

1 **CITY OF SANTA FE, NEW MEXICO**

2 **RESOLUTION NO. 2011-36**

3 **INTRODUCED BY:**

4
5 Councilor Wurzbarger

6 Councilor Ortiz

7 Councilor Trujillo

8 Councilor Dominguez

9 Councilor Romero

10 **A RESOLUTION**

11 **AMENDING THE ADMINISTRATIVE PROCEDURES FOR THE SANTA FE HOMES**
12 **PROGRAM (SFHP) TO TEMPORARILY REDUCE THE PERCENTAGE REQUIREMENTS**
13 **OF THE SANTA FE HOMES PROGRAM AND TO AMEND THE CALCULATION OF**
14 **FRACTIONAL UNIT FEES FOR DEVELOPMENTS WITH TWO THROUGH TEN UNITS**
15 **AND 11 OR MORE UNITS.**

16
17 **WHEREAS**, on August 15, 2005, the Governing Body adopted Resolution No. 2005-69,
18 administrative procedures for implementing the Santa Fe Homes Program; and

19 **WHEREAS**, the Governing Body has amended the administrative procedures for
20 implementing the Santa Fe Homes Program by Resolution No. 2007-99, Resolution No. 2008-73,
21 Resolution No. 2009-74 and 2010-49; and

22 **WHEREAS**, on June 8, 2011 the Governing Body adopted Ordinance No. 2011-17 to
23 temporarily reduce the percentage requirements of the SFHP for a period of three (3) years; and

24 **WHEREAS**, Ordinance No. 2011-17 also established a 70% reduction in fees associated
25 with small subdivisions with two through ten total units; and

1 **WHEREAS**, the Governing Body desires to amend the administrative procedures to reflect
2 the amendments approved by Ordinance No. 2011-17.

3 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
4 **CITY OF SANTA FE that** Section 8.8 of the administrative procedures for the Santa Fe Homes
5 Program is amended as follows:

6 **8.8 Required Number of SFHP Units in a Development**

7 **8.8.1** If a SFHP developer obtains a residential building permit for a SFHP development
8 between June 8, 2011 and June 7, 2014, then, twenty percent (20%) of the total
9 number of dwelling units or manufactured home lots offered for sale in an SFHP
10 development shall be SFHP Homes, as follows:

11 8.8.1.1 Ten percent (10%) of the total dwelling units or manufactured home lots
12 shall be sold at or below the affordable home price or affordable
13 manufactured home lot price, as applicable, for income range 2.

14 8.8.1.2 Ten percent (10%) of the total dwelling units or manufactured home lots
15 shall be sold at or below the affordable home price or affordable
16 manufactured home lot price, as applicable, for income range 3, and

17 8.8.1.3 Zero percent (0%) of the total dwelling units or manufactured home lots shall
18 be sold at or below the affordable home price or affordable manufactured
19 home lot price, as applicable, for income range 4.

20 A modification to a SFHP agreement or HOP agreement that was entered into prior
21 to June 8, 2011 shall be made to reflect the twenty percent requirement; and if
22 applicable, an annexation agreement, subdivision plat or development plan shall be
23 administratively amended to reflect the reduction and redistribution of SFHP or HOP
24 lots and the amended annexation agreement, subdivision plat or development plan
25 shall be recorded or filed, as applicable, by the owner or developer. Fifteen percent

1 of the total number of dwelling units or manufactured home lots offered for rent in an
2 SFHP development shall be SFHP units and meet all requirements of §26-1 SFCC
3 1987.

4 **8.8.2** Effective June 8, 2014, and thereafter, thirty percent of the total number of dwelling
5 units or manufactured home lots offered for sale in an SFHP development shall be
6 SFHP Homes or SFHP Manufactured Home Lots, as follows:

7 8.8.2.1 Ten percent (10%) of the total dwelling units or manufactured home lots
8 shall be sold at or below the Affordable Home Price or Affordable
9 Manufactured Home Lot Price, as applicable, for Income Range 2;

10 8.8.2.2 Ten percent (10%) of the total dwelling units or manufactured home lots
11 shall be sold at or below the Affordable Home Price or Affordable
12 Manufactured Home Lot Price, as applicable, for Income Range 3; and

13 8.8.2.3 Ten percent (10%) of the total dwelling units or manufactured home lots
14 shall be sold at or below the Affordable Home Price or Affordable
15 Manufactured Home Lot Price, as applicable, for Income Range 4.

