

ASSEMBLY BILL NO. 409—ASSEMBLYMEN HOGAN, PARKS,
ANDERSON, BOBZIEN, CLABORN, DENIS, GERHARDT,
GRADY, KIRKPATRICK, KOIVISTO, MANENDO, MCCLAIN,
MUNFORD, OHRENSCHALL, PARNELL, PIERCE, SEGERBLOM,
SMITH AND WOMACK

MARCH 19, 2007

Referred to Committee on Government Affairs

SUMMARY—Authorizes the creation of affordable housing
districts in certain counties. (BDR 22-924)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in **bolded italics** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to affordable housing; authorizing the creation of
affordable housing districts in certain counties; and
providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 3 of this bill authorizes the governing body of a county whose
population is 100,000 or more (currently Clark and Washoe Counties) or the
governing body of a city located in such county to create an affordable housing
district for the purpose of promoting and protecting affordable housing in that
county or city. **Section 2** of this bill defines "affordable housing" as housing that is
affordable to a family whose income does not exceed 60 percent of the median
income for families residing in the same county or city in which the housing is
located, as that percentage is defined by the United States Department of Housing
and Urban Development.

Section 4 of this bill authorizes the governing body of any county or city that
has created an affordable housing district to condition the approval of any change in
zoning or development that would decrease the amount of affordable housing
available in an affordable housing district upon: (1) the payment of a financial
contribution to an affordable housing fund created by the governing body, if any; or
(2) the replacement of the affordable housing within 3 miles of the affordable
housing that is affected by the change or development.



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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 278 of NRS is hereby amended by adding thereto the provisions set forth as sections 2, 3 and 4 of this act.

Sec. 2. *As used in sections 2, 3 and 4 of this act, unless the context otherwise requires, "affordable housing" means housing that is affordable to a family whose income does not exceed 60 percent of the median income for families residing in the same county or city in which the housing is located, as that percentage is defined by the United States Department of Housing and Urban Development.*

Sec. 3. 1. *The governing body of a county whose population is 100,000 or more or the governing body of a city in such a county may establish an affordable housing district for the purpose of promoting the economic and general welfare of the public through the protection and promotion of affordable housing in the county or city, as the case may be.*

2. Before establishing any affordable housing district, the governing body shall hold a public hearing after giving notice of the time and the place of the hearing in a newspaper of general circulation in that county or city. The notice must be published once a week for 3 consecutive weeks and include the purpose of the hearing and the boundaries of the proposed district. At the hearing, any person may appear in support of or in opposition to the establishment of the proposed district.

3. Within 15 days after the hearing, the governing body shall:

(a) Establish the affordable housing district and fix its boundaries; or

(b) Determine not to establish the affordable housing district.

4. If the affordable housing district is established, the governing body:

(a) May adopt any local ordinances it determines are in the best interest of the affordable housing district in accordance with the purposes expressed in subsection 1.

(b) May establish an affordable housing fund to pay expenses related to or incurred for the development of affordable housing within the district, including, without limitation:

(1) The costs to acquire land and developmental rights;

(2) Related predevelopment expenses;

(3) The costs to develop the land, including the payment of related rebates;

(4) Contributions toward down payments made for the purchase of affordable housing; and

(5) The creation of related trust funds.



1 **Sec. 4.** *The governing body of a county or city that has*
2 *established an affordable housing district pursuant to section 3 of*
3 *this act may condition the approval of any change in zoning or*
4 *development of land that would result in a decrease in the*
5 *availability of affordable housing within the district on:*

6 1. *The replacement of affordable housing within 3 miles of*
7 *the location of the affordable housing that is affected by the*
8 *change or development; or*

9 2. *A financial contribution to an affordable housing fund*
10 *established by the county or city pursuant to section 3 of this act, if*
11 *any.*

