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LC005855

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- MOBILE AND MANUFACTURED HOMES

Introduced By: Senators Tikoian, Quezada, Felag, Burke, LaMountain, Britto, F. Lombardi, and Ciccone

Date Introduced: April 16, 2024

Referred To: Senate Housing & Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 31-44 of the General Laws entitled "Mobile and Manufactured  
2 Homes" is hereby amended by adding thereto the following section:

3 **31-44-23. Applicability.**

4 [This chapter shall not apply to manufactured homes that are not located in a mobile and](#)  
5 [manufactured home park and which meet the criteria set forth in § 45-24-31.](#)

6 SECTION 2. Sections 45-24-31 and 45-24-37 of the General Laws in Chapter 45-24  
7 entitled "Zoning Ordinances" are hereby amended to read as follows:

8 **45-24-31. Definitions. [Effective January 1, 2024.]**

9 Where words or terms used in this chapter are defined in § 45-22.2-4 or § 45-23-32, they  
10 have the meanings stated in that section. In addition, the following words have the following  
11 meanings. Additional words and phrases may be used in developing local ordinances under this  
12 chapter; however, the words and phrases defined in this section are controlling in all local  
13 ordinances created under this chapter:

14 (1) **Abutter.** One whose property abuts, that is, adjoins at a border, boundary, or point with  
15 no intervening land.

16 (2) **Accessory dwelling unit (ADU).** A residential living unit on the same parcel where  
17 the primary use is a legally established single-unit or multi-unit dwelling. An ADU provides  
18 complete independent living facilities for one or more persons. It may take various forms including,

1 but not limited to: a detached unit; a unit that is part of an accessory structure, such as a detached  
2 garage; or a unit that is part of an expanded or remodeled primary dwelling.

3 (3) **Accessory use.** A use of land or of a building, or portion thereof, customarily incidental  
4 and subordinate to the principal use of the land or building. An accessory use may be restricted to  
5 the same lot as the principal use. An accessory use shall not be permitted without the principal use  
6 to which it is related.

7 (4) **Adaptive reuse.** “Adaptive reuse,” as defined in § 42-64.22-2.

8 (5) **Aggrieved party.** An aggrieved party, for purposes of this chapter, shall be:

9 (i) Any person, or persons, or entity, or entities, who or that can demonstrate that his, her,  
10 or its property will be injured by a decision of any officer or agency responsible for administering  
11 the zoning ordinance of a city or town; or

12 (ii) Anyone requiring notice pursuant to this chapter.

13 (6) **Agricultural land.** “Agricultural land,” as defined in § 45-22.2-4.

14 (7) **Airport hazard area.** “Airport hazard area,” as defined in § 1-3-2.

15 (8) **Applicant.** An owner, or authorized agent of the owner, submitting an application or  
16 appealing an action of any official, board, or agency.

17 (9) **Application.** The completed form, or forms, and all accompanying documents,  
18 exhibits, and fees required of an applicant by an approving authority for development review,  
19 approval, or permitting purposes.

20 (10) **Buffer.** Land that is maintained in either a natural or landscaped state, and is used to  
21 screen or mitigate the impacts of development on surrounding areas, properties, or rights-of-way.

22 (11) **Building.** Any structure used or intended for supporting or sheltering any use or  
23 occupancy.

24 (12) **Building envelope.** The three-dimensional space within which a structure is permitted  
25 to be built on a lot and that is defined by regulations governing building setbacks, maximum height,  
26 and bulk; by other regulations; or by any combination thereof.

27 (13) **Building height.** For a vacant parcel of land, building height shall be measured from  
28 the average, existing-grade elevation where the foundation of the structure is proposed. For an  
29 existing structure, building height shall be measured from average grade taken from the outermost  
30 four (4) corners of the existing foundation. In all cases, building height shall be measured to the top  
31 of the highest point of the existing or proposed roof or structure. This distance shall exclude spires,  
32 chimneys, flag poles, and the like. For any property or structure located in a special flood hazard  
33 area, as shown on the official FEMA Flood Insurance Rate Maps (FIRMs), or depicted on the  
34 Rhode Island coastal resources management council (CRMC) suggested design elevation three foot

1 (3') sea level rise (CRMC SDE 3 SLR) map as being inundated during a one-hundred-year (100)  
2 storm, the greater of the following amounts, expressed in feet, shall be excluded from the building  
3 height calculation:

4 (i) The base flood elevation on the FEMA FIRM plus up to five feet (5') of any utilized or  
5 proposed freeboard, less the average existing grade elevation; or

6 (ii) The suggested design elevation as depicted on the CRMC SDE 3 SLR map during a  
7 one-hundred-year (100) storm, less the average existing grade elevation. CRMC shall reevaluate  
8 the appropriate suggested design elevation map for the exclusion every ten (10) years, or as  
9 otherwise necessary.

