRELATION COEFFICIENTS AND T-TESTS						
		1994	1995	1996	1997	1998	1999	2000
CLASS 3	1.00000	0	0	0	0	0	0	0
CLASS 4	1.01050	69,600	70,331	71,069	71,816	72,570	73,332	74,102
CLASS 5	1.00924	26,800	27,048	27,298	27,550	27,804	28,061	28,321
CLASS 6	1.00924	10,700	10,799	10,899	10,999	11,101	11,204	11,307
CLASS 7	1.00840	45,000	45,378	45,759	46,144	46,531	46,922	47,316
TOTAL		152,100	153,555	155,025	156,508	158,008	159,518	161,045

ANNUAL GROWTH = 0.96%

EXHIBIT 6
EDGEWOOD COMMERCIAL ESTIMATES AND PROJECTIONS

NFPA CLASS	CLASS GROWTH RATE	EDGEWOOD COMMERCIAL ESTIMATES AND PROJECTIONS							
		1994	1995	1996	1997	1998	1999	2000	
CLASS 3	1.02000	46,300	47,226	47,901	48,586	49,281	49,986	50,701	
CLASS 4	1.08800	66,800	72,678	79,074	86,033	93,603	101,841	110,803	
CLASS 5	1.08200	10,500	11,361	12,293	13,301	14,391	15,571	16,848	
CLASS 6	1.08200	101,700	110,039	119,063	128,826	139,389	150,819	163,187	
CLASS 7	1.04000	68,700	71,448	74,306	77,278	80,369	83,584	86,927	
TOTAL		294,000	312,753	332,837	354,023	377,035	401,801	428,465	

ANNUAL GROWTH = 6.48%

ELDORADO COMMERCIAL ESTIMATES AND PROJECTIONS

INFPA CLASS	CLASS GROWTH RATE	1994	1995	1996	1997	1998	1999	2000
CLASS 3	1.02000	3,000	3,060	3,104	3,148	3,193	3,239	3,285
CLASS 4	1.31375	83,200	109,304	143,598	188,652	247,842	325,602	427,760
CLASS 5	1.30000	41,000	53,300	69,290	90,077	117,100	152,230	197,899
CLASS 6	1.01000	13,400	13,534	13,669	13,806	13,944	14,084	14,224
CLASS 7	1.03000	136,100	140,183	144,388	148,720	153,182	157,777	162,511
TOTAL		276,700	319,381	374,050	444,403	535,261	652,932	805,679

ANNUAL GROWTH = 19.50%

EXHIBIT 8

EXHIBIT C GALISTEO COMMERCIAL ESTIMATES AND PROJECTIONS

NFPA CLASS	CLASS GROWTH RATE	1994	1995	1996	1997	1998	1999	2000
CLASS 3	1.01155	2,500	2,529	2,565	2,602	2,639	2,677	2,715
CLASS 4	1.02625	1,500	1,539	1,580	1,621	1,664	1,707	1,752
CLASS 5	1.00000	0	0	0	0	0	0	0
CLASS 6	1.02310	1,500	1,535	1,570	1,606	1,643	1,681	1,720
CLASS 7	1.01950	10,000	10,195	10,394	10,596	10,803	11,014	11,229
TOTAL		15,500	15,798	16,109	16,426	16,749	17,079	17,416

ANNUAL GROWTH = 1.96%

EXHIBIT 9

EXHIBIT C
GLORIETA COMMERCIAL ESTIMATES AND PROJECTIONS

NFA CLASS	CLASS GROWTH RATE	GLORIA ITA COMMERCIAL ESTIMATES AND PROJECTIONS						
		1994	1995	1996	1997	1998	1999	2000
CLASS 3	1.00000							0
CLASS 4	1.00200	613,000	614,226	615,454	616,685	617,919	619,155	620,393
CLASS 5	1.00000	0	0	0	0	0	0	0
CLASS 6	1.00220	300,000	300,660	301,321	301,984	302,649	303,315	303,982
CLASS 7	1.00100	901,500	902,402	903,304	904,207	905,111	906,017	906,923
TOTAL		1,814,500	1,817,288	1,820,080	1,822,877	1,825,679	1,828,486	1,831,297

