

MANUFACTURED HOUSING Q & A

In 2004 the legislature passed and the Governor signed SB 6593, requiring cities and counties to regulate most manufactured homes no differently than they regulate other types of homes. In order to implement this new law, communities must ensure that their land use regulations and other ordinances do not unfairly discriminate against manufactured housing.

Q. Why did the legislature enact this bill?

A. The legislature indicated that their intent was to protect “consumer’s choices in housing,” and to provide for “affordable homeownership and rental housing.”

Q. Exactly what constitutes a “manufactured home?”

A. RCW 43.63B.010 defines a manufactured home as “a single family dwelling unit built in accordance with the department of housing and urban development manufactured home construction safety standards act, which is a national, pre-emptive code.”

RCW 35A.63.145(2) defines a “designated manufactured home” as one that:

- a) is comprised of at least two fully enclosed parallel sections each of not less than 12 feet wide by 36 feet long;
- b) was originally constructed with and now has a composition or wood shake or shingle, coated metal, or similar roof of not less than 3:12 pitch; and
- c) has exterior siding similar in appearance to siding materials commonly used on site-built single family homes built according to the Uniform Building Code.

Q. How long do communities have to change their regulations?

A. Cities and counties must amend or rescind discriminatory regulations by July 1, 2004.

Q. Our city requires manufactured homes to be built on a permanent foundation. Is this okay?

A. Yes, it is. The legislature made it clear that cities and counties can still apply certain standards to manufactured homes. Among those standards are requirements for permanent foundations, and requirements limiting installation to new manufactured homes. In addition, RCW 43.22.440 and WAC 296-150M establish statewide installation standards and require installers of manufactured homes to be certified.

Q. Our city has design standards for manufactured homes, regulating such items as the pitch of the roof and exterior siding materials. Can we continue to apply these design standards?

A. Yes, but ONLY IF those standards are also applied to other homes in the community.

Q. Can our city restrict manufactured homes to allow only for the installation of new homes?

A. Yes, it is permissible to restrict manufactured homes by only allowing new homes. The most commonly accepted definition of a “new manufactured home” also recognizes manufactured homes used as model homes as new.

Q. Our city has strict standards for houses located in an historic district. Will these standards be affected?

A. No, they won't. Communities can continue to enforce strict regulations in historic districts.

Q. Our city only has a small staff. We can't afford to hire new people to write and administer complicated new regulations.

A. Most cities can comply with SB 6593 within the framework of their existing regulations. Start by checking your definitions, to see if they're up-to-date. Next, check to see if you have special regulations that apply only to manufactured housing. If you do, your options include:

- Re-defining a single-family home to include manufactured housing, then modifying or eliminating language regulating manufactured housing; OR
- Applying your manufactured housing regulations to all housing.

Cities with larger staffs may wish to consider more specific regulations, including design requirements (as long as they apply to BOTH site-built and manufactured housing).

Q. I live in a development where restrictive covenants prohibit the placement of manufactured homes. Will these covenants be affected?

A. SB6593 specifically states that the new law is not intended to apply to developments with restrictive covenants.

Q. Where can I go for help?

A. The following agencies are knowledgeable regarding manufactured housing rules and regulations, and are available to assist cities and counties in implementing SB 6593.

The Washington Manufactured Housing
Association
1530 Evergreen Park Drive, SW
Olympia, WA 98502
360-357-5650

The State of Washington,
Office of Manufactured Housing
Department of Community, Trade
and Economic Development
906 Columbia Street, SW
Olympia, WA 98504
360-725-2960
800-964-0852 (WA only)