



# City of Las Cruces®

PEOPLE HELPING PEOPLE

## Council Action and Executive Summary

Item # 18 Ordinance/Resolution# 16-126

For Meeting of \_\_\_\_\_  
(Ordinance First Reading Date)

For Meeting of December 7, 2015  
(Adoption Date)

Please check box that applies to this item:

QUASI JUDICIAL

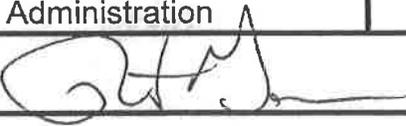
LEGISLATIVE

ADMINISTRATIVE

**TITLE:** A RESOLUTION ADOPTING THE LAND USE ASSUMPTIONS FOR THE PUBLIC SAFETY IMPACT FEE UPDATE AS REQUIRED BY LAS CRUCES MUNICIPAL CODE CHAPTER 33, DEVELOPMENT IMPACT FEE.

**PURPOSE(S) OF ACTION:**

Approve updated Public Safety Development Impact Fee Land Use Assumptions.

<b>COUNCIL DISTRICT: ALL</b>		
<b><u>Drafter/Staff Contact:</u></b> David Weir	<b><u>Department/Section:</u></b> Community Development/ Administration	<b><u>Phone:</u></b> 528-3067
<b><u>City Manager Signature:</u></b>		

**BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:**

The purpose of this Resolution is to update the Land Use Assumptions (LUA) for the City's Public Safety Development Impact Fee. The update of the LUA is the first step in the process of updating the Public Safety Development Impact Fee. Approval of the updated LUA will replace the initial LUA for the public safety fee that was adopted by City Council in 2011.

In March of 2015, the City contracted with TischlerBise, Inc. to update the Public Safety Development Impact Fee. The first phase of their contract is to recommend new LUA for the City. The LUA constitutes a study that characterizes the anticipated new community development and growth and the geographic area for this new development over the next 10 years. The study includes factors that have and are expected to influence community growth such as population, residential dwelling units, household size, non-residential buildings, employment, and worker commuting patterns.

Staff has been coordinating the update of the LUA with the Capital Improvement Advisory Committee, stakeholders and TischlerBise, Inc. since November 2014. Once adopted the LUA will be used to assist with the preparation of the Public Safety Impact Fee Capital Improvement Plan and Public Safety Impact Fee (the LUA will also be used to assist with the Capital Improvement Plans and Impact Fees for the Parks and Recreation and the Utility Impact Fees).

The Capital Improvement Advisory Committee reviewed drafts of the updated LUA at their meetings in July, August and October of this year. On October 15, 2015, the Capital Improvement Advisory Committee recommended the City Council approve the updated LUA as prepared by TischlerBise, Inc. The recommendation was approved by a three to zero vote with one member absent and one member vacancy.

**SUPPORT INFORMATION:**

1. Resolution.
2. Exhibit "A", Land Use Assumptions for Public Safety Impact Fee Update.
3. Attachment "A", October 15, 2015 Capital Improvement Advisory Committee meeting minutes.
4. Attachment "B", Public Safety Impact Fee Information Handout.
5. Attachment "C", Public Safety Fee Outreach 2014 – 2016.

**SOURCE OF FUNDING:**

Is this action already budgeted?  N/A	Yes	<input type="checkbox"/>	See fund summary below
	No	<input type="checkbox"/>	If No, then check one below:
	<i>Budget Adjustment Attached</i>	<input type="checkbox"/>	Expense reallocated from:
	<input type="checkbox"/>	<input type="checkbox"/>	Proposed funding is from a new revenue source (i.e. grant; see details below)
	<input type="checkbox"/>	<input type="checkbox"/>	Proposed funding is from fund balance in the _____ Fund.
Does this action create any revenue?  N/A	Yes	<input type="checkbox"/>	Funds will be deposited into this fund: _____ in the amount of \$ _____ for FY _____.
	No	<input type="checkbox"/>	There is no new revenue generated by this action.

**BUDGET NARRATIVE**

N/A
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**FUND EXPENDITURE SUMMARY:**

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
N/A	N/A	N/A	N/A	N/A	N/A

**OPTIONS / ALTERNATIVES:**

1. Vote "Yes"; this will approve the Resolution and adopt the updated Land Use Assumptions prepared by TischlerBise, Inc.
2. Vote "No"; this will not approve the Resolution and may result in the violation of the City's Development Impact Fee Ordinance if action on the updated Land Use Assumptions is not taken by August 11, 2016.
3. Vote to "Amend"; this could approve updated Land Use Assumptions prepared by TischlerBise, Inc. with modifications as directed by the City Council.
4. Vote to "Table"; this could result in the violation of the City's Impact Fee Ordinance if further action is not taken by August 11, 2016.

**REFERENCE INFORMATION:**

The resolution(s) and/or ordinance(s) listed below are only for reference and are not included as attachments or exhibits.

1. N/A

**RESOLUTION NO. 16-126****A RESOLUTION ADOPTING THE LAND USE ASSUMPTIONS FOR THE PUBLIC SAFETY IMPACT FEE UPDATE AS REQUIRED BY LAS CRUCES MUNICIPAL CODE CHAPTER 33, DEVELOPMENT IMPACT FEE.**

The City Council is informed that:

**WHEREAS**, in March 2015, the City of Las Cruces (City) entered into a professional services agreement with TischlerBise, Inc. to review and update Public Safety Impact Fees including the Land Use Assumptions for the impact fee; and

**WHEREAS**, the City previously enacted a Public Safety Development Impact Fee with Resolution 11-136 in compliance with the Las Cruces Development Impact Fee Ordinance; and

**WHEREAS**, the Las Cruces Development Impact Fee Ordinance requires the review of the Land Use Assumptions and Public Safety Development Improvement Plan at least every five years; and

**WHEREAS**, TischlerBise, Inc. has reviewed, analyzed and drafted modifications to the Land Use Assumptions for the Public Safety Development Impact Fee; and

**WHEREAS**, the Capital Improvements Advisory Committee has recommended approval of the updated Land Use Assumptions prepared by TischlerBise, Inc.

**NOW, THEREFORE**, Be it resolved by the governing body of the City of Las Cruces:

**(I)**

**THAT** the updates to the Land Use Assumptions prepared by TischlerBise, Inc. as shown in Exhibit "A", attached hereto, are adopted for the purposes of updating the Public Safety Development Impact Fee.

(II)

THAT the updates to the Land Use Assumptions prepared by TischlerBise, Inc. as shown in Exhibit "A", attached hereto, are also adopted for the purpose of updating the Utility and Park Impact Fees.

(III)

THAT City staff is hereby authorized to do all deeds necessary in the accomplishment of the herein above.

DONE AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

(SEAL)

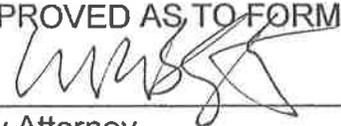
VOTE:

Mayor Miyagishima: \_\_\_\_\_  
Councillor Gandara: \_\_\_\_\_  
Councillor Smith: \_\_\_\_\_  
Councillor Pedroza: \_\_\_\_\_  
Councillor Eakman: \_\_\_\_\_  
Councillor Sorg: \_\_\_\_\_  
Councillor Levatino: \_\_\_\_\_

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney



**City of Las Cruces**

**3<sup>rd</sup> DRAFT Land Use Assumptions  
for Public Safety Impact Fee Update**

Prepared for:  
City of Las Cruces, New Mexico

September 16, 2015

**TischlerBise**  
FISCAL | ECONOMIC | PLANNING

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## APPENDIX A: LAS CRUCES DEMOGRAPHICS

The population, housing unit, and job data contained in this document will be used to update public safety impact fees. To evaluate the demand for growth-related infrastructure from various types of development, TischlerBise also prepared documentation on floor area by type of nonresidential development and service units by type and size of housing unit. As explained further below, these metrics are the service units that will be used in the impact fee study.

Development impact fees must be proportionate by type of land use and based on the need for growth-related improvements. The demographic data and development projections discussed below will be used to demonstrate proportionality and anticipate the need for future infrastructure. All land use assumptions and projected growth rates are consistent with published plans, such as the City of Las Cruces Comprehensive Plan 2040 (11/18/13) and the draft Dona Ana County Comprehensive Plan (January 2015). In contrast to these comprehensive plans, which are general and long-range, development impact fees require more specific quantitative analysis and have a short-range focus. Typically, impact fee studies look out five to ten years, with the expectation that fees will be periodically updated. For the public safety impact fee update, infrastructure standards will be calibrated using fiscal year 2015-16 data. In the City of Las Cruces the fiscal year begins on July 1<sup>st</sup>.

