

1 **BILL NO. 2026-17**

2 **ORDINANCE NO. 6955**

3 AN ORDINANCE TO AMEND LVMC 19.17 AND LVMC 19.18 TO REVISE THE TERM
4 “AFFORDABLE HOUSING” TO “ATTAINABLE HOUSING”, UPDATE ATTAINABLE HOUSING
5 TIER DESCRIPTIONS IN ACCORDANCE WITH STATE LAW, REVISE CRITERIA RELATED TO
6 ATTAINABLE HOUSING BONUSES AND INCENTIVES, AND PROVIDE FOR OTHER RELATED
7 MATTERS.

6 Proposed by: Seth T. Floyd, Executive Director
7 of Community Development

Summary: Amends LVMC 19.17 and 19.18 to
8 revise the term “affordable housing” to “attainable
9 housing”, updates attainable housing tier
10 descriptions in accordance with Assembly Bill
11 540, adopted by the Nevada Legislature in 2025,
12 and revises criteria related to attainable housing
13 bonuses and incentives.

10 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS

11 FOLLOWS:

12 SECTION 1: Ordinance No. 6289 and the Unified Development Code adopted as Title 19
13 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended as set forth in
14 Sections 2 to 12, inclusive, of this Ordinance. The amendments are deemed to be amendments to both
15 Ordinance No. 6289 and the Unified Development Code adopted as Title 19.

16 SECTION 2: Title 19, Chapter 17, Section 10, of the Municipal Code of the City of Las
17 Vegas, Nevada, 1983 Edition, is hereby amended as follows:

18 **19.17.010:** Certain applications under Chapter 19.16 for the development or maintenance of [affordable]
19 attainable housing shall be eligible for density bonuses, height bonuses and financial incentives (or a
20 combination thereof) as are authorized by NRS 278.235 and described in this Chapter. The administration
21 and enforcement of the density bonus, height bonus and financial incentive provisions of this Chapter is
22 intended to be a coordinated effort between the Director of Community Development and the Director of
23 Neighborhood Services, including their respective designees.

24 SECTION 3: Title 19, Chapter 17, Section 20 of the Municipal Code of the City of Las
25 Vegas, Nevada, 1983 Edition, is hereby amended as follows:

26 **19.17.020:** The density bonus, height bonus, and financial incentive provisions of this Chapter apply

1 only to residential or mixed-use projects to be located on property whose General Plan category or zoning
2 classification is described in Section 19.17.030. In addition, no project is eligible for a density bonus or
3 financial incentive unless:

4 A. The project qualifies under the [affordable] attainable housing criteria described on Section
5 19.17.030; and

6 B. The developer of the project complies with the application and document-related requirements of
7 Section 19.17.040.

8 SECTION 4: Title 19, Chapter 17, Section 30 of the Municipal Code of the City of Las
9 Vegas, Nevada, 1983 Edition, is hereby amended as follows:

10 **19.17.030:** In order for an [affordable] attainable housing project to qualify for a density bonus, height
11 bonus, or financial incentive under this Chapter, the affordable housing dwelling units must meet all of the
12 following:

13 A. The minimum criteria for such a bonus or incentive as described in Sections 19.17.070 to 19.17.090,
14 inclusive; and

15 B. In addition, the following minimum criteria and requirements:

16 1. The creation of a written document regarding the property that details the bonuses and
17 incentives for the property, as well as applicable [affordable] attainable housing requirements. The document
18 must be recorded against the property and transferred to any future purchaser of the property at point of sale.

19 2. The property owner and any management company must keep all records of rental
20 agreements and property sales, and provide copies to the City in a timely manner upon request.

21 3. All dwelling units available for sale or for rent must retain the same [affordable] attainable
22 housing status that qualified them for bonuses or incentives for a term of at least thirty years, commencing
23 from the date of the issued certificate of occupancy.