10 (14) **Cluster.** A site-planning technique that concentrates buildings in specific areas on the  
11 site to allow the remaining land to be used for recreation, common open space, and/or preservation  
12 of environmentally, historically, culturally, or other sensitive features and/or structures. The  
13 techniques used to concentrate buildings shall be specified in the ordinance and may include, but  
14 are not limited to, reduction in lot areas, setback requirements, and/or bulk requirements, with the  
15 resultant open land being devoted by deed restrictions for one or more uses. Under cluster  
16 development, there is no increase in the number of lots that would be permitted under conventional  
17 development except where ordinance provisions include incentive bonuses for certain types or  
18 conditions of development.

19 (15) **Common ownership.** Either:

20 (i) Ownership by one or more individuals or entities in any form of ownership of two (2)  
21 or more contiguous lots; or

22 (ii) Ownership by any association (ownership may also include a municipality) of one or  
23 more lots under specific development techniques.

24 (16) **Community residence.** A home or residential facility where children and/or adults  
25 reside in a family setting and may or may not receive supervised care. This does not include halfway  
26 houses or substance-use-disorder-treatment facilities. This does include, but is not limited to, the  
27 following:

28 (i) Whenever six (6) or fewer children or adults with intellectual and/or developmental  
29 disability reside in any type of residence in the community, as licensed by the state pursuant to  
30 chapter 24 of title 40.1. All requirements pertaining to local zoning are waived for these community  
31 residences;

32 (ii) A group home providing care or supervision, or both, to not more than eight (8) persons  
33 with disabilities, and licensed by the state pursuant to chapter 24 of title 40.1;

34 (iii) A residence for children providing care or supervision, or both, to not more than eight

1 (8) children, including those of the caregiver, and licensed by the state pursuant to chapter 72.1 of  
2 title 42;

3 (iv) A community transitional residence providing care or assistance, or both, to no more  
4 than six (6) unrelated persons or no more than three (3) families, not to exceed a total of eight (8)  
5 persons, requiring temporary financial assistance, and/or to persons who are victims of crimes,  
6 abuse, or neglect, and who are expected to reside in that residence not less than sixty (60) days nor  
7 more than two (2) years. Residents will have access to, and use of, all common areas, including  
8 eating areas and living rooms, and will receive appropriate social services for the purpose of  
9 fostering independence, self-sufficiency, and eventual transition to a permanent living situation.

10 (17) **Comprehensive plan.** The comprehensive plan adopted and approved pursuant to  
11 chapter 22.2 of this title and to which any zoning adopted pursuant to this chapter shall be in  
12 compliance.

13 (18) **Day care — Daycare center.** Any other daycare center that is not a family daycare  
14 home.

15 (19) **Day care — Family daycare home.** Any home, other than the individual's home, in  
16 which day care in lieu of parental care or supervision is offered at the same time to six (6) or less  
17 individuals who are not relatives of the caregiver, but may not contain more than a total of eight  
18 (8) individuals receiving day care.

19 (20) **Density, residential.** The number of dwelling units per unit of land.

20 (21) **Development.** The construction, reconstruction, conversion, structural alteration,  
21 relocation, or enlargement of any structure; any mining, excavation, landfill, or land disturbance;  
22 or any change in use, or alteration or extension of the use, of land.

23 (22) **Development plan review.** See §§ 45-23-32 and 45-23-50.

24 (23) **District.** See "zoning use district."

25 (24) **Drainage system.** A system for the removal of water from land by drains, grading, or  
26 other appropriate means. These techniques may include runoff controls to minimize erosion and  
27 sedimentation during and after construction or development; the means for preserving surface and  
28 groundwaters; and the prevention and/or alleviation of flooding.

29 (25) **Dwelling unit.** A structure, or portion of a structure, providing complete, independent  
30 living facilities for one or more persons, including permanent provisions for living, sleeping, eating,  
31 cooking, and sanitation, and containing a separate means of ingress and egress.

