

Amendment No. 164

Senate Amendment to Senate Bill No. 150	(BDR 22-221)
<b>Proposed by:</b> Senate Committee on Government Affairs	
<b>Amends:</b> Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.





SENATE BILL NO. 150—SENATORS D. HARRIS,  
DONATE; DENIS AND LANGE

FEBRUARY 25, 2021

Referred to Committee on Government Affairs

SUMMARY—Makes changes to provisions relating to housing. (BDR 22-221)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.  
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to housing; ~~setting forth certain requirements for a tiny house and a tiny house park;~~ requiring the governing body of a city or county to authorize tiny houses in certain zoning districts; ~~revising certain requirements for the issuance of receipts to tenants of manufactured home parks;~~ and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law authorizes a governing body to divide the city, county or region into zoning districts of such number, shape and area as are best suited to carry out certain purposes. Within a zoning district, the governing body may regulate and restrict the erection, construction, reconstruction, alteration, repair or use of buildings, structures or land. (NRS 278.250) **Section 1** of this bill requires ~~1, with certain exception, a~~ **the governing body of a county whose population is 100,000 or more (currently Clark and Washoe Counties) and the governing body of a city whose population is 150,000 or more (currently, the cities of Henderson, Las Vegas, North Las Vegas and Reno) to** ~~allow tiny houses in all zoning districts that allow single-family residences.~~ **designate: (1) at least one zoning district in which a tiny house may be located and classified as an accessory dwelling unit; (2) at least one zoning district in which a tiny house may be located and classified as a single-family residence; and (3) at least one zoning district in which a tiny house may be located in a tiny house park. Section 1** ~~further authorizes, with certain exception, a governing body to allow tiny houses in any~~ **1 also requires the governing body of a county whose population is less than 100,000 (currently all counties other than Clark and Washoe Counties) and the governing body of a city whose population is less than 150,000 (currently all cities other than the cities of Henderson, Las Vegas, North Las Vegas and Reno) to designate: (1) at least one zoning district** ~~that does not allow single-family residences. Section 2 of this bill generally defines the term~~ **in which a tiny house may be located and classified as an accessory dwelling unit; (2) at least one zoning district in which a tiny house may be located and classified as a single-family residence; or (3) at least one zoning district in which a tiny house may be located in a tiny house park. Section 1 further: (1) authorizes the governing body of a county or city to set forth additional requirements for tiny houses and tiny house parks; and (2) requires the governing body of a county or city to define** “tiny house” ~~as a structure of a smaller square footage than what is normally permitted by zoning requirements for a single-family residence and is intended for year-round occupancy.~~

~~Section 3 of this bill sets forth certain building and inspection requirements for a tiny house.~~

~~Section 4 of this bill requires the governing body of a city or county to adopt an ordinance authorizing tiny houses to be located in a tiny house park and sets forth certain requirements for tiny house parks.~~

~~Existing law requires a landlord of a manufactured home park to issue a receipt to a tenant upon payment of rent as soon as practicable after payment but not later than 5 days after the landlord receives the payment. (NRS 118B.073) Section 8 of this bill: (1) authorizes a landlord to issue a receipt in a digital form with the tenant's consent; and (2) requires a landlord to immediately issue a receipt for a cash payment.] **in accordance with the definition adopted in the International Residential Code by the International Code Council or its successor organization.**~~

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

**Section 1.** Chapter 278 of NRS is hereby amended by adding thereto ~~the provisions set forth as sections 2, 3 and 4 of this act.]~~ **a new section to read as follows:**

**1. A governing body of a county whose population is 100,000 or more or a governing body of a city whose population is 150,000 or more shall adopt an ordinance for the zoning of tiny houses that:**

**(a) Designates at least one zoning district in which a tiny house may be located and classified as an accessory dwelling unit;**

**(b) Designates at least one zoning district in which a tiny house may be located and classified as a single-family residential unit; and**

**(c) Designates at least one zoning district in which a tiny house may be located in a tiny house park.**

**2. A governing body of a county whose population is less than 100,000 or a governing body of a city whose population is less than 150,000 shall adopt an ordinance for the zoning of tiny houses that:**

**(a) Designates at least one zoning district in which a tiny house may be located and classified as an accessory dwelling unit;**

**(b) Designates at least one zoning district in which a tiny house is allowed to be located and classified as a single-family residential unit; or**

**(c) Designates at least one zoning district in which a tiny house may be located in a tiny house park.**

**3. An ordinance adopted pursuant to subsection 1 or 2:**

**(a) May:**

**(1) Include any other requirements for tiny houses that the governing body determines is necessary; and**

**(2) Provide that a certificate of occupancy issued for a tiny house may limit the tiny house to use as a single-family residential unit or an accessory dwelling unit.**

**(b) Shall require that a tiny house that is:**

**(I) Located in:**

**(I) A zoning district designated pursuant to paragraph (a) of subsection 1 or paragraph (a) of subsection 2 is classified as an accessory dwelling unit on any building permit or zoning approval issued for the tiny house;**

**(II) A zoning district designated pursuant to paragraph (b) of subsection 1 or paragraph (b) of subsection 2 is classified as a single-family**

1 residential unit on any building permit or zoning approval issued for the tiny  
2 house; and

3 (III) A zoning district designated pursuant to paragraph (c) of  
4 subsection 1 or paragraph (c) of subsection 2 is classified as a tiny house on any  
5 building permit or zoning approval issued within the tiny house park.

