

CHAPTER 154

(HB 160)

AN ACT relating to manufactured housing.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 100.348 is amended to read as follows:

- (1) The Kentucky General Assembly hereby recognizes and affirms that the protection of property values is a legitimate issue to local governments and the enactment of regulations designed to protect property values is a proper exercise of local government legislative power. ***At the same time, the Kentucky General Assembly hereby recognizes and affirms that while local governments have legitimate authority to enact reasonable zoning regulations, the provision of quality, affordable housing through qualified manufactured homes serves an essential public purpose.***
- (2) As used in this section, unless the context requires otherwise:
 - (a) "Compatibility standards" means standards that have been enacted by a local government under the authority of this section for the purpose of protecting and preserving the monetary value of real property located within the local government's jurisdiction;
 - (b) "Local government" means a city, county, urban-county government, charter county government, ***unified local government***, or consolidated local government that is engaged in planning and zoning under KRS Chapter 100;
 - (c) "Manufactured home" means a single-family residential dwelling constructed after June 15, 1976, in accordance with the National Manufactured Home Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq., as amended, and designed to be used as a single-family residential dwelling with or without permanent foundation when connected to the required utilities, and which includes the plumbing, heating, air conditioning, and electrical systems contained therein;
 - (d) "Qualified manufactured home" means a manufactured home that meets all of the following criteria:
 1. Is manufactured on ***a date not to exceed five (5) years prior to the date of installation and has all parts that operate only during transport removed***~~[or after July 15, 2002];~~
 2. Is affixed to a permanent foundation and is connected to the appropriate facilities and is installed in compliance with KRS 227.570;
 3. Has a width of at least twenty (20) feet at its smallest width measurement or is two (2) stories in height and oriented on the lot or parcel so that its main entrance door faces the street; ***and***
 4. Has a minimum total living area of nine hundred (900) square feet; and{
 - ~~5. Is not located in a manufactured home land lease community; and}~~
 - (e) "Permanent foundation" means a system of supports that is:
 1. Capable of transferring, without failure, into soil or bedrock, the maximum design load imposed by or upon the structure ***and complies with KRS 227.570***;
 2. Constructed ***with materials that are compatible with surrounding residential structures so long as the materials do not compromise the structural engineering of the home in conflict with KRS 227.570***~~[of concrete]~~; and
 3. Placed at a depth below grade adequate to prevent frost damage, ***in accordance with the manufacturer's installation requirements and KRS 227.570.***
- (3) ***Except as provided in subsection (4) of this section, a local government shall not adopt or enforce any zoning regulation, ordinance, or other requirement that:***
 - (a) ***Excludes qualified manufactured homes from any residential zone where single-family residences are permitted;***
 - (b) ***Discriminates against qualified manufactured homes; or***

(c) *Imposes foundation requirements on manufactured homes that:*

1. *Conflict with the structural engineering of the homes;*
2. *Conflict with KRS 227.570; or*
3. *Require more than one (1) type of permanent foundation system.*

(4)(3) Any local government may adopt and enforce, as a part of its zoning regulations, compatibility standards governing the placement of qualified manufactured homes in residential zones within the local government's jurisdiction. Compatibility standards shall be adopted, amended, and enforced in the same manner as other zoning regulations and shall be in addition to any zoning regulations that are generally applicable to single-family residences. ***Any architectural compatibility standards applied to qualified manufactured homes must be equivalent to, and not more stringent than, those standards applied to other single-family residential structures in the same zone.*** The compatibility standards shall be designed to ensure that when a qualified manufactured home is placed in a residential zone it is compatible, in terms of assessed value, with existing housing located with a one-eighth (1/8) mile or less radius from the proposed location of the qualified manufactured home. The compatibility standards adopted by a local government shall ***be limited[relate] to the following*** architectural features that have a significant impact on the overall assessed value of the structure~~[, including, for example, but not limited to features such as:]~~:

- (a) Roof pitch;
- (b) Square footage of livable space;
- (c) Type and quality of exterior finishing materials;
- (d) Foundation skirting;~~[and]~~
- (e) Existence and type of attached structures; ***and***
- (f) ***Setback restrictions, lot dimensions, and orientation of the home on the lot, so long as they are no stricter than those for site-built homes within the same zone.***

(5) ***A manufactured home that does not meet the minimum width of twenty (20) feet or minimum total living area of nine hundred (900) square feet needed to be considered a qualified manufactured home under subsection (2)(d) of this section may be treated as a qualified manufactured home for purposes of subsections (3) and (4) of this section if:***

- (a) ***The setback requirements or lot dimensions would not reasonably accommodate a home meeting these minimum dimensions;***
- (b) ***The home is the maximum width and square footage that could reasonably fit on the lot while complying with all applicable setback requirements and other zoning regulations; and***
- (c) ***The home otherwise meets all other requirements of a qualified manufactured home under this section.***

(6)(4) ~~[Nothing in]~~This section shall ***not*** be construed to affect, modify, or abolish restrictions contained in recorded deeds, covenants, or developers' subdivision restrictions.

(7)(5) ~~[Nothing in]~~This section shall ***not*** be construed as limiting in any way the authority of local governments to adopt regulations designed to protect historic properties or historic districts.

(8) ***Any zoning regulation, ordinance, or requirement that violates this section is void and unenforceable.***

(9) ***Cities located in a county containing a consolidated local government that do not have the authority to adopt zoning regulations as set out in KRS 100.137(3), may enact compatibility standards pursuant to subsection (4) of this section that are in lieu of standards adopted by the consolidated local government.***

➔Section 2. This Act takes effect July 1, 2026.

Signed by Governor April 1, 2025.