

# ATTACHMENT 1

## ORDINANCE NO. \_\_\_\_\_

AN INTERIM URGENCY ORDINANCE OF SANTA BARBARA COUNTY, PROHIBITING THE CONVERSION OF SENIOR MOBILE HOME PARKS TO ALL-AGES PARKS PURSUANT TO GOVERNMENT CODE SECTION 65858, WITHIN THE UNINCORPORATED AREAS OF SANTA BARBARA COUNTY.

WHEREAS, California requires that every jurisdiction adopt a Housing Element and make plans for providing affordable housing within the County; and

WHEREAS, Santa Barbara County adopted its Housing Element on December 5, 2023.

WHEREAS, seniors are a vulnerable population, and the County is required by state law to address housing for seniors; and

WHEREAS, mobile home parks represent one of a few unsubsidized affordable housing options left to senior citizens that permit exclusive residence in a detached dwelling by those individuals over the age of 55 years.

WHEREAS, there are 21 existing mobile home parks in the unincorporated area of the County, of these 21 mobile home parks there are 11 that are designated for seniors, typically 55 and over; and

WHEREAS, the conversion of age-restricted mobile parks to all-age presents a current and immediate threat to the public health, safety and welfare by reducing the available affordable housing options in the County for citizens aged 55 years and older.

WHEREAS, the County finds it necessary to protect existing affordable housing options for senior citizens, which there are a total of 2,401 spaces available out of the existing 21 mobile home parks and out of the 11 mobile home parks identified as senior mobile home parks there are 1,862 spaces available for seniors citizens throughout the unincorporated County.

WHEREAS, conversion from a “senior” to an “all-age” mobile home park will unduly burden and irreparably harm senior citizens within the unincorporated areas of the County and will result in the loss of existing unsubsidized housing that is affordable; and

WHEREAS, when “seniors” mobile home parks are converted to “all-age” parks, the cost of housing have the potential to increase substantially due to the competition of tenants for available spaces which may drive up rents and thereby diminishes the affordable housing stock for seniors.

WHEREAS, mobile home parks serve lower to upper moderate-income levels and there is a significant need for lower income housing for seniors as there is a waiting list for low-income seniors of 2,124 with the Housing Authority of the County of Santa Barbara and 3,758 with the City of Santa Barbara's Housing Authority.

WHEREAS, currently, the County does not impose any regulations on the conversion of mobile home parks from “senior” to all an “all-age” mobile home park.

WHEREAS, the County is studying a zoning proposal to protect existing senior mobile home parks and needs time to investigate, research, and develop new zoning regulations to implement a Senior Mobile Home Park Overlay Zone to promote and preserve mobile home parks and to evaluate the rezoning of existing mobile home parks that are not currently zoned Mobile Home Park.

WHEREAS, this interim urgency ordinance is necessary to prohibit changes in uses that may be in conflict with this contemplated zoning proposal and prohibit the introduction of potentially legal nonconforming land uses that could defeat a later-adopted zoning ordinance.

NOW, THEREFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:

**SECTION 1:** Interim Urgency Ordinance Necessity and Limitations.

This interim urgency ordinance is necessary for the immediate preservation of the public peace, health, safety, and general welfare. The interim urgency ordinance is necessary to give staff time to establish permitting requirements and zoning restrictions, create additional measures to protect the residents, and provide for additional enforcement capability.

**SECTION 2:** Definitions.

For purposes of this interim urgency ordinance, the terms defined below shall have the following meaning:

- A. Senior – individual or person(s) aged 55 years and greater.
- B. Mobile Home Park - is any area or tract of land where two or more lots are rented or leased, held out for rent or lease, or were formerly held out for rent or lease and later converted to a subdivision, cooperative, condominium, or other form of resident ownership, to accommodate manufactured homes, mobile homes, or recreational vehicles used for human habitation. The rental paid for a manufactured home, a mobile home, or a recreational vehicle shall be deemed to include rental for the lot it occupies.
- C. Senior Mobile Home Park – a mobile home park where at least 80% of the spaces or lots are rented or leased to senior citizens or has at least one resident at the age of 55 years or greater.
- D. All-age Mobile Home Park - a mobile home park where the spaces or lots are rented or leased to the general public regardless of the ages of the residents or occupants.