ANNUAL GROWTH = 0.15%

**EXHIBIT 10
HONDO COMMERCIAL ESTIMATES AND PROJECTIONS**

NFPA CLASS	CLASS GROWTH RATE	1994	1995	1996	1997	1998	1999	2000
CLASS 3	1.00000	0	0	0	0	0	0	0
CLASS 4	1.00500	7,500	7,538	7,575	7,613	7,651	7,689	7,728
CLASS 5	1.00440	4,500	4,520	4,540	4,560	4,580	4,600	4,620
CLASS 6	1.00440	3,000	3,013	3,026	3,040	3,053	3,067	3,080
CLASS 7	1.00400	2,000	2,008	2,016	2,024	2,032	2,040	2,048
TOTAL		17,000	17,079	17,157	17,237	17,316	17,396	17,477
ANNUAL GROWTH =		0.46%						

**EXHIBIT 11
LA CIENEGA COMMERCIAL ESTIMATES AND PROJECTIONS**

NFPA CLASS	CLASS GROWTH RATE	1994	1995	1996	1997	1998	1999	2000
CLASS 3	1.00000	0	0	0	0	0	0	0
CLASS 4	1.05625	59,400	62,741	66,270	69,998	73,936	78,094	82,487
CLASS 5	1.04950	59,400	62,340	65,426	68,565	72,064	75,631	79,375
CLASS 6	1.04950	152,800	160,364	168,302	176,633	185,376	194,552	204,182
CLASS 7	1.04000	75,200	78,208	81,336	84,590	87,973	91,492	95,152
TOTAL		346,800	363,653	381,335	399,885	419,348	439,769	461,196
ANNUAL GROWTH =		4.87%						

**EXHIBIT 12
LA PUEBLA COMMERCIAL ESTIMATES AND PROJECTIONS**

NFPA CLASS	CLASS GROWTH RATE	1994	1995	1996	1997	1998	1999	2000
CLASS 3	1.00200	10,000	10,020	10,040	10,060	10,080	10,100	10,121
CLASS 4	1.01000	10,000	10,100	10,201	10,303	10,406	10,510	10,615
CLASS 5	1.00000	0	0	0	0	0	0	0
CLASS 6	1.00000	0	0	0	0	0	0	0
CLASS 7	1.00400	44,000	44,176	44,353	44,530	44,708	44,887	45,067
TOTAL		64,000	64,296	64,594	64,893	65,195	65,498	65,802
ANNUAL GROWTH =		0.46%						

EXHIBIT MADRID COMMERCIAL ESTIMATES AND PROJECTIONS

NFPA CLASS	CLASS GROWTH RATE	1994	1995	1996	1997	1998	1999	2000
CLASS 3	1.00000	0	0	0	0	0	0	0
CLASS 4	1.02125	46,600	47,590	48,602	49,634	50,689	51,766	52,866
CLASS 5	1.01870	5,000	5,094	5,189	5,286	5,385	5,485	5,588
CLASS 6	1.00000	0	0	0	0	0	0	0
CLASS 7	1.01700	9,000	9,153	9,309	9,467	9,628	9,791	9,958
TOTAL		60,600	61,837	63,099	64,387	65,701	67,043	68,412

ANNUAL GROWTH = 2.04%

EXHIBIT 14
POJOAQUE COMMERCIAL ESTIMATES AND PROJECTIONS

NFPA CLASS	CLASS GROWTH RATE	1994	1995	1996	1997	1998	1999	2000
CLASS 3	1.01650	4,100	4,168	4,227	4,288	4,349	4,411	4,474
CLASS 4	1.04500	153,500	160,408	167,626	175,169	183,052	191,289	199,897
CLASS 5	1.03300	53,800	55,575	57,409	59,304	61,261	63,283	65,371
CLASS 6	1.03300	7,600	7,851	8,110	8,378	8,654	8,940	9,235
CLASS 7	1.02000	<u>312,900</u>	<u>319,158</u>	<u>325,541</u>	<u>332,052</u>	<u>338,693</u>	<u>345,467</u>	<u>352,376</u>
TOTAL		531,900	547,159	562,914	579,180	596,008	613,389	631,353

