

ASSEMBLY BILL NO. 358—ASSEMBLYMEN MANENDO,
OHRENSCHALL, PARKS, CLABORN, ANDERSON, ARBERRY,
ATKINSON, BOBZIEN, BUCKLEY, CARPENTER, CONKLIN,
DENIS, GERHARDT, GOEDHART, GOICOECHEA, HOGAN,
KIHUEN, KIRKPATRICK, KOIVISTO, LESLIE, MCCLAIN,
MORTENSON, MUNFORD, OCEGUERA, PARNELL, PIERCE,
SEGERBLOM, SMITH, STEWART AND WOMACK

MARCH 15, 2007

JOINT SPONSORS: SENATORS CARE, CARLTON, COFFIN,
HORSFORD, LEE, TITUS AND WIENER

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to manufactured homes.
(BDR 22-1193)

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 planning and zoning; revising standards relating
to the placement of a manufactured home, in certain
counties, in a location other than on a lot within a mobile
home park; and providing other matters properly relating
thereto.

Legislative Counsel's Digest:

1 Under existing law, in a county whose population is 40,000 or more (currently
2 Clark, Washoe, Elko and Douglas Counties, and Carson City), a governing body is
3 required to adopt standards for the placement of a manufactured home in a location
4 other than on a lot within a mobile home park. In relevant part, such standards must
5 include a requirement that the manufactured home have been manufactured within
6 the 5 years immediately preceding the date on which it is affixed to a residential lot.
7 In a county whose population is less than 40,000 (currently counties other than
8 Clark, Washoe, Elko and Douglas Counties, and Carson City), a governing body is
9 allowed to adopt less restrictive standards. (NRS 278.015, 278.0167, 278.02095,
10 489.113)



* A B 3 5 8 *

This bill replaces the 5-year requirement and provides instead that the manufactured home must be designated by the manufacturer as a 1996 model or newer, as indicated by the manufacturer's statement of origin.

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

Section 1. NRS 278.02095 is hereby amended to read as follows:

278.02095 1. Except as otherwise provided in this section, in an ordinance relating to the zoning of land adopted or amended by a governing body, the definition of "single-family residence" must include a manufactured home.

2. Notwithstanding the provisions of subsection 1, a governing body shall adopt standards for the placement of a manufactured home that will not be affixed to a lot within a mobile home park which require that:

(a) The manufactured home:

(1) Be permanently affixed to a residential lot;

(2) Be ~~manufactured within the 5 years immediately preceding the date on which it is affixed to the residential lot;~~
designated as a 1996 model or newer, as indicated by the manufacturer's statement of origin.

(3) Have exterior siding and roofing which is similar in color, material and appearance to the exterior siding and roofing primarily used on other single-family residential dwellings in the immediate vicinity of the manufactured home, as established by the governing body;

(4) Consist of more than one section; and

(5) Consist of at least 1,200 square feet of living area unless the governing body, by administrative variance or other expedited procedure established by the governing body, approves a lesser amount of square footage based on the size or configuration of the lot or the square footage of single-family residential dwellings in the immediate vicinity of the manufactured home; and

(b) If the manufactured home has an elevated foundation, the foundation is masked architecturally in a manner determined by the governing body.

↪ The governing body of a local government in a county whose population is less than 40,000 may adopt standards that are less restrictive than the standards set forth in this subsection.

3. Standards adopted by a governing body pursuant to subsection 2 must be objective and documented clearly and must not be adopted to discourage or impede the construction or provision of



1 affordable housing, including, without limitation, the use of
2 manufactured homes for affordable housing.

3 4. Before a building department issues a permit to place a
4 manufactured home on a lot pursuant to this section, other than a
5 new manufactured home, the owner must surrender the certificate of
6 ownership to the Manufactured Housing Division of the Department
7 of Business and Industry. The Division shall provide proof of such a
8 surrender to the owner who must submit that proof to the building
9 department.

10 5. The provisions of this section do not abrogate a recorded
11 restrictive covenant prohibiting manufactured homes nor do the
12 provisions apply within the boundaries of a historic district
13 established pursuant to NRS 384.005 or 384.100. An application to
14 place a manufactured home on a residential lot pursuant to this
15 section constitutes an attestation by the owner of the lot that the
16 placement complies with all covenants, conditions and restrictions
17 placed on the lot and that the lot is not located within a historic
18 district.

19 6. As used in this section:

20 (a) "Manufactured home" has the meaning ascribed to it in
21 NRS 489.113.

22 (b) "New manufactured home" has the meaning ascribed to it in
23 NRS 489.125.

24 **Sec. 2.** This act becomes effective on July 1, 2007.