### Summary of Growth Indicators

Key development projections for the City of Las Cruces public safety impact fee update are housing units and nonresidential floor area, as shown in Figure A1. These projections will be used to estimate development fee revenue and to indicate the anticipated need for growth-related infrastructure. The goal is to have reasonable projections without being overly concerned with precision. Because impact fees methods are designed to reduce sensitivity to development projections in the determination of the proportionate-share fee amounts, if actual development is slower than projected, fee revenue will decline, but so will the need for growth-related infrastructure. In contrast, if development is faster than anticipated, the City will receive an increase in fee revenue, but will also need to accelerate infrastructure improvements to keep pace with the actual rate of development.

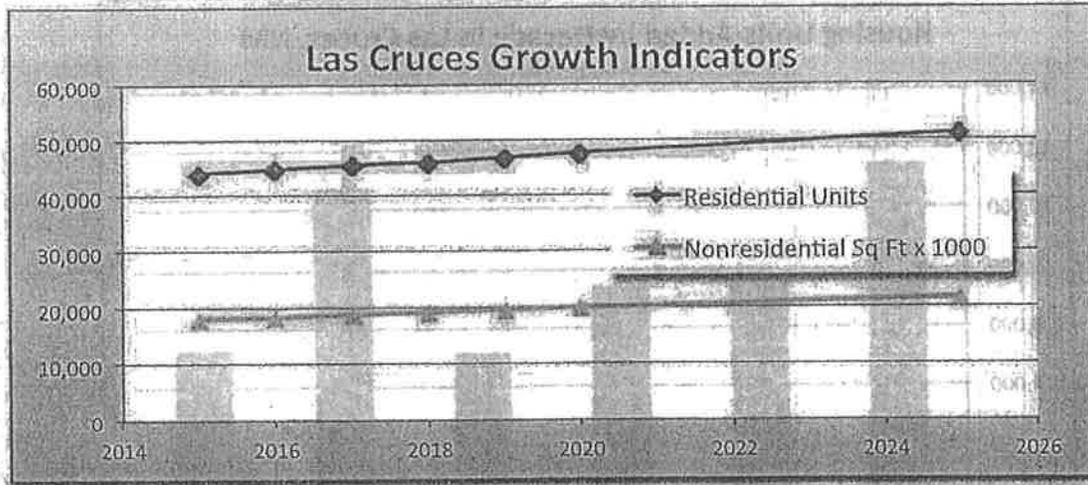
For the housing unit projection, TischlerBise used the 2030 population projection from page 21 of the City's Comprehensive Plan 2040. The compound annual growth rate of 1.52% was derived from the 2014 population estimate of 101,408 (U.S. Census Bureau) and the expectation of 129,182 residents by 2030. Population was converted to housing units using the 2013 ratio of 2.33 persons per housing unit (see Figure A8). During the next five years, the public safety impact fee update assumes an average increase of 694 housing units per year. In comparison, the City of Las Cruces added 504 housing units in calendar year 2013, which includes 107 multifamily units. Due to a nationwide shortage of financing for multifamily units in recent years, there was pent-up demand that partially explains the spike in apartments. In 2014, only 304 dwelling units were permitted, of which 11 were apartments.

Over the next five years, Las Cruces expects an average increase of 342,000 square feet of nonresidential floor area per year. The projected increase in floor area is based a compound growth rate of 1.8% per year, derived from the job projection on page 50 of the draft Dona Ana County Comprehensive Plan (RCLCO 2014). Job growth was converted to nonresidential floor area using 2010 data on Las Cruces jobs and nonresidential floor area, as discussed below (see Figures A3 and A4, with related text).

Figure A1: Summary of Development Projections and Growth Rates

Las Cruces, New Mexico

Year	2015	2016	2017	2018	2019	2020	2025	2015 to 2020 Average Annual	
	Increase	Compound Growth Rate							
Residential Units	44,186	44,860	45,544	46,238	46,943	47,658	51,404	694	1.52%
Nonresidential Sq Ft x 1000	18,290	18,620	18,950	19,290	19,640	20,000	21,870	342	1.80%



**Residential Construction**

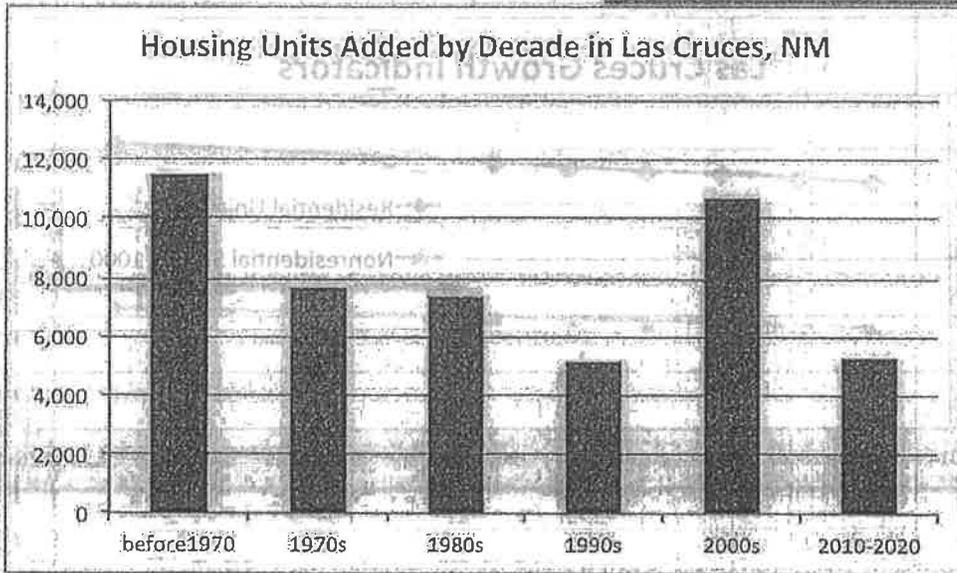
From 2000 to 2010, Las Cruces increased by an average of 1,069 housing units per year. Figure A2 indicates the estimated number of housing units added by decade in Las Cruces, according to data obtained from the U.S. Census Bureau. Consistent with the nationwide decline in development activity during the Great Recession, residential construction slowed significantly from 2008 to 2010, thus decreasing the number of units added during the past decade. From 2010 to 2020, Las Cruces expects to increase by 529 housing units per, which is significantly less than the increase during the previous decade.

Figure A2: Housing Units by Decade

Las Cruces, NM	
Census 2010 Population*	97,618
Census 2010 Housing Units*	42,370
Total Housing Units in 2000	31,682
New Housing Units 2000-2010	10,688

\* U.S. Census Bureau SF1.

From 2000 to 2010, Las Cruces added an average of 1,069 housing units per year. The projected increase from 2010 to 2020 is an average of 529 housing units per year.



Source for 1990s and earlier is Table B25034, American Community Survey, 2013, adjusted to yield total units in 2000. Projected units from 2010 to 2020 derived from population projection, Table 1, City of Las Cruces Comprehensive Plan 2040 (11/18/13).

### Nonresidential Development

In addition to data on residential development, the calculation of impact fees requires data on nonresidential development. TischlerBise uses the term "jobs" to refer to employment by place of work. In Figure A3, gray shading indicates the four development prototypes the will be used by TischlerBise to derive inbound average weekday vehicle trips to nonresidential buildings in Las Cruces, which will be used to allocate capital costs for police facilities. For future **Industrial** development, warehousing (ITE code 150) is a reasonable proxy. As shown in Figure A4, Las Cruces averaging 756 square feet per industrial job. The prototype for future **Commercial** development is an average size shopping center (ITE code 820). Commercial development (i.e. retail and eating/drinking places) in Las Cruces averages 453 square feet per job. For **Institutional** development, such as public buildings, schools and churches, the prototype is an elementary school (ITE code 520). Institutional development in Las Cruces averages 561 square feet per job. For **Office & Other Services**, a general office (ITE code 710) is a reasonable prototype for future development. In Las Cruces, offices and other services average of 205 square feet per job.

