

A02362 Summary:

BILL NO A02362

SAME AS SAME AS [S04193](#)

SPONSOR Brindisi

COSPNSR Linares, Crespo

MLTSPNSR

Redes Art 21-B SS600 - 612 to be Title 1, add Title Head, Art 21-B Title 2
SS615 - 617, amd SS600 & 601, Exec L

Relates to single-family dwellings of manufactured homes in residential
districts.

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A02362 Memo:

NEW YORK STATE ASSEMBLY
MEMORANDUM IN SUPPORT OF LEGISLATION
submitted in accordance with Assembly Rule III, Sec 1(f)

BILL NUMBER: A2362

SPONSOR: Brindisi

TITLE OF BILL: An act to amend the executive law, in relation to
single-family dwellings of manufactured homes in residential districts

PURPOSE:

This legislation facilitates the utilization of manufactured housing as
a vehicle towards promoting more affordable housing by requiring the
equal application of local land-use controls and appearance criteria to
both manufactured housing and site-built housing.

SUMMARY OF PROVISIONS:

This bill adds a new Article XXIV to the Private Housing Finance Law to
enjoin any municipality from prohibiting the installation of manufac-
tured housing on a permanent foundation that is manufactured or
constructed under the authority of the federal National Mobile Home
Construction and Safety Act of 1974 (42 U.S.C. 5401 et seq.). It defines
a "manufactured home" as a single-family dwelling which: consists of one

or more transportable sections that are substantially constructed off site and, if more than one section, are joined together on site; is built on a permanent chassis; is designed to be used as a dwelling on a permanent foundation; and is manufactured in accordance with and certified pursuant to the standards promulgated for a manufactured home pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974.

JUSTIFICATION:

Frequently, local governments make no provision for manufactured housing in their zoning regulations or enact regulations designed to exclude

this type of housing. During the past decade the improved design, appearance, and significant technological advances of manufactured housing have made it equivalent to conventional, site-built, single-family dwellings. This statute, which is modeled after one advocated by the American Bar Association, is predicated on the belief that manufactured housing provides homeowners with an affordable source of decent, safe, and sanitary housing on a permanent basis and that the State should promote its utilization to provide housing opportunities for persons with low, moderate, and fixed incomes. Given the growing disparity between the demand for housing and the ability to produce housing at an affordable price, there exists a need for state-enabling legislation such as this bill to oversee local government regulation of manufactured housing.

LEGISLATIVE HISTORY:

S.4126(2011-12)
S.6246(2006-2007)
A.4684(2004)New Bill

FISCAL IMPLICATIONS:

None.

EFFECTIVE DATE:

This act shall take effect immediately.

A02362 Text:

STATE OF NEW YORK

2362

2015-2016 Regular Sessions

IN ASSEMBLY

January 16, 2015

Introduced by M. of A. BRINDISI -- read once and referred to the Committee on Housing

AN ACT to amend the executive law, in relation to single-family dwellings of manufactured homes in residential districts

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Sections 600 through 612 of article 21-B of the executive
2 law are designated title 1 and a new title heading is added to read as
3 follows:

GENERAL PROVISIONS

5 § 2. Section 600 of the executive law, as added by chapter 729 of the
6 laws of 2005, is amended to read as follows:

7 § 600. Application. This [**article**] **title** shall be applicable to
8 persons and business entities engaged in the manufacture, sale, instal-
9 lation and service of manufactured homes and to purchasers thereof.

10 § 3. The opening paragraph of section 601 of the executive law, as
11 added by chapter 729 of the laws of 2005, is amended to read as follows:

12 For the purposes of this [**article**] **title**, the following terms shall
13 have the following meanings:

14 § 4. Article 21-B of the executive law is amended by adding a new
15 title 2 to read as follows:

TITLE 2

SINGLE-FAMILY DWELLINGS IN RESIDENTIAL DISTRICTS

Section 615. Definitions.

19 **616. Manufactured homes as single-family dwellings in residen-**
20 **tial districts.**

21 **617. Manufactured home parks to be consistent.**

22 **§ 615. Definitions. For the purposes of this title, the following**
23 **terms shall have the following meanings:**

24 **1. "Manufactured home" shall have the same meaning as provided in**
25 **subdivision seven of section six hundred one of this article.**

EXPLANATION--Matter in **italics** (underscored) is new; matter in brackets
[-] is old law to be omitted.

LBD03449-01-5

1 2. "Identical development specifications and standards" includes
2 access, building setback distance, enclosures and vehicle parking space.

3 3. "Single-family dwelling" shall mean a building designed as a one-
4 family residence and used or occupied, or intended to be used or occu-
5 pied as the home or residence of one or more persons maintaining a
6 household.

7 § 616. Manufactured homes as single-family dwellings in residential
8 districts. A manufactured home that is affixed to a permanent foundation
9 and conforms with the identical development specification and standards,
10 including general aesthetic and architectural standards, applicable to
11 conventional, site-built single-family dwellings in the residential
12 district in which the manufactured home is to be sited, shall be deemed
13 to be a conforming single family dwelling for purposes of the applicable
14 local zoning law or ordinance.

15 § 617. Manufactured home parks to be consistent. Manufactured home
16 parks may be established or existing parks expanded consistent with the
17 provisions of this title and consistent with the identical development
18 specification and standards, including general aesthetic and architec-
19 tural standards, applicable to other single-family dwelling developments
20 in the municipality in which the park is, or is to be, located.

21 § 5. This act shall take effect immediately.