

SENATE BILL NO. 150—SENATORS D. HARRIS,  
DONATE, BUCK; 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; requiring the governing body of a city or county to authorize tiny houses in certain zoning districts; 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 1** of this bill requires the  
6 governing body of a county whose population is 100,000 or more (currently Clark  
7 and Washoe Counties) or the governing body of a city whose population is 150,000  
8 or more (currently, the cities of Henderson, Las Vegas, North Las Vegas and Reno)  
9 to designate: (1) at least one zoning district in which a tiny house may be located  
10 and classified as an accessory dwelling unit; (2) at least one zoning district in which  
11 a tiny house may be located and classified as a single-family residence; and (3) at  
12 least one zoning district in which a tiny house may be located in a tiny house park.  
13 **Section 1** also requires the governing body of a county whose population is less  
14 than 100,000 (currently all counties other than Clark and Washoe Counties) or the  
15 governing body of a city whose population is less than 150,000 (currently all cities  
16 other than the cities of Henderson, Las Vegas, North Las Vegas and Reno) to  
17 designate: (1) at least one zoning district in which a tiny house may be located and  
18 classified as an accessory dwelling unit; (2) at least one zoning district in which a  
19 tiny house may be located and classified as a single-family residence; or (3) at least  
20 one zoning district in which a tiny house may be located in a tiny house park.  
21 **Section 1** further: (1) requires the governing body of a county or city to consider  
22 certain health and environmental effects of the locations of tiny houses in the  
23 zoning districts designated in the ordinance on certain populations; (2) authorizes  
24 the governing body of a county or city to set forth additional requirements for tiny



25 houses and tiny house parks; and (3) requires the governing body of a county or  
26 city to define "tiny house" in accordance with the definition adopted in the  
27 International Residential Code by the International Code Council or its successor  
28 organization.

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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 a new section to read as follows:

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

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

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

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

14       2. *A governing body of a county whose population is less than*  
15 *100,000 or a governing body of a city whose population is less*  
16 *than 150,000 shall adopt an ordinance for the zoning of tiny*  
17 *houses that:*

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

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

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

25       3. *Before adopting an ordinance pursuant to subsection 1 or*  
26 *2, the governing body of a county or city must consider whether*  
27 *the locations of tiny houses in the designated zoning districts will*  
28 *have disproportionately high and adverse human health and*  
29 *environmental effects on minority populations and low-income*  
30 *populations.*

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

32       (a) *May:*

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

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



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

2 (I) *Located in:*

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

7 (II) *A zoning district designated pursuant to paragraph*  
8 *(b) of subsection 1 or paragraph (b) of subsection 2 is classified as*  
9 *a single-family residential unit on any building permit or zoning*  
10 *approval issued for the tiny house; and*

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

15 (2) *Not built on a permanent foundation may only be issued*  
16 *a certificate of occupancy for the tiny house that is tied to the*  
17 *specific parcel of land on which the tiny house is located. If the*  
18 *tiny house is moved from that parcel, the owner of the tiny house*  
19 *must obtain a new certificate of occupancy.*

20 5. *An ordinance adopted pursuant to subsection 1 or 2 that*  
21 *allows for tiny houses to be located in tiny house parks must also*  
22 *establish requirements for tiny house parks, including, without*  
23 *limitation, requirements for:*

24 (a) *Community water and wastewater service;*

25 (b) *Adequate spacing between tiny houses in the tiny house*  
26 *park to allow for access for public safety services, including,*  
27 *without limitation, access for firefighting equipment and vehicles*  
28 *and utilities;*

29 (c) *Minimum size requirements for each space in the tiny*  
30 *house park for a tiny house;*

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

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

33 (f) *Parking within the tiny house park.*

34 6. *An ordinance adopted pursuant to subsection 1 or 2 must*  
35 *define “tiny house” in accordance with the definition adopted in*  
36 *the International Residential Code by the International Code*  
37 *Council or its successor organization.*

38 **Sec. 2.** (Deleted by amendment.)

39 **Sec. 3.** (Deleted by amendment.)

40 **Sec. 4.** (Deleted by amendment.)

41 **Sec. 5.** (Deleted by amendment.)

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

43 278.0235 No action or proceeding may be commenced for the  
44 purpose of seeking judicial relief or review from or with respect to  
45 any final action, decision or order of any governing body,



1 commission or board authorized by NRS 278.010 to 278.630,  
2 inclusive, *and section 1 of this act* unless the action or proceeding is  
3 commenced within 25 days after the date of filing of notice of the  
4 final action, decision or order with the clerk or secretary of the  
5 governing body, commission or board.

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

7 278.250 1. For the purposes of NRS 278.010 to 278.630,  
8 inclusive, *and section 1 of this act*, the governing body may divide  
9 the city, county or region into zoning districts of such number, shape  
10 and area as are best suited to carry out the purposes of NRS 278.010  
11 to 278.630, inclusive ~~§~~, *and section 1 of this act*. Within the  
12 zoning district, it may regulate and restrict the erection,  
13 construction, reconstruction, alteration, repair or use of buildings,  
14 structures or land.

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

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

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

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

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

27 (e) To provide for recreational needs.

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

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

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

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

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

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

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



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

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

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

10 3. The zoning regulations must be adopted with reasonable  
11 consideration, among other things, to the character of the area and  
12 its peculiar suitability for particular uses, and with a view to  
13 conserving the value of buildings and encouraging the most  
14 appropriate use of land throughout the city, county or region.

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

20 5. As used in this section:

21 (a) "Density bonus" means an incentive granted by a governing  
22 body to a developer of real property that authorizes the developer to  
23 build at a greater density than would otherwise be allowed under the  
24 master plan, in exchange for an agreement by the developer to  
25 perform certain functions that the governing body determines to be  
26 socially desirable, including, without limitation, developing an area  
27 to include a certain proportion of affordable housing.

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

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

35 **Sec. 8.** (Deleted by amendment.)

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

