

ARTICLE XII

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF
TOWN OF MARS HILL, NORTH CAROLINA**

Ordinance Number 81

WHEREAS, the State of North Carolina General Assembly requested the municipalities of the State of North Carolina to review regulations pertaining to manufactured homes, and

WHEREAS, the Board of Aldermen understand the need to provide regulations allowing the affordable housing in the planning jurisdiction of the Town of Mars Hill, and

WHEREAS, the Town Planning and Zoning Board reviewed the Town of Mars Hill's current manufactured home regulations, and

WHEREAS, the Town Planning and Zoning Board recommends sound amendments to the Town's manufactured home regulations to the Town of Mars Hill Board of Aldermen, and

WHEREAS, the Board of Aldermen concur with these recommendations,

NOW, THEREFORE, LET IT BE ORDAINED BY THE TOWN OF MARS HILL

BOARD OF ALDERMEN THAT, the Town of Mars Hill, North Carolina Zoning Ordinance be amended as follows:

- (A) Change the definition of "Mobile Home" as found in Article IX of the Town of Mars Hill Zoning Ordinance to read as follows:

Mobile Home – Whenever the term 'Mobile Home' appears in the Zoning Ordinance as Amended, it shall refer to and mean the same as the terms 'Manufactured Home' and 'Class A – Manufactured Home' as defined herein. A 'Class A – Manufactured Home' as defined in this Amendment to Town of Mars Hill Zoning Ordinance shall be allowed in districts that permit single-family dwellings. Except for this authorization for 'Class A – Manufactured Homes' in districts permitting single-family dwellings, all other manufactured homes or mobile home, as the case may be, shall be permitted only in a mobile home park pursuant to the Zoning Ordinance as Amended.

"Manufactured Home" – A structure, transportable in one or more sections, which in the traveling mode is eight body feet or more in width, or 40 body feet or more in length, or when erected on site, is 320 or more square feet; and which is built on a permanent chassis and designed to be used as a dwelling unit, with or without a permanent foundation when connected to

the required utilities, including the plumbing, heating, air conditioning, and electrical systems contained therein. "Manufactured Home" includes any structure that meets all of the requirements of this subsection except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of the United States Department of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. "Manufactured Home" also means a double-wide manufactured home, which is two or more portable manufactured units designed for transportation on their own chassis that connect on site for placement on a permanent foundation. This definition will further include the following classification:

Class A- Manufactured Home – A "double wide" manufactured home constructed after July 1, 1976, which meets or exceeds the construction standards promulgated by the U.S. Department of Housing and Urban Development that were in effect at the time of construction. "Class A-manufactured home" shall also meet the following requirements:

- (1) The manufactured home has a length not exceeding four times its width, including tongue before removal.
- (2) The manufactured home has a minimum size of twenty-four (24) feet wide by thirty (30) feet long.
- (3) The manufactured home must have a pitched roof (a slope of at least two and one-half feet for each twelve feet with conventional roofing materials (asphalt or fiberglass shingles) (2.5' to 12').
- (4) The exterior siding consist predominantly of vinyl or aluminum (that does not exceed the reflectivity of gloss white paint), wood or hardboard, comparable in composition, appearance and durability to the exterior siding commonly used in standard residential construction.
- (5) Stairs, porches, entrance platforms and other means of entrance and exit to the home shall be installed or constructed in accordance with the standard set by the North Carolina Department of Insurance.
- (6) The moving hitch, wheels and axles, and transporting lights shall be removed.
- (7) The underpinning shall be constructed of masonry materials.
 - A. "Class A – Manufactured Home" as defined in the "Manufactured Home Ordinance Amendment shall be allowed in Districts that permit single-family dwellings. Except for this authorization for Class A – Manufactured Homes in districts

permitting single-family dwellings, all other manufactured homes or mobile homes, as the case may be, shall be permitted only in a mobile home park pursuant to the Zoning Ordinance as Amended.

- B. That should any section or provision of this Amendment to Zoning Ordinance be declared invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

Passed and approved the 6th day of February, 1989.