Figure A3: National Trip Rates and Employee to Building Area Ratios

ITE Code	Land Use / Size	Demand Unit	Wkdy Trip Ends Per Dmd Unit*	Wkdy Trip Ends Per Employee*	Emp Per Dmd Unit	Sq Ft Per Emp
110	Light Industrial	1,000 Sq Ft	6.97	3.02	2.31	433
130	Industrial Park	1,000 Sq Ft	6.83	3.34	2.04	489
140	Manufacturing	1,000 Sq Ft	3.82	2.13	1.79	558
150	Warehousing	1,000 Sq Ft	3.56	3.89	0.92	1,093
254	Assisted Living	bed	2.66	3.93	0.68	na
320	Motel	room	5.63	12.81	0.44	na
520	Elementary School	1,000 Sq Ft	15.43	15.71	0.98	1,018
530	High School	1,000 Sq Ft	12.89	19.74	0.65	1,531
540	Community College	student	1.23	15.55	0.08	na
550	University/College	student	1.71	8.96	0.19	na
565	Day Care	student	4.38	26.73	0.16	na
610	Hospital	1,000 Sq Ft	13.22	4.50	2.94	340
620	Nursing Home	1,000 Sq Ft	7.60	3.26	2.33	429
710	General Office (avg size)	1,000 Sq Ft	11.03	3.32	3.32	301
760	Research & Dev Center	1,000 Sq Ft	8.11	2.77	2.93	342
770	Business Park	1,000 Sq Ft	12.44	4.04	3.08	325
820	Shopping Center (avg size)	1,000 Sq Ft	42.70	na	2.00	500

\* Trip Generation, Institute of Transportation Engineers, 9th Edition (2012).

Figure A4 indicates 2010 estimates of jobs and nonresidential floor area located in Las Cruces. Job estimates, by type of nonresidential, are from the Las Cruces Work Area Profile, published by the U.S. Census Bureau's online web application known as "OnTheMap". The number of jobs in Las Cruces is based on quarterly workforce reports supplied by employers. With 43,652 jobs and almost 16.72 million square feet of nonresidential building space in 2010, Las Cruces averages 383 square feet of nonresidential floor area for each job.

Figure A4: Las Cruces Jobs and Nonresidential Floor Area Estimates

	2010 Jobs (1)	%	Sq Ft per Job	2010 Floor Area (2)	Jobs per 1000 Sq Ft
Industrial (3)	5,645	12.93%	756	4,268,000	1.32
Commercial (4)	12,097	27.71%	453	5,477,000	2.21
Institutional (5)	4,675	10.71%	561	2,624,000	1.78
Office & Other Services (6)	21,235	48.65%	205	4,349,000	4.88
<b>TOTAL</b>	<b>43,652</b>	<b>100.00%</b>	<b>383</b>	<b>16,718,000</b>	<b>2.61</b>

- (1) OnTheMap Work Area Profile, U.S. Census Bureau
- (2) Table 10, Las Cruces Land Use Assumptions, Duncan Associates, 2010.
- (3) Major sectors are construction and manufacturing.
- (4) Major sectors are retail and food services.
- (5) Major sectors are public administration and educational services.
- (6) Major sectors are health care, social assistance, professional, scientific, and technical services.

**Detailed Land Use Assumptions**

Demographic data shown in Figure A5 are key inputs for the public safety impact fee update. Cumulative data are shown at the top and projected annual increases, by type of development, are shown at the bottom of the table. As indicated by the slight increase in the jobs-housing ratio over time, Las Cruces will remain a strong employment center.

Given the expectation that impact fees are updated every five years, TischlerBise did not evaluate long-term demographic trends such as declining household size (i.e. the average number of persons in an occupied dwelling). As discussed further below, TischlerBise recommends the use of persons per housing unit to derive impact fees. The projected increase in population through 2030 maintains a constant ratio of 2.33 persons per housing unit.

The projected population shown below is less than the projected population of 117,488 by 2020, used in the 2013 Land Use Assumptions LUA) for Water and Wastewater Impact Fees. The 2013 study assumed population would increase at 1.87% per year, compared to 1.52% annual population growth in the updated LUA.

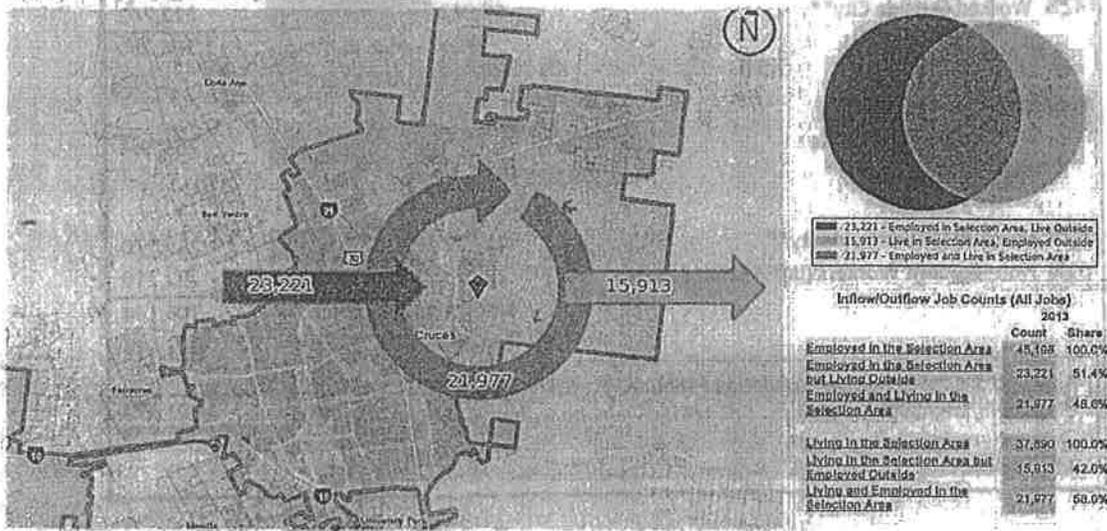
**Figure A5: Annual Land Use Assumptions**

Las Cruces, NM	2014	2015	2016	2017	2018	2019	2020	2025	2030
FY begins July 1st	FY14-15	FY15-16	FY16-17	FY17-18	FY18-19	FY19-20	FY20-21	FY25-26	FY30-31
	Base Yr	1	2	3	4	5	10	15	
<b>Total Population</b>	101,408	102,954	104,523	106,117	107,734	109,377	111,044	119,770	129,182
<b>Dwelling Units</b>	43,523	44,186	44,860	45,544	46,238	46,943	47,658	51,404	55,443
Persons per Hsg Unit	2.33	2.33	2.33	2.33	2.33	2.33	2.33	2.33	2.33
<b>Jobs in Las Cruces</b>									
Industrial	6,063	6,173	6,284	6,397	6,513	6,630	6,750	7,381	8,071
Commercial	12,994	13,228	13,466	13,709	13,956	14,208	14,464	15,817	17,295
Institutional	5,021	5,112	5,204	5,298	5,394	5,491	5,590	6,112	6,684
Office & Other Services	22,809	23,220	23,639	24,065	24,499	24,941	25,391	27,764	30,360
<b>Total Jobs</b>	46,887	47,733	48,593	49,470	50,362	51,270	52,195	57,074	62,409
Jobs to Housing Ratio =>	1.08	1.08	1.08	1.09	1.09	1.09	1.10	1.11	1.13
<b>Las Cruces Nonresidential Floor Area (square feet in thousands)</b>									
Industrial	4,580	4,670	4,750	4,840	4,920	5,010	5,100	5,580	6,100
Commercial	5,890	5,990	6,100	6,210	6,320	6,440	6,550	7,170	7,830
Institutional	2,820	2,870	2,920	2,970	3,030	3,080	3,140	3,430	3,750
Office & Other Services	4,680	4,760	4,850	4,930	5,020	5,110	5,210	5,690	6,220
<b>Total KSF</b>	17,970	18,290	18,620	18,950	19,290	19,640	20,000	21,870	23,900
Avg Sq Ft Per Job	383	383	383	383	383	383	383	383	383
Avg Jobs per KSF	2.61	2.61	2.61	2.61	2.61	2.61	2.61	2.61	2.61
								<b>2015-2025</b>	
<b>Annual Increase</b>	7/14-7/15	7/15-7/16	7/16-7/17	7/17-7/18	7/18-7/19	7/19-7/20	7/20-7/21	<b>Avg Anl</b>	
Total Population	1,546	1,569	1,593	1,618	1,642	1,667	1,693	1,682	
Dwelling Units	663	674	684	694	705	715	727	722	
Jobs	846	861	876	892	908	925	941	934	
Industrial KSF	90	80	90	80	90	90	90	91	
Commercial KSF	100	110	110	110	120	110	120	118	
Institutional KSF	50	50	50	60	50	60	50	56	
Office & Other Serv KSF	80	90	80	90	90	100	90	93	
<b>Total Nonres KSF/Yr =&gt;</b>	320	330	330	340	350	360	350	358	

**Commuting Patterns and Functional Population**

As shown in Figure A6, the Census Bureau's web application OnTheMap indicates that Las Cruces received a significant inflow of 23,221 workers on an average weekday in 2013. In addition to these non-resident workers, another 21,977 persons lived and worked in Las Cruces in 2013. As explained further in the next two sections, TischlerBise accounts for commuting patterns in the allocation of infrastructure costs to residential and nonresidential development.

