

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 800

BY WAYS AND MEANS COMMITTEE

AN ACT

1 RELATING TO MANUFACTURED HOMES; AMENDING SECTION 39-4105, IDAHO CODE, TO RE-
2 VISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION
3 67-6509A, IDAHO CODE, TO REVISE PROVISIONS REGARDING SITING OF MANUFAC-
4 TURED HOMES IN RESIDENTIAL AREAS; AND DECLARING AN EMERGENCY AND PRO-
5 VIDING AN EFFECTIVE DATE.
6

7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Section 39-4105, Idaho Code, be, and the same is hereby
9 amended to read as follows:

10 39-4105. DEFINITIONS. As used in this chapter, the terms defined in
11 this section shall have the following meanings, unless the context clearly
12 indicates another meaning. Where terms are not defined in this chap-
13 ter and are defined in the currently adopted ~~International Building Code~~
14 international building code published by the ~~International Code Council~~
15 international code council, such terms shall have the meanings ascribed to
16 them in that code:

17 (1) "Administrator" means the administrator of the division of occupa-
18 tional and professional licenses for the state of Idaho.

19 (2) "Board" means the Idaho building code board, herein created.

20 (3) "Building inspector" means a person who inspects buildings or
21 structures for compliance with the provisions of this chapter.

22 (4) "Construction" means the erection, fabrication, reconstruction,
23 demolition, alteration, conversion, or repair of a building or the installa-
24 tion of equipment therein normally a part of the structure.

25 (5) "Division" means the state of Idaho division of occupational and
26 professional licenses.

27 (6) "~~International Fire Code~~ fire code" means the ~~International Fire~~
28 Code international fire code as published by the ~~International Code Council~~
29 international code council.

30 (7) "Local government" means any city or county of this state.

31 (8) "Manufactured home" means a structure, constructed after June 15,
32 1976, in accordance with the HUD manufactured home construction and safety
33 standards, and is transportable in one (1) or more sections, ~~which that~~, in
34 the traveling mode, is eight (8) body feet or more in width or is forty (40)
35 body feet or more in length, or when erected on site, is three hundred twenty
36 (320) or more square feet, and ~~which that~~ is built on a permanent chassis
37 and designed to be used as a dwelling with or without a permanent founda-
38 tion when connected to the required utilities, and includes the plumbing,
39 heating, air conditioning, and electrical systems contained therein, ex-
40 cept that such term shall include any structure ~~which that~~ meets all the re-
41 quirements of this subsection except the size requirements and with respect
42 to which the manufacturer voluntarily files a certification required by the

1 secretary of housing and urban development and complies with the standards
 2 established under 42 U.S.C. 5401 et seq. Manufactured homes include multidwelling unit manufactured homes that are constructed in accordance with the
 3 HUD manufactured home construction and safety standards.

4 (9) "Mobile home" means a factory-assembled structure or structures
 5 generally constructed prior to June 15, 1976, and equipped with the neces-
 6 sary service connections and made so as to be readily movable as a unit or
 7 units on their own running gear and designed to be used as a dwelling unit or
 8 units with or without a permanent foundation.

9 (10) "Telecommunications facilities" means all wires, cables, equip-
 10 ment, apparatus or other installations necessary to furnish service, by
 11 which there is accomplished or may be accomplished the sending or receiving
 12 of information, data, message writing signs, signals, pictures, and sounds
 13 of all kinds, by aid of such wires, cables, equipment, apparatus or other
 14 installations, but shall not include the habitable structure in which such
 15 telecommunications facilities are housed.
 16

17 SECTION 2. That Section 67-6509A, Idaho Code, be, and the same is hereby
 18 amended to read as follows:

19 67-6509A. SITING OF MANUFACTURED HOMES IN RESIDENTIAL AREAS -- PLAN
 20 TO BE AMENDED. (1) By resolution or ordinance adopted, amended, or repealed
 21 in accordance with the notice and hearing procedures provided under section
 22 67-6509, Idaho Code, each governing board shall amend its comprehensive plan
 23 and land use regulations for all land zoned for single-family residential
 24 uses, except for lands falling within an area defined as a historic district
 25 under section 67-4607, Idaho Code, to allow for siting of manufactured homes
 26 as defined in section 39-4105, Idaho Code. For purposes of siting, a manu-
 27 factured home consisting of a single dwelling unit may be sited on lots where
 28 single-family dwellings are allowed. A multidwelling unit manufactured
 29 home may be sited only in areas where multifamily dwellings are allowed.

30 (2) Manufactured homes on individual lots zoned for single-family res-
 31 idential uses as provided in subsection (1) of this section shall be in ad-
 32 dition to manufactured homes on lots within designated mobile home parks or
 33 manufactured home subdivisions.

34 (3) This section shall not be construed as abrogating a recorded re-
 35 strictive covenant.

36 (4) A governing board may adopt any or all of the following placement
 37 standards, or any less restrictive standards, for the approval of manufac-
 38 tured homes located outside mobile home parks:

39 (a) The manufactured home shall be either a single section or
 40 multisectional and shall enclose a space of not less than one thousand
 41 (1,000) square feet at least four hundred (400) square feet for a single
 42 section or eight hundred (800) square feet for a multisectional manu-
 43 factured home;

44 (b) The manufactured home shall be placed on an excavated and back-
 45 filled foundation and enclosed at the perimeter such that the home is
 46 located not more than twelve (12) inches above grade, except when placed
 47 on a basement foundation;

1 (c) The manufactured home shall have a pitched roof, except that no
2 standards shall require a slope of greater than a nominal three (3) feet
3 in height for each twelve (12) feet in width;

4 (d) The manufactured home shall have exterior siding and roofing which
5 in color, material, and appearance is similar to the exterior siding and
6 roofing material commonly used on residential dwellings within the com-
7 munity or which is comparable to the predominant materials used on sur-
8 rounding dwellings as determined by the local permit approval author-
9 ity;

10 (e) The manufactured home shall have a garage or carport constructed of
11 like materials if zoning ordinances would require a newly constructed
12 nonmanufactured home to have a garage or carport;

13 (f) In addition to the provisions of paragraphs (a) through (e) of this
14 subsection, a city or county may subject a manufactured home and the lot
15 ~~upon~~ on which it is sited to any development standard, architectural re-
16 quirement, and minimum size requirements to which a conventional sin-
17 gle-family residential dwelling on the same lot would be subjected.

18 (5) Any approval standards, special conditions and the procedures for
19 approval adopted by a local government shall be clear and objective and shall
20 not have the effect, either in themselves or cumulatively, of discouraging
21 needed housing through unreasonable cost or delay.

22 SECTION 3. An emergency existing therefor, which emergency is hereby
23 declared to exist, this act shall be in full force and effect on and after
24 July 1, 2026.