ANNUAL GROWTH = 2.90%

EXHIBIT 15
STANLEY COMMERCIAL ESTIMATES AND PROJECTIONS

NFPA CLASS	CLASS GROWTH RATE	STAFF: 1990-1991							
		1994	1995	1996	1997	1998	1999	2000	
CLASS 3	1.00028								
CLASS 4	1.00063	9,100	9,103	9,233	9,365	9,499	9,634	9,772	
CLASS 5	1.00055	9,100	9,106	9,111	9,117	9,123	9,128	9,134	
CLASS 6	1.00055	6,000	6,003	6,007	6,010	6,013	6,017	6,020	
CLASS 7	1.00050	3,000	3,002	3,003	3,005	3,007	3,008	3,010	
		<u>3,000</u>	<u>3,002</u>	<u>3,003</u>	<u>3,005</u>	<u>3,006</u>	<u>3,008</u>	<u>3,009</u>	
TOTAL		30,200	30,215	30,357	30,501	30,647	30,795	30,945	
ANNUAL GROWTH =		0.41%							

EXHIBIT 16
TESUQUE COMMERCIAL ESTIMATES AND PROJECTIONS

NFPA CLASS	CLASS GROWTH RATE	1994	1995	1996	1997	1998	1999	2000
CLASS 3	1.00000	0	0	0	0	0	0	0
CLASS 4	1.02000	348,000	354,960	362,059	369,300	376,686	384,220	391,905
CLASS 5	1.01760	19,000	19,334	19,675	20,021	20,373	20,732	21,097
CLASS 6	1.01760	4,800	4,884	4,970	5,058	5,147	5,238	5,330
CLASS 7	1.01600	154,700	157,175	159,690	162,245	164,841	167,478	170,158
TOTAL		526,500	536,354	546,394	556,624	567,048	577,668	588,489

ANNUAL GROWTH = 1.87%

EXHIBIT 17
TURQUOISE TRAIL COMMERCIAL ESTIMATES AND PROJECTIONS

NFPA CLASS	CLASS GROWTH RATE	1994	1995	1996	1997	1998	1999	2000
CLASS 3	1.02805	36,300	37,318	37,852	38,393	38,942	39,499	40,064
CLASS 4	1.06375	21,000	22,339	23,763	25,278	26,889	28,603	30,427
CLASS 5	1.05610	10,200	10,772	11,377	12,015	12,689	13,401	14,152
CLASS 6	1.05610	13,800	14,574	15,392	16,255	17,167	18,130	19,147
CLASS 7	1.00200	1,058,700	1,060,817	1,062,939	1,065,065	1,067,195	1,069,329	1,071,468
TOTAL		1,140,000	1,145,821	1,151,322	1,157,006	1,162,802	1,168,963	1,175,259

ANNUAL GROWTH = 0.51%

LAND USE ASSUMPTIONS BY FIRE DISTRICT

Agua Fria is an area of rapid growth with an estimated 1994 population of 8,652 and a projected 2000 population of 12,273. The number of housing units in the district is projected to grow from 2,994 in 1994 to 4,403 in 2000. The estimated 1994 square footage of commercial space in the district totals 1,299,800 and is projected to reach 1,541,847 by 2000 (see Exhibit 4 for commercial square footage estimates and projections by NFPA class).

Chimayo/Cundiyo is an area of slow growth with an estimated 1994 population of 3,426 and a projected 2000 population of 3,636. The number of housing units in the district is projected to grow from 1,231 in 1994 to 1,346 in 2000. The estimated 1994 square footage of commercial space in the district totals 152,100 and is projected to reach 161,045 by 2000 (see Exhibit 5 for commercial square footage estimates and projections by NFPA class).

Edgewood is an area of rapid growth with an estimated 1994 population of 4,152 and a projected 2000 population of 5,890. The number of housing units in the district is projected to grow from 1,486 in 1994 to 2,173 in 2000. The estimated 1994 square footage of commercial space in the district totals 294,000 and is projected to reach 428,465 by 2000 (see Exhibit 6 for commercial square footage estimates and projections by NFPA class).

