

## ATTACHMENT E.1: ARTICLE II COASTAL ZONING ORDINANCE AMENDMENT

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

AN ORDINANCE AMENDING ARTICLE II, THE SANTA BARBARA COUNTY COASTAL ZONING ORDINANCE, OF CHAPTER 35, ZONING, OF THE SANTA BARBARA COUNTY CODE, BY AMENDING DIVISION 1, IN GENERAL, DIVISION 2, DEFINITIONS, AND DIVISION 5, OVERLAY DISTRICTS, TO CREATE A NEW MOBILE HOME PARK OVERLAY AND A NEW SENIOR MOBILE HOME PARK OVERLAY.

25ORD-00004

The Board of Supervisors of the County of Santa Barbara, State of California, ordains as follows:

### **SECTION 1:**

DIVISION 1, In General, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to revise Section 35-53, Overlay District Designations and Applicability, to add two new overlay districts and symbols for the Mobile Home Park Overlay and the Senior Mobile Home Park Overlay, to read as follows:

#### **Section 35-53. Overlay District Designations and Applicability.**

In addition to the regulations governing the zoning districts described in Section 35-52, the following overlay districts and the symbols used to represent them on the zoning maps are established as follows:

AH	Affordable Housing
ARC-CI	Agriculture Residential Cluster - Channel Islands
CA	Carpinteria Agricultural Overlay District
CVC	Critical Viewshed Corridor Overlay District
D	Design Control
ESH	Environmentally Sensitive Habitat Area
F	Airport Approach Area
FA	Flood Hazard Area
HWMF	Hazardous Waste Management Facility
LAE	Limited Agricultural Enterprise
<u>MHP</u>	<u>Mobile Home Park</u>
<u>SMHP</u>	<u>Senior Mobile Home Park</u>
SD	Site Design
SF	Single Family Restricted

VC View Corridor

The regulations of the overlay district shall apply to the land in the same manner as the zoning district regulations. Overlay district regulations shall apply wherever the symbol and the boundaries of the area are shown on the zoning maps. When a symbol for an overlay district is added to a zoning district symbol, the regulations of the overlay district shall be applicable in addition to the zoning district regulations. If any of the provisions of the overlay district conflict with provisions of the zoning district regulations, the provisions which are most restrictive shall govern. Exceptions may be made for the AH Overlay District provided that the overlay shall be applied in a manner consistent with all applicable policies and provisions of the Local Coastal Program. The provisions of the ESH Overlay District are more restrictive than any base zone district and therefore the provisions of the ESH shall govern over the regulations of any base zone or other overlay district.

**SECTION 2:**

DIVISION 2, Definitions, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to revise Section 35-58, Definitions, to revise the definition of “Mobilehome Park” to read as follows:

**Mobilehome Park (or Mobile Home Park):** Any area or tract of land where two or more ~~mobile home~~ lots are rented or leased, ~~or~~ 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 as allowed by Civil Code Section 798.3, used for human habitation. The rental paid for any such mobile home a manufactured home, a mobile home, or a recreational vehicle as allowed by Civil Code Section 798.3, shall be deemed to include rental for the lot it occupies.

1. Mobile Home Park, Senior: A mobile home park where at least 80 percent of the occupied spaces or lots are rented or leased to senior citizens for use as their primary residence or has at least one resident at the age of 55 years or older and the unit is their primary residence.
2. Mobile Home Park, All-ages: 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:**

DIVISION 5, Overlay Districts, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to replace Section 35-99,

Reserved for Future Use, with new Section 35-99 titled “Mobile Home Park (MHP) Overlay Zone”, to read as follows:

**Section 35-99. MHP – Mobile Home Park Overlay Zone.**

**Section 35-99.1 Purpose and Intent.**

The purpose of the Mobile Home Park (MHP) overlay zone is to:

1. Promote the continued use of mobile homes and manufactured homes in the unincorporated County as an accessible housing option for households of all income levels.
2. Respect the interests of tenants and owners of mobile home parks in maintaining parks of desirable character, stable operation, and economic viability.
3. Recognize mobile home parks as communities in which residents are substantially invested, and to provide for security of tenancy comparable to that of other residential communities less vulnerable to redevelopment.
4. Establish that for all land in the unincorporated County occupied by mobile home parks, and as long as this ordinance is in effect, mobile home parks shall be the primary land use allowed.
5. Promote and preserve residential development that is high density and single family in character.

