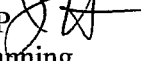


ATTACHMENT E

**SANTA BARBARA COUNTY PLANNING COMMISSION
Staff Report for Mobilehome Park Closure Ordinance**

Hearing Date: December 14, 2011
Staff Report Date: December 6, 2011
Case Nos.: 11ORD-00000-00017
11ORD-00000-00018
Environmental Document: CEQA Guidelines Section
15061(b)(3)
General Rule Exemption

Director: Jeff Hunt, AICP 
Division: Long Range Planning
Supervising Planner Phone #: 568-2072
Staff Contact: Paul Clementi
Planner's Phone #: 568-2011

1.0 REQUEST

Hearing on the request of the Planning and Development Department that the Planning Commission:

- 1.1 **Case No. 11ORD-00000-00017.** Adopt a resolution recommending that the Board of Supervisors adopt an ordinance (Case No. 11ORD-00000-00017) amending Article 35.8, Planning Permit Procedures, Article 35.10, Land Use and Development Code Administration, and Article 35.11, Glossary, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code, as set forth in Attachment C; and
- 1.2 **Case No. 11ORD-00000-00018.** Adopt a resolution recommending that the Board of Supervisors adopt an ordinance (Case No. 11ORD-00000-00018) amending Division 2, Definitions, Division 7, General Regulations, and Division 12, Administration, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the County Code, as set forth in Attachment D;

and determine that the project is exempt from CEQA pursuant to Section 15061(b)(3) of the State Guidelines for Implementation of the California Environmental Quality Act.

The proposed ordinances establish the process by which a mobilehome park within the unincorporated County may be closed, as well as the relocation assistance the applicant shall provide to displaced residents.

2.0 RECOMMENDATION AND PROCEDURES

- 2.1 **Case No. 11ORD-00000-00017 (Inland).** Follow the procedures outlined below and recommend that the Board of Supervisors approve Case No. 11ORD-00000-00017 as shown in Attachment C based upon the ability to make the appropriate findings. Your Commission's motion should include the following:
 - 1. Recommend that the Board of Supervisors make the findings for approval of the proposed amendments (Attachment A);
 - 2. Recommend that the Board of Supervisors determine that 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 a Resolution recommending that the Board of Supervisors adopt Case No. 11ORD-00000-00017, an ordinance amending Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code (Attachment C).

2.2 Case No. 11ORD-00000-00018 (Coastal). Follow the procedures outlined below and recommend that the Board of Supervisors adopt Case No. 11ORD-00000-00018 as shown in Attachment D based upon the ability to make the appropriate findings. Your Commission's motion should include the following:

1. Recommend that the Board of Supervisors make the findings for approval of the proposed amendments (Attachment A);

2. Recommend that the Board of Supervisors determine that 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 a Resolution recommending that the Board of Supervisors adopt Case No. 11ORD-00000-00018, an ordinance amending Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the County Code (Attachment D).

Refer back to staff if the Planning Commission takes action other than the recommended action for appropriate findings and conditions.

3.0 JURISDICTION

3.1 Land Use Development Code, Case No. 11ORD-00000-00017

This project is being considered by the Planning Commission based upon Section 65855 of the California Government Code and Section 35.104.050 of the Santa Barbara County Land Use and Development Code (LUDC). The Government Code and the LUDC require that the Planning Commission, as the designated planning agency for the unincorporated area of the County, review and consider proposed amendments to the LUDC and provide a recommendation to the Board of Supervisors.

3.2 Coastal Zoning Ordinance (Article II), Case No. 11ORD-00000-00018

This project is being considered by the Planning Commission based upon Section 65855 of the California Government Code and Section 35.180.5 of the Article II Coastal Zoning Ordinance. The Government Code and Article II require that the Planning Commission, as the designated planning agency for the unincorporated area of the County, review and consider proposed amendments to Article II and provide a recommendation to the Board of Supervisors.

4.0 ISSUE SUMMARY

The purpose of the ordinance is to institute regulations that specify and clarify the process by which a mobilehome park may be closed within the unincorporated County. The ordinance would require an applicant to file a Closure Impact Report assessing the impacts of park closure upon the park residents, and a plan to mitigate those impacts, prior to approval of a Conditional Use Permit necessary to close a park. A mobilehome park is defined as an area or tract of land where two or more mobilehome lots are rented or leased or held out for rent or lease to accommodate mobilehomes used for human habitation.

