

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

H

D

HOUSE BILL 769  
Committee Substitute Favorable 4/25/13  
PROPOSED SENATE COMMITTEE SUBSTITUTE H769-PCS40244-RN-52

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  
11 could not otherwise afford to own their own homes. The General Assembly further finds that  
12 some local governments have adopted zoning regulations which severely restrict the placement  
13 of 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 either of the following:

28 (1) In a historic district.

29 (2) In areas heavily dependent on tourism, not to exceed ten percent (10%) of  
30 the county land area.

31 (d) A county may adopt and enforce reasonable appearance criteria for manufactured  
32 homes. The reasonable appearance criteria shall be limited to criteria that are designed to  
33 protect property values, to preserve the character and integrity of individual neighborhoods  
34 within the county, and to promote the health, safety, and welfare of county residents. The



\* H 7 6 9 - P C S 4 0 2 4 4 - R N - 5 2 \*

1 criteria shall be adopted by ordinance and shall not prohibit or have the effect of prohibiting the  
2 placement of manufactured homes on individual lots.

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

5 **SECTION 2.** If any provision of this act or its application is held invalid, the  
6 invalidity does not affect other provisions or applications of this act that can be given effect  
7 without the invalid provision or application, and to this end, the provisions of this act are  
8 severable.

9 **SECTION 3.** This act is effective when it becomes law and applies to zoning  
10 decisions made on or after that date and to zoning permits issued on or after that date.