

---

SECOND SUBSTITUTE SENATE BILL 5481

---

State of Washington

56th Legislature

2000 Regular Session

By Senate Committee on Commerce, Trade, Housing & Financial Institutions (originally sponsored by Senators Prentice, Winsley, Gardner, Hale, Rasmussen, T. Sheldon, Goings and Costa)

Read first time 02/04/2000.

1 AN ACT Relating to manufactured housing; amending RCW 35.63.110,  
2 35.63.160, 35A.63.100, and 35A.63.145; adding a new section to chapter  
3 36.70A RCW; adding a new section to chapter 35.02 RCW; adding a new  
4 section to chapter 35.13 RCW; adding a new section to chapter 35A.14  
5 RCW; and providing an effective date.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 **Sec. 1.** RCW 35.63.110 and 1965 c 7 s 35.63.110 are each amended to  
8 read as follows:

9 For any or all of such purposes the council or board, on  
10 recommendation of its commission, may divide the municipality or any  
11 portion thereof into districts of such size, shape and area, or may  
12 establish such official maps, or development plans for the whole or any  
13 portion of the municipality as may be deemed best suited to carry out  
14 the purposes of this chapter and within such districts it may regulate  
15 and restrict the erection, construction, reconstruction, alteration,  
16 repair or use of buildings, structures, or land.

17 However, in any area in a zoning district for single-family  
18 residences that was annexed or incorporated after April 1, 1992, and  
19 where manufactured housing was allowed prior to annexation or

1 incorporation, single-family designated manufactured homes, as defined  
2 in RCW 35.63.160, that are thermally equivalent to the state energy  
3 code and manufactured after April 1, 1992, shall be sited on individual  
4 lots subject only to land use regulations applicable to all other  
5 single-family residences on individual lots in such districts. This  
6 section does not prevent the adoption of home design regulations to  
7 assure neighborhood compatibility provided such regulations apply  
8 equally to homes regulated under the state building code and designated  
9 manufactured homes as defined in RCW 35.63.160.

10 **Sec. 2.** RCW 35.63.160 and 1988 c 239 s 1 are each amended to read  
11 as follows:

12 ~~(1) ((Each comprehensive plan which does not allow for the siting~~  
13 ~~of manufactured homes on individual lots shall be subject to a review~~  
14 ~~by the city of the need and demand for such homes. The review shall be~~  
15 ~~completed by December 31, 1990.~~

16 ~~(2) For the purpose of providing an optional reference for cities~~  
17 ~~which choose to allow manufactured homes on individual lots,)) A~~  
18 "designated manufactured home" is a manufactured home constructed after  
19 June 15, 1976, in accordance with state and federal requirements for  
20 manufactured homes, which:

21 (a) Is comprised of at least two fully enclosed parallel sections  
22 each of not less than twelve feet wide by thirty-six feet long;

23 (b) Was originally constructed with and now has a composition or  
24 wood shake or shingle, coated metal, or similar roof of ~~((not less~~  
25 ~~than))~~ nominal 3:12 pitch; and

26 (c) Has exterior siding similar in appearance to siding materials  
27 commonly used on conventional site-built uniform building code single-  
28 family residences.

29 ~~((+3))~~ (2) Nothing in this section precludes cities from allowing  
30 any manufactured home from being sited on individual lots through local  
31 standards which differ from the designated manufactured home as  
32 described in this section, except that the term "designated  
33 manufactured home" shall not be used except as defined in subsection  
34 ~~((+2))~~ (1) of this section.

35 **Sec. 3.** RCW 35A.63.100 and 1979 ex.s. c 170 s 8 are each amended  
36 to read as follows:

1 After approval of the comprehensive plan, as set forth above, the  
2 legislative body, in developing the municipality and in regulating the  
3 use of land, may implement or give effect to the comprehensive plan or  
4 parts thereof by ordinance or other action to such extent as the  
5 legislative body deems necessary or appropriate. Such ordinances or  
6 other action may provide for:

7 (1) Adoption of an official map and regulations relating thereto  
8 designating locations and requirements for one or more of the  
9 following: Streets, parks, public buildings, and other public  
10 facilities, and protecting such sites against encroachment by buildings  
11 and other physical structures.

12 (2) Dividing the municipality, or portions thereof, into  
13 appropriate zones within which specific standards, requirements, and  
14 conditions may be provided for regulating the use of public and private  
15 land, buildings, and structures, and the location, height, bulk, number  
16 of stories, and size of buildings and structures, size of yards,  
17 courts, open spaces, density of population, ratio of land area to the  
18 area of buildings and structures, setbacks, area required for off-  
19 street parking, protection of access to direct sunlight for solar  
20 energy systems, and such other standards, requirements, regulations,  
21 and procedures as are appropriately related thereto. The ordinance  
22 encompassing the matters of this subsection is hereinafter called the  
23 "zoning ordinance". No zoning ordinance, or amendment thereto, shall  
24 be enacted by the legislative body without at least one public hearing,  
25 notice of which shall be given as set forth in RCW 35A.63.070. Such  
26 hearing may be held before the planning agency or the board of  
27 adjustment or such other body as the legislative body shall designate.

28 However, in any area in a zoning district for single-family  
29 residences that was annexed or incorporated after April 1, 1992, and  
30 where manufactured housing was allowed prior to annexation or  
31 incorporation, single-family designated manufactured homes, as defined  
32 in RCW 35A.63.145, that are thermally equivalent to the state energy  
33 code and manufactured after April 1, 1992, shall be sited on individual  
34 lots subject only to land use regulations applicable to all other  
35 single-family residences on individual lots in such districts. This  
36 section does not prevent the adoption of home design regulations to  
37 assure neighborhood compatibility provided such regulations apply  
38 equally to homes regulated under the state building code and designated  
39 manufactured homes as defined in RCW 35A.63.145.

