



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

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

**Department Name:** Planning & Development  
**Department No.:** 053  
**For Agenda Of:** December 4, 2007  
**Placement:** Hearing  
**Estimated Tme:** 30 minutes  
**Continued Item:** No  
**If Yes, date from:** November 20, 2007  
**Vote Required:** Majority

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**TO:** Board of Supervisors  
**FROM:** Department Director: John Baker (805.568.2085)  
Contact Information: Dianne Black, Development Services Director (805.568.2086)  
**SUBJECT:** Closure, conversion and subdivision of mobilehome parks

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**County Counsel Concurrence**

As to form: Yes

**Other Concurrence:** N/A

**Recommended Actions:**

That the Board of Supervisors:

- A. Receive this report on existing County regulations regarding the closure, conversion or subdivision of mobilehome parks; and
- B. Consider whether to direct the Planning and Development Department to return with ordinance amendments.

**Summary Text:** The discussion below reviews the County's current regulations regarding mobilehome conversions, including rental parks converting to resident-owned parks, the closure of a rental mobilehome park, and rental mobilehome parks converting to new uses. This information is submitted in response to recent inquiries from the Board of Supervisors regarding the potential for mobile home conversions in Santa Barbara County. Options available to the Board are:

- Retain status quo: Current State statute regarding conversions to other uses and closures provides flexibility to determine and impose mitigation for adverse impacts.
- Amend County Code to establish regulations for mitigation of adverse impacts to displaced residents resulting from closure or conversion to another use. If this is the direction the Board wishes to take, County Counsel will research all available legal options for mitigation.
- Direct staff to return with ordinance amendment if state law regarding mobilehome park conversions to resident ownership is revised.

## **A. Background.**

There are presently 15 investor and tenant-owned mobile home rental parks within the unincorporated portion of Santa Barbara County. In all but one of the mobilehome parks the individual residents own the mobilehomes and lease the individual mobilehome spaces from the mobilehome park owner. There is one mobilehome park located in the Orcutt area where the residents own the mobilehome space in addition to the mobilehome itself (also known as a resident-owned mobilehome park).

## **B. Discussion.**

The County's subdivision regulations, Chapter 21 of the County Code (§21-128, adopted in 1984), prohibits the conversion of existing mobilehome rental parks to mobilehome subdivisions where the separate mobilehome spaces are individually owned. However, neither Chapter 21 nor Chapter 35 (Zoning) address either the closure of mobilehome parks or the conversion to other uses. In the absence of a local ordinance the County relies on the State regulations governing the closure or conversion of mobilehome rental parks to other uses contained in Government Code §65863.7 and §66427.4. These code sections require the applicant to prepare reports regarding the impacts of the closure or conversion to another use upon the displaced residents of the mobilehome park, including the availability of adequate replacement spaces in other mobilehome parks and provide that the local agency may require mitigation for any adverse impacts to displaced residents. In the case of conversion of a mobilehome park to resident ownership, Government Code §66427.5 requires that the applicant must file an impact report and avoid the economic displacement of non-purchasing residents through gradual increases in rent payments over limited time periods. The process for conversion to resident ownership provided under §66427.5 is essentially a ministerial process that gives little discretionary jurisdiction to local governments even though a hearing on the conversion is required.

The City of Santa Maria enacted an ordinance in 1993 that identified the following as reasonable relocation costs under Government Code §66427.4:

“the cost of relocating a displaced homeowners' mobilehome, accessories and possessions to a comparable mobilehome park within 10 miles of its existing location, including costs of disassembly, removal, transportation, and reinstallation of the mobilehome and accessories at the new site, and replacement or reconstruction of blocks, skirting, siding, porches, decks, awnings or earthquake bracing if necessitated by the relocation; indemnification for any damage to personal property of the resident caused by the relocation; reasonable living expenses of displaced park residents from the date of actual displacement until the date of occupancy at the new site; payment of any security deposit required at the new site; and the difference between the rent at old and new sites for the first 12 months of the relocated tenancy.”

The ordinance further provides that if the City determines that a particular mobilehome cannot be relocated to a comparable mobilehome park within 10 miles of its existing location, and the homeowner has elected to sell his or her mobilehome, that the following applies:

“the reasonable costs of relocation shall include the cost of purchasing the mobilehome of a displaced homeowner at its in-place market value. Such value shall be determined after consideration of relevant factors, including the value of the mobilehome in its current location, assuming the continuation of the mobilehome park in a safe, sanitary and well-maintained

condition, and not considering the effect of the change of use on the value of the mobilehome.”

Santa Maria has not had any applications for closure or conversion to another use under these provisions and therefore their legality has not been the subject of legal scrutiny.

**C. Legislative Action.**

The California Legislature is considering legislation regarding Government Code §66427.5. SB900 would revise the existing language of §66427.5 to give local jurisdictions more discretion in their review of such conversions. This bill is still active as a two-year bill. A similar bill, AB1542, was vetoed by the Governor on October 12, 2007.

Other jurisdictions adopted moratoria prohibiting the conversions of mobilehome rental parks to resident-owned parks.

- 1. Sonoma County and the City of Santa Rosa.** Sonoma County and the city of Santa Rosa adopted moratoria on mobile home rental park conversions to resident-owned parks. Both jurisdictions subsequently adopted ordinances regulating the conversion to resident owned parks. Both jurisdictions were sued by mobilehome park owners seeking to convert existing parks. Sonoma prevailed at trial court; that decision may still be appealed. Santa Rosa’s litigation is ongoing.
- 2. City of Goleta.** On July 16, 2007, the Goleta City Council adopted an urgency ordinance that placed a moratorium on the approval of conversion of mobilehome rental parks to resident ownership in order to review the effects of state legislative action and prepare ordinances that conform to State law if amended.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

**Fiscal Analysis:** Funding for this ordinance amendment work effort is budgeted in the Planning Support program of the Administration Division on page D-280 of the adopted Planning and Development Department's budget for fiscal year 2007-08. There are no facilities impacts.

**Staffing Impacts:**

Legal Positions  
0

FTEs:  
0

**Special Instructions:** None.

**Authored by:**

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