California Government Code sections 65863.7 and 66427.4 require the entity or person proposing the closure of a mobilehome park to file a report on the impact of the closure upon the park residents. They further allow the authorizing body to require the applicant to take steps to mitigate any adverse impacts of the closure upon displaced park residents, not to exceed the “reasonable costs of relocation.” However, the law contains no regulations defining the mitigation measures that may be required.

On March 1, 2011 the County’s Board of Supervisors requested that Planning and Development staff 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. The proposed ordinance amendments will provide the information and process requirements necessary for: 1) park residents to understand their rights for reasonable relocation assistance; 2) the land owners to estimate costs and timing associated with closing a mobilehome park and pursuing an alternative use of their property; and, 3) the County decision makers to make an informed decision regarding the sensitive relocation of County residents and the reasonable economic use of a property for alternative land uses.

Staff met several times with interested stakeholders while drafting the ordinance, and after releasing the ordinance for public review, and will continue to meet with interested members of the public throughout the public process. A public meeting was held on Thursday, November 15, 2011 to present the proposed ordinances to interested members of the public. Staff presented the proposed draft ordinance provisions and received public comments. The public meeting is discussed in detail below, in Section 5.2 Background Information.

5.0 PROJECT INFORMATION

5.1 Project Description

Under the proposed ordinances, a Conditional Use Permit (CUP) under the jurisdiction of the Planning Commission would be required for any mobilehome park closure within the unincorporated County area, subject to specific criteria. The proposed specific CUP requirements, in addition to those required of all CUPs, include preparation of a Closure Impact Report. The following information is required to be included in the report:

| Table 5.1 Content of Closure Impact Report | |
|---|--|
| Required Information | Summary |
| Displaced mobilehomes | Age, size and condition of all mobilehomes within the park. |
| Available spaces | Number and rental rates of vacant spaces in existing parks within 25 miles of the park seeking closure. |
| Relocation costs | Description of the cost of relocation for each displaced mobilehome and/or household, including rental assistance, moving costs, and purchase price, if applicant is to buy the mobilehome. |
| Resident information | Household size, occupant status (owner or renter), and monthly space or unit rental rates. |
| List of professionals | A list of contact information and professional credentials for all consultants, appraisers, movers and counselors the applicant might use during the closure process. |
| List of alternative housing | A list of alternative housing within 25 miles of the park seeking closure available to displaced residents, including mobilehomes and housing units available for rent or sale, at both affordable and market-rate prices. |

The proposed ordinance amendments also include: noticing requirements; standards for relocation assistance for permanent residents; conditions for exemption from relocation assistance requirements, and; definitions related to mobilehome park closures.

The following sections describe the noticing requirements, relocation assistance options, and conditions for exemption included in the ordinances. The complete texts of the draft ordinances are included in Attachments C and D.

5.1.1 Special Notice Requirements

In addition to the noticing required for all CUPs, the applicant must verify that each park resident and mobilehome owner has received or will receive each of the following notices and documents:

- A Notice of Intent to close the mobilehome park at least 60 days prior to submittal of the CUP application to the County.
- A copy of the Closure Impact Report at least 15 days prior to the scheduled hearing on the CUP application.
- A written notice at least 15 days prior to the scheduled hearing informing residents that the applicant will be appearing before a local government body to request permits for a park closure.
- A notice of termination of tenancy that provides for a minimum of six months after the effective date of the CUP to vacate their spaces. The notice shall be delivered to each resident and mobilehome owner within 10 calendar days following the effective date of the CUP.

The applicant shall also conduct an informational meeting for the residents of the park at least 10 days before the initial scheduled hearing on the CUP application.

5.1.2 Relocation assistance for mobilehome owners whose homes can be relocated

The applicant shall pay all costs related to moving the mobilehome, fixtures, and accessories to a comparable park within 25 miles of the existing location, or, if no spaces are available, to a mobilehome owner-approved receiving site, as defined in the draft ordinance, within 25 miles of the existing location. Relocation costs include all disassembly, moving, reassembly costs, utility hook-up fees, permitting fees, move-in deposits, and the reasonable living expenses of displaced residents during the move, for a period not to exceed 30 days. The applicant shall also provide a lump sum equal to the difference in rent between the old and new mobilehome park spaces for a period of 12 months, if the new rent exceeds the old rent. This assistance shall only be provided to mobilehome owners that are permanent residents of the park.

