AFFORDABLE HOUSING ACT
& DOÑA ANA COUNTY AFFORDABLE HOUSING ORDINANCE

Presenter:
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Affordable Housing Act

• Constitutional Amendment 4 – Passed in General Election of 2004, created the Affordable Housing Act (Section 6-27-3 NMSA 1978).

• Exempts affordable housing from the anti-donation clause of the New Mexico State Constitution.

• Affordable Housing Act Amended in 2015 to include provisions for foreclosed properties and penalties.
Eligible Donations under AHA

- Donate or pay for **land** for affordable housing construction,
- Donate or pay for an **existing building** or conversion or renovation into affordable housing,
- Provide or pay the costs of **infrastructure** necessary to support affordable housing projects,
- Provide or pay for the cost of **acquisition, development, construction, financing, operating or owning** affordable housing.
The range of housing needs

- Homeless
- Special Needs
- Low-Income Renters
- Market Rate Renters
- First-Time Homeowner
- Step-Up Homeowner
Doña Ana County may assist

- Homeless
- Special Needs
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**Extremely to Very Low Income**
30% 40% 50% 60%
Area Median Income

**Low to Moderate Income**
60% 70% 80%
Area Median Income
Compliance with AHA

MFA reviews and approves:

- Affordable Housing Plan
- Affordable Housing Ordinance
Incentive & Program Options

- Financial Incentives
- Land Use/Zoning/Subdivision Regulations
- Affordable Housing Programs

Doña Ana County Affordable Housing Ordinance includes various options however, it is the County’s decision on which donations to implement.
County Implementation

- County will determine priority projects or incentives.
- All donations will be required to comply with the Affordable Housing Act and the County Affordable Housing Ordinance.
- Any development is required to comply with County land use and zoning regulations.
MFA Implementation Assistance

- Homeownership Programs
- Housing Development Funding
  - Low Income Housing Tax Credits (LIHTC)
  - New Mexico Housing Trust Fund
  - Risk Sharing Loans
  - And many others
- Community Development Programs
- Training and Technical Assistance
Since 2008, 10 communities have donated $42 million in land and funding towards affordable housing in NM by donating:

- Land
- Funding
- Waiving impact fees
- Creating workforce housing bond
- Infrastructure reimbursement
Donations by Governmental Entities

- City of Albuquerque, $31.1 million
- City of Santa Fe, $2.7 million
- Town of Silver City, $2.7 million
- City of Hobbs, $2.4 million
- City of Artesia, $1.3 million
- Lea County, $1 million
- Santa Fe County, $565K
- City of Carlsbad, $50K
Questions?

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