

SENATE BILL NO. 363—SENATOR NOLAN

MARCH 25, 2005

Referred to Committee on Government Affairs

SUMMARY—Revises definition of “single-family residence” for purposes of zoning ordinances. (BDR 22-293)

FISCAL NOTE: Effect on Local Government: No.
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 factory-built housing; revising the definition of “single-family residence” for purposes of zoning ordinances; and providing other matters properly relating thereto.

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

1 **Section 1.** NRS 278.0209 is hereby amended to read as
2 follows:

3 278.0209 1. In any ordinance relating to the zoning of land
4 adopted or amended by a governing body, the definition of “single-
5 family residence” must include factory-built housing that has been
6 built in compliance with the standards for single-family residential
7 dwellings of the Uniform Building Code most recently adopted by
8 the International Conference of Building Officials ~~or~~ *or with the*
9 *standards established by the United States Department of Housing*
10 *and Urban Development pursuant to the National Manufactured*
11 *Housing Construction and Safety Standards Act of 1974, 42*
12 *U.S.C. §§ 5401 et seq.*

13 2. An ordinance of the governing body may require factory-
14 built housing to comply with standards for safety which exceed the
15 standards prescribed in subsection 1 if a single-family residential
16 dwelling on the same lot is also required to comply with those
17 standards.



- 1 3. The governing body shall adopt the same standards for
2 development for the factory-built housing and the lot on which it is
3 placed as those to which a conventional single-family residential
4 dwelling on the same lot would be subject, including, but not
5 limited to:
- 6 (a) Requirements for the setback of buildings.
 - 7 (b) Side and rear-yard requirements.
 - 8 (c) Standards for enclosures, access and the parking of vehicles.
 - 9 (d) Aesthetic requirements.
 - 10 (e) Requirements for minimum square footage.
 - 11 (f) Requirements for design, style and structure.
- 12 4. The governing body may prohibit the installation of factory-
13 built housing in a specified area if:
- 14 (a) More than 5 years have elapsed between the date of
15 manufacture of factory-built housing and the date of the application
16 for the issuance of a permit to install factory-built housing in the
17 affected area; or
 - 18 (b) The area contains a building, structure or other object having
19 a special character or special historical interest or value.
- 20 5. As used in this section, "factory-built housing" has the
21 meaning ascribed to it in NRS 461.080.
- 22 6. The provisions of this section do not abrogate a recorded
23 restrictive covenant.