**Section 35-99.2 Applicability.**

The MHP overlay zone applies to existing mobile home parks as of the effective date of this Ordinance, [effective date of this ordinance], except for existing senior mobile home parks as provided for under Section 35.102, Senior Mobile Home Park Overlay Zone. The County may apply the MHP overlay concurrently with or subsequent to the permitting of any new all-ages mobile home parks.

1. **Relationship to the Primary Zone.** Each land use and proposed development within the MHP overlay zone shall comply with all applicable requirements of the primary zone, in addition to the requirements of this section.

**SECTION 4:**

DIVISION 5, Overlay Districts, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to replace Section 35-102, Reserved for Future Use, with new Section 35-102 titled “Senior Mobile Home Park (SMHP) Overlay Zone”, to read as follows:

## **Section 35-102. SMHP – Senior Mobile Home Park Overlay Zone.**

### **Section 35-102.1 Purpose and Intent.**

The purpose of the Senior Mobile Home Park (SMHP) overlay zone is to:

1. Recognize that senior mobile home parks provide one of the few housing options within Santa Barbara County available to seniors that are affordable and allow for independent living in a detached dwelling.
2. Preserve a significant source of affordable, senior housing by ensuring that senior mobile home parks within the unincorporated area remain predominantly available to seniors and are not converted to allow occupancy by persons of all ages.
3. Recognize senior mobile home parks as walkable communities where seniors may live actively and independently among peers, the preservation of those qualities being central to residents' continued health, welfare and financial stability.
4. Meet the purpose of the federal Housing for Older Persons Act of 1995 (42 U.S.C. Section 3607).
5. Ensure a sufficient supply of land for this type of use in the future.

### **Section 35-102.2 Applicability.**

The SMHP overlay zone applies to all mobile home parks that meet the definition of a senior mobile home park and are rezoned to the SMHP overlay zone as of the effective date of this Ordinance, [effective date of this ordinance]. The County may apply the SMHP overlay concurrently with or subsequent to the permitting of any new senior mobile home parks.

1. **Relationship to the Primary Zone.** Each land use and proposed development within the SMHP overlay zone shall comply with all applicable requirements of the primary zone, in addition to the requirements of this section.
2. **Occupancy.** For the purposes of this Section, "occupied by" shall mean it is that person's primary residence.

### **Section 35-102.3 Signage, Advertising, Rental Agreements and Leases.**

Signage, advertising, rental agreements and leases for properties within the SMHP overlay zone shall comply with the following:

1. Signage, advertising, park rules, regulations, rental agreements and leases for units in a mobile home park in the SMHP overlay zone must state that the park is a "Senior Mobile Home Park."
2. Any advertisement for a rental or vacancy in the SMHP overlay zone must state that the vacancy is intended for occupancy by at least one person 55 years of age or older.

#### **Section 35-102.4 Occupancy Limitations and Rentals.**

At least 80 percent of the occupied units in a mobile home park in the SMHP overlay zone must be occupied by at least one person 55 years of age or older.

1. Mobile home parks within the SMHP overlay zone satisfy the occupancy requirements of this section even if:
  - a. There are unoccupied mobile homes, provided that at least 80 percent of the occupied mobile homes are occupied by at least one person 55 years of age or older.
  - b. To the extent permitted by applicable law, for a period of no more than two consecutive years fewer than 80 percent of the occupied units are occupied by at least one person 55 years of age or older, provided the senior mobile home park has reserved all unoccupied mobile homes for occupancy by at least one person 55 years of age or older.