24 4. To the extent practicable, dwelling units qualifying as [affordable] attainable housing must
25 not be clustered or concentrated within a multi-unit building or within the building site.

26 5. Dwelling units qualifying as [affordable] attainable housing shall be of the same building

1 materials and finishes and have no other physical characteristics that would distinguish their appearance from
2 the project's non-[affordable] attainable housing dwelling units.

3 6. Dwelling units qualifying as [affordable] attainable housing shall be of comparable quality
4 to similar market rate units in terms of features, layout, number of bedrooms and bathrooms, and square
5 footage.

6 7. Financial incentives shall be limited to market rate development that adheres to the inclusion
7 of attainable housing as described in Table 3 of Section 19.17.090.

8 SECTION 5: Title 19, Chapter 17, Section 40 of the Municipal Code of the City of Las
9 Vegas, Nevada, 1983 Edition, is hereby amended as follows:

10 **19.17.040:** A. In order to apply for one or more bonuses or incentives under this Chapter, a
11 developer shall complete an application therefor (an "Incentive Application") as part of or in connection with
12 an applicable land use application under Chapter 19.16. The developer must also [submit] execute an
13 appropriate agreement (the "Binding Agreement") satisfactory to the City Attorney, to obligate the developer
14 regarding its good faith commitments to provide [affordable] attainable housing under this Chapter. The
15 developer's signature on the Binding Agreement must be acknowledged by a notary.

16 B. Upon receipt and review of a completed Incentive Application [and Binding
17 Agreement, as well as] and verification of [affordable] attainable housing criteria, assigned City staff will
18 determine what bonuses and incentives, if any, are to be offered to the developer. For a developer to whom
19 bonuses or incentives are to be offered, the Director will issue a letter verifying that applicable requirements
20 have been met and referencing the bonuses or incentives that are to be offered the developer, subject to final
21 approval by the Planning Commission or City Council, or both, as may be applicable. In each case where
22 bonuses or incentives are approved, the approval will specify the timing for making the bonuses or incentives
23 available, whether issued by the City for construction or after a certificate of occupancy has been issued.

24 C. As a condition of the approval of a bonus or incentive, the developer must agree to
25 all preconstruction reviews and post-construction verification and compliance by City designated staff.
26 Thereafter, the developer and the City will finalize the execution and recordation of the Binding Agreement.

1 SECTION 6: Title 19, Chapter 17, Section 50 of the Municipal Code of the City of Las
2 Vegas, Nevada, 1983 Edition, is hereby amended as follows:

3 **19.17.050:** A. Projects for which bonuses or incentives have been provided shall be constructed in
4 accordance with plans either as they were approved in connection with the Incentive Application, or with
5 modifications that are minor and would not negate, invalidate, prohibit or significantly limit the project's
6 contribution to the provision of [affordable] attainable housing.

7 B. Any violation of the Binding Agreement by the developer or its successor shall
8 constitute a violation of the corresponding section of this Chapter as well as a contractual violation. Without
9 limiting the scope of such violations, examples of such violations include the failure to provide the number
10 and type and character of [affordable] attainable dwelling units as agreed; the failure to provide to the City
11 information regarding rent affordability; and the failure to meet the minimum thirty-year affordability
12 requirement.

13 C. Upon verification by the Director of Neighborhood Services that a violation of a
14 Binding Agreement has occurred, the City may invoke any of the remedies and penalties specified in the
15 Binding Agreement, which may include, but are not limited to: forfeiture or repayment of any monetary
16 incentives provided by the City; revocation of the property's certificate of occupancy; revocation of a
17 business license; imposition of fines; criminal or civil liability, or a combination thereof.

18 SECTION 7: Title 19, Chapter 17, Section 60 of the Municipal Code of the City of Las
19 Vegas, Nevada, 1983 Edition, is hereby amended as follows:

20 **19.17.060:** For any project seeking bonuses or incentives for [affordable] attainable housing units under
21 this Chapter, the Department will:

22 A. [Prioritize the review of entitlement applications, permits and related plans; and] Reimburse fees for
23 Building and Safety Express Plan Review.

