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CITY OF SANTA FE, NEW MEXICO

BILL NO. 2026-14

INTRODUCED BY:

Councilor Jamie Cassutt

Councilor Patricia Feghali

A BILL

AMENDING SECTION 14-7.9, SFCC 1987, TO CLARIFY A PARK IMPACT FEE EXEMPTION AS IT RELATES TO CERTAIN CONSTRUCTION PERMITS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

Section 1. Section 14-7.9 of SFCC 1987, Subsections A-D and F-L (being Ord. No. 2025-25, as amended) are omitted for readability. Section 14-7.9(E) of SFCC 1987 is amended to read:

14-7.9 – Impact Fees.

E. Exemptions, Waivers₂ and Reimbursements

I. The following are exempt from the provisions of this section:

- a. Alterations of, or additions to, existing residential uses where no additional dwelling units are created;
- b. Replacement of a destroyed, partially destroyed, or moved residential building or structure with a new building or structure of the same use and the same size and the same number of dwelling units;
- c. Replacement of destroyed, partially destroyed or moved nonresidential

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building or structure with a new building or structure of the same gross floor area and use;

d. [~~Construction permits for new residential units that are part of a master plan, development plan or subdivision plat where land is dedicated to the City to provide park land, as provided in Section 14-6.3, Dedication and Development of Park Land, Open Space, Trails, and Recreation Facilities;~~]

[e] Parking garages, parking canopies, or parking lots;

[f]e. Construction permits for uses specified in Section 14-4.5(A)(11) located within the Airport Road Overlay District;

[g]f. Construction permits for qualifying projects within the Midtown LINC overlay district as defined in Section 14-4.5(C)(4); and

[h]g. Santa Fe Homes Program projects receiving enhanced affordability incentives as described in Section 14-7.2(F).

II. Park impact fee exemption. Construction permits for new residential units that are part of a master plan, development plan or subdivision plat where land is dedicated to the City to provide park land may be exempt from park impact fees, as provided in Section 14-6.3, Dedication and Development of Park Land, Open Space, Trails, and Recreation Facilities.

III. New Construction projects that request an exemption from the terms of this section shall claim that exemption at the time of application for a construction permit, and the Planning and Land Use Director shall determine the validity of a claim for exemption pursuant to the criteria set forth in this subsection.

PASSED, APPROVED, and ADOPTED this _____ day of _____, 2026.

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MICHAEL J. GARCIA, MAYOR

ATTEST:

GERALYN F. CARDENAS, CITY CLERK

APPROVED AS TO FORM:

Marcos Martinez
Marcos Martinez (Jul 1, 2026 13:59:56 MDT)
MARCOS D. MARTÍNEZ, CITY ATTORNEY