32 (26) **Extractive industry.** The extraction of minerals, including: solids, such as coal and  
33 ores; liquids, such as crude petroleum; and gases, such as natural gases. The term also includes  
34 quarrying; well operation; milling, such as crushing, screening, washing, and flotation; and other

1 preparation customarily done at the extraction site or as a part of the extractive activity.

2 (27) **Family member.** A person, or persons, related by blood, marriage, or other legal  
3 means, including, but not limited to, a child, parent, spouse, mother-in-law, father-in-law,  
4 grandparents, grandchildren, domestic partner, sibling, care recipient, or member of the household.

5 (28) **Floating zone.** An unmapped zoning district adopted within the ordinance that is  
6 established on the zoning map only when an application for development, meeting the zone  
7 requirements, is approved.

8 (29) Floodplains, or Flood hazard area. As defined in § 45-22.2-4.

9 (30) Freeboard. A factor of safety expressed in feet above the base flood elevation of a  
10 flood hazard area for purposes of floodplain management. Freeboard compensates for the many  
11 unknown factors that could contribute to flood heights, such as wave action, bridge openings, and  
12 the hydrological effect of urbanization of the watershed.

13 (31) Groundwater. “Groundwater” and associated terms, as defined in § 46-13.1-3.

14 (32) Halfway house. A residential facility for adults or children who have been  
15 institutionalized for criminal conduct and who require a group setting to facilitate the transition to  
16 a functional member of society.

17 (33) Hardship. See § 45-24-41.

18 (34) Historic district or historic site. As defined in § 45-22.2-4.

19 (35) Home occupation. Any activity customarily carried out for gain by a resident,  
20 conducted as an accessory use in the resident’s dwelling unit.

21 (36) Household. One or more persons living together in a single-dwelling unit, with  
22 common access to, and common use of, all living and eating areas and all areas and facilities for  
23 the preparation and storage of food within the dwelling unit. The term “household unit” is  
24 synonymous with the term “dwelling unit” for determining the number of units allowed within any  
25 structure on any lot in a zoning district. An individual household shall consist of any one of the  
26 following:

27 (i) A family, which may also include servants and employees living with the family; or

28 (ii) A person or group of unrelated persons living together. The maximum number may be  
29 set by local ordinance, but this maximum shall not be less than three (3).

30 (37) Incentive zoning. The process whereby the local authority may grant additional  
31 development capacity in exchange for the developer’s provision of a public benefit or amenity as  
32 specified in local ordinances.

33 (38) Infrastructure. Facilities and services needed to sustain residential, commercial,  
34 industrial, institutional, and other activities.

1 (39) **Land development project.** As defined in § 45-23-32.

2 (40) Lot. Either:

3 (i) The basic development unit for determination of lot area, depth, and other dimensional  
4 regulations; or

5 (ii) A parcel of land whose boundaries have been established by some legal instrument,  
6 such as a recorded deed or recorded map, and that is recognized as a separate legal entity for  
7 purposes of transfer of title.

8 (41) Lot area. The total area within the boundaries of a lot, excluding any street right-of-  
9 way, usually reported in acres or square feet.

10 (42) Lot area, minimum. The smallest land area established by the local zoning ordinance  
11 upon which a use, building, or structure may be located in a particular zoning district.

12 (43) Lot building coverage. That portion of the lot that is, or may be, covered by buildings  
13 and accessory buildings.

14 (44) Lot depth. The distance measured from the front lot line to the rear lot line. For lots  
15 where the front and rear lot lines are not parallel, the lot depth is an average of the depth.

16 (45) Lot frontage. That portion of a lot abutting a street. A zoning ordinance shall specify  
17 how noncontiguous frontage will be considered with regard to minimum frontage requirements.

18 (46) Lot line. A line of record, bounding a lot, that divides one lot from another lot or from  
19 a public or private street or any other public or private space and shall include:

20 (i) Front: the lot line separating a lot from a street right-of-way. A zoning ordinance shall  
21 specify the method to be used to determine the front lot line on lots fronting on more than one  
22 street, for example, corner and through lots;

23 (ii) Rear: the lot line opposite and most distant from the front lot line, or in the case of  
24 triangular or otherwise irregularly shaped lots, an assumed line at least ten feet (10') in length  
25 entirely within the lot, parallel to and at a maximum distance from, the front lot line; and

26 (iii) Side: any lot line other than a front or rear lot line. On a corner lot, a side lot line may  
27 be a street lot line, depending on requirements of the local zoning ordinance.

28 (47) **Lot size, minimum.** Shall have the same meaning as “minimum lot area” defined  
29 herein.

