

Amendment No. 715

Assembly Amendment to Senate Bill No. 150 First Reprint (BDR 22-221) <b>Proposed by:</b> Assembly Committee on Government Affairs <b>Amendment Box:</b> Replaces Amendment No. 639. <b>Amends:</b> Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes
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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, 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 into zoning  
2 districts of such number, shape and area as are best suited to carry out certain purposes.  
3 Within a zoning district, the governing body may regulate and restrict the erection,  
4 construction, reconstruction, alteration, repair or use of buildings, structures or land. (NRS  
5 278.250) **Section 1** of this bill requires the governing body of a county whose population is  
6 100,000 or more (currently Clark and Washoe Counties) or the governing body of a city  
7 whose population is 150,000 or more (currently, the cities of Henderson, Las Vegas, North  
8 Las Vegas and Reno) to designate: (1) at least one zoning district in which a tiny house may  
9 be located and classified as an accessory dwelling unit; (2) at least one zoning district in  
10 which a tiny house may be located and classified as a single-family residence; and (3) at least  
11 one zoning district in which a tiny house may be located in a tiny house park. **Section 1** also  
12 requires the governing body of a county whose population is less than 100,000 (currently all  
13 counties other than Clark and Washoe Counties) or the governing body of a city whose  
14 population is less than 150,000 (currently all cities other than the cities of Henderson, Las  
15 Vegas, North Las Vegas and Reno) to designate: (1) at least one zoning district in which a tiny  
16 house may be located and classified as an accessory dwelling unit; (2) at least one zoning  
17 district in which a tiny house may be located and classified as a single-family residence; or (3)  
18 at least one zoning district in which a tiny house may be located in a tiny house park. **Section**  
19 **1** further: (1) requires the governing body of a county or city to consider certain health  
20 and environmental effects of the locations of tiny houses in the zoning districts  
21 designated in the ordinance on certain populations; (2) authorizes the governing body of a  
22 county or city to set forth additional requirements for tiny houses and tiny house parks; and  
23 ~~[(2)]~~ (3) requires the governing body of a county or city to define “tiny house” in accordance  
24 with the definition adopted in the International Residential Code by the International Code  
25 Council or its successor organization.

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 thereto a new  
2 section to read as follows:

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

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

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

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

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

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

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

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

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

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

27       (a) *May:*

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

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

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

34       (1) *Located in:*

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

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

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

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

5 ~~4.4~~ 5. *An ordinance adopted pursuant to subsection 1 or 2 that allows for*  
 6 *tiny houses to be located in tiny house parks must also establish requirements for*  
 7 *tiny house parks, including, without limitation, requirements for:*

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

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

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

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

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

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

17 ~~5.5~~ 6. *An ordinance adopted pursuant to subsection 1 or 2 must define*  
 18 *"tiny house" in accordance with the definition adopted in the International*  
 19 *Residential Code by the International Code Council or its successor organization.*

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

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

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

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

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

25           278.0235 No action or proceeding may be commenced for the purpose of  
 26 seeking judicial relief or review from or with respect to any final action, decision or  
 27 order of any governing body, commission or board authorized by NRS 278.010 to  
 28 278.630, inclusive, *and section 1 of this act* unless the action or proceeding is  
 29 commenced within 25 days after the date of filing of notice of the final action,  
 30 decision or order with the clerk or secretary of the governing body, commission or  
 31 board.

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

33           278.250 1. For the purposes of NRS 278.010 to 278.630, inclusive, *and*  
 34 *section 1 of this act*, the governing body may divide the city, county or region into  
 35 zoning districts of such number, shape and area as are best suited to carry out the  
 36 purposes of NRS 278.010 to 278.630, inclusive ~~4~~, *and section 1 of this act*.  
 37 Within the zoning district, it may regulate and restrict the erection, construction,  
 38 reconstruction, alteration, repair or use of buildings, structures or land.

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

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

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

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

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

49           (e) To provide for recreational needs.

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

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

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

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

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

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

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

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

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

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

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

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

27 5. As used in this section:

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

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

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

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

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