

Planning and Development Incentives for Affordable Housing

**CLARK COUNTY
COMMUNITY HOUSING OFFICE**

**500 S. Grand Central Parkway
Las Vegas, NV 89155**



togetherforbetter

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AFFORDABLE HOUSING INCENTIVES

To address Southern Nevada's affordable housing crisis, the Clark County Commission has created a handful of programs to help incentivize the development of affordable housing. These programs are available to income restricted housing developments only and are administered by the newly created Community Housing Office (CHO). This Guide was created to summarize the County affordable housing incentives that are specifically related to planning and development. This Guide also includes instructions on how to apply for those incentives.

Title 30

In 2023, Clark County Comprehensive Planning updated Title 30, the County's Development Code. Included in that update, which goes into effect January 1, 2024, are two important incentives for affordable housing development. These incentives are available for projects certified by the County as affordable housing and that contain units that are income-restricted for a pre-determined period to households earning 80% or less of the Department of Housing and Urban Development (HUD) Area Median Income (AMI) for Clark County. These incentives require the completion and approval of the Affordable Housing Pre-Certification and/or Full Certification Application(s) below.

1. Density bonuses are available for single-family, multi-family, and mixed-use affordable housing developments subject to approval of a Special Use Permit.
2. The per unit parking ratio is reduced to 1 parking space per unit. Additionally, developments may have minimum parking requirements further reduced by 25% if at least 25% of the dwelling units are affordable housing.

Development Fee Discounts, Waivers, and Expedited Processing

Development fee discounts, waivers and expedited processing (free of charge) is available for affordable housing projects certified by the County as affordable housing and that contain income-restricted units for a pre-determined period to households earning 80% AMI or below. These incentives will only be provided to a project that receives either an Affordable Housing Pre-Certification or an Affordable Housing Full Certification, as applicable and outlined below.

1. Title 30 Fee Schedule, Section 6.d, waives certain application and administrative fees for affordable housing projects certified by the CHO. (Approved Pre-Certification Application required)
2. Certain development fees are eligible for discounts at the Department of Comprehensive Planning, the Building Department, the Fire Department, the Department of Public Works and the Clark County Water Reclamation District. References can be found in the Clark County Code Section 22.02.347 Affordable Housing Fee Reduction (Building), Title 13.04.070 (Fire), Title 30 Fee Schedule (Section 6.d) (Planning/Public Works) and CCWRD Service Rules Chapter 1, Sections 2 & 3 (1.2.1.c.ii & 1.3.7.e), (Approved Full Certification Application required; approved Pre-Certification Application is allowed for fee reduction for Tentative Maps).

County management has issued a directive to all departments that all Pre- and Full-Certified affordable housing projects will receive expedited plan reviews at no additional cost. Excluded for expediting are timeframes and notice requirements required pursuant to Nevada State Law. Each department is to determine eligibility for expediting.

Below is a summary of the fee waivers and discounts available to developers of affordable housing projects:

Clark County Code Chapter-Title/Section	Fee Identification	Department	61%-80% of AMI Very Low Income-Low Income	60% AMI and Below Very Low Income-Extremely Low Income
Title 13.04.070	Permit & Service Fees	Fire	50% Reduction in Adopted Fees	75% Reduction in Adopted Fees
Section 22.02.275	Manufactured Housing Fees	Building		
Section 22.02.280	Manu. Housing/Cond. or Temp Use	Building		
Section 22.02.285	Modular Commercial Fees	Building		
Section 22.02.340	General Fees	Building		
Section 22.02.345 (portion)	Permit and Plan Review Fees	Building		
Section 22.02.390	Permit Fees	Building		
Section 22.02.395	Electrical Permit Fees	Building		
Section 22.02.400	Mechanical Permit Fees	Building		
Section 22.02.405	Plumbing Permit Fees	Building		
Section 22.02.410	Grading Plan Review Fees	Building		
Section 22.02.415	Grading Permit Fees	Building		
Section 22.02.430 (Table 3-I, item #1 only)	Misc. Fees	Building		
Title 30 Fee Schedule (Table 1 (por.))	Subdivision Map Fees (including Tentative Maps)	Planning/Public Works		
Title 30 Fee Schedule (Table 3)	Off-Site Improvement Fees	Public Works		
Title 30 Fee Schedule (Table 1 (por.))	Land Use Application Fees (not including Tentative maps)	Planning	Fee Waiver	
Title 30 Fee Schedule (Table 2)	Administration Fees	Planning	Fee Waiver	

Clark County Water Reclamation District (CCWRD) Wastewater (Sewer) Connection Fee			
Effective Date	Rate per ERU	61%-80% of AMI Very Low Income-Low Income	60% AMI and Below Very Low Income-Extremely Low Income
July 1, 2023	\$3,020 per ERU	50% Reduction in Adopted Fees	75% Reduction in Adopted Fees
<i>Note: These fees shall be adjusted from time-to-time by updates to the Clark County Water Reclamation District Services Rules adopted by the Board of Trustees. CCWRD reductions per ERU apply to projects within its service area. The reductions do not apply to projects located within the jurisdictions of the incorporated cities of Clark County.</i>			

If your development is interested in applying for certification as an affordable housing development, please follow the instructions below.