Staff has provided a spreadsheet (Attachment G) with estimated costs of relocation assistance. These estimates are meant to give a general idea of the costs of relocation, not to provide real dollar amounts that applicants must adhere to, since they will be generating their own estimates as part of the Closure Impact Report. As noted in Table 5.2 below, the estimated total cost to relocate a single-wide mobilehome is \$13,317, a double-wide at \$22,972, and a triple-wide at \$29,026. These figures include moving the mobile home, rent differential, permits, temporary accommodations, etc.

| Table 5.2 Estimated Costs of Relocation | | | |
|--|-------------|-------------|-------------|
| | Single Wide | Double Wide | Triple Wide |
| Costs (\$) | 13,317 | 22,972 | 29,026 |

5.1.3 Relocation assistance for mobilehome owners whose homes cannot be relocated

In cases where it is not feasible to relocate the mobilehome, the applicant shall provide the resident with a lump sum payment equaling the difference between the current space rent and rent for a comparable apartment unit of a size appropriate to accommodate the displaced household, for a period not to exceed 12 months. The rent differential shall not exceed the difference between the current space rent and the Fair Market Rent of a comparable unit, as published annually by the Department of Housing and Urban Development (HUD), and the total subsidy shall not exceed the total amount of relocation assistance as estimated in the Closure Impact Report, as described above, in Section 5.1.2 of this Staff Report.

In addition to the lump sum payment, in cases where the condition of the mobilehome is such that it cannot be safely relocated, or the mobilehome does not meet requirements necessary to be accepted into a mobilehome park within 25 miles, the mobilehome owner may require the applicant to purchase the mobilehome for the appraised value of the unit, not to exceed the total amount of relocation assistance as estimated in the Closure Impact Report, as described above, in Section 5.1.2 of this Staff Report. This assistance shall only be provided to mobilehome owners that are permanent residents of the park.

Furthermore, nothing within the draft ordinance precludes permanent resident mobilehome owners from selling their mobilehome to the applicant for an agreed upon price to be no less than the amount of relocation assistance described above, in Section 5.1.2 of this Staff Report, in exchange for waiver of all relocation assistance described within the ordinance.

5.1.4 Relocation assistance for non-mobilehome residents

In cases where a permanent resident occupies a unit that does not meet the definition of a mobilehome, such as a recreational vehicle, the applicant shall pay all costs related to moving the unit to a resident-approved receiving site within 25 miles, and the reasonable living expenses of displaced residents during the move, for a period not to exceed 30 days. The applicant shall also provide a lump sum payment equal to the difference in space rent between the old and new locations for a 12 month period. If the unit cannot be relocated, the applicant shall pay a sum equal to three months of the HUD Fair Market Rent for the area, or seven thousand dollars, whichever is greater. This assistance amount was calculated pursuant to Santa Barbara County Code of Ordinances, Chapter 44.

5.1.5 Relocation assistance for mobilehome renters

The applicant shall pay a sum equal to three months of the HUD Fair Market Rent for the area, or seven thousand dollars, whichever is greater, to all displaced renter households. This assistance amount was calculated pursuant to Santa Barbara County Code of Ordinances, Chapter 44.

The following table outlines the assistance options discussed above:

| Table 5.3 Relocation Assistance Options | | | |
|--|-------------------------|----------------------------------|---------------|
| Assistance Options | Mobilehome Owner | Non-Mobilehome (RV) Owner | Renter |
| Relocate unit & fixtures | X* | X* | |
| Space rent subsidy | X* | X* | |
| 30-day living expenses | X* | X* | |
| Unit purchase - limited | X** | | |
| HUD rent differential | X** | | |
| Three months rent or \$7000 | | X** | X |

*If unit can be relocated

**If unit relocation is not feasible

5.1.6 Request for Exemption from Relocation Assistance Requirements

Section 35.89.090 of the LUDC and Section 35-144I.9 of Article II are proposed to be added to Chapter 35 as part of the proposed amendments to allow the applicant to request exemption from the relocation assistance requirements if either the relocation assistance would eliminate

substantially all reasonable economic use of the property, or if a court determination is made in connection with a bankruptcy proceeding that closure of the park is necessary. In either case, the applicant must submit reports containing the financial history of the park, estimates of the value of the park if it were developed under a different use, costs of necessary repairs and/or improvements to the park, and any other information the applicant believes to be pertinent, or which may be required by the Director. The Commission may consider all this information when determining whether to waive any or all relocation assistance requirements.

5.2 Background Information

5.2.1 Existing Mobilehome Parks

There are approximately 20 mobilehome parks totaling roughly 2,378 spaces within the unincorporated area of the County, 18 of which lease spaces to mobilehome owners. The other two, Summerland by the Sea in Summerland and Knollwood in Orcutt, are subdivided parks where the mobilehome owners each own the land underneath their unit, and participate in an HOA. Furthermore, there is a mobilehome park in Cuyama listed by the State Department of Housing and Community Development as an operating park, but the site contains no inhabited mobilehomes and would not currently be subject to this ordinance. Similarly, there are four parcels in the Casmalia area zoned as MHP which do not have mobilehomes on them and would not currently be subject to this ordinance. A mobilehome park is defined in the LUDC and Article II as any area or tract of land where two or more mobilehome lots are rented or leased to accommodate mobilehomes used for human habitation.

