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HOUSE BILL NO. 655
AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Senate Committee on Local Government
on _____)

(Patrons Prior to Substitute—Delegates Maldonado, Cole, N.T. [HB 418], and Helmer [HB 801])

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

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

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

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