6 (2) Not built on a permanent foundation may only be issued a certificate  
7 of occupancy for the tiny house that is tied to the specific parcel of land on which  
8 the tiny house is located. If the tiny house is moved from that parcel, the owner of  
9 the tiny house must obtain a new certificate of occupancy.

10 4. An ordinance adopted pursuant to subsection 1 or 2 that allows for tiny  
11 houses to be located in tiny house parks must also establish requirements for tiny  
12 house parks, including, without limitation, requirements for:

13 (a) Community water and wastewater service;

14 (b) Adequate spacing between tiny houses in the tiny house park to allow for  
15 access for public safety services, including, without limitation, access for  
16 firefighting equipment and vehicles and utilities;

17 (c) Minimum size requirements for each space in the tiny house park for a  
18 tiny house;

19 (d) The minimum or maximum lot size of a tiny house park;

20 (e) Open space within the tiny house park; and

21 (f) Parking within the tiny house park.

22 5. An ordinance adopted pursuant to subsection 1 or 2 must define “tiny  
23 house” in accordance with the definition adopted in the International Residential  
24 Code by the International Code Council or its successor organization.

25 Sec. 2. ~~1. “Tiny house” means a structure that:~~

26 ~~(a) Is built on a permanent foundation or a chassis that is suitable for~~  
27 ~~transport on public highways in this State;~~

28 ~~(b) Includes facilities for sleeping, eating, cooking and sanitation;~~

29 ~~(c) Is of a smaller square footage than what is normally permitted by zoning~~  
30 ~~requirements for a single family residence; and~~

31 ~~(d) Is intended for year round occupancy.~~

32 ~~2. The term does not include:~~

33 ~~(a) A manufactured home, as defined in NRS 489.113;~~

34 ~~(b) A mobile home, as defined in NRS 489.120; or~~

35 ~~(c) A recreational park trailer, as defined in NRS 482.1005.] (Deleted by~~  
36 ~~amendment.)~~

37 Sec. 3. ~~1. A tiny house must:~~

38 ~~1. Meet all applicable requirements in the building code for a single family~~  
39 ~~residence.~~

40 ~~2. Be inspected and certified by a professional engineer licensed pursuant~~  
41 ~~to chapter 625 of NRS. If a tiny house is on a chassis, the connection of the tiny~~  
42 ~~house to the chassis must also be certified by a professional engineer licensed~~  
43 ~~pursuant to chapter 625 of NRS.~~

44 ~~3. Include a seal from a third party inspection company authorized to~~  
45 ~~certify tiny houses which indicates that the structure has passed inspection at~~  
46 ~~specific stages of construction in compliance with the applicable safety, structure~~  
47 ~~and energy efficiency standards. The seal must be permanently affixed to the tiny~~  
48 ~~house.] (Deleted by amendment.)~~

49 Sec. 4. ~~1. A governing body shall adopt an ordinance allowing tiny houses to~~  
50 ~~be located in a tiny house park. A tiny house park must:~~

51 ~~1. Consist of four or more spaces for tiny houses in a group park setting, in~~  
52 ~~which not more than one of the tiny houses may be occupied by the owner of the~~  
53 ~~tiny house park;~~

~~2. Require that tiny houses in the tiny house park be adequately spaced to allow for access by firefighting equipment and vehicles;~~

~~3. Contain an overall lot size of at least 10,000 square feet; and~~

~~4. Provide individual or community water and wastewater service.] (Deleted by amendment.)~~

~~Sec. 5. [NRS 278.010 is hereby amended to read as follows:~~

~~278.010 As used in NRS 278.010 to 278.630, inclusive, and sections 2, 3 and 4 of this act, unless the context otherwise requires, the words and terms defined in NRS 278.0103 to 278.0195, inclusive, and section 2 of this act have the meanings ascribed to them in those sections.] (Deleted by amendment.)~~

~~Sec. 6. NRS 278.0235 is hereby amended to read as follows:~~

~~278.0235 No action or proceeding may be commenced for the purpose of seeking judicial relief or review from or with respect to any final action, decision or order of any governing body, commission or board authorized by NRS 278.010 to 278.630, inclusive, and sections 2, 3 and 4 section 1 of this act unless the action or proceeding is commenced within 25 days after the date of filing of notice of the final action, decision or order with the clerk or secretary of the governing body, commission or board.~~

~~Sec. 7. NRS 278.250 is hereby amended to read as follows:~~

~~278.250 1. For the purposes of NRS 278.010 to 278.630, inclusive, and sections 2, 3 and 4 section 1 of this act, the governing body may divide the city, county or region into zoning districts of such number, shape and area as are best suited to carry out the purposes of NRS 278.010 to 278.630, inclusive [;], and section 1 of this act. Within [; and sections 2, 3 and 4 of this act. Except as otherwise provided in subsection 3, within] the zoning district, it may regulate and restrict the erection, construction, reconstruction, alteration, repair or use of buildings, structures or land.~~

