

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 44

FINAL READING

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

Read first time January 07, 2021

Committee: Urban Affairs

- 1 A BILL FOR AN ACT relating to cities; to amend section 19-5505, Revised
- 2 Statutes Cumulative Supplement, 2020; to change requirements for
- 3 adoption of an affordable housing action plan; to harmonize
- 4 provisions; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 19-5505, Revised Statutes Cumulative Supplement,
2 2020, is amended to read:

3 19-5505 (1) On or before January 1, 2023, each city with a
4 population of fifty thousand or more inhabitants shall adopt an
5 affordable housing action plan. On or before January 1, 2024, each city
6 with a population of less than fifty thousand inhabitants shall adopt an
7 affordable housing action plan. Such action plan shall include, but not
8 be limited to:

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

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

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

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

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

28 ~~(3)~~ (2) Any city which fails to adopt an affordable housing action
29 plan as required under subsection (1) of this section shall be required
30 to allow the development of:

31 (a) Middle housing in all areas in the city zoned for residential

1 use that allow for the development of detached single-family dwellings;
2 and

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

5 (4) ~~(3)~~ A city shall amend any building zoning ordinances or
6 regulations as needed to comply with subsection (3) ~~(2)~~ of this section.

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