5.2.2 State Regulation

The intent of the ordinance is to require an applicant to prepare a report studying the impact of park closure upon displaced residents, and to take steps to mitigate those impacts, in compliance with California Government Code Section 65863.7. Below is a summary of Government Code 65863.7:

- Prior to closure of a mobilehome park, applicant must file a report on the impact of closure upon displaced residents. Among other things, the report shall address the availability of adequate replacement housing in mobilehome parks and relocation costs;
- Applicant shall provide a copy of the report to a resident of each mobilehome in the park prior to the hearing;
- Government Code 65863.7(e) states: “The legislative body, or its delegated advisory agency, shall review the report, prior to any change of use, and may require, as a condition of the change, the person or entity to take steps to mitigate any adverse impact of the conversion, closure, or cessation of use on the ability of displaced mobilehome park residents to find adequate housing in a mobilehome park. The steps required to be taken to mitigate shall not exceed the reasonable costs of relocation.”

Because Government Code Section 65863.7 does not define the reasonable costs of relocation, confusion has arisen over what mitigation measures the County may require. This ordinance will clear up the confusion by providing specific requirements an applicant must follow in order to receive approval for a park closure.

5.2.3 Public Meeting on November 15

County staff held a meeting on November 15, 2011 to present the ordinance to interested members of the public, and to receive and consider comments from the public. The meeting was held at 6:00pm in the South County Planning Commission hearing room, with remote access provided from the Betteravia hearing room in Santa Maria. There were 40 attendees in North County, and 21 attendees in South County, with 22 people choosing to give verbal comments.

The main points of the comments are summarized below:

- **80 miles is too far to relocate.** In the draft version circulated on November 2, the proposed distance a mobilehome could be relocated was capped at an 80 mile maximum, in order to increase the potential to find available spaces for displaced mobilehomes. However, many of the comments stated that this distance was too far, and noted the disruptions it would cause for the relocated residents. Comments included concern about increased commute times to work and/or school, disconnect from established medical practitioners, and increased distance from family and friends that will negatively impact the residents' quality of life.

To reflect these concerns, staff has revised the draft ordinance to lower the maximum relocation distance to 25 miles instead of 80. This new distance still keeps several parks within the allowable relocation distance of each mobilehome park in the County, while mitigating the concern that the residents' lives will be severely disrupted by a long-distance move.

- **Seven days is not enough time to allow for relocation.** In the draft version circulated on November 2, one of the provisions required the applicant to provide for the reasonable living expenses of displaced residents during relocation of the mobilehomes, for a period not exceeding seven days. Many comments noted that it often takes longer than seven days to pack up, break down, move, and reassemble a mobilehome, and that other jurisdictions with similar ordinances provide at least a 30-day minimum.

Accordingly, staff has revised the draft ordinance to increase the timeframe for the provision of living expenses to a maximum of 30 days to more accurately reflect the time it takes to relocate a mobilehome.

- **Mobilehomes represent affordable housing stock important to County housing goals, and should be protected.** The County's adopted 2011 Legislative Platform states that "Mobilehome parks comprise an important component of the County's stock of affordable housing." Various comments, both written and verbal, argue that the draft ordinance should be more proactive in preserving existing mobilehome parks and reducing the loss of affordable housing through incremental loss of mobilehome parks.

However, while the County's housing goals do include the creation and preservation of affordable housing countywide, the purpose of this ordinance is to regulate the processing of park closures and mitigate the impacts of closure upon the displaced residents, not prevent closures from occurring. Therefore, the draft ordinance does not include language in the Purpose and Intent section to this effect, as was requested by some members of the public.

