

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

H.B. 474
Mar 23, 2023
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40259-MQ-33

Short Title: Facilitate Small Housing.

(Public)

Sponsors: Representative Price.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE AFFORDABLE HOUSING OPTIONS BY ALLOWING FOR THE
3 SITING OF SMALL HOUSING IN AREAS ZONED FOR RESIDENTIAL USE.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Article 7 of Chapter 160D of the General Statutes is amended by
6 adding a new section to read:

7 "§ 160D-707. Small housing in residential areas.

8 (a) Definitions. – As used in this section, the term "small housing" means a detached
9 single-family dwelling unit that is no greater than 800 square feet, built to standards applicable
10 to the North Carolina Residential Code for One- and Two-Family Dwellings, and is either
11 constructed or mounted on a foundation and is connected to utilities. The term also includes "tiny
12 house," "cottage home," "accessory dwelling unit," or similar residential structure. The term does
13 not include a recreational vehicle or manufactured home that has not been affixed to real property.

14 (b) Small Housing in Residential Zones. – A local government shall allow small housing
15 in areas zoned for residential or mixed-use residential, including those that allow for the
16 development of detached single-family dwellings.

17 (c) Regulation and Scope. – Nothing in this section affects the validity or enforceability
18 of private covenants or other contractual agreements among property owners relating to dwelling
19 type restrictions. Any regulation adopted pursuant to this section shall not apply to an area
20 designated as a local historic district (i) pursuant to Part 4 of Article 9 of this Chapter or (ii) on
21 the National Register of Historic Places, unless approved by the local historic preservation
22 authority. A local government shall allow for attachment to existing water and sewer systems
23 and shall not require additional fees, meters, or approvals for connection. For septic systems, a
24 local government may require a new system or an upgrade to an existing system if it is determined
25 that the existing system is incapable of handling extra capacity."

26 SECTION 2. This act is effective when it becomes law.