Pre-Certification Application:

Since zoning and land use processing typically occurs prior to funding commitments being in place, which is one of the requirements for an Affordable Housing Full Certification Application, we have created an Affordable Housing Pre-Certification Application. An approved Pre-Certification Application may be used at the Clark County Departments of Comprehensive Planning and Public Works for applicable incentives pursuant to Title 30 and the Title 30 Fee Schedule. **A Full Certification will be required by the Comprehensive Planning Department prior to approval of building permits. For reduction of fees in the Public Works, Fire and Building Departments, and the Clark County Water Reclamation District, a Full-Certification is required.**

Full Certification Application:

Approval of an Affordable Housing Full Certification Application cannot occur until certain agreements are in place specific to affordable housing (such as a commitment of Clark County Community Housing Funds (CHF), HUD HOME funding, Affordable Housing Trust Funds, State Tax Credits, Community Land Trust placement, etc.). **A Full Certification will be required by the Comprehensive Planning Department prior to approval of building permits. For reduction of fees in the Public Works, Fire and Building Departments, and the Clark County Water Reclamation District, a Full-Certification is required.**

For affordable housing projects that offer a blend of rental rates or sales prices by AMI levels and/or include market rate units, the calculated fee reduction will be based on a pro-rata share of the blended rates as indicated on the applications.

Certain Fees collected by Clark County on behalf of other agencies or otherwise bound by Nevada State Law may not be eligible for discounts. It will be up to the individual departments to determine which fees are eligible for waivers and discounts.

Approved Certification Applications will be sent to the applicant. It is the Developer/Applicant's responsibility to present the approved Certification(s) to the departments to receive any eligible waivers or discounts at the time of payment. It is not the department's responsibility to be aware of the Certification. The applicable Clark County departments will NOT re-imburse applicants who fail to apply for Certification prior to paying fees, or who fail to provide their Certification at the time of payment.

Application Instructions

Applicants are to complete the Affordable Housing Fee Discount Pre- or Full Certification Applications (depending on the stage of their project) included at the end of this Guide. CHO staff will evaluate the applications and determine if the project is eligible for certification. Pre- and Full Certification Applications are to be emailed to Kevin.Sipes@ClarkCountyNV.Gov with cc to CHF@ClarkCountyNV.Gov. Provide a signed copy (electronic signature preferred) of the application.

Pre-Certification Instructions:

Complete all known information about the project at the time of application, including contact information, a project narrative and anticipated funding sources. During this early stage of development, you may estimate the total number of anticipated units, number of units at various AMI levels and funding amounts. The Full Certification that follows will require more detailed information and approved funding commitments to qualify for the fee discounts.

Full Certification Instructions:

1. To receive Full Certification, the developer must provide documentation that they will provide Affordable Housing to households earning at or below 80% of AMI as determined by HUD, current for the year of application. Examples of this documentation are deed restrictions, placing land in a Community Land Trust for affordable housing, developer agreements, and/or funding commitments from one or more of the below sources:

- HOME Investment Partnerships (HOME)
- Clark County Community Housing Funds (CHF)
- Federal Home Loan Bank - Affordable Housing Program
- Affordable Housing Trust Fund (AHTF)
- Deed Restriction limiting sales to households earning at or below 80% AMI for a minimum of 20 years
- Low Income Housing Tax Credits
- Private Activity Bonds for Housing
- HUD Section 202 or 811
- National Housing Trust Funds
- USDA-RD Section 515 projects

“Full Certification” applicants are required to attach the letter(s) of commitment from each funding source or other AH documentation, the “Notice of Final Action” provided by Current Planning for each applicable land use approval and Pre-Certification approval, if applicable.

2. The proposed development must have received all necessary land use approvals from Clark County, including zoning, waivers, special use permits, and any other land use entitlements necessary under Title 30.
3. When entering the number of qualified deed restricted for sale or rental units by AMI threshold, only include the aggregate number of units between 61%-80% AMI and the aggregate number of units at or below 60% AMI. This may be less than the total number of units if the project includes a caretaker/manager unit, market rate units and/or units above 80% AMI. The project discount will be based on a blended ratio if a project has units in multiple AMI thresholds and/or market rate units. Include backup materials supporting the number of units at the various AMI levels.
4. When determining a qualified deed restricted sale price or rental rate targeting by AMI levels, use the most current data published by HUD at the time of application. That is what CHO staff will use to certify the

application.

5. The CHO's Certification will establish the discount percentage applicable at the various County departments. Per County Code, the discount is based on the number of units being developed at various AMI levels. If the developer's plan changes and the project is completed without providing the AH certified by this application, the developer is required to notify the CHO and will be required to repay the waived and/or discounted fees. Failure to notify the CHO of decreases to the number of affordable units, at each income level, could impact a developer's future eligibility for CHO programs.
6. Estimated Total Development fees are to include all County, City or other jurisdictional fees; LVVWD water connection fees; other utility fees and any other development related fees included in your initial proforma. Include an itemized list of these fees and attach to this application. CHO will ask for updates to these estimates with actual numbers as the project progresses.
7. Developer is required to respond annually upon CHO's request for project status updates.

If you have any questions when completing these applications, please contact Kevin Sipes at 702-423-9040 or via email Kevin.Sipes@ClarkCountyNV.Gov.

AFFORDABLE HOUSING PRE-CERTIFICATION APPLICATION

Please complete the following application. Please type or print.

Name of Applicant:		Contact Person:	
Address of Applicant:		Contact Phone:	
PROJECT SUMMARY			
Name of Proposed Development:			
Location (Major Cross-Streets):		APN(s):	
Proposed Zoning:	Current Zoning:	# Acres:	
Application Date:	Est'd Start Date:	Est'd Completion Date:	
Total # of Units in Development:	# Units-61% to 80% AMI:	# Units-60% AMI & Below:	
Type of Development (check one): For Sale <input type="checkbox"/> For Rent <input type="checkbox"/>			

PROJECT NARRATIVE

ANTICIPATED FUNDING SOURCES	
SOURCE	AMOUNT

The undersigned, being duly authorized, certifies that the foregoing information is true and accurately describes the proposed project.

Applicant Signature

Date

Affordable Housing Fee Discount- Pre-Certification	
This project is "Pre-Certified" for expedited plans check/permitting as determined by the respective Clark County departments and qualifies for either waived fees as applicable or a project discount of _____. NOTE: This only applies to early fees for the Planning and Public Works departments. All other fee discounts will require the Full-Certification.	
Application Pre-Certification Number _____	
_____ Dagny Stapleton, Community Housing Administrator Clark County Community Housing Office	_____ Date

AFFORDABLE HOUSING FULL CERTIFICATION APPLICATION

Please complete the following application. Please type or print.

Name of Applicant:	Contact Person:
Address of Applicant:	Contact Phone:

PROJECT SUMMARY

Name of Proposed Development:		
Location (Major Cross-Streets):		APN(s):
Land Use App. Number(s):	Current Zoning:	# Acres:
Application Date:	Est'd Start Date:	Est'd Completion Date:
Total # of Units in Development:	# Units-61% to 80% AMI:	# Units-60% AMI & Below:
Type of Development (check one): For Sale <input type="checkbox"/> For Rent <input type="checkbox"/>	Estimated Total Development Fees (County, City, LVVWD, Utilities, etc):	

AFFORDABLE UNIT DESIGNATION

Size of Unit	# of Units	Rental Rate		# of Bdrms	# of Units	Sales Price
Efficiency				1 Bdrm		
1 Bdrm				2 Bdrm		
2 Bdrm				3 Bdrm		
3 Bdrm				4 Bdrm		
4 Bdrm				5 Bdrm		

PROJECT FINANCING/AFFORDABLE HOUSING DOCUMENTATION

SOURCE	AMOUNT	SOURCE	AMOUNT
Conventional Loan		Private Activity Bonds	
HOME Investment Partnerships Program		Low Income Housing Tax Credits	
Affordable Housing Trust Fund		USDA-RD Section 515	
CC Community Housing Funds (CHF)		Deed Restriction:	
HUD Section 202 or 811		Other Financing:	
Federal Home Loan Bank (AHP)			

The undersigned, being duly authorized, certifies that the foregoing information is true and accurately describes the proposed project.

Applicant Signature

Date

Affordable Housing Full Certification

This project is "Certified" for expedited plans check/permitting as determined by the respective Clark County departments and qualifies for a project discount of _____. **NOTE: This supersedes any Pre-Certification.**

Application Certification Number _____

Dagny Stapleton, Community Housing Administrator
Clark County Community Housing Office

Date