- **Purchase of mobilehome at in-place value.** Currently the draft ordinance requires that the applicant purchase a mobilehome at its appraised value if it cannot be relocated, but states that the amount paid to the mobilehome owner is not to exceed the relocation costs that would normally be required if the unit *could* be relocated. Many residents testified that the limit in the draft ordinance is unsatisfactory, arguing that: their homes are investments which are all but immobile and that a park closure, through no fault of their own, would cause an immediate devaluation of their home; the mobilehome owner likely paid in-place value for their currently occupied space upon move-in, and; in many cases the displaced resident may have a mortgage much higher than the appraised value of the mobilehome alone. Many of the comments at the public meeting centered on the possibility that, without the requirement of purchase at in-place value, mobilehome owners could end up displaced from their park with a total compensation package that is only a fraction of the mortgage they will still owe. Finally, members of the public commented that at least 36 jurisdictions in California have ordinances that require purchase of the mobilehome at in-place value if it cannot be relocated, including San Luis Obispo County, Ventura County, Huntington Beach, Seal Beach, and San Juan Capistrano. (See analysis of this issue in section 6.4, below.)
- **Impacts to Park Owners.** A representative of a park owner testified that the combination of rent control requirements plus the proposed relocation costs may raise legal problems and that there has to be some limits.

5.2.4 Public Comment Period

The public comment period opened on November 2, 2011, and closes on December 2. Any comments submitted after the writing of this staff report will be forwarded to the Planning Commission for its consideration. Written comments submitted thus far can be found in Attachment E.

6.0 PROJECT ANALYSIS

6.1 Environmental Review

The proposed amendments are exempt from environmental review pursuant to Section 15061(b)(3) of the California Guidelines for Implementation of the California Environmental Quality Act (CEQA). Section 15061(b)(3), the general rule exemption, states that where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, that activity is not subject to CEQA. A Conditional Use Permit under the jurisdiction of the Planning Commission would be required for each mobilehome park closure, which would be subject to CEQA at the project level. No significant environmental impacts would occur as a result of these ordinance amendments as discussed in Attachment B.

6.2 Comprehensive Plan Consistency

The proposed amendments would not alter or undermine the purpose and intent of the Comprehensive Plan or Coastal Land Use Plan, and adoption of the proposed ordinance amendments would not result in any inconsistencies with the adopted policies and development standards of the County's Comprehensive Plan or Coastal Land Use Plan. Rather, the proposed

ordinance amendments would primarily involve clarifying the process by which a mobilehome park may be closed within the unincorporated County by explicitly requiring the applicant to prepare a Closure Impact Report and provide relocation assistance to displaced residents.

The authorized decision-maker still must determine that any proposed project is consistent with the policies and development standards of the Comprehensive Plan, Coastal Land Use Plan and Community Plans, as applicable, in order to approve any such project based on these proposed amendments. As part of this process, a policy consistency analysis will be performed during the review of the application, and projects will not be approved unless they are determined to be consistent with applicable policies, and the findings required for approval can be made. Therefore, this amendment may be found consistent with the adopted Comprehensive Plan, the Coastal Land Use Plan, and the Community Plans.

6.3 Zoning Ordinance Compliance

The proposed ordinances are consistent with the remaining portions of the LUDC and Article II that would not be revised by these ordinances. The authorized decision-maker still must determine that any proposed project is consistent with the whole of the County LUDC and Article II, as applicable, in order to approve any such project based on these proposed amendments.

6.4 Analysis of Requirement to Purchase Mobile Home at In-Place Value

In-place value is the value assigned to a unit with consideration given to the location, availability and desirability of the space it occupies. While the mobilehome owner does not own the land upon which his or her unit resides, there is a value attributed to the fact the home is located in a park and the assumption that a buyer will pay a premium beyond the appraised value of the unit alone for the ability to purchase the home and have it remain in the park.

Staff research of MLS listings estimates that the median asking price for a mobilehome in South County is \$229,000, and in North County, the estimated median asking price of a mobilehome is \$39,000 (see Table 6.1 below and Attachment F). In the South County in particular, many prices are well above the assessed value of the unit alone, indicating the in-place value added to each home. It appears the in-place value purchase requirement found in some jurisdictions is based in part on the idea that the owner of the park will reap a large profit in the sale of the park, and therefore can afford to purchase the units at in-place value.

| | North County | South County |
|-------------------|--------------|--------------|
| Asking Price (\$) | 39,900 | 229,000 |

There has not been any ruling by an appeals court either upholding or overturning the requirement to purchase a mobile home at in-place value. However, staff notes the Ellis Act prohibits a public entity from prohibiting landlords from going out of business or from

compelling them “to offer, or continue to offer, accommodations in the property for rent or lease.” Several cases have been brought under the Ellis Act including a case where the court of appeals overturned a hotel conversion ordinance that required one-for-one replacement of all units or payment of a prohibitive fee.

The following are some examples of how other jurisdictions approached this issue:

San Juan Capistrano is currently processing a mobilehome closure under its ordinance, which requires payment of in-place value, with the park owner completing a Relocation Impact Report in 2008 and an updated version in May 2011. However, in speaking with planning staff at San Juan Capistrano, County staff learned that, while the report has been completed, the conversion application has been put on hold because the park owner has filed for Chapter 11 bankruptcy.