24 B. [Waive for the developer the fees for on express plans check.] Facilitate administrative site
25 development plan review approval per the provisions set forth in Section 19.16.100(F).

26 C. Prioritize the review of entitlement applications, permits and related plans, including tentative maps.

1 SECTION 8: Title 19, Chapter 17, Section 70 of the Municipal Code of the City of Las
 2 Vegas, Nevada, 1983 Edition, is hereby amended as follows:

3 **19.17.070:** A project seeking a density bonus under this Chapter is eligible for a bonus determined in
 4 accordance with Table 1 below, taking into account the applicable zoning district and the percentage of
 5 [affordable] attainable housing units proposed. The density bonus allowable refers to the number of units to
 6 be allowed in excess of the number otherwise permitted by the General Plan.

7 General Plan Category/FBC Transect Zone	8 Minimum percentage of total dwelling units proposed as [affordable] <u>attainable</u> housing	Density Bonus
9 TOD-1 10 TOC-1	10%	Up to 10 dwelling units per acre
11 TOD-2 12 TOC-2	10%	Up to 5 dwelling units per acre
13 NMXU	10%	Up to 5 dwelling units per acre
14 Any other category (but excluding R, DR, and RNP)	10%	Up to 3 dwelling units per acre

14 SECTION 9: Title 19, Chapter 17, Section 80 of the Municipal Code of the City of Las
 15 Vegas, Nevada, 1983 Edition, is hereby amended as follows:

16 **19.17.080:** A project seeking a density bonus under this Chapter is eligible for a bonus determined in
 17 accordance with Table 1 below, taking into account the applicable zoning district and the percentage of
 18 [affordable] attainable housing units proposed. The density bonus allowable refers to the number of units to
 19 be allowed in excess of the number otherwise permitted by the General Plan.

20 Table 2 – Height Bonus

21 General Plan Category/FBC Transect Zone	22 Minimum percentage of total dwelling units proposed as [affordable] <u>attainable</u> housing	Height Bonus
23 TOD-1 24 TOD-2 25 TOC-1 26 TOC-2	10%	3 stories
NMXU	10%	2 stories

1	T4-N	10%	2 stories
2	T4-C	10%	3 stories
3	T4-MS	10%	3 stories
4	T4-M	10%	1 story
5	T5-N	10%	2 stories
6	T5-M	10%	2 stories
7	T5-C	10%	3 stories
8	T5-MS	10%	3 stories
9	T6-UG	10%	1 story
10	T6-UG-L	20%	2 stories
11		30%	3 stories
12		40%	4 stories
13	T6-UC	20%	3 stories
14		30%	4 stories
15		40%	5 stories
16		50%	6 stories

SECTION 10: Title 19, Chapter 17, Section 90 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

19.17.090: A project seeking financial incentives under this Chapter in the form of fee [reductions] reimbursement is eligible [for the fee reductions] as set forth in Table 3 below, subject to approval by the City Council after considering the recommendations of the Director of Community Development and the Director of Public Works. Financial incentives shall be limited to market rate development that adheres to the inclusion of attainable housing as described in Table 3. Fee types that [might] may be subject to [reduction] reimbursement include development-related fees under Title 19, building permit fees, sewer connection fees, traffic impact and other impact fees, residential construction taxes, or other identified taxes as may be provided for the by the Las Vegas City Charter, statute, or act of the Nevada Legislature. Director recommendations and Council action shall take into account the applicable General Plan category and zoning district. The total amount of fee [reductions] reimbursement for all qualified projects for any particular fiscal year shall not exceed the limit for such fee [reductions] reimbursement that has been established by the City

Council for that fiscal year. The maximum amount of financial incentives for each eligible project shall be established by the Director of Community Development based on available funding during the current fiscal year. All eligible financial incentives will be reimbursed concurrently with the issuance of a Certificate of Occupancy.