30 (48) **Lot, through.** A lot that fronts upon two (2) parallel streets, or that fronts upon two  
31 (2) streets that do not intersect at the boundaries of the lot.

32 (49) Lot width. The horizontal distance between the side lines of a lot measured at right  
33 angles to its depth along a straight line parallel to the front lot line at the minimum front setback  
34 line.

1           (50) Manufactured home. As used in this section, a manufactured home shall have the same  
2 definition as in 42 U.S.C. §5402, meaning a structure, transportable in one or more sections, which,  
3 in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in  
4 length, or, when erected on site, is three hundred twenty (320) or more square feet, and which is  
5 built on a permanent chassis and designed to be used as a dwelling with or without a permanent  
6 foundation when connected to the required utilities, and includes the plumbing, heating, air-  
7 conditioning, and electrical systems contained therein; except that such term shall include any  
8 structure which meets all the requirements of this definition except the size requirements and with  
9 respect to which the manufacturer voluntarily files a certification required by the United States  
10 Secretary of Housing and Urban Development and complies with the standards established under  
11 chapter 70 of Title 42 of the United States Code; and except that such term shall not include any  
12 self-propelled recreational vehicle;

13           ~~(50)~~(51) Mere inconvenience. See § 45-24-41.

14           ~~(51)~~(52) Mixed use. A mixture of land uses within a single development, building, or tract.

15           ~~(52)~~(53) Modification. Permission granted and administered by the zoning enforcement  
16 officer of the city or town, and pursuant to the provisions of this chapter to grant a dimensional  
17 variance other than lot area requirements from the zoning ordinance to a limited degree as  
18 determined by the zoning ordinance of the city or town, but not to exceed twenty-five percent (25%)  
19 of each of the applicable dimensional requirements.

20           ~~(53)~~(54) Nonconformance. A building, structure, or parcel of land, or use thereof, lawfully  
21 existing at the time of the adoption or amendment of a zoning ordinance and not in conformity with  
22 the provisions of that ordinance or amendment. Nonconformance is of only two (2) types:

23           (i) Nonconforming by use: a lawfully established use of land, building, or structure that is  
24 not a permitted use in that zoning district. A building or structure containing more dwelling units  
25 than are permitted by the use regulations of a zoning ordinance is nonconformity by use; or

26           (ii) Nonconforming by dimension: a building, structure, or parcel of land not in compliance  
27 with the dimensional regulations of the zoning ordinance. Dimensional regulations include all  
28 regulations of the zoning ordinance, other than those pertaining to the permitted uses. A building  
29 or structure containing more dwelling units than are permitted by the use regulations of a zoning  
30 ordinance is nonconforming by use; a building or structure containing a permitted number of  
31 dwelling units by the use regulations of the zoning ordinance, but not meeting the lot area per  
32 dwelling unit regulations, is nonconforming by dimension.

33           ~~(54)~~(55) Overlay district. A district established in a zoning ordinance that is superimposed  
34 on one or more districts or parts of districts. The standards and requirements associated with an

1 overlay district may be more or less restrictive than those in the underlying districts consistent with  
2 other applicable state and federal laws.

3 ~~(55)~~(56) Performance standards. A set of criteria or limits relating to elements that a  
4 particular use or process must either meet or may not exceed.

5 ~~(56)~~(57) Permitted use. A use by right that is specifically authorized in a particular zoning  
6 district.

7 ~~(57)~~(58) Planned development. A “land development project,” as defined in subsection  
8 (39), and developed according to plan as a single entity and containing one or more structures or  
9 uses with appurtenant common areas.

10 ~~(58)~~(59) Plant agriculture. The growing of plants for food or fiber, to sell or consume.

11 ~~(59)~~(60) Preapplication conference. A review meeting of a proposed development held  
12 between applicants and reviewing agencies as permitted by law and municipal ordinance, before  
13 formal submission of an application for a permit or for development approval.

14 ~~(60)~~(61) Setback line or lines. A line, or lines, parallel to a lot line at the minimum distance  
15 of the required setback for the zoning district in which the lot is located that establishes the area  
16 within which the principal structure must be erected or placed.

17 ~~(61)~~(62) Site plan. The development plan for one or more lots on which is shown the  
18 existing and/or the proposed conditions of the lot.

19 ~~(62)~~(63) Slope of land. The grade, pitch, rise, or incline of the topographic landform or  
20 surface of the ground.