The City of Capitola has processed the closure of the Pacific Cove Mobilehome Park. One of the provisions of the Capitola Relocation Plan was for Last Resort Housing payments, lump sum payments that may exceed the regularly allowed limits, and are authorized if affordable “comparable replacement housing” cannot be found for the displaced tenant households. However, this provision, found in the California Code of Regulations, seems to apply only to public entities that are also the owners of the park applying for closure, and thus would not be applicable to any parks within Santa Barbara County.

The City of San Diego has an ordinance requiring rent differential payments for 48 months and the costs of relocating personal property up to \$1000 that was challenged by mobilehome owners who wanted an in-place value payment. However, the City’s provided benefits were upheld by the San Diego County Superior Court as a reasonable cost of relocation.

Finally, the City of Thousand Oaks had an ordinance requiring the payment of in-place value that was challenged by a park owner. The requirement was overturned by the Ventura County Superior Court in 2010 as an unreasonable cost to the park owner.

Planning and Development acknowledges that mobilehome parks provide for affordable housing in our community. However, staff’s analysis is that requiring the purchase of a mobilehome could, if not limited, go beyond “reasonable costs of relocation.” Requiring the purchase of the mobilehome at in-place value appears to be aimed at mitigating the decrease in value of the mobilehome resulting from a park closure, and not the costs of relocation, as provided for in State law. Therefore, staff recommends retaining the limits on purchase value and relocation as included in the draft ordinance.

7.0 PROCEDURES

Land Use and Development Code: The Planning Commission may recommend approval, approval with revisions, or denial of the proposed ordinance to the Board of Supervisors.

Article II Coastal Zoning Ordinance: The Planning Commission may recommend approval, approval with revisions, or denial of the proposed ordinance to the Board of Supervisors.

8.0 APPEALS PROCEDURE

Ordinance amendments are automatically forwarded to the Board of Supervisors for final action, therefore no appeal is required.

ATTACHMENTS

- A. Findings: LUDC and Article II
- B. Notice of Exemption
- C. 11ORD-00000-00017 LUDC Resolution and Proposed Ordinance
- D. 11ORD-00000-00018 Article II Resolution and Proposed Ordinance
- E. Public Comment Letters
- F. Real Estate Listings from Unincorporated Mobilehome Parks
- G. Estimated Costs of Relocation Assistance

ATTACHMENT A: FINDINGS

1.0. CEQA FINDINGS

1.1 CEQA Guidelines Exemption Findings

1.1.1 The County Planning Commission finds, and recommends that the Board of Supervisors find, that approval of the proposed project, 11ORD-00000-00017 and 11ORD-00000-00018, is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3). Please see Attachment B, Notice of Exemption.

2.0 ADMINISTRATIVE FINDINGS.

2.1 Land Use and Development Code Findings (11ORD-00000-00017)

In compliance with Section 3-104.060 (Findings Required for Approval of Amendments) of the Santa Barbara County Land Use and Development Code (LUDC), the following findings shall be made by the County Planning Commission in order to recommend approval of a text amendment to the LUDC, and the Board of Supervisors shall adopt the following findings in order to approve a text amendment to the LUDC:

2.1.1 The request is in the interests of the general community welfare.

The proposed ordinance amendment is in the interest of the general community welfare since the amendment will serve to specify the permit process for closure of a mobilehome park without compromising community values, environmental quality, or public health and safety. The proposed ordinance amendments will establish that, in all applications for the closure of a mobilehome park, discretionary approval of a Closure Impact Report by the County Planning Commission is required. This process will result in full disclosure of potential impacts to displaced residents and require the mitigation of those impacts through the provision of relocation assistance, as described in the staff report and provided for in the ordinance.

2.1.2 The request is consistent with the Comprehensive Plan, the requirements of State planning and zoning laws, and this Development Code. If the Amendment involves an Amendment to the Local Coastal Program, then the request shall also be found to be consistent with the Coastal Land Use Plan.

Adoption of the proposed ordinance would provide more effective implementation of the State health and safety, planning, and zoning laws by establishing a discretionary mobilehome park closure permit process that clarifies local implementation of Government Code 65863.7. The proposed ordinance would not result in any inconsistencies with the adopted policies and development standards of the Comprehensive Plan including the Community and Area Plans, and would allow the County to protect public health and safety. The proposed ordinance amendments are also consistent with the remaining portions of the LUDC that would not be revised by this ordinance. Therefore, this ordinance may be found consistent with the Comprehensive Plan including the Community and Area Plans, the requirements of state law, and the LUDC.