Eldorado is an area of rapid growth with an estimated 1994 population of 3,867 and a projected 2000 population of 6,850. The number of housing units in the district is projected to grow from 1,404 in 1994 to 2,563 in 2000. The estimated 1994 square footage of commercial space in the district totals 276,700 and is projected to reach 805,679 by 2000 (see Exhibit 7 for commercial square footage estimates and projections by NFPA class).

Galisteo is an area of slow growth with an estimated 1994 population of 264 and a projected 2000 population of 297. The number of housing units in the district is projected to grow from 95 in 1994 to 110 in 2000. The estimated 1994 square footage of commercial space in the district totals 15,500 and is projected to reach 17,416 by 2000 (see Exhibit 8 for commercial square footage estimates and projections by NFPA class).

Glorieta is an area of slow growth with an estimated 1994 population of 778 and a projected 2000 population of 876. The number of housing units in the district is projected to grow from 282 in 1994 to 327 in 2000. The estimated 1994 square footage of commercial space in the district totals 1,814,500 (including the Glorieta Baptist Conference Center) and is projected to reach 1,831,297 by 2000 (see Exhibit 9 for commercial square footage estimates and projections by NFPA class).

Hondo is an area of slow growth with an estimated 1994 population of 3,190 and a projected 2000 population of 3,592. The number of housing units in the district is projected to grow from 1,183 in 1994 to 1,373 in 2000. The estimated 1994 square footage of commercial space in the district totals 17,000 and is projected to reach 17,477 by 2000 (see Exhibit 10 for commercial square footage estimates and projections by NFPA class).

La Cienega is an area of moderate growth with an estimated 1994 population of 3,559 and a projected 2000 population of 4,769. The number of housing units in the district is projected to grow from 1,236 in 1994 to 1,717 in 2000. The estimated 1994 square footage of commercial space in the district totals 346,800 (including National Guard Complex) and is projected to reach 461,196 by 2000 (see Exhibit 11 for commercial square footage estimates and projections by NFPA class).

La Puebla is an area of slow growth with an estimated 1994 population of 3,196 and a projected 2000 population of 3,392. The number of housing units in the district is projected to grow from 1,173 in 1994 to 1,283 in 2000. The estimated 1994 square footage of commercial space in the district totals 64,000 and is projected to reach 65,802 by 2000 (see Exhibit 12 for commercial square footage estimates and projections by NFPA class).

Madrid is an area of moderate growth with an estimated 1994 population of 313 and a projected 2000 population of 374. The number of housing units in the district is projected to grow from 112 in 1994 to 138 in 2000. The estimated 1994 square footage of commercial space in the district totals 60,600 and is projected to reach 98,412 by 2000 (see Exhibit 13 for commercial square footage estimates and projections by NFPA class).

Pojoaque is an area of moderate growth with an estimated 1994 population of 6,611 and a projected 2000 population of 8,126. The number of housing units in the district is projected to grow from 2,471 in 1994 to 3,130 in 2000. The estimated 1994 square footage of commercial space in the district totals 531,900 and is projected to reach 631,353 by 2000 (see Exhibit 14 for commercial square footage estimates and projections by NFPA class).

Stanley is an area of slow growth with an estimated 1994 population of 699 and a projected 2000 population of 787. The number of housing units in the district is projected to grow from 250 in 1994 to 291 in 2000. The estimated 1994 square footage of commercial space in the district totals 30,200 and is projected to reach 30,945 by 2000 (see Exhibit 15 for commercial square footage estimates and projections by NFPA class).

Tesuque is an area of slow growth with an estimated 1994 population of 3,136 and a projected 2000 population of 3,531. The number of housing units in the district is projected to grow from 1,230 in 1994 to 1,419 in 2000. The estimated 1994 square footage of commercial space in the district totals 526,500 and is projected to reach 588,489 by 2000 (see Exhibit 16 for commercial square footage estimates and projections by NFPA class).

Turquoise Trail is an area of moderate growth with an estimated 1994 population of 4,031 and a projected 2000 population of 5,401. The number of housing units in the district is projected to grow from 1,414 in 1994 to 1,965 in 2000. The estimated 1994 square footage of commercial space in the district totals 1,140,000 (including the Penitentiary) and is projected to reach 1,175,259 by 2000 (see Exhibit 17 for commercial square footage estimates and projections by NFPA class).