

# REQUEST FOR BOARD ACTION

## HENDERSON COUNTY BOARD OF COMMISSIONERS

- Meeting Date:** September 23, 2008
- Subject:** LDC Text Amendment #TX-2008-04, Multi-section Manufactured Homes in all Residential Zoning Districts
- Attachments:**
1. Proposed Text Amendment #TX-2008-04
  2. Power Point Presentation

### SUMMARY OF REQUEST:

On March 27, 2008, the Board held a public hearing on amendments to the Henderson County 2020 Comprehensive Plan and Chapter 200A, Land Development Code (LDC). During the hearing, several requests were made that the Board of Commissioners consider the issue of the existing manufactured homes standards and the exclusion of manufactured homes from certain zoning districts. At the request of the Board, Staff has proposed the attached text amendment (#TX-2008-04) to the Land Development Code to allow multi-section manufactured homes in all residential zoning districts with additional standards (See Attachment 1).

The Henderson County Technical Review Committee (TRC) reviewed the request at its meeting on June 3, 2008 and voted 5-2 to recommend that the Board of Commissioners approve text amendment #TX-2008-04 to allow multi-sectioned manufactured homes in the R1, R2, R-40, WR, and LC zoning districts with changes to SR1.5, 4-b-2 as discussed. Those opposed to the motion stated that the older multi-sectioned manufactured homes were not built to the same quality and appearance standards as today's newer manufactured homes.

The Henderson County Planning Board first considered proposed text amendment #TX-2008-04 at its meeting on June 19, 2008 at which time the Board tabled its discussion until its July 17, 2008 meeting. On July 17, 2008 the Planning Board voted 6-0 to send the Board of Commissioners a recommendation to deny text amendment #TX-2008-04 to allow multi-section manufactured homes in the R1, R2, R-40, SW, and LC zoning districts.

### PUBLIC NOTICE:

Before taking action on the request, the Board of Commissioners must hold a public hearing. In accordance with §200A-314(C) and 200A-337(B) of the Henderson County Land Development Code and State Law, notices of the September 23, 2008, public hearing regarding text amendment #TX-2008-04, were published in the Hendersonville Times-News on September 3, 2008 and September 10, 2008.

**BOARD ACTION REQUESTED:**

Planning Staff recommends that if the Board of Commissioners is inclined, to approve text amendment #TX-2008-04 to the Land Development Code as it is consistent with the recommendations of the Henderson County 2020 Comprehensive Plan.

**Suggested Motion:** I move that the Board approve text amendment #TX-2008-04 to Chapter 200A, Land Development Code to allow multi-section manufactured homes in all residential districts with standards and with any other conditions that the Board has discussed, based on the recommendations of the Henderson County 2020 Comprehensive Plan.

# Proposed Text Amendment TX-2008-04 to Chapter 200A, Land Development Code

**LDC Text Amendment TX-2008-04:**

**Issue:** During the March 27, 2008 public hearing, the issue of the existing manufactured home standards and the exclusion of manufactured homes from certain zoning districts were discussed. Several requests were made to allow manufactured homes in the R1 and R2 zoning districts with additional standards and requirements. Currently, manufactured homes (singlewide, multi-section, and mobile homes) are allowed in the R2MH, R3, and R4 zoning districts with standards as outlined in SR 1.5.

**Recommended Solution:** Change the permitted use table and the zoning district regulations to allow multi-section manufactured homes in the R1, R2, R40, WR and LC zoning districts. In addition, change the supplemental requirements for manufactured homes (SR 1.5) to require masonry underpinning on multi-sectioned units.

USE TYPE	GENERAL USE DISTRICT P=Permitted; S=Special Use Permit											
	R1	R2	R2MH	R3	R4	OI	MU	LC	CC	RC	I	SR
<b>1. RESIDENTIAL USES</b>												
<i>Dwelling, Manufactured Home (multi-section)</i>	P	P	P	P	P			P				1.5
<i>Dwelling, Manufactured Home (singlewide)</i>			P	P	P							1.5
<i>Dwelling, Mobile Home</i>			P	P	P							1.5

**§200A-37. Estate Residential District (R-40)**

**B. Permitted Uses.** Within the R-40 District, the following uses are permitted:

- (1) *Dwelling, single-family and manufactured homes (multi-section)*, excluding *manufactured homes (singlewide) and mobile homes* (See SR 1.8 (*Dwelling, Single Family Detached and SR 1.5 Dwelling, Manufactured/Mobile Home (multi-section/singlewide)*)).