**Figure A6: Inflow/Outflow Analysis**



For police impact fees, TischlerBise recommends functional population to establish the relative demand for infrastructure from both residential and nonresidential development. As shown in Figure A7, functional population accounts for people living and working in Las Cruces. Residents who don't work are assigned 20 hours per day to residential development and four hours per day to nonresidential development (annualized averages). Residents who work in Las Cruces are assigned 14 hours per day to residential development and 10 hours per day to nonresidential development. Residents who work outside Las Cruces are assigned 14 hours per day to residential development. Inflow commuters are assigned 10 hours per day to nonresidential development. Based on 2013 functional population data for Las Cruces, the recommended cost allocation for residential development is 72%, while nonresidential development accounts for 28% of the demand for police infrastructure.

Figure A7: Functional Population

Functional Population Cost Allocation for Public Safety			
	Demand Units in 2013	Demand Hours/Day	Person Hours
<b>Residential</b>			
Population*	101,181		
63% Residents Not Working	63,291	20	1,265,820
37% Resident Workers**	37,890		
58% Worked in City**	21,977	14	307,678
42% Worked Outside City**	15,913	14	222,782
			Residential Subtotal 1,796,280
			Residential Share => 72%
<b>Nonresidential</b>			
Non-working Residents	63,291	4	253,164
Jobs Located in City**	45,198		
49% Residents Working in City**	21,977	10	219,770
51% Non-Resident Workers (Inflow commuters)	23,221	10	232,210
			Nonresidential Subtotal 705,144
			Nonresidential Share => 28%
			<b>TOTAL 2,501,424</b>

\* 2013 U.S. Census Bureau population estimate.

\*\* 2013 Inflow/Outflow Analysis, OnTheMap web application, U.S. Census Bureau data for all jobs.

**Persons per Housing Unit**

The 2010 census did not obtain detailed information using a "long-form" questionnaire. Instead, the U.S. Census Bureau has switched to a continuous monthly mailing of surveys, known as the American Community Survey (ACS), which is limited by sample-size constraints. For example, data on detached housing units are now combined with attached single units (commonly known as townhouses). Part of the rationale for deriving fees by bedroom range, as discussed further below, is to address this ACS data limitation. Because townhouses and mobile homes generally have fewer bedrooms than detached units, fees by bedroom range ensure proportionality and facilitate construction of affordable units.

If there is a legislative policy decision to not impose fees by dwelling size, TischlerBise will recommend updated public safety fees for two residential categories, as shown in Figure A8. According to the U.S. Census Bureau, a household is a housing unit that is occupied by year-round residents. Development fees often use per capita standards and persons per housing unit, or persons per household, to derive proportionate-share fee amounts. TischlerBise recommends that fees for residential development in Las Cruces be imposed according to the number of year-round residents per housing unit. As shown below, the U.S. Census Bureau estimates Las Cruces had 43,554 housing units in 2013. Dwellings with a single unit per structure (detached, attached, and mobile homes) averaged 2.45 persons per housing

unit. Even though townhouses are attached, each unit is on an individual parcel and is considered to be a single unit. Dwellings in structures with two or more units averaged 1.84 year-round residents per unit. This category includes duplexes, which have two dwellings on a single land parcel. The overall average, including persons on group quarters, was 2.33 year-round residents per housing unit in 2013.

Figure A8: Year-Round Persons per Unit by Type of Housing

2013 Summary by Type of Housing

Units in Structure	Persons	Households	Persons per Household	Housing Units	Persons per Housing Unit	Housing Mix	Vacancy Rate
Single Unit	78,064	29,132	2.68	31,853	2.45	73%	9%
2+ Units	21,494	10,167	2.11	11,701	1.84	27%	13%
Subtotal	99,558	39,299	2.53	43,554	2.29		10%
Group Quarters	1,759						
<b>TOTAL</b>	<b>101,317</b>				<b>2.33</b>		

Source: U.S. Census Bureau, 2013 American Community Survey, 1-Year Estimates, Tables B25024, B25032, B25033; and B26001.

[1] Single unit includes detached, attached, and mobile homes.

Service Units by Bedroom Range

Impact fees must be proportionate to the demand for infrastructure. Because the average number of persons per housing unit has a strong, positive-correlation to the number of bedrooms, TischlerBise recommends residential fee schedules that increase by dwelling size. Custom tabulations of demographic data by bedroom range can be created from individual survey responses provided by the U.S. Census Bureau, in files known as Public Use Micro-data Samples (PUMS). PUMS files are only available for areas of at least 100,000 persons, with the City of Las Cruces included in Public Use Micro-data Area (PUMA) 1002. As shown in Figure A9, TischlerBise derived average persons per housing unit by bedroom range, from un-weighted PUMS data. The recommended multipliers by bedroom range (shown below) are for all types of housing units, adjusted to the control total of 2.33 persons per housing unit in Las Cruces (see Figure A8):

Figure A9: Citywide Average Number of Persons by Bedroom Range

Bedrooms	Persons (1)	Housing Units (1)	Persons per Housing Unit (2)	Housing Mix
0-1	32	27	1.23	9%
2	134	71	1.95	25%
3	385	155	2.57	54%
4+	95	34	2.89	12%
Total	646	287	2.33	100%

(1) American Community Survey, Public Use Microdata Sample for NM 2010 PUMA 1002 (2013 1-yr unweighted data).

(2) Person per Housing Unit are scaled to make the average derived from PUMS data match the overall average of 2.33 persons per housing unit in Las Cruces.

Average floor area and number of persons by bedroom range are plotted in Figure A10, with a logarithmic trend line derived from four actual averages in Las Cruces. Using the trend line formula shown in the chart, TischlerBise derived the estimated average number of persons, by dwelling size, using 400 square feet intervals. For the purpose of public safety impact fees, TischlerBise recommends a minimum fee based on a unit size of 900 square feet and a maximum fee for units 2101 square feet or larger. According to the U.S. Census Bureau's Survey of Construction microdata for Mountain West states, the average size of all two-bedroom single-family housing units (both detached and attached) constructed in 2014 was 1,809 square feet of finished living space. This same source indicates an average of 2,204 and 3,382 square feet of finished living space for three and four-or-more bedroom housing units, respectively.

According to Las Cruces building permit records, all single units (i.e. both single family and townhouses) averaged 2,345 square feet in 2013; 2,459 square feet in 2014; with a combined weighted average of 2,393 square feet. Because the Las Cruces building permit data included garages, TischlerBise reduced the average by 400 square feet, which is the approximate size of a two-car garage. The average sizes for 2, 3, and 4+ bedrooms in Las Cruces are assumed to be 74.5% of the floor area reported by the Census Bureau (i.e. 1993 average square feet in Las Cruces divided by 2675 square feet in the Mountain West region).

The U.S. Census Bureau also publishes summary tables for multifamily housing units, indicating an average of 1,081 square feet of floor area for units constructed in 2014 in the West census region. As shown in the upper-right of the table below, the lowest floor area range (900 square feet or less) has an estimated average of 1.10 persons per housing unit. This is consistent with the fact that 48% of multifamily units constructed during 2014 in the West Region were either efficiencies or one-bedroom units suitable for a single-person household.