#### **Section 35-102.5 Age Verification and Compliance Procedures.**

1. The County shall determine, and maintain summary documentation establishing, that at least 80 percent of the occupied mobile homes in a senior mobile home park are occupied by at least one resident who is 55 years of age or older. The occupancy verification documentation shall be made available by park owners for inspection by the County upon reasonable notice and request.
2. At least once every two years owners and operators of senior mobile home parks shall submit documentation confirming that at least 80 percent of all occupied mobile homes are occupied by at least one resident 55 years of age or older to the County of Santa Barbara Planning and Development Department.
3. The County shall consider government-issued identification to be reliable documentation of the age of the residents of the senior mobile home park, provided that it contains specific information about current age or date of birth (e.g., driver's license).
4. Reliable documentation shall also include a certification in a lease, application, affidavit, or other document signed by any member of the household age 18 or older asserting that at least one person in the unit is 55 years of age or older.
5. If the occupant(s) of a particular mobile home refuse or are unable to comply with these age verification procedures, the County may, if it has sufficient evidence, consider the unit to be occupied by at least one person 55 years of age or older. Such evidence may include:
  - a. Government records or documents;
  - b. Prior forms or applications; or

- c. A statement from an individual who has personal knowledge of the age of the occupants. The individual's statement must set forth the basis for such knowledge and be signed under penalty of perjury.

**Section 35-102.6 Duty of Mobile Home Park Residents to Comply with Age Verification Request**

No later than 30 days after a request for age verification by a mobile home park owner or operator or an employee or agent of the County, all owners and residents of all mobile homes located, or proposed to be located, within the SMHP overlay zone shall provide to the mobile home park operator the requested age verification documents.

**Section 35-102.7 Duty of Mobile Home Park Owners/Operators to Comply with Age Reporting Requirement and Certification**

1. Upon the effective date of this Ordinance, [effective date of this ordinance], and then every two years thereafter, the owner or operator of each mobile home park within the SMHP overlay zone shall report to the County of Santa Barbara Planning and Development Department confirmation that at least 80 percent of all occupied mobile homes are occupied by at least one resident 55 years of age or older. The owners or operators of each senior mobile home park shall maintain procedures for verifying the age of park residents.
2. The owner or operator of each senior mobile home park shall provide to the County a certification substantially in the following form:  
  
"I [name] hereby certify that [number of such mobile homes] mobile homes out of a total of [total number] occupied mobile homes located in this mobile home park are occupied by at least one person 55 years of age or older and it is their primary residence. This certification is based on my personal knowledge of the residents, evidence provided to me in the form of official government documents containing specific information about the current age of the residents, resident affidavits, or age certifications made by residents."

**Section 35-102.8 Enforcement**

Violations of any provisions of this Section 35-102 shall be enforced per enforcement standards in compliance with Section 35-185 (Enforcement, Legal Procedures, and Penalties).

**SECTION 5:**

All existing indices, section references and numbering, and figure and table numbers contained in the Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, are hereby revised and renumbered as appropriate to reflect the revisions enumerated above.

**SECTION 6:**

Except as amended by this ordinance, Divisions 1, 2, and 5 of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, shall remain unchanged and shall continue in full force and effect.

**SECTION 7:**

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

**SECTION 8:**

This ordinance and any portion of it approved by the Coastal Commission shall take effect and be in force 30 days from the date of its passage or upon the date that it is certified by the Coastal Commission pursuant to Public Resources Code Section 30514, whichever occurs later; and before the expiration of 15 days after its passage, it, or a summary of it, shall be published once, together with the names of the members of the Board of Supervisors voting for and against the same in a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this \_\_\_\_\_ day of \_\_\_\_\_, 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
LAURA CAPPS, 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