**§200A-38. Waterfront Residential District (WR)**

**C. Permitted Uses.** Within the WR District, the following uses are permitted:

- (1) *Dwelling, single-family and manufactured homes (multi-section)*, excluding *manufactured homes (singlewide) and mobile homes* (See SR 1.8 (*Dwelling, Single Family Detached and SR 1.5 Dwelling, Manufactured/Mobile Home (multi-section/singlewide)*)).

**SR 1.5. Dwelling, Manufactured/Mobile Home (multi-section/singlewide)**

- (1) Site Plan. Minor *Site Plan* required in accordance with §200A-298 (Minor Site Plan Review).
- (2) Manufactured Home Park. Where three (3) or more *manufactured homes* are desired, this shall be considered a *manufactured home park* and shall adhere to the standards outlined in SR 1.13 (*Manufactured Home Park*).
- (3) *Mobile homes* shall adhere to the following. The movement of pre-1976 *manufactured homes* (hereinafter “*mobile homes*”) into the County shall not be permitted. Pre-1976 *mobile homes* currently located within the County may be installed, moved or relocated provided:
  - a. The *mobile home* is not currently located within a *manufactured home park*;
  - b. Relocation shall only be to an approved *manufactured home park*; and
  - c. A permit has been issued by the *Zoning Administrator* authorizing such installation.

Where the *mobile home* is set up within a *manufactured home park* the *mobile home* may be sold but cannot be relocated and installed elsewhere within the County.

- (4) Any singlewide *manufactured home* which: (1) was manufactured after 1976 (*HUD* approved), (2) has been located in Henderson County prior to the initial adoption of this Chapter (September 19, 2007) and (3) do not meet the appearance criteria provided in this SR 1.5 (Dwelling, Manufactured/Mobile Home) may be moved provided said *manufactured home* is:
  - a. Installed to meet the criteria of Section (5) (subsections e, f, and g only), and
  - b. Moved to either of the following locations:
    1. A space in an existing (as of September 19, 2007) *manufactured home park*; or
    2. A lot in a the R2MH, R3, or R4 zoning district which permits the placement of new *singlewide manufactured homes*.
- (5) All singlewide *manufactured/mobile homes* shall:
  - a. Have a length which does not exceed five (5) times the width, (excluding *additions*);
  - b. Have a width of at least 14 feet;
  - c. Have a roof pitch with a minimum vertical rise of three (3) feet for each 12 feet of horizontal run. The roof shall be finished with a type of shingle that is commonly used in standard residential construction;
  - d. Have exterior siding which consists predominantly of vinyl or aluminum lap siding whose reflectivity does not exceed that of flat white paint; or wood or hardboard, comparable in composition, appearance, and durability to the exterior siding commonly used in standard residential construction;
  - e. Be placed on the *lot* in harmony with the existing neighboring site-built *structures*. Where no neighboring *structures* are available for comparison, the *manufactured home* shall be sited with the front running parallel to the *road* providing access to the site. On corner *lots* the side with the greatest *road*

*frontage* shall be considered the front. On cul-de-sacs the home shall be sited with the front running parallel to the *road* access;

- f. Have the towing tongue removed upon final placement of the unit; and
- g. Have underpinning, deck/porch and permanent steps in accordance with the following. Underpinning shall be:
  1. Provided along the entire perimeter of each home from the ground to the bottom of the *structure*;
  2. Comprised of material manufactured for this purpose in accordance with standards set by the state regulations for *manufactured/mobile homes*. Commonly recognized *building* materials suitable for *use* as underpinning shall include but not be limited to the following: brick, concrete block; natural or synthetic stone masonry; or masonite or vinyl siding. Assemblies, products and materials manufactured expressly for the purpose of underpinning shall be installed in accordance with the manufacturer's specifications; and
  3. Vented in accordance with the state regulations for *manufactured/mobile homes*.

Deck(s) or porch(es) shall be:

1. Provided steps;
2. Located in the front of the home;
3. A minimum of 36 square feet where over 36 square feet and where over 36 square feet, it must meet volume VII of the state residential building code; and
4. Installed and constructed in accordance with the standards set by the state regulations for *manufactured/mobile homes* or, when applicable, volume VII of the state residential building code.