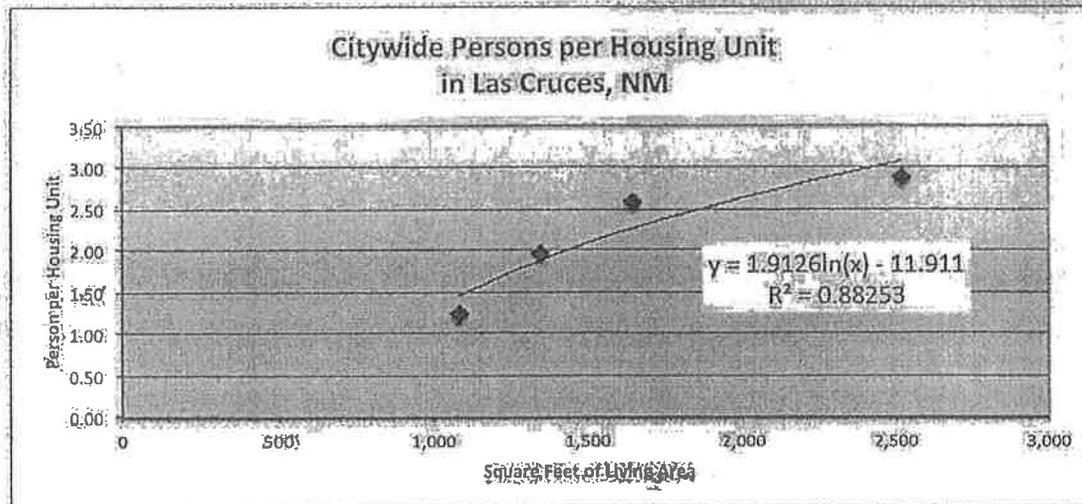
As shown in Figure A10, the average-size single unit in Las Cruces is within the size range of 1701 to 2100 square feet and has a fitted-curve value of 2.72 persons per housing unit. A small house with 1301 to 1700 square feet would pay 85% of the public safety impact fee paid by an average-size single unit. A large unit of 2101 square feet or more would pay approximately 106% of the public safety impact fee

paid by an average-size single unit. If Las Cruces continues a "one-size-fits-all" approach, small dwellings will be required to pay more than their proportionate share while large dwellings will pay less than their proportionate share. A blended average fee for all house sizes makes small dwellings less affordable and essentially subsidizes large dwellings.

Figure A10: Persons by Square Feet of Living Space

Survey of Construction Square Feet	Actual Averages per Hsg Unit			Fitted-Curve Values	
	Bedrooms	Square Feet	Persons	Sq Ft Range	Persons
1,081	0-1	1,081	1.23	900 or less	1.10
1,809	2	1,348	1.95	901 to 1300	1.80
2,204	3	1,642	2.57	1301 to 1700	2.32
3,382	4+	2,520	2.89	1701 to 2100	2.72
2,675	<=Wt Avg=>	1,993		2101 or more	2.89

Average square feet of dwellings by bedroom range from U.S. Census Bureau 2014 Survey of Construction microdata was adjusted downward to match the weighted average dwelling size obtained from Las Cruces building permit records, reduced by 400 square feet to account for garage space. Average persons per housing unit is from 2013 ACS PUMS for PUMA 1002 (Las Cruces).





**City of Las Cruces**  
PEOPLE HELPING PEOPLE

**Capital Improvements Advisory Committee**

Minutes for the Meeting on  
Thursday, October 15, 2015  
1:30 p.m.  
Utilities Center  
Conference Room 218

**Committee Members Present:**

- Lonnie Hamilton, Chair
- Max Bower, Vice-Chair
- Eugene Suttmiller, Committee Member

**City Staff Present:**

- Travis Brown, Fire Chief
- Carl Clark, Interim RES/TS Administrator
- Justin Dunivan, Deputy Police Chief
- Dr. Jorge A. Garcia, Utilities Director
- Jaime Montoya, LCPD Chief
- Carolynn Rouse, Utilities Office Assistant Senior
- Alma Ruiz, Utilities Office Manager Senior
- Ted Sweetser, Fire Marshal
- David Weir, Community Development, Director

**Committee Members Absent:**

- Ronald Johnson, Committee Member
- Chrys Uhlig, Committee Member

**Chair Hamilton:** Called the meeting to order at approximately 1:30 p.m. We have Quorum present so we will start the meeting.

**Acceptance of the Agenda:**

**Chair Hamilton:** Does anyone have a problem with today's agenda? If not, I entertain a motion to approve the agenda.

**Suttmiller:** I move to accept the agenda.

**Bower:** I second.

**Hamilton:** All in favor? Aye.

**Suttmiller:** Aye

**Vice Chair Bower:** Aye

**The Agenda was Accepted Unanimously, 3-0**

**Acceptance of the Minutes:**

**a. Regular Meeting of August 20, 2015.**

Chair Hamilton: Hope you've all had a chance to read the minutes. Are there any amendments or adjustments to them? If not, I'll entertain a motion to approve the minutes of the previous meeting.

Suttmiller: So motioned.

Vice-Chair Bower: Second.

Chair Hamilton: All in favor? Aye.

Vice-Chair Bower: Aye.

Suttmiller: Aye.

**The Minutes were Accepted Unanimously. 3-0**

**New Business:**

Chair Hamilton: Before we get into our business at hand with the Land Use Assumptions today, I have a bit of news. I received this from Chrys Uhlig. Back in April, he was informed that he had pneumonia, which leads to congestive heart failure with build-up of fluids in his system. He saw a heart doctor who took care of the fluid and the heart-related problems, but since then have continued wheezing in the lungs and asked an oncologist to have a look. After a biopsy, he has been diagnosed with small cell lung cancer. He is going through chemo right now. I talked to him yesterday and he is doing well by the way, but realizes he is not going to be able to contribute to the CIAC and he has put this as a matter of record that this is his official resignation letter from our CIAC Committee.

Alma, if you don't mind, I want this read into the minutes please. I'll give you a copy of this letter if you can handle that with the City.

Bad news today, losing a man that brings a lot of strength and knowledge to our Committee. I hate to lose him, but things happen in life and we have to adjust to them. We do need to advertise too, Alma, as soon as possible for a replacement to get that done.

Ruiz: Yes, sir.

**Old Business:**

Chair Hamilton: I sat in the other day with Tischler Bise at the City Council meeting, and Mr. Weir making a presentation to them. It sounds like most of the issues that we've been asking about are pretty well drawn to a close with an answer one way or the other. I appreciate all the effort that you put together with getting our balance between the national statistics and the local statistics put together, so we can make some type of legitimate decision on the Land Use Assumptions that we're looking at.

I really think that in this environment, Max and I just had a short moment a few seconds ago talking about the way the market looks and it looks like it's going to be optimistic next year and I'm really happy to hear that. I still think that the numbers for a five (5) year period still may be a little optimistic, I don't think the Land Use Assumptions, my opinion, is that critical in this deal. Tischler Bise has done a good job in analyzing things and putting that together in a make-sense format. Hopefully that will generate the basis that we'll have set impact fees to that will make sense going forward for the new equipment we need purchased for Fire and Police over the next time frame.

With that said, have there been any other meetings of stakeholders in the community that we need to be made aware of?

**Chief Brown:** Mr. Chairman, members of the Board, this is an updated chart that shows all the public outreach that has occurred. I don't believe there has been anything specifically since the City Council Work Session. I will tell you that I reached out to the Realtors Association specifically and offered that we would come make a presentation, and they never got back to us as far as a date there.

We are looking at October 27<sup>th</sup> or 29<sup>th</sup>, and I'll get the exact date before the meeting is over, for a public meeting, more of the community as opposed to specific targeted stakeholders, at the Sage Cafe, and then following that up November 12<sup>th</sup> or 19<sup>th</sup> with something at the City Council Chambers. Not necessarily just on the Land Use Assumptions, but on those as well as in general the process that we're going through just to make sure that we're reaching out to some of those neighborhood groups. That was a specific request by City Council.

Those two things are in the works along with information, frequently asked questions, and I believe that a copy of the presentation that will be posted on the City's website for anybody and everybody to look at, with a link to request additional information or get clarification if somebody needs that. So that's really where we're at, do you have anything to add to that, David?

**Weir:** No. You've been very succinct and done a thorough job.

**Chair Hamilton:** Alma, as those meetings approach, if you don't mind notifying the CIAC and then go ahead and post our potential quorum notice just so we'll be covered in case we have more than three (3) show up at one of these stakeholder meetings?