Table 3 – Fee Reimbursements

General Plan Category/FBC Designation	Type of [affordable] attainable housing project	Minimum percentage of total dwelling units proposed as [affordable] attainable housing units*	Fee [reduction] reimbursement percentage of applicable fees
FBC (other than transect zones below)	[Very-Low Income]	40%	100%
	Tier One Attainable Housing	45%	
	Tier Two Attainable Housing	50%	
	Tier Three Attainable Housing	55%	
	Tier Four Attainable Housing	60%	
	Tier Five Attainable Housing		
	Tier One Attainable Housing		
	Tier Two Attainable Housing		
	Tier Three Attainable Housing		
	Tier Four Attainable Housing		
TOD-1 TOD-2 TOC-1 TOC-2 NMXU	[Very-Low Income]	15%	100%
	Tier One Attainable Housing	20%	
	Tier Two Attainable Housing	25%	
	Tier Three Attainable Housing	35%	
	Tier Four Attainable Housing	45%	
	Tier Five Attainable Housing		
	Tier One Attainable Housing		
	Tier Two Attainable Housing		
	Tier Three Attainable Housing		
	Tier Four Attainable Housing		
Any other category	[Very-Low Income]	10%	100%
	Tier One Attainable	10%	
	Tier One Attainable	15%	
	Tier One Attainable	20%	

	<u>Housing Tier Two Attainable</u>	<u>25%</u>	
	<u>Housing Tier Three Attainable</u>		
	<u>Housing Tier Four Attainable</u>		
	<u>Housing Tier Five Attainable</u>		
	<u>Housing</u>		

*The total required percentage of units may be composed of any combination of applicable Tiers of Attainable Housing.

SECTION 11: Title 19, Chapter 17, Section 100 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

19.17.100: A. At least once per fiscal year, and at a public meeting, the City Council shall determine a total amount and type or portion of permit fees and impact fees that may be [reduced] reimbursed as described in Section 19.17.090. Action taken by the City Council pursuant to this Subsection (A) shall be in consultation with the City Manager and the Directors of Community Development and Public Works, and shall take into account any recommendations of the Building and Safety Enterprise Fund Advisory Committee.

B. In taking action pursuant to Subsection (A), the City Council shall:

1. Take into account the effect of the [reduction] reimbursement of building permit fees on the economic viability of the City's General Fund and the economic viability of any affected enterprise fund; and

2. Make a determination that the [reduction] reimbursement of building permit fees to be authorized under Section 19.17.090 for the applicable period will not impair adversely the ability of the City Council to pay, when due, all interest and principal on any outstanding bonds or any other obligations for which revenue from such fees was pledged.

C. Action taken pursuant to this Section shall be subject to all applicable limitations and requirements

1 of NRS 278.235.

2 SECTION 12: Title 19, Chapter 18, Section 20 of the Municipal Code of the City of Las
3 Vegas, Nevada, 1983 Edition, is hereby amended as follows:

4 **19.18.020:** [Affordable] Attainable Housing. Except as the context otherwise requires, the spectrum of
5 housing considered to be affordable for a household with a total gross monthly income that corresponds to
6 certain percentages of the median monthly gross household income (AMI) for Clark County, Nevada. The
7 term includes “[Moderate-Income] Tier One Affordable Housing,” “[Low-Income] Tier Two Affordable
8 Housing,” [and] “[Very Low-Income] Tier Three Affordable Housing[.]”, “Tier Four Affordable Housing.”
9 and “Tier Five Affordable Housing.” For purposes of this definition, median gross household income must
10 be determined based upon the most current estimates of the United States Department of Housing and Urban
11 Development regarding Clark County, Nevada. The term “affordable housing” may be considered
12 interchangeable with “attainable housing”.