16 **8.8.3** If an applicant exceeds the percentage in Income Range 2 or Income Range 3 as set
17 forth above, the requirement in any higher Income Range may be reduced by the
18 same percentage.

19 **8.8.4** The whole number resulting from the formula shall be the number of SFHP units
20 required to be constructed or created and the remaining fraction may be satisfied with
21 the fractional unit fee described in Section 8.9.

22 **8.8.5** In the event that two or fewer SFHP Homes or SFHP manufactured home lots are
23 required, the SFHP Homes or manufactured home lots shall be affordable to income
24 range 3 or income range 2.

25 **8.8.6** The required number of SFHP Dwelling Units or SFHP Manufactured Home Lots

1 shall be determined based on the total number of units proposed, including any units
2 proposed as a result of the density bonus described in Section 13.2.

3 **BE IT FURTHER RESOLVED that** Section 8.9 of the administrative procedures for the
4 Santa Fe Homes Program is amended as follows:

5 **8.9 Providing “Fractions” of Homes**

6 **8.9.1** If a SFHP developer obtains a residential building permit for a SFHP development
7 between June 8, 2011 and June 7, 2014, then fractions of homes may result from the
8 calculation described in Section 8.8. The calculation of fractional unit fees shall be
9 met as follows:

10 8.9.1.1 For 2 to 10 housing units – For 2 to 10 housing units, the number of homes is
11 multiplied by 20% and the resulting number is the number of fractional
12 unit(s) required. The resulting number is multiplied by the value of the
13 Affordable Home Price of a 3 Bedroom Unit in Income Range 2 and then
14 multiplied by 22.5%.

15 8.9.1.1.1 Determine the number of fractional units (example: 8 unit
16 development): $8 \text{ units} \times 20\% = 1.6 \text{ fractional units}$

17 8.9.1.1.2 Determine the fractional fee: $1.6 \times \$118,250 \times 22.5\% = \$42,570$

18 8.9.1.2 For 11 or more units - If the calculation results in a fraction, the whole
19 number resulting from the formula shall be the number of SFHP units
20 required to be constructed or created and the remaining fraction may be
21 satisfied with the fractional unit fee. The fee shall be the base fractional fee
22 multiplied by remaining fraction. The base fractional fee shall be half of the
23 Affordable Home Price of a 3 Bedroom Unit in Income Range 2.

24 8.9.1.3 These contributions are not and shall not be used as an alternate means of
25 compliance. These contributions shall be made prior to recording the SFHP

1 Agreement. The proceeds of the fee shall be credited to the housing trust
2 fund approved by the governing body.

3 8.9.1.4 SFHP staff may adjust the calculations herein to reflect the percentage
4 requirements set out in Section 8.8 above.

5 **8.9.2** Effective June 8, 2014, and thereafter, if the calculation described in Section 8.8
6 results in a fraction, the whole number resulting from the formula shall be the number
7 of SFHP units required to be constructed or created and the remaining fraction may
8 be satisfied with the fractional unit fee. The fee shall be the base fractional fee
9 multiplied by remaining fraction. The base fractional fee shall be half of the
10 Affordable Home Price of a 3 Bedroom Unit in Income Range 2. This contribution is
11 not and shall not be used as an alternate means of compliance. The contribution shall
12 be made prior to recording the SFHP Agreement. The proceeds of the fee shall be
13 credited to the housing trust fund approved by the governing body.

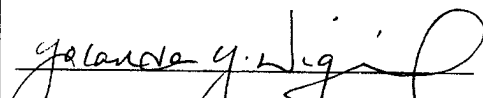
14 **BE IT FURTHER RESOLVED** that staff is directed to monitor the changes to the SFHP
15 administrative procedures adopted by this resolution and report to the Governing Body as to the
16 impact of such amendment to the SFHP administrative procedures.

17 PASSED, APPROVED, and ADOPTED this 8th day of June, 2011.

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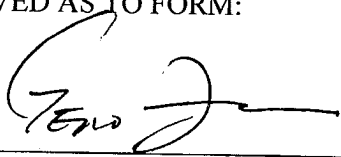
20 DAVID COSS, MAYOR

21 ATTEST:

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23 
24 YOLANDA Y. VIGIL, CITY CLERK

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APPROVED AS TO FORM:



GENO ZAMORA, CITY ATTORNEY