**Ruiz:** Yes, sir.

**Chair Hamilton:** Then we'll be covered. With that said, we've cancelled all of the reviews today that we had scheduled for October. Because of lack of quorum, we had to cancel a meeting. We had a little bit of a short call meeting today because we

have the Utilities meeting starting at 3:00 and we didn't want to overlap that in case we had personnel that needed to attend that meeting. Travis, you are the agenda today.

**Chief Brown:** Mr. Chairman, actually, we had a little mix-up. Mr. Weir is going to make the presentation since he is more familiar with it. I would like to introduce David Weir, Community Development Director who will provide the presentation.

**Weir:** Mr. Chairman, Members. First, I can ask you, do you want a presentation? What we have is a slide show that Mr. Guthrie presented to the City Council at their Work Session. This is a really nice job of summarizing their findings and the report they've put together, it's a short slide. I'd be happy to walk through it.

**Chair Hamilton:** Let's do that. I don't think Gene or Max have seen the latest revision and I think it would be good to update everyone.

**Weir:** Sure. The report itself starts with the population and then the growth of the non-residential square footage throughout our community. This first slide just goes through it, it provides projections up to 2025 and that's based on U.S. Census numbers and also information that City has used in their own comprehensive plan. As you can see, the box on the side shows that this is actual input that the CIAC provided. The growth numbers are lower than what was done the last time Land Use Assumptions were adopted. In the past, it was a 2% residential growth, 2.4% non-residential growth, and the assumption was that almost 1,000 dwellings per year were being constructed. As you're also aware, this is the third iteration of population growth. They've all been scaled down, but still having that same number in 2025 for population growth. The numbers that are being recommended this time are a growth rate for residential of just slightly over 1.5%, and then 1.8% for the non-residential. He has the 649, that's for the full 10-year period that these numbers are put out.

Then, as we go to the next slide, this talks about the dwellings that have been developed through each decade that are used to put a trend line together. As you can see in the green box, Tischler Bise's recommendation is for the next five years that would be on average 529 housing units per year. That's a number that if you recall when he came and spoke with you, he was willing to put down that the rate of growth would be slow that first five years and then to meet that number it will continue to uptick. One of the other justifications he provided for that was that anytime you do impact fees, you have to come back and revisit the Land Use Assumptions again during that five year period. So these numbers can be looked at again.

**Chair Hamilton:** Gene that 529 seemed a little high to us at first. I know that you were back East for a while. What that boiled down to is roughly 300 single-family residences,

then it includes apartments and roughly 10-12 mobile home housing units each month also.

Suttmiller: That sounds a little more realistic.

Weir: This slide goes over how they chose to deal with non-residential growth, categorized it into four categories: industrial, commercial, institutional, and office retail type of uses. It deals with both the jobs it would take to support that, and he used traffic generation to determine how much of public safety utility in the communities provide, how much of it goes towards providing service to residential areas, and how much of it goes to commercial areas. A couple more slides in, it talks about that a little bit more when we go to that. This is where that breakdown is, based on population of the community, where people work, how many people leave the community to work elsewhere and how many come in to it to work, what type of public safety services is the City providing. The large box shows the breakdown of that. Tischler Bise calculated that 72% of the public services goes towards providing service to residential activities and 28% to the non-commercial.

This is a real summation of all of the Land Use Assumptions. It provides the estimate of the population, it's anticipating in the next five years we'll be slightly above 111,000 population that will have approximately 20 million in square footage for the non-residential type of uses. Just to show how you adjust Land Use Assumptions based on the growth rates, the previous time this was done, the estimate at the same period of time was slightly more than 116,000 population and over 21 million square foot of non-residential type of uses. That's what's depicted on that slide.

Also, to help with when we actually review the fee and the recommendations on that, they provide information on how many people are within a dwelling, and they've chosen to make a recommendation that it be between single family has one estimate, then for the multi-family has another, it has an average in this neighborhood of 2.3, and that's the number they used to generate development. That's slightly different than what's been done in the past, with that number the intent is to accurately display what type of service needs to be provided.

Again, this is then the square footage of the residential use, in the past the impact fee was set up on just one fee for all residential use, I believe that's one for apartment and one for single-family. As it is developed for public safety, Tischler Bise is going to recommend that it be based on the square footage of the house so it's more reflective of the number of residents that are in there and the type of services that might need to be provided.

These are numbers that again Tischler Bise got actual data from the City, they also reviewed regional Census data on what is taking place, and also took into

account how we deal with a non-heated space and backed that out to provide those numbers.

That is what we have provided for that. The process from this standpoint is if you make a recommendation today, staff will then prepare a Resolution for City Council to adopt saying these are the Land Use Assumptions to determine a recommendation for impact fees for public safety, and then per our schedule Tischler Bise will come in and talk about their recommendations for level of service, the CIP, and then actual fees themselves. Is there anything Travis, you wanted to add to the presentation?

Chief Brown:

Mr. Chairman, just a couple of things that really have stood out to me this go-around being involved with the last process. I think that Tischler Bise has listened to what's been said. I understand there still may be some reservations about the level or how optimistic these are; at the same time I do think they have done very well in looking at our local data, basing these projections on already adopted plans and policies in both the City and County using tax information. In really moving forward at this point, other than just selecting some type of almost arbitrary way to lower the projections, I'm not so sure what we would do. I think they've used the local City data, the data from the County, and all of the plans that are in place and have already been adopted to deal with these similar projections.

We as staff feel like this is still a projection and that this is probably about as good as we feel we're going to get. As you said earlier, this is what gets us to the next level and ultimately the fee will be determined based on what comes after this point. If we have an opportunity to move on to that, I think we can get to really the question that's on everybody's mind. What are the fees going to look like? What's the level of service need to be and is that going to provide the equipment and facilities that we need moving forward? I believe I speak for Chief Montoya as well as far as on the public safety side, we very much are supportive of these going forward and being presented to City Council as the Land Use Assumptions for us to move forward.

Chair Hamilton:

I really appreciate the words that you've presented today, Travis. I think that Tischler Bise has answered most of the questions that we had concerns over. Max on his own has gone out and re-verified some of the information that he felt like was a little out of kilter at one point, and I think he came back to reconcile that it was okay. As we're looking at these things, there are some self-correcting things that are going to happen regardless of what these assumptions are going forward. If we build 200 houses instead of 596, you're just not going to have as much revenue come in. The thing I don't want to be is looking like we're not really analyzing this program and trying to come up with something that is in the ballpark. It's still an assumption to the future and if we all had that crystal ball, wouldn't that be nice? As we are working with Tischler Bise I think they have tried to address our concerns and tried to blend

information instead of just taking one source and holding that up and saying "this is it". I really appreciate the effort that they've gone through and Mr. Guthrie I think has done a good job.

**Weir:** Mr. Chair, I know that you were at the Work Session with City Council and they drilled down several questions specifically on what you're talking about. What does this estimation mean? What will it mean when the Impact Fees are assessed? At the end of Mr. Guthrie's presentation he made a comment that it's the level of service per individual and that kind of minimizes the number having to be exact. Because with that level of service, no matter what the growth is, you're still providing that to that individual.

**Suttmiller:** If we make a recommendation now, let's say the border's exploding, let's say we nail some corporation that's going to bring in 6,000-7,000 jobs and this goes askew. We can come back earlier than five (5) years and adjust them, can we not? There's two dangers. One, if that happens, can we respond to it? Two, if there's not as much, we're just going to have to live with it and we can respond to that also.

**Weir:** In the report itself, the theory is the capital improvement project, the capital equipment can be purchased is based on this 111,000 population.

**Suttmiller:** So he's not caught with \$1,000,000 dollars' worth of equipment and \$100,000 worth of the money.

**Weir:** Right, the theory is that we don't have to purchase all of that if the growth does not occur that quickly.

**Chief Brown:** The other thing that I would add, Mr. Chairman, is as a reminder the intent is this Land Use Assumption will be used by Parks and Recreation who will be coming pretty much immediately on our heels, and then ultimately Dr. Garcia when he comes back around. I would say to Mr. Suttmiller's question, I believe that if we get to the time for Dr. Garcia to come back and we've had some type of population explosion, then very likely in order for him to be able to do what he needs to accomplish as accurately as possible, then we may have to come back and revisit that before the five (5) year period.

**Suttmiller:** Yes, I read that we can come back earlier.

**Chief Brown:** I'm fairly certain that's a maximum that it has to be done, at least every five (5) years, but it can be done more frequently.

**Suttmiller:** Because I don't think it will happen, but we're in an area where it could happen. I'm just wondering. Thank you.

