



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Planning and Development
Department No.: 053
For Agenda Of: March 13, 2012
Placement: Departmental
Estimated Time: 1½ hours
Continued Item: No
If Yes, date from: N/A
Vote Required: Majority

TO: Board of Supervisors
FROM: Planning and Development: Glenn Russell, Ph.D, Director, Planning and Development, 568-2085
Contact Info: Jeff Hunt, AICP, Long Range Planning Director, 568-2072
SUBJECT: **Mobilehome Park Closure Ordinance**

County Counsel Concurrence

As to form: Yes

Other Concurrence:

As to form: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Supervisors consider the recommendations of the County Planning Commission to approve Case Nos. 11ORD-00000-00017 and 11ORD-00000-00018 which would amend, respectively, the County Land Use and Development Code and the County Coastal Zoning Ordinance to implement amendments establishing a permit process for the closure of mobilehome parks, and consider the following actions:

A. Case No. 11ORD-00000-00017 (Land Use and Development Code Amendment)

1. Make the findings for approval of the proposed amendments (Attachment A);
2. Determine that the adoption of this ordinance is categorically exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) of the Guidelines for Implementation of CEQA (Attachment B); and
3. Adopt Case No. 11ORD-00000-00017, an ordinance amending Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the County Code (Attachment C).

B. Case No. 11ORD-00000-00018 (Coastal Zoning Ordinance Amendment)

1. Make the findings for approval of the proposed amendments (Attachment A);
2. Determine that the adoption of this ordinance is categorically exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) of the Guidelines for Implementation of CEQA (Attachment B); and
3. Adopt Case No. 11ORD-00000-00018, an ordinance amending the County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the County Code (Attachment D).

Summary:

The purpose of the ordinance is to institute regulations that specify and clarify the process for closing a mobilehome park within the unincorporated County. The ordinance would require a mobilehome park owner to obtain a Conditional Use Permit before closing a mobilehome park. The submittal requirements would include a Closure Impact Report assessing the impacts of park closure on the park residents and a plan to mitigate those impacts. The ordinance would provide the County with the discretion to require the mobilehome park owner to mitigate the impacts on park residences. For example, the mobilehome park owner could be required to pay displaced mobilehome owners either: (1) the cost to relocate the mobilehome, plus ancillary expenses, or (2) the in-place value of the mobilehome if it cannot be relocated to another park, plus ancillary expenses. Different assistance would be provided for recreational vehicle owners and renters (see tables below).

The Planning Commission conducted two public hearings on the ordinance. It recommended that the ordinance provide the County with discretion to require the purchase at in-place value for mobilehomes that cannot be relocated.

Mobilehome Owner Relocation Assistance Options		
Assistance Options	Mobilehome is Relocated	Mobilehome is not Relocated
Relocate Unit and Fixtures	X	
Space Rent Subsidy	X	
30-Day Living Expenses	X	
Mobilehome Purchase		X
Rent Differential		X
Three months rent or \$7000		

Other Resident Relocation Assistance Options		
Assistance Options	Non-Mobilehome (RV) Owner	Renter
Relocate Unit and Fixtures	X	
Space Rent Subsidy	X	
30-Day Living Expenses	X	
Mobilehome Purchase		
Rent Differential		
Three months rent or \$7000	X ¹	X

Background:

California Government Code 65863.7 requires a person or entity proposing the closure of a mobilehome park to file a report with the local jurisdiction on the impacts of the closure upon the park residents. The law also allows the local jurisdiction to require the person or entity to take steps to mitigate any adverse impacts of the closure on the ability of displaced park residents to find adequate housing in a mobilehome park so long as the steps taken do not “exceed the reasonable costs of relocation.”

On March 1, 2011, the Board of Supervisors directed Planning and Development staff to draft an ordinance which would provide greater specificity as to the process by which a property owner or applicant may request a closure of an existing mobilehome park. Staff held a public meeting on

¹ This option is only applicable if the unit cannot be relocated

November 15, 2011 to receive input from interested members of the public on the proposed draft ordinance. The details of that meeting are described in Section 5.2.3 of the Planning Commission Staff Report (Attachment E). The primary issue raised at that meeting was whether a park owner should be required to purchase mobile homes at their in-place value if the mobilehomes cannot be relocated to another park.

The Planning Commission reviewed the draft ordinance on December 14, 2011. The draft ordinance set a cap on the mobilehome purchase price not to exceed the estimated costs of relocating the mobilehome. Mobilehome owners requested that the draft ordinance be revised to require the mobilehome park owner to purchase mobilehomes that cannot be relocated at fair market, or "in-place," value. In-place value is the value assigned to a mobilehome with consideration given to the location, availability and desirability of the space it occupies, in addition to the value of the mobilehome itself. The Planning Commission asked staff to prepare additional information and continued the hearing to February 1, 2012.

On February 1, the Planning Commission reviewed additional information provided in a staff memorandum (Attachment F), including an alternate draft ordinance providing the County with the discretion to require the purchase at in-place value on a case-by-case basis. The Planning Commission voted 5-0 to recommend that the Board adopt the version of the ordinance containing the in-place value clause (Attachment G). The ordinance amendments, as recommended by the Planning Commission, are attached to this letter as Attachments H and I (with tracked changes) and Attachments C and D (without tracked changes).

Fiscal and Facilities Impacts:

Budgeted: Yes

The Mobilehome Park Closure Ordinance is a Board-approved Long Range Planning work program project, budgeted from the General Fund, and is staffed by current employees in the Long Range Planning Division of Planning and Development. Funding for this project is budgeted in the Operating Expenditures (General Plan Amendments) of the Long Range Planning Division on page D-312 of the adopted Planning and Development Department's budget for fiscal year 2011-12. There are no facilities impacts.

The ordinance would require a mobilehome park owner to obtain a Conditional Use Permit before closing a mobilehome park. The County requires applicants to pay for all processing costs associated with the review of applications for Conditional Use Permits and other permits required by the County zoning ordinances. Funding for the review of applications is budgeted in the Departmental Revenues (Development Review Permits) of the Development Review Division on pages D-314 and D-316 of the adopted Planning and Development Department's budget for fiscal year 2011-12.

Special Instructions:

The Clerk of the Board shall publish a legal notice at least 10 days prior to the hearing on March 13, 2012. The notice shall appear in both the Santa Maria Times and the Daily Sound.

Attachments:

- A. Findings
- B. Notice of Exemption
- C. County Land Use and Development Code Amendments (11ORD-00000-00017):
- D. Coastal Zoning Ordinance Amendments (11ORD-00000-00018):
- E. Planning Commission Staff Report, dated December 6, 2011
- F. Planning Commission Staff Memorandum, dated January 24, 2012

- G. Planning Commission Action Letter, dated February 1, 2012
- H. Planning Commission Land Use and Development Code Resolution and Ordinance Amendments – Tracked Changes
- I. Planning Commission Coastal Zoning Ordinance Resolution and Ordinance Amendments – Tracked Changes

Authored by:

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