The Factory-Built Housing Act

Summary

This bill would allow factory-built housing in all areas zoned for single-family residential housing. Local governments would be able to establish aesthetic standards for factory-built homes so long as they are no more restrictive than those for site-built housing.

Model Legislation (Title, enacting clause, etc.)

Section 1. This Act may be cited as the Factory-Built Housing Act.

Section 2. (Definitions.) As used in this Act, the following terms have the following meanings:

(A) “Factory-built housing” means manufactured and modular housing;
(B) “Manufactured housing” means housing built in a factory according to the Federal Manufactured Home Construction and Safety Standards which went into effect on June 15, 1976;
(C) “Modular housing” means housing built in a factory that meets the state, local or regional building codes where the home will be sited.

Section 3. (Non-discrimination clause.) Factory-built housing shall be considered a permitted use in all residential districts established by political subdivisions of this state and shall be accepted at the permitted density for the district.

Section 4. (Exceptions.) (A) Political subdivisions are permitted to establish reasonable aesthetic standards for factory-built housing within their jurisdiction, including foundation requirements, building setbacks, side and rear yard offsets, subdivision control, architectural landscaping, square footage and other local site requirements applicable to single-family dwellings. However, these standards and the process for applying them shall be no more restrictive for factory-built housing than for housing units constructed on site.
(B) Political subdivisions may be permitted to establish reasonable standards for manufactured housing for unique public safety requirements such as wind, snow and roof loads in accordance with 24 CFR Ch. XX § 3280.305.
(C) Nothing in this Act shall be deemed to supersede any valid covenants or deed restrictions.

Section 5. (Severability clause.)

Section 6. (Repealer clause)


This bill appears to support the narrow agenda of the factory-built housing industry which is likely a active participant in ALEC.