

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:

1 Existing law authorizes a governing body to divide the city, county or region
2 into zoning districts of such number, shape and area as are best suited to carry out
3 certain purposes. Within a zoning district, the governing body may regulate and
4 restrict the erection, construction, reconstruction, alteration, repair or use of
5 buildings, structures or land. (NRS 278.250) **Section 7** of this bill requires, with
6 certain exception, a governing body to allow tiny houses in all zoning districts that
7 allow single-family residences. **Section 7** further authorizes, with certain exception,
8 a governing body to allow tiny houses in any zoning district that does not allow
9 single-family residences. **Section 2** of this bill generally defines the term “tiny
10 house” as a structure of a smaller square footage than what is normally permitted
11 by zoning requirements for a single-family residence and is intended for year-round
12 occupancy.

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

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

18 Existing law requires a landlord of a manufactured home park to issue a receipt
19 to a tenant upon payment of rent as soon as practicable after payment but not later
20 than 5 days after the landlord receives the payment. (NRS 118B.073) **Section 8** of



21 this bill: (1) authorizes a landlord to issue a receipt in a digital form with the
22 tenant's consent; and (2) requires a landlord to immediately issue a receipt for a
23 cash payment.

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

1 **Section 1.** Chapter 278 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2, 3 and 4 of this act.

3 **Sec. 2. 1. "Tiny house" means a structure that:**

4 (a) *Is built on a permanent foundation or a chassis that is*
5 *suitable for transport on public highways in this State;*

6 (b) *Includes facilities for sleeping, eating, cooking and*
7 *sanitation;*

8 (c) *Is of a smaller square footage than what is normally*
9 *permitted by zoning requirements for a single-family residence;*
10 *and*

11 (d) *Is intended for year-round occupancy.*

12 **2. The term does not include:**

13 (a) *A manufactured home, as defined in NRS 489.113;*

14 (b) *A mobile home, as defined in NRS 489.120; or*

15 (c) *A recreational park trailer, as defined in NRS 482.1005.*

16 **Sec. 3. A tiny house must:**

17 **1. Meet all applicable requirements in the building code for a**
18 **single family residence.**

19 **2. Be inspected and certified by a professional engineer**
20 **licensed pursuant to chapter 625 of NRS. If a tiny house is on a**
21 **chassis, the connection of the tiny house to the chassis must also**
22 **be certified by a professional engineer licensed pursuant to**
23 **chapter 625 of NRS.**

24 **3. Include a seal from a third party inspection company**
25 **authorized to certify tiny houses which indicates that the structure**
26 **has passed inspection at specific stages of construction in**
27 **compliance with the applicable safety, structure and energy**
28 **efficiency standards. The seal must be permanently affixed to the**
29 **tiny house.**

30 **Sec. 4. A governing body shall adopt an ordinance allowing**
31 **tiny houses to be located in a tiny house park. A tiny house park**
32 **must:**

33 **1. Consist of four or more spaces for tiny houses in a group**
34 **park setting, in which not more than one of the tiny houses may be**
35 **occupied by the owner of the tiny house park;**

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



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

3 **4. Provide individual or community water and wastewater**
4 **service.**

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

6 278.010 As used in NRS 278.010 to 278.630, inclusive, **and**
7 **sections 2, 3 and 4 of this act**, unless the context otherwise requires,
8 the words and terms defined in NRS 278.0103 to 278.0195,
9 inclusive, **and section 2 of this act** have the meanings ascribed to
10 them in those sections.

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

12 278.0235 No action or proceeding may be commenced for the
13 purpose of seeking judicial relief or review from or with respect to
14 any final action, decision or order of any governing body,
15 commission or board authorized by NRS 278.010 to 278.630,
16 inclusive, **and sections 2, 3 and 4 of this act** unless the action or
17 proceeding is commenced within 25 days after the date of filing of
18 notice of the final action, decision or order with the clerk or
19 secretary of the governing body, commission or board.

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

21 278.250 1. For the purposes of NRS 278.010 to 278.630,
22 inclusive, **and sections 2, 3 and 4 of this act**, the governing body
23 may divide the city, county or region into zoning districts of such
24 number, shape and area as are best suited to carry out the purposes
25 of NRS 278.010 to 278.630, inclusive [~~Within~~], **and sections 2, 3**
26 **and 4 of this act. Except as otherwise provided in subsection 3,**
27 **within** the zoning district, it may regulate and restrict the erection,
28 construction, reconstruction, alteration, repair or use of buildings,
29 structures or land.

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

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

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

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

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

42 (e) To provide for recreational needs.

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



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

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

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

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

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

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

17 (m) To ensure the protection of existing neighborhoods and
18 communities, including the protection of rural preservation
19 neighborhoods and, in counties whose population is 700,000 or
20 more, the protection of historic neighborhoods.

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

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

26 3. The zoning regulations ~~must~~ :

27 (a) **Must** be adopted with reasonable consideration, among other
28 things, to the character of the area and its peculiar suitability for
29 particular uses, and with a view to conserving the value of buildings
30 and encouraging the most appropriate use of land throughout the
31 city, county or region.

32 (b) *Except as otherwise provided in subsection 4:*

33 (1) *Must allow tiny houses in all zoning districts that allow*
34 *single-family residences. If a zoning district authorizes accessory*
35 *dwelling units:*

36 (I) *A tiny house in that zoning district may be required*
37 *by the governing body to meet all standards and criteria for*
38 *accessory dwelling units; and*

39 (II) *A person must not have a tiny house and an*
40 *accessory dwelling unit on the same parcel.*

41 (2) *May allow tiny houses in any zoning district that does*
42 *not otherwise allow single-family residences.*

43 4. *The provisions of this subsection 3 do not abrogate a*
44 *recorded restrictive covenant prohibiting tiny houses, nor do the*



1 *provisions apply within the boundaries of a historic district*
2 *established pursuant to chapter 384 of NRS.*

3 5. In exercising the powers granted in this section, the
4 governing body may use any controls relating to land use or
5 principles of zoning that the governing body determines to be
6 appropriate, including, without limitation, density bonuses,
7 inclusionary zoning and minimum density zoning.

8 ~~5.1~~ 6. As used in this section:

9 (a) "Density bonus" means an incentive granted by a governing
10 body to a developer of real property that authorizes the developer to
11 build at a greater density than would otherwise be allowed under the
12 master plan, in exchange for an agreement by the developer to
13 perform certain functions that the governing body determines to be
14 socially desirable, including, without limitation, developing an area
15 to include a certain proportion of affordable housing.

16 (b) "Inclusionary zoning" means a type of zoning pursuant to
17 which a governing body requires or provides incentives to a
18 developer who builds residential dwellings to build a certain
19 percentage of those dwellings as affordable housing.

20 (c) "Minimum density zoning" means a type of zoning pursuant
21 to which development must be carried out at or above a certain
22 density to maintain conformance with the master plan.

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

24 118B.073 Upon payment of the periodic rent by a tenant of a
25 manufactured home park, the landlord of that park shall issue to the
26 tenant a receipt which indicates the amount and the date of the
27 payment ~~[The]~~ *and which may be issued in a digital form if the*
28 *tenant consents. Except as otherwise provided in this section, the*
29 *landlord shall issue the receipt as soon as practicable after payment,*
30 *but not later than 5 days after the landlord receives payment. If a*
31 *tenant makes a cash payment, the landlord must immediately issue*
32 *the receipt.*