~~2. The zoning regulations must be adopted in accordance with the master plan for land use and be designed:~~

~~(a) To preserve the quality of air and water resources.~~

~~(b) To promote the conservation of open space and the protection of other natural and scenic resources from unreasonable impairment.~~

~~(c) To consider existing views and access to solar resources by studying the height of new buildings which will cast shadows on surrounding residential and commercial developments.~~

~~(d) To reduce the consumption of energy by encouraging the use of products and materials which maximize energy efficiency in the construction of buildings.~~

~~(e) To provide for recreational needs.~~

~~(f) To protect life and property in areas subject to floods, landslides and other natural disasters.~~

~~(g) To conform to the adopted population plan, if required by NRS 278.170.~~

~~(h) To develop a timely, orderly and efficient arrangement of transportation and public facilities and services, including public access and sidewalks for pedestrians, and facilities and services for bicycles.~~

~~(i) To ensure that the development on land is commensurate with the character and the physical limitations of the land.~~

~~(j) To take into account the immediate and long-range financial impact of the application of particular land to particular kinds of development, and the relative suitability of the land for development.~~

~~(k) To promote health and the general welfare.~~

~~(l) To ensure the development of an adequate supply of housing for the community, including the development of affordable housing.~~

1 (m) To ensure the protection of existing neighborhoods and communities,  
2 including the protection of rural preservation neighborhoods and, in counties whose  
3 population is 700,000 or more, the protection of historic neighborhoods.

4 (n) To promote systems which use solar or wind energy.

5 (o) To foster the coordination and compatibility of land uses with any military  
6 installation in the city, county or region, taking into account the location, purpose  
7 and stated mission of the military installation.

8 3. The zoning regulations ~~must~~ **must**

9 ~~—(a) Must~~ be adopted with reasonable consideration, among other things, to the  
10 character of the area and its peculiar suitability for particular uses, and with a view  
11 to conserving the value of buildings and encouraging the most appropriate use of  
12 land throughout the city, county or region.

13 ~~—(b) Except as otherwise provided in subsection 4:~~

14 ~~—(1) Must allow tiny houses in all zoning districts that allow single family~~  
15 ~~residences. If a zoning district authorizes accessory dwelling units:~~

16 ~~—(I) A tiny house in that zoning district may be required by the~~  
17 ~~governing body to meet all standards and criteria for accessory dwelling units,~~  
18 ~~and~~

19 ~~—(II) A person must not have a tiny house and an accessory dwelling~~  
20 ~~unit on the same parcel.~~

21 ~~—(2) May allow tiny houses in any zoning district that does not otherwise~~  
22 ~~allow single family residences.]~~

23 4. ~~[The provisions of this subsection 3 do not abrogate a recorded restrictive~~  
24 ~~covenant prohibiting tiny houses, nor do the provisions apply within the~~  
25 ~~boundaries of a historic district established pursuant to chapter 384 of NRS.~~

26 ~~—5.]~~ In exercising the powers granted in this section, the governing body may  
27 use any controls relating to land use or principles of zoning that the governing body  
28 determines to be appropriate, including, without limitation, density bonuses,  
29 inclusionary zoning and minimum density zoning.

30 ~~5. [6.]~~ As used in this section:

31 (a) “Density bonus” means an incentive granted by a governing body to a  
32 developer of real property that authorizes the developer to build at a greater density  
33 than would otherwise be allowed under the master plan, in exchange for an  
34 agreement by the developer to perform certain functions that the governing body  
35 determines to be socially desirable, including, without limitation, developing an  
36 area to include a certain proportion of affordable housing.

37 (b) “Inclusionary zoning” means a type of zoning pursuant to which a  
38 governing body requires or provides incentives to a developer who builds  
39 residential dwellings to build a certain percentage of those dwellings as affordable  
40 housing.

41 (c) “Minimum density zoning” means a type of zoning pursuant to which  
42 development must be carried out at or above a certain density to maintain  
43 conformance with the master plan.

44 **Sec. 8.** ~~[NRS 118B.073 is hereby amended to read as follows:~~

45 ~~—118B.073 Upon payment of the periodic rent by a tenant of a manufactured~~  
46 ~~home park, the landlord of that park shall issue to the tenant a receipt which~~  
47 ~~indicates the amount and the date of the payment [The] and which may be issued~~  
48 ~~in a digital form if the tenant consents. Except as otherwise provided in this~~  
49 ~~section, the landlord shall issue the receipt as soon as practicable after payment, but~~  
50 ~~not later than 5 days after the landlord receives payment. If a tenant makes a cash~~  
51 ~~payment, the landlord must immediately issue the receipt.] **(Deleted by**~~  
52 ~~**amendment.)**~~

53 **Sec. 9.** **This act becomes effective on January 1, 2024.**