**Chair Hamilton:** Max, do you have any comments or concerns?

Vice-Chair Bower: No.

Chair Hamilton: That being the case, do we want to make a recommendation that we accept Tischler Bise's Land Use Assumptions so we can continue forward with the City Council and moving to look at rates in the near future?

Vice-Chair Bower: So moved.

Suttmiller: Second.

Chair Hamilton: All in favor? Aye.

Vice-Chair Bower: Aye.

Suttmiller: Aye.

Chair Hamilton: Motion carries. Thank you very much.

#### **5. Next Meeting Date:**

Chair Hamilton: Our next meeting date will be November 19<sup>th</sup> at 1:30 p.m. Our future meeting agenda will have no New Business known at this point, and following with our calendar it looks like we will have a presentation to bring us up to date with Utilities current projects by Carl. Eric will bring a couple of different project updates in too, one for public safety and the other for Parks and Recreation. I want to keep the calendar kind of open for Fire and Police at this point in case there's anything that comes up that we need to re-address at that point or any new information coming forth.

And then we'll see how December shapes out. That falls on the 17<sup>th</sup> of December and we may have a lot of folks out of pocket around Christmas time, so we'll kind of keep that in our pocket as to whether or not we'll have a meeting in December.

#### **6. Public Participation:**

Chair Hamilton: Anything from the public today? Yes, Travis

Chief Brown: Mr. Chairman, I just wanted to share, this is a copy of our Annual Report. We do it on a fiscal year, and it just has some information in there for the Committee. It's also available on our website but hopefully you'll enjoy reading through that. Also, I'd just like to thank Mr. Bower and the Home Builders' Association (HBA). This process really to this point has I think gone extremely well and a lot of that is due to Mr. Bower's leadership and working with us as City staff to make sure that we had the meetings that we needed to have and assisting in getting information out to his membership and opening up those meetings to other stakeholders in the community. I do believe that helped us

get to this point because the feedback they provided was shared with the consultant, was given consideration each and every time. I would like to say "thank you" to the Committee and again, specifically the HBA for this. It's feeling like a much more cooperative effort than what I experienced last time being involved with this.

Chair Hamilton: Thank you, Max.

Vice-Chair Bower: My pleasure.

Chief Brown: We're looking forward to continuing that moving forward. I do have the October 29<sup>th</sup>, Thursday, is the date for the Sage Café. We don't have a specific time yet, once we get that we will send that out to you through Alma and then we're still looking at either November 12<sup>th</sup> or 9<sup>th</sup> for a meeting in City Council. We will be sure to get that information to the Committee members as well as to the stakeholders that we've been advising of all of these meetings moving forward and continuing to make sure they are aware of any and all opportunities to come hear what's going on and provide input and feedback.

#### 7. Committee General Discussion:

Chair Hamilton: Is there anything else to come before this meeting today?

Suttmiller: Travis, I'd like to say congratulations on that ISO rating. That is great.

Chief Brown: Thank you, sir.

Suttmiller: It happened on your watch.

Chief Brown: It did, but it also happened on Dr. Garcia's watch.

Suttmiller: Like I said, the water distribution and everything.

Chief Brown: It's a very critical part of that.

Suttmiller: Of course you rubbed that in to the Albuquerque Chief, right?

Chief Brown: Actually, Mr. Chairman and Mr. Suttmiller, that's a funny story because Albuquerque now is an ISO 1 rank also, but we beat them to the punch and my understanding is they were not too happy about that.

Suttmiller: Well, they can learn to live with it.

Chief Brown: That's right.

Suttmiller: Again, congratulations. Great job.

Chief Brown: Thank you, sir.

**8. Adjournment:**

Chair Hamilton: Any other words of wisdom? Anyone?

Vice-Chair Bower: Mr. Chairman, I move we adjourn.

Suttmiller: Second.

Chair Hamilton: All in favor? Aye.

Suttmiller: Aye.

Vice-Chair Bower: Aye.

Meeting was adjourned at approximately 1:54 PM.

**7. Committee General Discussion:**

Chair Hamilton: Is there anything else to come before this meeting today?

Suttmiller: I've, I'd like to say congratulations on that ISO rating. That is great.

Lonnie Hamilton  
CIAC Chair

Chief Brown: Thank you, Lonnie.

Suttmiller: It happened on your watch.

Chief Brown: It did, but it also happened on Dr. Garcia's watch.

Suttmiller: Like I said, the water distribution and everything.

Chief Brown: It's a very critical part of that.

Suttmiller: Of course you ripped that in to the Albuquerque Chief, right?

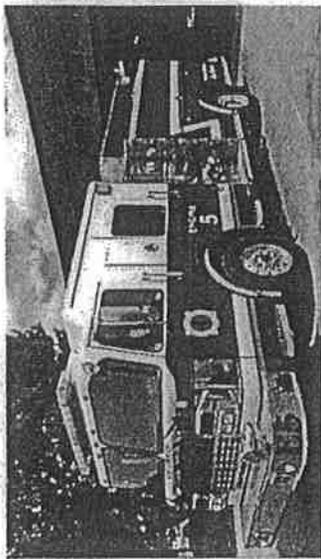
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Suttmiller: Well, they can learn to live with it.

Chief Brown: That's right.

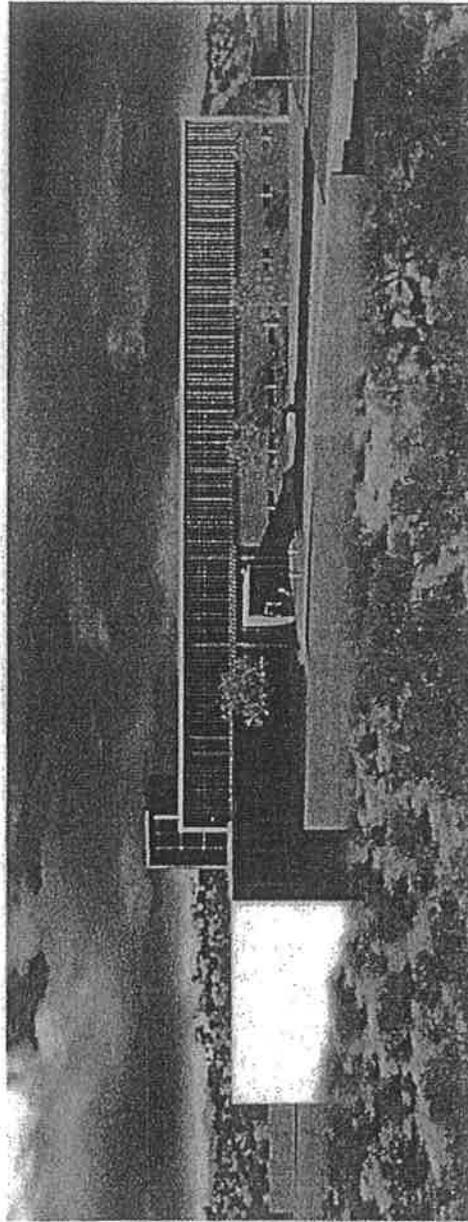
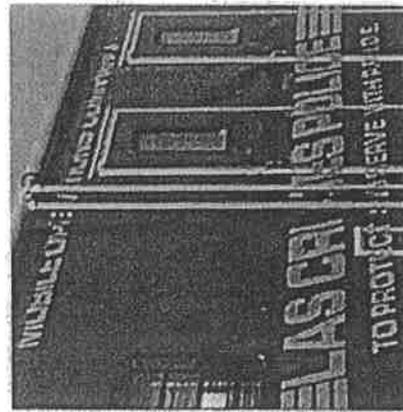
Suttmiller: Again, congratulations. Great job.

# Public Safety



## Impact Fees

*What are they and how are they used?*



*Image credit: Williams Design Group and RMKS Architecture*

### East Mesa Public Safety Complex

Public Safety Impact Fees help pay for buildings and equipment that benefit all residents of Las Cruces.

One of the newest facilities is the East Mesa Public Safety Complex located northeast of the intersection of Sonoma Ranch Blvd. and Lohman Ave. The City has authorized a contract for the construction of the \$11 million project for the 35,000-square-foot, two-story building that will house Fire Station 8, the Police Department's East Area Command and Codes Enforcement. Construction should be complete sometime in 2016.

The City will be holding several community meetings through 2015 to provide more information about the impact fee process, how fees are calculated and how they affect residents, developers, and the community.