13 [Low-Income] Tier Two Affordable Housing. Affordable housing for households that have a total
14 gross income that is equal to more than [60] 30 percent but not more than [80] 60 percent of the median gross
15 household income. This term generally corresponds to “tier two affordable housing,” as defined by NRS
16 [278.01906].

17 [Moderate-Income] Tier Three Affordable Housing. Affordable housing for households that have a
18 total monthly gross income that is equal to more than [80] 60 percent but not more than [120] 80 percent of
19 the median gross household income. This term generally corresponds to “tier three affordable housing,” as
20 defined by NRS [278.01904].

21 [Very Low-Income] Tier One Affordable Housing. Affordable housing for households that have a
22 total gross income that is not more than [60] 30 percent of the median gross household income. This term
23 generally corresponds to “tier one affordable housing,” as defined by NRS [278.01902].

24 Tier Four Affordable Housing. Affordable housing for households that have a total monthly gross
25 income that is equal to more than 80 percent but not more than 120 percent of the median gross household
26 income. This term generally corresponds to “tier four affordable housing,” as defined by NRS.

1 Tier Five Affordable Housing. Affordable housing for households that have a total monthly gross
2 income that is equal to more than 120 percent but not more than 150 percent of the median gross household
3 income. This term generally corresponds to “tier five affordable housing,” as defined by NRS.

4 SECTION 13: For purposes of Section 2.100(3) of the City Charter, Section 19.18.020 is
5 deemed to be a subchapter rather than a section.

6 SECTION 14: The Department of Community Development is authorized and directed to
7 incorporate into the Unified Development Code the amendments set forth in Sections 2 to 12, inclusive, of
8 this Ordinance.

9 SECTION 15: If any section, subsection, subdivision, paragraph, sentence, clause or phrase
10 in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by
11 any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the
12 remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby
13 declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase
14 thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs,
15 sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

16 SECTION 16: Whenever in this ordinance any act is prohibited or is made or declared to
17 be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required
18 or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of
19 such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon
20 conviction thereof, shall be punished by a fine of not more than \$1,000.00 or by imprisonment for a term of
21 not more than six months, or by any combination of such fine and imprisonment. Any day of any violation
22 of this ordinance shall constitute a separate offense.

23 ...

24 ...

25 ...

26 ...

1 SECTION 17: All ordinances or parts of ordinances or sections, subsections, phrases,
2 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983
3 Edition, in conflict herewith are hereby repealed.

4 PASSED, ADOPTED and APPROVED this 20th day of May, 2026.

5 APPROVED:

6
7 By 
SHELLEY BERKLEY, Mayor

8 ATTEST:

9 
10 DR. LUANN D. HOLMES, MMC
City Clerk

11 APPROVED AS TO FORM:

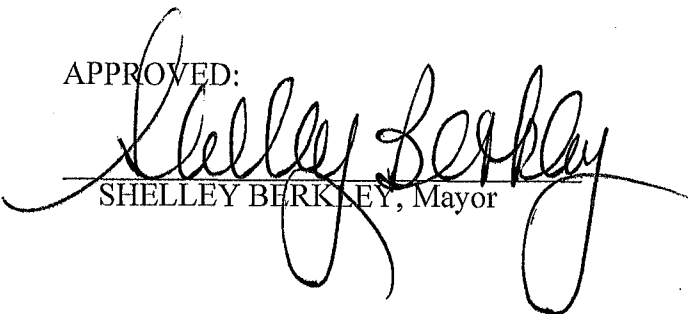
12  3/31/26
13 Gillian Block Segerblom,
14 Deputy City Attorney
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The above and foregoing ordinance was first proposed and read by title to the City Council on the 15th day of April, 2026, and referred to a committee for recommendation; hereafter the committee reported favorably on said ordinance on the 20th day of May, 2026, which as a regular meeting of said Council; that at said regular meeting, the proposed ordinance was read by title to the City Council and adopted by the following vote:

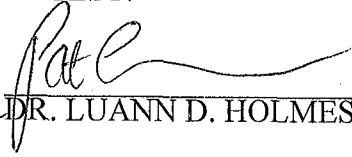
VOTING "AYE": Mayor Berkley, and Councilmembers Knudsen, Diaz, Allen-Palenske, Brune, Summers-Armstrong and Kelley
VOTING "NAY": None
ABSENT: None
ABSTAINED: None

APPROVED:



SHELLEY BERKLEY, Mayor

ATTEST:



DR. LUANN D. HOLMES, MMC City Clerk

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

LV CITY CLERK
ATTN: BECKY
495 S MAIN ST
LAS VEGAS NV 89101

Account #
Order ID

104115
353911

Leslie McCormick, being 1st duty sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal, daily newspaper regularly issued, published and circulated in the Clark County, Las Vegas, Nevada and that the advertisement, a true copy attached for, was continuously published in said Las Vegas Review-Journal, in 1 edition(s) of said newspaper issued from 05/07/2026 to 05/07/2026, on the following day(s):

05/07/2026

Leslie McCormick

LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this May 7, 2026

Notary _____

BILL NO. 2026-17

AN ORDINANCE TO AMEND LVMC 19.17 AND LVMC 19.18 TO REVISE THE TERM "AFFORDABLE HOUSING" TO "ATTAINABLE HOUSING", UPDATE ATTAINABLE HOUSING TIER DESCRIPTIONS IN ACCORDANCE WITH STATE LAW, REVISE CRITERIA RELATED TO ATTAINABLE HOUSING BONUSES AND INCENTIVES, AND PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Seth T. Floyd, Executive Director, Community Development
Summary: Amends LVMC 19.17 and 19.18 to revise the term "affordable housing" to "attainable housing", updates attainable housing tier descriptions in accordance with Assembly Bill 540, adopted by the Nevada Legislature in 2025, and revises criteria related to attainable housing bonuses and incentives.

At the City Council meeting of
April 15, 2026

BILL NO. 2026-17 WAS READ BY TITLE AND REFERRED TO A RECOMMENDING COMMITTEE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 2ND FLOOR, 495 SOUTH MAIN STREET, LAS VEGAS, NEVADA

PUB: May 7, 2026
Lv Review-Journal



**BILL NO. 2026-17
ORDINANCE NO. 6955**

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Proposed by: Seth T. Floyd,
Executive Director, Community
Development

Summary: Amends LVMC 19.17 and 19.18 to revise the term "affordable housing" to "attainable housing", updates attainable housing tier descriptions in accordance with Assembly Bill 540, adopted by the Nevada Legislature in 2025, and revises criteria related to attainable housing bonuses and incentives.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 15th day of April, 2026, and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 20th day of May, 2026, which was a regular meeting of said City Council; and that at said meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": Mayor Berkley and Councilmembers Knudsen, Diaz, Allen-Palenske, Brune, Summers-Armstrong and Kelley

VOTING "NAY": NONE

EXCUSED: NONE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 2ND FLOOR, 495 SOUTH MAIN STREET, LAS VEGAS, NEVADA

PUB: May 23, 2026
Lv Review-Journal

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

LV CITY CLERK
ATTN: BECKY
495 S MAIN ST
LAS VEGAS NV 89101

Account #
Order ID

104115
354781



Leslie McCormick, being 1st duty sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal, daily newspaper regularly issued, published and circulated in the Clark County, Las Vegas, Nevada and that the advertisement, a true copy attached for, was continuously published in said Las Vegas Review-Journal, in 1 edition(s) of said newspaper issued from 05/23/2026 to 05/23/2026, on the following day(s):

05/23/2026

Leslie McCormick

LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this May 23, 2026

Notary *Pamela Humphrey*
5-23-26

