

9/29/26 – Suggested changes needed to meet VA SB346

§ 154.004 Definitions

Revise/add the following definitions:

Dwelling. Any structure meeting the Virginia Uniform Statewide Building Code or a Manufactured home which is designed for use for residential purposes, except hotels, boarding houses, lodging houses, tourist cabins, apartments, automobiles, trailers and mobile homes. The minimum square footage of a dwelling structure will be 1,200 square feet in R-1 and 1,800 square feet in R-2.

Manufactured home. ~~A home (the parts of which) are cut, fitted, installed in a factory and transported to a lot and erected up on a permanent foundation. Also includes a modular home.~~ A structure subject to US Department of Housing & Urban Development (HUD) regulation, which is transportable in one or more sections; is built on a permanent chassis; is designed to be used as a single-family dwelling, with a permanent foundation, is connected to the required utilities; and includes the plumbing, heating, air-conditioning, and electrical systems contained in the structure. Manufactured homes must be (i) converted from a motor vehicle title to real property and (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.

Mobile home. A structure not meeting the US Department of Housing & Urban Development (HUD) regulations, designed for transportation, after fabrication, on streets and highways on its own wheels or on flatbed or other trailers, and arriving at the site where it is to be occupied as a structure complete and ready for occupancy; except for minor and incidental unpacking and assembly operation, location on jacks or permanent foundations, connection to utilities and the like.

Modular home. A combination of one or more sections or modules, subject to the Uniform Statewide Building Code and including the necessary electrical, plumbing, heating, ventilating and other service systems, manufactured off-site and transported to the point of use for installation or erection, with or without other specified components, to comprise a finished dwelling.

Note that SB346 appears to conflict with VA regulations preventing new manufactured homes in flood zones. SB346 allows exceptions for historic reasons, but does not mention exceptions for flood plains. I did not attempt to modify the flood plain ordinance regarding manufactured homes.

VIRGINIA ACTS OF ASSEMBLY - 2026 SESSION

CHAPTER 20

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

[S 346]

Approved March 31, 2026

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 shall 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.*