If you're interested in more information, would like to be placed on the meetings invitation list, or have questions, please contact Jamey Rickman, Council and Constituent Services Coordinator at 541-2192 or email at [jrickman@las-cruces.org](mailto:jrickman@las-cruces.org) and provide your contact information.



If you would like to be placed on a mailing list for upcoming public meeting notifications, call 541-2192 or email [jrickman@las-cruces.org](mailto:jrickman@las-cruces.org) with your contact information.

## Frequently Asked Questions

### What are Impact Fees?

An impact fee is a charge on new development to pay for the construction or expansion of capital improvements that are needed by and benefit new development. The majority of cities and counties nationwide use some form of impact fees. The fee is calculated proportionately based on current and projected growth of the community.

Las Cruces rotates the evaluation of the need for impact fees based on categories such as parks, utilities and public safety. Las Cruces is currently in the Public Safety cycle for impact fees.

**What is the Purpose of Public Safety Impact Fees?**  
Public Safety impact fees are intended to charge new development for the increased demand on services new buildings create for police and fire personnel.

### Who pays Public Safety Impact Fees?

Any new building or addition to an existing building that is constructed within the City of Las Cruces is assessed a fee. The fee is paid when the construction permit is issued.

### Since the fee is paid when a construction permit is issued, does that mean only developers and contractors pay the fee?

Developers and contractors usually pay the fee, but in some cases the cost may end up being passed along to the end user which could mean an increase in the cost of a new home.

### What are the fees used for?

The fees that are collected can only be used to pay for new buildings, land or equipment that has a value of \$10,000 or more and a life expectancy of 10 years or more. Some examples are as follows:

- New buildings used for police or fire stations
- Addition to existing fire or police buildings
- Fire engines, ladder trucks and other large specialty vehicles
- Specialized police vehicles such as the Mobile Operations Center (MOC) or tactical response vehicles

### So impact fees require a new development to pay for all improvements in Public Safety?

Impact fees do not pay for all improvements to public safety services, only a fair share. Taxes, bond funding, grants and other sources of revenue still pay for the lion's share of costs related to police and fire protection.

### What has the City of Las Cruces done with the Public Safety Impact Fees that have been collected so far?

The City has purchased a new fire engine for Fire Station 8, which will be constructed as part of the East Mesa Public Safety Complex. The remainder of the fees that have been collected are being used to help build the East Mesa public Safety Complex that also will include the Police Department's East Area Command Station.

### Are Public Safety Impact Fees paid every time someone buys a home?

Impact fees are only assessed when the home is first built. If you purchase a pre-existing home that has already been lived in, there usually are no impact fees.

### Could impact fees go up?

They could. By law the City must review and update impact fees every five years. The City Council will evaluate the information gathered and make a decision to increase the fee, keep it the same, reduce the fee or do away with it all together.

### Who decides how the money raised through Public Safety Impact Fees is spent?

Only items that are part of the approved Impact Fee Capital Improvement Plan are eligible to be funded with impact fees. The Las Cruces Police Department and Las Cruces Fire Department work with the Office of the City Manager to prioritize the projects with the greatest need.

### Does the City have to pay Public Safety Impact Fees when it builds a new facility?

Yes. The City must pay the same amount as other commercial buildings for the same type of use.

### How can I find more information about impact fees?

You may contact Jamey Rickman, council and constituent services coordinator, at 541-2192 or jrlickman@las-cruces.org.



9/28/2015-JLR

## Public Safety Impact Fee Outreach\*

### 2014-2016

Date	Audience	Membership	Activities	Notes
<b>2014</b>				
November 20	Capital Improvements Advisory Committee	Committee Members	Update on Proposed Process for Impact Fee Review, Public Safety Projects Update	
<b>2015</b>				
January 15	Capital Improvements Advisory Committee	Committee Members	Public Safety Impact Fee background, laws	Presentation & discussion
March 19	Capital Improvements Advisory Committee	Committee Members	Public Safety History/Review of existing plan & fees	Presentation & discussion
April 16	Capital Improvements Advisory Committee	Committee Members	Establish a process to engage the public & stakeholders Public Safety impact fees update	Presentation & discussion
April			Developed Impact Fee Brochure for meetings	Travis Brown & Jamey Rickman
May 2	Neighborhood Expo (~500)	Public	Display board w/brochures	
May			Printed more brochures	
June 18	Las Cruces Home Builders Association -- Board Member Meeting (13)	Board members, general membership, other stakeholder groups	Presentation by Travis Brown; support w/ Jaime Montoya, Justin Dunivan, Jamey Rickman  Councillors: Miguel Silva, Ceil Levatino,	Requested input/commentary from group
July 15	Las Cruces Association of Realtors (20-25)	General Membership	Presentation by Travis Brown; support w/Jaime Montoya, Justin Dunivan, Ted Sweetser	Requested input/commentary from group
July 16	Capital Improvements Advisory Committee	Committee Members and public	Review revised Land Use Assumptions; Update on Public Engagement Activities	Presentation by Tischler-Bise Consultant Dwayne Guthrie
August 6	Greater Las Cruces Chamber of Commerce (5)	Chamber Board Members and government relations committee members	Presentation by Travis Brown on Land Use Assumptions	Requested input/commentary from group
August 20	Capital Improvements Advisory Committee	Committee Members and public	Review of second draft for Land Use Assumptions	Consensus from committee to present LUA as final draft to stakeholders
September 10	Las Cruces Homebuilders General Membership Luncheon (35)	<ul style="list-style-type: none"> <li>• Developers</li> <li>• Building Industry</li> <li>• Suppliers</li> <li>• Realtors</li> <li>• Bankers</li> <li>• Mortgage Companies</li> <li>• Title Companies</li> </ul>	Presentation by David Weir; support w/ Deputy Chief Jason Smith, Fire Marshal Ted Sweetser, Police Chief Jaime Montoya, CCSC Jamey Rickman	<i>Continued next page</i>

September 28 <i>(scheduled)</i>	City Council Work Session Presentation	City Council, specific stake-holder groups, public	Presentation and Review; Tishler-Bise Consultant Dwayne Guthrie	
October - early <i>(scheduled)</i>	City of Las Cruces website presence	Public (infinite)	Website presence-home page, internal pages	Marketed to stakeholder groups
October 15 <i>(tentative)</i>	Capital Improvements Advisory Committee	Committee Members and public	Final review and action for Land Use Assumptions	
November 16 <i>(tentative)</i>	City Council Regular Meeting	City Council, specific stakeholder groups, public	Final review and action for Land Use Assumptions	
December 17 <i>(tentative)</i>	Capital Improvements Advisory Committee	Committee Members and public	Initial draft of Public Safety Impact Fee Capital Improvement Plan	
<b>2016</b>				
January 15 -- Deadline for final public and stakeholder input				

*\* Each point of outreach was/is tailored to each audience group. Input from the meetings informed issues to clarify and explain, and to develop frequently asked questions (FAQs). Topic on CIAC meetings shows the strong commitment and effort by the City to develop and foster understanding of the impact fee structure and processes.*



# City of Las Cruces<sup>®</sup>

PEOPLE HELPING PEOPLE

## COUNCIL ACTION AND EXECUTIVE SUMMARY PACKET ROUTING SLIP

For Meeting of \_\_\_\_\_  
(Ordinance First Reading Date)

For Meeting of December 7, 2015  
(Adoption Date)

TITLE:

A RESOLUTION ADOPTING THE LAND USE ASSUMPTIONS FOR THE PUBLIC SAFETY IMPACT FEE UPDATE AS REQUIRED BY LAS CRUCES MUNICIPAL CODE CHAPTER 33, DEVELOPMENT IMPACT FEE.

Purchasing Manager's Request to Contract (PMRC) {Required?} Yes  No

DEPARTMENT	SIGNATURE	PHONE NO.	DATE
Drafter/Staff Contact	<i>DWen</i>	528-3067	11-12-15
Department Director	<i>DWen</i>	528-3067	11-12-15
Other			
Assistant City Manager /CAO	<i>[Signature]</i>	541-2078	11/12/15
Management & Budget Manager	<i>[Signature]</i>	541-2107	11-13-15
Assistant City Manager/COO	<i>[Signature]</i>		11/16/15
City Attorney	<i>[Signature]</i>	18 NOV 2015	2015
City Clerk - Interim	<i>[Signature]</i>	X 2115	12-1-15