The proposed LUDC amendments would not affect the Coastal Land Use Plan or Article II.

2.1.3 The request is consistent with good zoning and planning practices.

The proposed ordinance is consistent with sound zoning and planning practices to regulate land uses for the overall protection of the environment and community values. It would guide mobilehome park closures, provide for a discretionary permit process, and add mitigation requirements for the impacts on displaced residents. As discussed in Finding 2.1.2, above, the amendments are consistent with the Comprehensive Plan including the Community and Area Plans, and the LUDC.

2.2 Article II Coastal Zoning Ordinance Findings (11ORD-00000-00018)

In compliance with Section 35-180.6 of the Santa Barbara County Article II Coastal Zoning Ordinance, the following findings shall be made by the County Planning Commission in order to recommend approval of a text amendment to Article II, and the Board of Supervisors shall adopt the following findings in order to approve a text amendment to Article II:

2.2.1 The request is in the interests of the general community welfare.

The proposed ordinance amendment is in the interest of the general community welfare since the amendment will serve to specify the permit process for closure of a mobilehome park without compromising community values, environmental quality, or public health and safety. The proposed ordinance amendments will establish that, in all applications for the closure of a mobilehome park, discretionary approval of a Closure Impact Report by the County Planning Commission is required. This process will result in full disclosure of potential impacts to displaced residents and require the mitigation of those impacts through the provision of relocation assistance, as described in the staff report and provided for in the ordinance.

2.2.2 The request is consistent with the Comprehensive Plan, the Coastal Land Use Plan, the requirements of State planning and zoning laws and this Article.

Adoption of the proposed ordinance would provide more effective implementation of the State health and safety, planning, and zoning laws by establishing a discretionary mobilehome park closure permit process that clarifies local implementation of Government Code 65863.7. The proposed ordinance would not result in any inconsistencies with the adopted policies and development standards of the Comprehensive Plan including the Community and Area Plans, and the Coastal Land Use Plan, and would allow the County to protect public health and safety. The proposed ordinance amendments are also consistent with the remaining portions of Article II that would not be revised by this ordinance. Therefore, this ordinance may be found consistent with the Comprehensive Plan including the Community and Area Plans, the Coastal Land Use Plan, the requirements of state law, and Article II.

2.2.3 The request is consistent with good zoning and planning practices.

The proposed ordinance is consistent with sound zoning and planning practices to regulate land uses for the overall protection of the environment and community values. It would guide mobilehome park closures, provide for a discretionary permit process, and add mitigation requirements for the impacts on displaced residents. As discussed in Finding 2.2.2, above, the amendments are consistent with the Comprehensive Plan including the Community and Area Plans, the Coastal Land Use Plan, and Article II.

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ATTACHMENT B: NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Paul Clementi, Planning & Development

The project or activity identified below is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County Guidelines for the implementation of CEQA.

Case Nos.: 11ORD-00000-00017, 11ORD-00000-00018

Location: The proposed ordinance amendments would apply to all the unincorporated areas of the County within the jurisdiction of the County Land Use and Development Code, and the Coastal Zoning Ordinance (Article II).

Title: Mobilehome Park Closure Ordinance

Description: The proposed ordinance involves all territory within Santa Barbara County that is presently used, or may in the future be used, as a mobilehome park, as defined within the ordinance. No physical development is proposed or would occur as a result of adoption of this ordinance. The ordinance is instead intended to offer greater specificity than State law currently provides as to the process by which a property owner or applicant may request a closure of an existing mobilehome park. Upon adoption the Mobilehome Park Closure Ordinance would: indicate what permits are required to close a mobilehome park, specify what information must be provided in a Closure Impact Report, and clarify what relocation assistance would be available to mobilehome owners or renters who would be displaced by the closure of a park or its conversion to another land use.

Name of Public Agency Approving Activity: Santa Barbara County Board of Supervisors

Name of Person or Agency Carrying Out Activity: Santa Barbara County Planning and Development

Exempt Status: (Check one)

- Ministerial
- Statutory Exemption
- Categorical Exemption
- Emergency Project
- Declared Emergency
- No Possibility of Significant Effect Section 15061(b)(3)

Cite specific CEQA and/or CEQA Guideline Section: 15061(b)(3) – No possibility of significant effect.

