

LEGISLATIVE BILL 44

Approved by the Governor March 17, 2021

Introduced by Hansen, M., 26; Hunt, 8; Wayne, 13; Cavanaugh, M., 6.

A BILL FOR AN ACT relating to cities; to amend section 19-5505, Revised Statutes Cumulative Supplement, 2020; to change requirements for adoption of an affordable housing action plan; to harmonize provisions; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 19-5505, Revised Statutes Cumulative Supplement, 2020, is amended to read:

19-5505 (1) On or before January 1, 2023, each city with a population of fifty thousand or more inhabitants shall adopt an affordable housing action plan. On or before January 1, 2024, each city with a population of less than fifty thousand inhabitants shall adopt an affordable housing action plan. Such action plan shall include, but not be limited to:

(a) Goals for the construction of new affordable housing units, including multifamily housing and middle housing, with specific types and numbers of units, geographic locations, and specific actions to encourage the development of affordable housing, middle housing, and workforce housing;

(b) Goals for a percentage of areas in the city zoned for residential use which permit the construction of multifamily housing and middle housing;

(c) Plans for the use of federal, state, and local incentives to encourage affordable housing, middle housing, and workforce housing, including the Affordable Housing Trust Fund, the Local Option Municipal Economic Development Act, tax-increment financing, federal community development block grants, density bonuses, and other nonmonetary regulatory relief; and

(d) Updates to the city's zoning codes, ordinances, and regulations to incentivize affordable housing.

(2) An affordable housing action plan required under subsection (1) of this section may be adopted as part of a city's comprehensive plan or as a separate plan.

~~(3) (2)~~ Any city which fails to adopt an affordable housing action plan as required under subsection (1) of this section shall be required to allow the development of:

(a) Middle housing in all areas in the city zoned for residential use that allow for the development of detached single-family dwellings; and

(b) A duplex on each lot or parcel zoned for residential use that allows for the development of detached single-family dwellings.

~~(4) (3)~~ A city shall amend any building zoning ordinances or regulations as needed to comply with subsection ~~(3)~~ ~~(2)~~ of this section.

Sec. 2. Original section 19-5505, Revised Statutes Cumulative Supplement, 2020, is repealed.