

## SENATE BILL NO. 346

## AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Local Government

on \_\_\_\_\_)

(Patron Prior to Substitute—Senator VanValkenburg)

*A BILL to amend and reenact §§ 15.2-2247 and 15.2-2290 of the Code of Virginia, relating to zoning; manufactured housing.*

**Be it enacted by the General Assembly of Virginia:****1. That §§ 15.2-2247 and 15.2-2290 of the Code of Virginia are amended and reenacted as follows:****§ 15.2-2247. Applicability of subdivision ordinance to manufactured home parks.**

Any locality may designate, by ordinance, the areas within its jurisdiction in which ~~manufactured homes may be located or~~ manufactured home parks may be established, notwithstanding the absence of a zoning ordinance in such locality. Such ordinance may also apply to any of the provisions of §§ 15.2-2241 through 15.2-2245 in the regulation and governing of the location, establishment, and operation of ~~manufactured homes or~~ manufactured home parks. The ordinance may apply to any park or portion thereof licensed as a campground pursuant to Title 35.1 ~~of this Code~~. In the event of irreconcilable conflict between the ordinance and state law, the state law shall supersede the ordinance.

**§ 15.2-2290. Uniform regulations for manufactured housing.**

*A. Localities adopting and enforcing zoning ordinances under the provisions of this article shall provide that in all agricultural zoning districts, or districts having similar classifications regardless of name or designation, where agricultural, horticultural, or forest uses such as those described in § 58.1-3230 are the dominant use and where site-built housing is allowed, the placement of manufactured homes shall be permitted.*

*B. Localities adopting and enforcing zoning ordinances under the provisions of this article shall provide that, in all ~~agricultural~~ zoning districts ~~or districts having similar classifications regardless of name or designation where agricultural, horticultural, or forest uses such as but not limited to those described in § 58.1-3230 are the dominant use~~, other than zoning districts listed in subsection A, where site-built housing is allowed, the placement of manufactured ~~houses~~ homes shall be permitted for manufactured homes that are ~~on a permanent foundation~~ (i) converted to real property in accordance with § 46.2-653.1, (ii) constructed so that the certificate of occupancy is issued within five years following the date of manufacture listed on the home's data plate, and (iii) placed on individual lots ~~shall be permitted, subject to development standards that are equivalent to those applicable to site-built single family dwellings within the same or equivalent zoning~~*

~~district.~~ Localities may not adopt or enforce any zoning, land-use, or development regulation that treats manufactured homes differently or more restrictively than a single-family site-built dwelling allowed in the same zoning district. Nothing in this subsection shall be construed as limiting the authority of localities to adopt ordinances pursuant to §§ 10.1-2206.1 and 15.2-2306 designed to protect existing or future areas of historical or archaeological significance, historical sites, historical landmarks, and historical buildings and structures, or to establish local historical districts.

~~B:~~ C. Localities adopting and enforcing zoning regulations under the provisions of this article may, to provide for the general purposes of zoning ordinances, adopt uniform standards, so long as they apply to all residential structures erected within the ~~agricultural~~ zoning district or other districts identified in subsection A of this section incorporating such standards. The standards shall not have the effect of excluding manufactured housing built in compliance with the Virginia Manufactured Housing Construction and Safety Standards Law (§ 36-85.2 et seq.).

~~C:~~ D. Local zoning ordinances adopting provisions consistent with this section shall not relieve lots or parcels from the obligations relating to manufactured housing units imposed by the terms of a restrictive covenant.