1 (3) Adoption of design standards, requirements, regulations, and  
2 procedures for the subdivision of land into two or more parcels,  
3 including, but not limited to, the approval of plats, dedications,  
4 acquisitions, improvements, and reservation of sites for public use.

5 (4) Scheduling public improvements on the basis of recommended  
6 priorities over a period of years, subject to periodic review.

7 (5) Such other matters as may be otherwise authorized by law or as  
8 the legislative body deems necessary or appropriate to effectuate the  
9 goals and objectives of the comprehensive plan or parts thereof and the  
10 purposes of this chapter.

11 **Sec. 4.** RCW 35A.63.145 and 1988 c 239 s 2 are each amended to read  
12 as follows:

13 ~~(1) ((Each comprehensive plan which does not allow for the siting  
14 of manufactured homes on individual lots shall be subject to a review  
15 by the city of the need and demand for such homes. The review shall be  
16 completed by December 31, 1990.~~

17 ~~(2) For the purpose of providing an optional reference for cities  
18 which choose to allow manufactured homes on individual lots,)) A  
19 "designated manufactured home" is a manufactured home constructed after  
20 June 15, 1976, in accordance with state and federal requirements for  
21 manufactured homes, which:~~

22 ~~(a) Is comprised of at least two fully enclosed parallel sections  
23 each of not less than twelve feet wide by thirty-six feet long;~~

24 ~~(b) Was originally constructed with and now has a composition or  
25 wood shake or shingle, coated metal, or similar roof of ((not less  
26 than)) nominal 3:12 pitch; and~~

27 ~~(c) Has exterior siding similar in appearance to siding materials  
28 commonly used on conventional site-built uniform building code single-  
29 family residences.~~

30 ~~((+3+)) (2) Nothing in this section precludes cities from allowing  
31 any manufactured home from being sited on individual lots through local  
32 standards which differ from the designated manufactured home as  
33 described in this section, except that the term "designated  
34 manufactured home" shall not be used except as defined in subsection  
35 ((+2+)) (1) of this section.~~

36 NEW SECTION. **Sec. 5.** A new section is added to chapter 36.70A RCW  
37 to read as follows:

1 Any city that plans or elects to plan under this chapter must allow  
2 in any area in a zoning district for single-family residences that was  
3 annexed or incorporated after April 1, 1992, and where manufactured  
4 housing was allowed prior to annexation or incorporation, single-family  
5 designated manufactured homes as defined in RCW 43.63B.010, 35.63.160,  
6 or 35A.63.145, that are thermally equivalent to the state energy code  
7 and manufactured after April 1, 1992, to be sited on individual lots  
8 subject only to land use regulations applicable to all other single-  
9 family residences on individual lots in such districts. This section  
10 does not prevent the adoption of home design regulations to assure  
11 neighborhood compatibility provided such regulations apply equally to  
12 homes regulated under the state building code and designated  
13 manufactured homes as defined in RCW 43.63B.010, 35.63.160, or  
14 35A.63.145.

15 NEW SECTION. **Sec. 6.** A new section is added to chapter 35.02 RCW  
16 to read as follows:

17 Any city or town incorporated under this chapter must allow in any  
18 area in a zoning district for single-family residences where  
19 manufactured housing was allowed prior to incorporation, single-family  
20 designated manufactured homes as defined in RCW 43.63B.010, 35.63.160,  
21 or 35A.63.145, that are thermally equivalent to the state energy code  
22 and manufactured after April 1, 1992, to be sited on individual lots  
23 subject only to land use regulations applicable to all other single-  
24 family residences on individual lots in such districts. This section  
25 does not prevent the adoption of home design regulations to assure  
26 neighborhood compatibility provided such regulations apply equally to  
27 homes regulated under the state building code and designated  
28 manufactured homes as defined in RCW 43.63B.010, 35.63.160, or  
29 35A.63.145.

30 NEW SECTION. **Sec. 7.** A new section is added to chapter 35.13 RCW  
31 to read as follows:

32 Any city or town that annexes land under this chapter must allow in  
33 any area in a zoning district for single-family residences where  
34 manufactured housing was allowed prior to annexation, single-family  
35 designated manufactured homes as defined in RCW 43.63B.010, 35.63.160,  
36 or 35A.63.145, that are thermally equivalent to the state energy code  
37 and manufactured after April 1, 1992, to be sited on individual lots

1 subject only to land use regulations applicable to all other single-  
2 family residences on individual lots in such districts. This section  
3 does not prevent the adoption of home design regulations to assure  
4 neighborhood compatibility provided such regulations apply equally to  
5 homes regulated under the state building code and designated  
6 manufactured homes as defined in RCW 43.63B.010, 35.63.160, or  
7 35A.63.145.

8 NEW SECTION. **Sec. 8.** A new section is added to chapter 35A.14 RCW  
9 to read as follows:

10 Any code city that annexes under this chapter must allow in any  
11 area in a zoning district for single-family residences where  
12 manufactured housing was allowed prior to annexation, single-family  
13 designated manufactured homes as defined in RCW 43.63B.010, 35.63.160,  
14 or 35A.63.145, that are thermally equivalent to the state energy code  
15 and manufactured after April 1, 1992, to be sited on individual lots  
16 subject only to land use regulations applicable to all other single-  
17 family residences on individual lots in such districts. This section  
18 does not prevent the adoption of home design regulations to assure  
19 neighborhood compatibility provided such regulations apply equally to  
20 homes regulated under the state building code and designated  
21 manufactured homes as defined in RCW 43.63B.010, 35.63.160, or  
22 35A.63.145.

23 NEW SECTION. **Sec. 9.** This act takes effect January 1, 2002.

--- END ---