

1 **REMOVING BARRIERS TO AFFORDABLE**
2 **MANUFACTURED HOUSING**

3 1998 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Brian R. Allen**

6 AN ACT RELATING TO CITIES AND TOWNS AND COUNTIES; AND RESTRICTING
7 MUNICIPALITIES AND COUNTIES FROM IMPOSING STRICTER REQUIREMENTS ON
8 MANUFACTURED HOME SUBDIVISIONS.

9 This act affects sections of Utah Code Annotated 1953 as follows:

10 AMENDS:

11 **10-9-106.5**, as enacted by Chapter 55, Laws of Utah 1996

12 **17-27-105.5**, as enacted by Chapter 55, Laws of Utah 1996

13 *Be it enacted by the Legislature of the state of Utah:*

14 Section 1. Section **10-9-106.5** is amended to read:

15 **10-9-106.5. Manufactured homes.**

16 (1) For purposes of this section, a manufactured home is the same as defined in Section
17 58-56-3, except that the manufactured home must be attached to a permanent foundation in
18 accordance with plans providing for vertical loads, uplift, and lateral forces and frost protection
19 in compliance with the applicable building code. All appendages, including carports, garages,
20 storage buildings, additions, or alterations must be built in compliance with the applicable building
21 code.

22 (2) A manufactured home may not be excluded from any zone or area in which a
23 single-family residence would be permitted, provided the manufactured home complies with all
24 local zoning, building code, and subdivision requirements, including any restrictive covenants,
25 applicable to single family residence within that zone or area.

26 (3) (a) A municipality may not impose more stringent or restrictive zoning, building code,
27 or subdivision requirements on a subdivision or development with manufactured homes than on

1 a subdivision or development without manufactured homes.

2 (b) Each municipality shall process a request for approval of a subdivision or development
3 with manufactured homes in substantially the same manner and within substantially the same
4 timetable as a comparable request for approval of a subdivision or development without
5 manufactured homes.

6 Section 2. Section 17-27-105.5 is amended to read:

7 **17-27-105.5. Manufactured homes.**

8 (1) For purposes of this section, a manufactured home is the same as defined in Section
9 58-56-3, except that the manufactured home must be attached to a permanent foundation in
10 accordance with plans providing for vertical loads, uplift, and lateral forces and frost protection
11 in compliance with the applicable building code. All appendages, including carports, garages,
12 storage buildings, additions, or alterations must be built in compliance with the applicable building
13 code.

14 (2) A manufactured home may not be excluded from any zone or area in which a
15 single-family residence would be permitted, provided the manufactured home complies with all
16 local zoning, building code, and subdivision requirements, including any restrictive covenants,
17 applicable to single-family residence within that zone or area.

18 (3) (a) A county may not impose more stringent or restrictive zoning, building code, or
19 subdivision requirements on a subdivision or development with manufactured homes than on a
20 subdivision or development without manufactured homes.

21 (b) Each county shall process a request for approval of a subdivision or development with
22 manufactured homes in substantially the same manner and within substantially the same timetable
23 as a comparable request for approval of a subdivision or development without manufactured
24 homes.

Legislative Review Note
as of 1-16-98 4:00 PM

A limited legal review of this bill raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel