

June 12, 2023

Applicants, Agents, Residents within Special Zoning District # 14.

RE: Code Interpretation/ Clarification -

It has come to the attention of Planning Staff that the definition of “Mobile Home, Trailer Home” in the definitions section of Special Zoning District 14 does not provide guidance related to Manufactured homes.

This letter is an official **Code Interpretation** issued by the Zoning Coordinator and will be the official interpretation of this part of the definitions of Yellowstone County Zoning District No. 14 from this date forward, unless or until code amendments are adopted by Yellowstone County Board of Commissioners that make this interpretation moot or contrary to new code.

The Special Zoning District # 14 zoning code has defined in its definitions a “Mobile Home/Trailer Home” as: *“A structure or structures equipped with the necessary service connections and constructed to be readily movable as unit or units on its own running gear and designed to be used as a dwelling unit without a permanent foundation.”*

It is the interpretation of the Zoning Coordinator, in accordance with the definitions of a Mobile Homeⁱ and a Manufactured Homeⁱⁱ as provided by the State of Montana Code Annotated 2021, a manufactured home does not include a mobile home or house trailer. The definition of “Mobile Home/ Trailer Home” will include the following:

“A structure or structures equipped with the necessary service connections and constructed to be readily movable as unit or units on its own running gear and designed to be used as a dwelling unit without a permanent foundation. A mobile home does not include a manufactured home, which is placed on a permanent foundation, is at least 1,000 square feet in size, has a pitched roof and siding and roofing materials that are customarily, as defined by local regulations, used on site-built homes, and is in compliance with the applicable prevailing standards of the United States Department of Housing and Urban Development at the time of its production.”

Relevant existing code sections:

MCA 15-1-101 (1)(m)(i)(ii):

(i) *The term "manufactured home" means a residential dwelling built in a factory in accordance with the United States department of housing and urban development code and the federal Manufactured Home Construction and Safety Standards.*

(ii) *A manufactured home does not include a mobile home, as defined in subsection (1)(o), or a mobile home or housetrailer constructed before the federal Manufactured Home Construction and Safety Standards went into effect on June 15, 1976.*

MCA 15-1-101 (1)(o):

The term "mobile home" means forms of housing known as "trailers", "housetrailers", or "trailer coaches" exceeding 8 feet in width or 45 feet in length, designed to be moved from one place to another by an independent power connected to them, or any trailer, housetrailer, or trailer coach up to 8 feet in width or 45 feet in length used as a principal residence.

MCA 76-2-202 (4):

As used in this section, "manufactured housing" means a dwelling for a single household, built offsite in a factory on or after January 1, 1990, that is placed on a permanent foundationⁱⁱⁱ, is at least 1,000 square feet in size, has a pitched roof and siding and roofing materials that are customarily, as defined by local regulations, used on site-built homes, and is in compliance with the applicable prevailing standards of the United States department of housing and urban development at the time of its production. A manufactured home does not include a mobile home or housetrailer, as defined in 15-1-101.

Special Zoning District 14, Section 2: Definitions

Dwelling: A building designed exclusively for residential purposes for one or more families.

Mobile Home/Trailer Home: A structure or structures equipped with the necessary service connections and constructed to be readily movable as unit or units on its own running gear and designed to be used as a dwelling unit without a permanent foundation.

(Emphasis added)

Prepared by: Hunter Kelly



Approved by: Nicole Cromwell



Nicole M. Cromwell, AICP

ⁱ MCA 15-1-101

ⁱⁱ MCA 76-2-202

ⁱⁱⁱ https://www.hud.gov/program_offices/administration/hudclips/guidebooks/4930.3G