21 ~~(63)~~(64) Special use. A regulated use that is permitted pursuant to the special-use permit  
22 issued by the authorized governmental entity, pursuant to § 45-24-42. Formerly referred to as a  
23 special exception.

24 ~~(64)~~(65) Structure. A combination of materials to form a construction for use, occupancy,  
25 or ornamentation, whether installed on, above, or below the surface of land or water.

26 ~~(65)~~(66) Substandard lot of record. Any lot lawfully existing at the time of adoption or  
27 amendment of a zoning ordinance and not in conformance with the dimensional or area provisions  
28 of that ordinance.

29 ~~(66)~~(67) Use. The purpose or activity for which land or buildings are designed, arranged,  
30 or intended, or for which land or buildings are occupied or maintained.

31 ~~(67)~~(68) **Variance.** Permission to depart from the literal requirements of a zoning  
32 ordinance. An authorization for the construction or maintenance of a building or structure, or for  
33 the establishment or maintenance of a use of land, that is prohibited by a zoning ordinance. There  
34 are only two (2) categories of variance, a use variance or a dimensional variance.



1 (i) Use variance. Permission to depart from the use requirements of a zoning ordinance  
2 where the applicant for the requested variance has shown by evidence upon the record that the  
3 subject land or structure cannot yield any beneficial use if it is to conform to the provisions of the  
4 zoning ordinance.

5 (ii) Dimensional variance. Permission to depart from the dimensional requirements of a  
6 zoning ordinance under the applicable standards set forth in § 45-24-41.

7 ~~(68)~~(69) Waters. As defined in § 46-12-1(23).

8 ~~(69)~~(70) Wetland, coastal. As defined in § 45-22.2-4.

9 ~~(70)~~(71) Wetland, freshwater. As defined in § 2-1-20.

10 ~~(71)~~(72) Zoning certificate. A document signed by the zoning enforcement officer, as  
11 required in the zoning ordinance, that acknowledges that a use, structure, building, or lot either  
12 complies with, or is legally nonconforming to, the provisions of the municipal zoning ordinance or  
13 is an authorized variance or modification therefrom.

14 ~~(72)~~(73) Zoning map. The map, or maps, that are a part of the zoning ordinance and that  
15 delineate the boundaries of all mapped zoning districts within the physical boundary of the city or  
16 town.

17 ~~(73)~~(74) Zoning ordinance. An ordinance enacted by the legislative body of the city or  
18 town pursuant to this chapter and in the manner providing for the adoption of ordinances in the city  
19 or town's legislative or home rule charter, if any, that establish regulations and standards relating  
20 to the nature and extent of uses of land and structures; that is consistent with the comprehensive  
21 plan of the city or town as defined in chapter 22.2 of this title; that includes a zoning map; and that  
22 complies with the provisions of this chapter.

23 ~~(74)~~(75) Zoning use district. The basic unit in zoning, either mapped or unmapped, to  
24 which a uniform set of regulations applies, or a uniform set of regulations for a specified use.  
25 Zoning use districts include, but are not limited to: agricultural, commercial, industrial,  
26 institutional, open space, and residential. Each district may include sub-districts. Districts may be  
27 combined.

28 **45-24-37. General provisions — Permitted uses. [Effective January 1, 2024.]**

29 (a) The zoning ordinance shall provide a listing of all land uses and/or performance  
30 standards for uses that are permitted within the zoning use districts of the municipality. The  
31 ordinance may provide for a procedure under which a proposed land use that is not specifically  
32 listed may be presented by the property owner to the zoning board of review or to a local official  
33 or agency charged with administration and enforcement of the ordinance for an evaluation and  
34 determination of whether the proposed use is of a similar type, character, and intensity as a listed

1 permitted use. Upon such determination, the proposed use may be considered to be a permitted use.

2 (b) Notwithstanding any other provision of this chapter, the following uses are permitted  
3 uses within all residential zoning use districts of a municipality and all industrial and commercial  
4 zoning use districts except where residential use is prohibited for public health or safety reasons:

- 5 (1) Households;
- 6 (2) Community residences; and
- 7 (3) Family daycare homes.

