



## VILLAGE OF CORRALES

### ORDINANCE NO. 15-12

**AN ORDINANCE AMENDING THE CAPITAL IMPROVEMENTS PLAN FOR THE FAR NORTHWEST SECTOR OF THE VILLAGE, AS ADOPTED BY ORDINANCE NO. 390, PASSED AND ADOPTED SEPTEMBER 14, 2004 AND AS SUBSEQUENTLY AMENDED; AND AMENDING IMPACT FEES.**

**WHEREAS**, on September 9, 2003, the Village Council, the governing body (“Governing Body”) of the Village of Corrales (the “Village”), by Ordinance No. 365 adopted Land Use Assumptions for the Far Northwest Sector of the Village and certain adjacent areas, in accordance with the Development Fees Act, Sections 5-8-1 through 5-8-42, NMSA 1978; and

**WHEREAS**, on September 14, 2004, the Governing Body by Ordinance No. 390 adopted the Far Northwest Sector Capital Improvements Plan (“CIP”) of the Village of Corrales; and

**WHEREAS**, by Ordinance No. 07-03, adopted May 22, 2007, the Governing Body adopted amendments of the CIP and an impact fee chart; and

**WHEREAS**, by Ordinance No. 10-003, adopted August 24, 2010, the Governing Body amended the description of the service area covered by the Land Use Assumptions but did not otherwise amend the Land Use Assumptions; and

**WHEREAS**, by Ordinance No. 10-006, adopted August 24, 2010, the Governing Body adopted amendments of the CIP and the impact fee chart; and

**WHEREAS**, in accordance with the Development Fees Act and the Village’s Land Use Assumptions, the Governing Body has adopted and the Village has implemented impact fees for development in the Far Northwest Sector; and

**WHEREAS**, the Village must review and evaluate the Land Use Assumptions and the CIP at least once every five (5) years, and must also update the Land Use Assumptions and CIP as necessary and appropriate based on such review and evaluation, in accordance with Section 5-8-30, NMSA 1978; and

**WHEREAS**, the Village’s Capital Improvements Advisory Committee (“CIAC”) has reviewed and evaluated the Land Use Assumptions and the CIP, and has recommended that the Land Use Assumptions and the CIP should be amended and updated to reflect changes in the status of capital projects in the Far Northwest Sector and changes in assumptions and projections of land uses and revenues from impact fees since the Land Use Assumptions, CIP and impact fees were most recently adopted or amended; and

**WHEREAS**, on the recommendation of the CIAC, the Governing Body by Ordinance No. 15-12 has amended the Land Use Assumptions, as adopted by Ordinance No. 365, to reflect completion of most anticipated projects and changes in the assumptions and projections of land uses and revenues from impact fees in the Far Northwest Sector; and

**WHEREAS**, the Village Engineer, at the direction of the Village, has prepared an amended CIP dated September 2015, containing amendments and revisions for consideration and possible adoption by the Governing Body, in accordance with the Development Fees Act; and

**WHEREAS**, the amended CIP contains an amended impact fee chart that reflects a modified impact fee schedule designed to provide appropriate revenues to the Village while not imposing excessive costs on residents and business owners in the Far Northwest Sector; and

**WHEREAS**, the Governing Body finds that adoption of the amended CIP and amended impact fee chart as provided herein is in the best interest of the Village and provides for a fair and appropriate allocation of the costs to provide Village services for residential and non-residential developments in the Far Northwest Sector.

**NOW, THEREFORE, BE IT ORDAINED** by the Governing Body of the Village of Corrales, New Mexico, that:

**1. The Far Northwest Sector Capital Improvements Plan adopted by Ordinance No. 390 on September 14, 2004, as subsequently amended by Ordinance No. 07-03 on May 22, 2007 and by Ordinance No. 10-006 on August 24, 2010, is amended by adoption, in its entirety, of the “Far Northwest Sector Capital Improvements Plan, Village of Corrales” with a final amendment date of September 2015, including the impact fees set forth therein, attached hereto as Exhibit A and hereby expressly incorporated as a part of this Ordinance.**

**2. Except as expressly amended herein, Ordinance No. 390, as amended by Ordinance No. 07-03 and Ordinance No. 10-006; the Far Northwest Sector Capital Improvements Plan; and the impact fees for development in the Far Northwest Sector shall not be affected by this Ordinance and remain in full force and effect.**

SEVERABILITY CLAUSE: Should any section, paragraph, clause or provision of this Ordinance be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance. The Governing Body of the Village of Corrales hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, word or phrase thereof irrespective of any one or more sections, subsections, sentences, clauses, words or phrases being declared unconstitutional or otherwise invalid.

EFFECTIVE DATE AND PUBLICATION: This Ordinance shall become effective and be in full force and effect from and after its passage, publication and posting, according to law.

**PASSED, APPROVED AND ADOPTED** by the Governing Body of the Village of Corrales, New Mexico, this \_\_\_\_ day of \_\_\_\_\_ 2015.

APPROVED:

\_\_\_\_\_  
The Honorable Scott A. Kominiak  
Mayor

ATTEST:

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Jennifer A. Hise  
Village Clerk

Draft