

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 769
Committee Substitute Favorable 4/25/13

Short Title: Zoning/Limit Manufactured Home Restrictions.

(Public)

Sponsors:

Referred to:

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.

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 meets the Manufactured Home Safety and Construction standards
20 set by the U.S. Department of Housing and Urban Development as of the
21 date the application is made for a zoning permit to locate the manufactured
22 home on an individual lot.

23 (2) Structural additions to the home, such as porches and decks, must comply
24 with the standards of the North Carolina State Building Code.

25 (c) A county may not adopt or enforce zoning regulations or other provisions which
26 have the effect of excluding individual manufactured homes located on individual lots from any
27 area zoned for single-family residential use other than in a historic district.

28 (d) A county may adopt and enforce reasonable appearance criteria for manufactured
29 homes. Such criteria shall be designed to protect property values, to preserve the character and
30 integrity of individual neighborhoods within the county, and to promote the health, safety, and
31 welfare of county residents. The criteria shall be adopted by ordinance.

32 (e) Nothing in this section shall be construed to preempt or supersede valid restrictive
33 covenants running with the land."

34 SECTION 2. If any provision of this act or its application is held invalid, the
35 invalidity does not affect other provisions or applications of this section that can be given effect



1 without the invalid provision or application, and to this end the provisions of this section are
2 severable.

3 **SECTION 3.** This act becomes effective October 1, 2013, and applies to zoning
4 decisions made on or after that date and to zoning permits issued on or after that date.