

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 769

Short Title: Zoning/Limit Manufactured Home Restrictions. (Public)

Sponsors: Representatives Ramsey, Burr, Wray, and Dobson (Primary Sponsors).
For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Government.

April 11, 2013

1 A BILL TO BE ENTITLED
2 AN ACT AMENDING THE ZONING LAWS TO LIMIT WHEN COUNTIES MAY
3 RESTRICT THE PLACEMENT OF MANUFACTURED HOMES IN AREAS ZONED
4 FOR SINGLE-FAMILY RESIDENTIAL USE.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 153A-341.1 reads as rewritten:

7 "§ 153A-341.1. Zoning regulations for manufactured homes.

8 ~~The provisions of G.S. 160A-383.1 shall apply to counties.~~

9 (a) The General Assembly finds and declares that manufactured housing offers
10 affordable housing opportunities for low and moderate income residents of this State who could
11 not otherwise afford to own their own home. The General Assembly further finds that some
12 local governments have adopted zoning regulations which severely restrict the placement of
13 manufactured homes. It is the intent of the General Assembly in enacting this section that
14 counties shall not unduly restrict the placement of manufactured homes in areas zoned for
15 single family residences, with the exception that the homes may be reasonably restricted in
16 areas where uniform aesthetic and design standards are imposed, such as in historic districts.

17 (b) For purposes of this section, the term "manufactured home" is defined as a home
18 meeting all of the following criteria:

19 (1) The home is a transportable structure of at least 320 square feet built on
20 permanent chassis structures.

21 (2) The home meets the Manufactured Home Safety and Construction standards
22 set by U.S. Department of Housing and Urban Development (hereinafter
23 referred to as "HUD Code") as of the date the application is made for a
24 zoning permit to locate the manufactured home on an individual lot.

25 (3) Structural additions to the home (such as, but not limited to, porches and
26 decks) must comply with the standards of the North Carolina State Building
27 Code.

28 (c) A county may not adopt or enforce zoning regulations or other provisions which
29 have the effect of excluding individual manufactured homes located on individual lots from any
30 area zoned for single-family residential use other than in an historic district where uniform
31 aesthetic and design standards are imposed or in any other area where the county has a
32 compelling interest in preserving aesthetic and design standards.

33 (c1) If any provision of this section or its application is held invalid, the invalidity does
34 not affect other provisions or applications of this section that can be given effect without the
35 invalid provision or application, and to this end the provisions of this section are severable."



1 **SECTION 2.** This act becomes effective October 1, 2013, and applies to zoning
2 permits and zoning decisions affecting manufactured homes issued on or after that date.