

LFC Requester:	Emily Hilla
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AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO AgencyAnalysis.nmlegis.gov and email to billanalysis@dfa.nm.gov
(Analysis must be uploaded as a PDF)**

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Date Prepared: 2/10/2025 *Check all that apply:*
Bill Number: SB 310 Original Correction
 Amendment Substitute

Sponsor: Antonio Maestas **Agency Name** 992 – New Mexico Mortgage
Short Building & Zoning Changes **and Code** Finance Authority
Title: _____ **Number:** (Housing New Mexico | MFA)
Person Writing Robyn Powell
Phone: 505-767-2271 **Email** rpowell@housingnm.org

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
NA	NA	NA	NA

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
NA	NA	NA	NA	NA

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	NA	NA	NA	NA	NA	NA

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: This bill may may relate to SB 312 – Zoning Decision Appeals.

SECTION III: NARRATIVE

BILL SUMMARY

Senate Bill 310 proposes to amend the State Statute Section 3-21-1 (New Mexico Statutes Chapter 3 – Municipalities Article 21 - Zoning Regulations Section 3-21-1 - Zoning; authority of county or municipality) by requiring municipalities or counties to:

Provision A:

- Eliminate restrictions on building height except for historical districts.
- Allow duplexes or town houses in residential zones except for historical districts
- Allow development for small-scale commercial uses in residential zones that provide neighborhood-scale shopping, food, beverages, indoor entertainment and professional offices that comply with the local traffic and noise ordinances.

Provision B

- Exclude historical communities from the modifications in Provision A above.

FISCAL IMPLICATIONS

No Fiscal impact to Housing New Mexico | MFA.

SIGNIFICANT ISSUES

This bill aims to limit zoning restrictions that local governments may impose to increase housing and commercial development. The following are potential impacts of the proposed legislation:

- Removing restrictions on building heights may allow for greater and more diverse developments across the state of New Mexico.
- Removing restrictions of developing duplexes and townhouses in residential zones may lead to more infill housing units being produced in New Mexico.
- Allowing for development of non-residential developments in residential zones, may lead to positive economic growth across New Mexico.
- Allowing for development of non-residential developments in residential zones may strain the current infrastructure capacity.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS