

GENERAL ASSEMBLY OF NORTH CAROLINA
1987 SESSION

CHAPTER 805
HOUSE BILL 507

AN ACT TO CLARIFY THE LAW CONCERNING LOCAL REGULATION OF THE
PLACEMENT OF MANUFACTURED HOMES AND TO REQUIRE TAXATION
OF MANUFACTURED HOMES AS REAL PROPERTY.

The General Assembly of North Carolina enacts:

Section 1. Chapter 160A of the General Statutes is amended by adding a new section to read:

"§ 160A-383.1. **Zoning regulations for manufactured homes.**—(a) The General Assembly finds and declares that manufactured housing offers affordable housing opportunities for low and moderate income residents of this State who could not otherwise afford to own their own home. The General Assembly further finds that some local governments have adopted zoning regulations which severely restrict the placement of manufactured homes. It is the intent of the General Assembly in enacting this section that cities reexamine their land use practices to assure compliance with applicable statutes and case law, and consider allocating more residential land area for manufactured homes based upon local housing needs.

(b) For purposes of this section, the term 'manufactured home' is defined as provided in G.S. 143-145(7).

(c) A city may not adopt or enforce zoning regulations or other provisions which have the effect of excluding manufactured homes from the entire zoning jurisdiction.

(d) A city may adopt and enforce appearance and dimensional criteria for manufactured homes. Such criteria shall be designed to protect property values, to preserve the character and integrity of the community or individual neighborhoods within the community, and to promote the health, safety and welfare of area residents. The criteria shall be adopted by ordinance.

(e) In accordance with the city's comprehensive plan and based on local housing needs, a city may designate a manufactured home overlay district within a residential district. Such overlay district may not consist of an individual lot or scattered lots, but shall consist of a defined area within which additional requirements or standards are placed upon manufactured homes.

(f) Nothing in this section shall be construed to preempt or supersede valid restrictive covenants running with the land. The terms 'mobile home' and 'trailer' in any valid restrictive covenants running with the land shall include the term 'manufactured home' as defined in this section."

Sec. 2. Chapter 153A of the General Statutes is amended by adding a new section to read:

"§ 153A-341.1. **Zoning regulations for manufactured homes.**— The provisions of G.S. 160A-383.1 shall apply to counties."

Sec. 3. G.S. 105-273(13) is amended by adding a new sentence at the end to read:

"These terms also mean a manufactured home as defined in G.S. 143-143.9(6) if it is a multi-section residential structure (consisting of two or more sections); has the moving hitch, wheels, and axles removed; and is placed upon a permanent enclosed foundation on land owned by the owner of the manufactured home."

Sec. 4. G.S. 105-316.7 is amended by adding a sentence after the first sentence, to read:

"It also means a manufactured home as described in G.S. 105-273(13)."

Sec. 5. Sections 1 and 2 of this act are effective upon ratification. Sections 3 and 4 of this act shall become effective for tax years beginning on and after January 1, 1988.

In the General Assembly read three times and ratified this the 13th day of August, 1987.