



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: November 20, 2007
Placement: Set Hearing
Estimated Tme: 30 minutes on 12/4/2007
Continued Item: No
If Yes, date from:
Vote Required: Majority

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

County Counsel Concurrence

As to form: N/A

Other Concurrence: N/A

Recommended Actions:

On November 20, 2007 set a hearing on December 4, 2007 for the Board of Supervisors to:

- 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 include 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.
- Amend County Code to establish mobilehome value at time of conversion.
- Direct staff to return with ordinance amendment if state law regarding mobilehome park conversions 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 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. In the case of conversion of a mobilehome park to resident ownership, the applicant also must avoid the economic displacement of non-purchasing residents through gradual increases in rent payments over limited time periods.

However, some jurisdictions, through the adoption of local ordinances, provide other protections for mobilehome owners that are faced with closure or conversion in addition to the minimal requirements of the Government Code. For example the City of Santa Maria enacted an ordinance in 1993 that requires, under the provisions regarding conversion to other uses, that the mobilehome park owner pay reasonable relocation costs for displaced residents as a condition to mitigate the adverse impacts of the conversion. Per the ordinance these costs include:

“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 conversions under the ordinance, and no one has challenged the validity of the ordinance. Unlike the County, Santa Maria does not have mobilehome rent control, but the conversion ordinance encourages fair and reasonable rent with the approval of City Council.

C. Legislative Action.

The California Legislature is considering legislation regarding Government Code §66427.5. SB900 would revise the existing language of §66427.5 (that establishes predominantly ministerial procedures for the conversion of mobilehome parks to resident ownership) to give local jurisdictions more discretion in their review of such conversions. This bill is still active. A similar bill, AB1542, was vetoed by the Governor on October 12, 2007.

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

- 1. Sonoma County and the City of Santa Rosa.** At present, Sonoma County and the city of Santa Rosa have a moratorium on mobile home rental park conversions to resident-owned parks. They are concerned about owners using the conversion process to avoid rent control and are drafting an ordinance regulating these conversions.
- 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 SB900 and AB1542 and prepare ordinances that conform to the 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:

<u>Legal Positions</u>	<u>FTEs:</u>
0	0

Special Instructions: None.

Authored by:

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