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Barker, Russ

From: JAMINROD@aol.com
Sent: Sunday, March 11, 2012 11:18 PM
To: sbcob
Subject: Public Comment for BOS Hearing Agenda Item #2 - MH Park Closure Ordinance

Santa County Board of Supervisors:

The draft ordinance recommended by Planning Commission for adoption by the Board of Supervisors contains many positive features found in the model ordinances. Among other things, we appreciate that, rejecting staff's prior position, the Commission found that *"Reasonable costs of relocation, as allowed for in California Government Code 65863.7, may include compensation to the mobilehome unit owner, at the fair market value of the mobilehome if it cannot be relocated to another site."*

Unfortunately, the recommended draft added detrimental language changes that seriously weaken the ordinance.

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One is the text added to the introduction of section 35.89.070 - Conditions of Approval contains the clause "and may include, but not be limited to, any of the following measures". This change and "may" language in 35.89.070.A. allow the County to waive essential conditions of approval that require the applicant to pay relocation costs (including "in-place" market value) or provide a Relocation Plan (including a Relocation Counselor) without submitting an Exemption request to prove hardship.

This change presents several serious problems:

1. While it gives the County the necessary authority to require all of the conditions outlined in 35.89.070, it gives the County the discretion to require **none** of them.
2. It dilutes the ordinance to the point where the four relocation assistance measures under A or the relocation plan under B are optional.
3. It shifts the burden of proof from requiring that park owner request Exemption from any C.U.P condition to the MH owners having to fight for any condition to be met.
4. In administering an ordinance, there is a need for uniformity and certainty. This change opens up a fight in every case over what discretion the County may choose. The County need not burden the staff and Commission with all that extra work.

To correct these unacceptable deficiencies, the Board should change "may" to "shall" in sections 35.89.070 introduction and 35.89.070.A. to read:

35.89.070 – Conditions of Approval. (introduction)

Approval of a Conditional Use Permit shall include reasonable conditions of approval in compliance with Government Code Section 65863.7, which shall not exceed the reasonable costs of relocation for displaced mobilehome park residents, and ~~shall may~~ include, but not be

limited to, any of the following measures:

35.89.070 – Conditions of Approval. A. Relocation or sale.

In compliance with Government Code Sections 65863.7 and 66427.4, the County ~~shall~~ **may** apply measures to cover, but not exceed, the reasonable costs of relocation for displaced mobilehome park residents.

By adopting the PC recommended draft after approving these and other changes requested by homeowners, the Board will bring the draft ordinance in line with the model ordinances throughout California and restore key missing components. This will be fair to all mobilehome owners and park owners, who should be as equally protected as our fellow residents are in other jurisdictions.