**SECTION 3:** Additional Findings.

The Board of Supervisors hereby incorporates by reference the WHEREAS clauses above as findings and also finds and determines as follows:

- A. Several California counties and cities have enacted interim urgency ordinances to study the adverse effects of conversions of existing senior and age-restricted mobile home parks to all-ages parks, including the increase in housing costs and decrease of affordable housing options for a particularly vulnerable population of our community.
- B. To address the potential, adverse effects of conversions of senior mobile home parks to all-ages parks, the Board directed County staff to study and begin work to develop zoning regulations to establish a Senior Mobile Home Park overlay. This interim urgency ordinance is necessary to

prohibit changes in uses that may be in conflict with this contemplated zoning proposal and prohibit the introduction of potentially legal nonconforming land uses that could defeat a later-adopted zoning ordinance.

- C. Based upon the foregoing, the Board of Supervisors finds that there is a current and immediate threat to public health, safety, and welfare and prohibits the conversion of senior and age-restricted mobile home parks to all-ages parks.

**SECTION 4:** Purpose and Authority.

The County of Santa Barbara Board of Supervisors enacts this interim urgency ordinance pursuant to authority granted by Article XI section 7 of the California Constitution, section 65858 of the California Government Code. This interim urgency ordinance applies within all unincorporated areas of Santa Barbara County. It is the purpose and intent of this interim urgency ordinance to protect the County's affordable housing stock and immediately prohibit all conversions of existing senior and age restricted mobile home parks to all-ages mobile home parks. This action is necessary to protect the public health, safety, and general welfare and prohibiting any uses that may be in conflict with a zoning proposal that the County is considering and studying.

**SECTION 5:** Intent.

The purpose and intent of this interim urgency ordinance is to provide staff time to study and establish land use regulations and zoning concerning existing senior and age-restricted mobile home parks within the County of Santa Barbara in order to limit and control such activities in a manner that is (1) necessary to protect the public health, safety, and welfare of the residents, (2) consistent with the affordable housing policy preferences the Board of Supervisors, and (3) consistent with the County's Housing Element.

**SECTION 6:** Prohibition.

1. The conversion of senior mobile home parks to all-ages parks, within the unincorporated areas of Santa Barbara County are prohibited.
2. The County shall not permit or allow, or process applications for land use entitlements for any activities associated with converting senior and age-restricted mobile home parks to all-ages parks, all land use categories within the unincorporated areas of Santa Barbara County.

**SECTION 7:** Nuisance Declared.

A violation of any provision of this interim urgency ordinance shall be deemed to be a public nuisance. In addition, the conversion of senior mobile home parks to an all age mobile home park , is hereby declared to be unlawful in all zones and a public nuisance that may be abated and subject to enforcement.

**SECTION 8:** CEQA.

This interim urgency ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3), as it has no potential for causing a significant impact on the environment.

**SECTION 9:** Enforcement

Violations of any provisions of this interim urgency ordinance shall be enforced per enforcement standards in compliance with (1) the Santa Barbara County Land Use and Development Code, Chapter 35.108 (Enforcement and Penalties), or (2) the Santa Barbara County Coastal Zoning Ordinance Section 35-185 (Enforcement, Legal Procedures, and Penalties), and also (4) Chapter 24A of the Santa Barbara County

Code.

**SECTION 10:** Severability.

If any provision of this interim urgency ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect the other provision of this interim urgency ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this interim urgency ordinance are severable. The Board of Supervisors hereby declares that it would have adopted this interim urgency ordinance irrespective of the invalidity of any particular portion thereof.

**SECTION 11:** Effective Date.

This interim urgency ordinance shall take effect and be in full force immediately upon adoption by at least a four-fifths vote of the Board of Supervisors, and shall be in effect for 45 days from the date of adoption unless extended by the Board of Supervisors pursuant to Government Code section 65858.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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STEVE LAVAGNINO, CHAIR  
BOARD OF SUPERVISORS  
COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER  
CLERK OF THE BOARD

By \_\_\_\_\_  
Deputy Clerk

APPROVED AS TO FORM:

RACHEL VAN MULLEM

COUNTY COUNSEL

By  \_\_\_\_\_  
Deputy County Counsel