Steps shall be installed and constructed in accordance with the standards set by the state regulations for *manufactured/mobile homes* or, when applicable, volume VII of the state residential building code.

(6) All doublewide and multi-sectioned *manufactured homes* shall:

- a. Have a length not exceeding four (4) times the *building* width;
- b. A main roof pitch with a minimum rise of four (4) feet for each twelve (12) feet of horizontal run. The roof shall be finished with a type of shingle that is commonly used in standard residential construction;
- c. Have exterior siding which consists predominantly of vinyl or aluminum lap siding whose reflectivity does not exceed that of flat white paint; or wood or hardboard, comparable in composition, appearance and durability to the exterior siding commonly used in standard residential construction;
- d. Be placed on the *lot* in harmony with the existing site-built *structures*. Where no neighboring *structures* are available for comparison, it shall be sited with the front running parallel to the *road* providing access to the site. On corner *lots* the side with the greatest *road frontage* shall be considered the front. On cul-de-sacs the home shall be sited with the front of the home being parallel to the *road* access;
- e. The towing tongue shall be removed upon final placement of the unit; and

f. Have a foundation, underpinning, deck/porch, and permanent steps in accordance with the following. Foundations shall be brick, concrete block or other masonry foundation. Underpinning shall be:

1. ~~(When placed on rental lots) provided along the entire perimeter of the home, enclosed from the ground to the bottom of the structure;~~
2. ~~Comprised of a material manufactured for this purpose in accordance with standards set by the state regulations for manufactured/mobile homes.~~

Commonly recognized masonry building materials suitable for use as underpinning shall include ~~but not be limited to~~ the following: brick, concrete block with stucco; or natural or synthetic stone masonry. ~~or~~ Vinyl siding or metal underpinning shall not be allowed. Assemblies, products and materials manufactured expressly for the purpose of underpinning shall be installed in accordance with the manufacturers' specifications; and

3. Continuous and unpierced except for ventilation as required by the state regulations for *manufactured/mobile homes*;

Decks or porches shall be:

1. Provided steps;
2. Located in front of the home;
3. A minimum of 36 square feet and, where larger than 36 square feet, it must meet Volume VII of the state residential building code;
4. Supported by a foundation constructed of materials compatible with the underpinning on the outer perimeter of the foundation; and
5. Installed and constructed in accordance with the standards set by the state regulations for *manufactured/mobile homes* or, when applicable, Volume VII of the state residential building code.

Steps shall be installed and constructed in accordance with the standards set by the state regulations for *manufactured/mobile homes* or, when applicable, Volume VII of the state residential building code.

- (7) A *manufactured/mobile home* shall be setup in accordance with the standards set by the North Carolina Department of Insurance Regulations for *manufactured/mobile homes*.
- (8) A *manufactured/mobile home* shall not be used as a storage unit and shall only be occupied as a dwelling.

LDC Text Amendment  
TX-2008-04, Allow Multi-section  
Manufactured Homes in all  
Residential Zoning Districts

Board of Commissioner Meeting  
September 23, 2008

Text Amendment TX-2008-04:

- **Issue:** Concerns raised during 3-27-08 public hearing. Requests were made that BOC allow manufactured homes in the R1 & R2 zoning districts with additional standards. BOC directed staff to review the issue.
- **Solution:** Allow multi-section manufactured homes in the R1, R2, LC, R-40, and WR zoning districts & require these homes to have masonry underpinning. Vinyl or metal underpinning would not be allowed.

## What are the differences?

- Mobile Home: Factory built home prior to 1976.
- Manufactured Home: Factory built home after 1976 that meet HUD standards.
- Modular Home: Factory built home that meets NC State Building Code Standards.
- Stick/Site Built Home: A home constructed/built on site that meets NC State Building Code Standards.

## Where are they allowed?

- Modular Home: Allowed in any zoning district that allows a single-family dwelling unit.
- Manufactured Home: Allowed in the R2MH, R3, & R4 zoning districts with standards.



# Are There Differences Between Modular & Manufactured Homes?



Manufactured Home



Manufactured Home



Manufactured Home



Manufactured Home



Modular



Manufactured Home



Manufactured Home



Manufactured Home