8 (c) Any time a building or other structure used for residential purposes, or a portion of a  
9 building containing residential units, is rendered uninhabitable by virtue of a casualty such as fire  
10 or flood, the owner of the property is allowed to park, temporarily, mobile and manufactured home,  
11 or homes, as the need may be, elsewhere upon the land, for use and occupancy of the former  
12 occupants for a period of up to twelve (12) months, or until the building or structure is rehabilitated  
13 and otherwise made fit for occupancy. The property owner, or a properly designated agent of the  
14 owner, is only allowed to cause the mobile and manufactured home, or homes, to remain  
15 temporarily upon the land by making timely application to the local building official for the  
16 purposes of obtaining the necessary permits to repair or rebuild the structure.

17 (d) Notwithstanding any other provision of this chapter, appropriate access for people with  
18 disabilities to residential structures is allowed as a reasonable accommodation for any person(s)  
19 residing, or intending to reside, in the residential structure.

20 (e) Notwithstanding any other provision of this chapter, an accessory dwelling unit in an  
21 owner-occupied residence that complies with §§ 45-24-31 and 45-24-73 shall be permitted as a  
22 reasonable accommodation for family members with disabilities or who are sixty-two (62) years of  
23 age or older, or to accommodate other family members.

24 (f) When used in this section the terms “people with disabilities” or “member, or members,  
25 with disabilities” means a person(s) who has a physical or mental impairment that substantially  
26 limits one or more major life activities, as defined in § 42-87-1(7).

27 (g) Notwithstanding any other provisions of this chapter, plant agriculture is a permitted  
28 use within all zoning districts of a municipality, including all industrial and commercial zoning  
29 districts, except where prohibited for public health or safety reasons or the protection of wildlife  
30 habitat.

31 (h) **Adaptive reuse.** Notwithstanding any other provisions of this chapter, adaptive reuse  
32 for the conversion of any commercial building, including offices, schools, religious facilities,  
33 medical buildings, and malls into residential units or mixed-use developments which include the  
34 development of at least fifty percent (50%) of the existing gross floor area into residential units,

1 shall be a permitted use and allowed by specific and objective provisions of a zoning ordinance,  
2 except where such is prohibited by environmental land use restrictions recorded on the property by  
3 the state of Rhode Island department of environmental management or the United States  
4 Environmental Protection Agency preventing the conversion to residential use.

5 (1) The specific zoning ordinance provisions for adaptive reuse shall exempt adaptive reuse  
6 developments from off-street parking requirements of over one space per dwelling unit.

7 (2) Density.

8 (i) For projects that meet the following criteria, zoning ordinances shall allow for high  
9 density development and shall not limit the density to less than fifteen (15) dwelling units per acre:

10 (A) Where the project is limited to the existing footprint, except that the footprint is allowed  
11 to be expanded to accommodate upgrades related to the building and fire codes and utilities; and

12 (B) The development includes at least twenty percent (20%) low- and moderate-income  
13 housing; and

14 (C) The development has access to public sewer and water service or has access to adequate  
15 private water, such as a well and and/or wastewater treatment system(s) approved by the relevant  
16 state agency for the entire development as applicable.

17 (ii) For all other adaptive reuse projects, the residential density permitted in the converted  
18 structure shall be the maximum allowed that otherwise meets all standards of minimum housing  
19 and has access to public sewer and water service or has access to adequate private water, such as a  
20 well, and wastewater treatment system(s) approved by the relevant state agency for the entire  
21 development, as applicable. The density proposed shall be determined to meet all public health and  
22 safety standards.

23 (3) Notwithstanding any other provisions of this chapter, for adaptive reuse projects,  
24 existing building setbacks shall remain and shall be considered legal nonconforming, but no  
25 additional encroachments shall be permitted into any nonconforming setback, unless otherwise  
26 allowed by zoning ordinance or relief is granted by the applicable authority.

27 (4) For adaptive reuse projects, notwithstanding any other provisions of this chapter, the  
28 height of the existing structure, if it exceeds the maximum height of the zoning district, may remain  
29 and shall be considered legal nonconforming, and any rooftop construction shall be included within  
30 the height exemption.

31 (i) Notwithstanding any other provisions of this chapter, all towns and cities shall allow  
32 manufactured homes which comply with § 23-27.3-109.1.3 as a type of single-family home on any  
33 lot zoned for single-family use. Such home shall comply with all dimensional requirements of a  
34 single-family home in the district or seek relief for the same under the provisions of this chapter.

1 SECTION 3. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- MOBILE AND MANUFACTURED  
HOMES

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1           This act would make several amendments relative to manufactured homes, including  
2 adding a definition for manufactured home and a provision allowing for certain manufactured  
3 homes to be considered a single-family home if on a lot designated for such use.

4           This act would take effect upon passage.

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