Reasons to support exemption findings: The ordinance is exempt from CEQA pursuant to CEQA Guidelines sections 15061(b)(3) [activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment]. No physical development is proposed as part of the ordinance. The ordinance merely clarifies the process by which applicants may request the closure of a mobilehome park, specifies what information must be provided in a Closure Impact Report, and specifies the relocation assistance the applicant must provide to displaced residents.

- **It will not lead to physical changes to or impacts on the environment.** This ordinance clarifies a process that is already provided for under State law. The proposed ordinance amendments would require discretionary processing through a Conditional Use Permit (CUP) under the jurisdiction of the Planning Commission for all mobilehome park closures. Discretionary projects are subject to review under the California Environmental Quality Act and associated findings.
- **It is not related to any anticipated land development or other activity affecting the environment.** The proposed ordinance is strictly related to defining the process by which mobilehome parks in the County may be closed, and is not related to any anticipated development. Any proposal to close a mobilehome park and any subsequent development of the mobilehome park would be subject to compliance with CEQA.
- **It will leave the affected parcels within the County's zoning jurisdiction and will not result in any changes to existing or allowable uses for the affected parcels.** No change of land use or land use designation is proposed as part of the ordinance. The proposed ordinance neither rezones any parcels nor removes them from the jurisdiction of County land use decision makers. Land use authority will remain under the purview of the County Board of Supervisors.

Lead Agency Contact Person: Jeff Hunt, Director, Long Range Planning Division

Phone: 568-2072

Acceptance Date: _____

Date Filed by County Clerk: _____

ATTACHMENT C: RESOLUTION AND PROPOSED LUDC ORDINANCE

RESOLUTION OF THE SANTA BARBARA COUNTY PLANNING COMMISSION
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF RECOMMENDING TO THE BOARD OF SUPERVISORS THE ADOPTION OF AN AMENDMENT TO ARTICLE II (COASTAL ZONING ORDINANCE) OF CHAPTER 35, ZONING, OF THE COUNTY CODE, AMENDING ARTICLE 35.8, PLANNING PERMIT PROCEDURES, ARTICLE 35.10, LAND USE AND DEVELOPMENT CODE ADMINISTRATION, AND ARTICLE 35.11, GLOSSARY, TO ESTABLISH A DISCRETIONARY PERMIT PROCESS FOR THE CLOSURE OF MOBILEHOME PARKS.

RESOLUTION NO.: 11 - ____

CASE NO.: 11ORD-00000-00017

WITH REFERENCE TO THE FOLLOWING:

- A. On November 27, 2007, by Ordinance 4660, the Board of Supervisors adopted the Santa Barbara County Land Use and Development Code, Section 35-1 of Chapter 35 of the Santa Barbara County Code; and
- B. The County Planning Commission now finds that it is in the interest of the orderly development of the County and important to the preservation of the health, safety and general welfare of the residents of the County to recommend that the Board of Supervisors adopt an ordinance (Case No. 11ORD-00000-00017) amending Section 35-1 of Chapter 35 of the Santa Barbara County Code, the Santa Barbara County Land Use and Development Code, to establish a discretionary permit process for the closure of mobilehome parks.

Said Ordinance is attached hereto as Exhibit 1 and is incorporated herein by reference.

- C. The proposed Ordinance is consistent with the Santa Barbara County Comprehensive Plan including the Community Plans, and the requirements of state law.
- D. The proposed Ordinance is in the interest of the general community welfare since the amendment will serve to establish a permit process for the closure of a mobilehome park without compromising community values, environmental quality, or the public health and safety. The proposed ordinance amendments will establish that, in all applications for the closure of a mobilehome park, discretionary approval of a Closure Impact Report by the County Planning Commission is required.
- E. This County Planning Commission has held a duly noticed public hearing, as required by Section 65854 of the Government Code, on the proposed Ordinance at which hearing the proposed Ordinance was explained and comments invited from the persons in attendance.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.

2. In compliance with the provisions of Section 65855 of the Government Code, this County Planning Commission recommends that the Board of Supervisors of the County of Santa Barbara, State of California, following the required noticed public hearing, approve and adopt the above mentioned recommendation of this Commission, based on the findings included as Attachment A of the Planning Commission staff report dated November 23, 2011.
3. A certified copy of this resolution shall be transmitted to the Board of Supervisors.
4. The Chair of this Planning Commission is hereby authorized and directed to sign and certify all maps, documents, and other materials in accordance with this resolution to show the above-mentioned action by the County Planning Commission.

PASSED, APPROVED, AND ADOPTED this 14th day of December, 2011 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

JOE H. VALENCIA, Chair
County Planning Commission

ATTEST:

DIANNE MEESTER BLACK
Secretary to the Commission

APPROVED AS TO FORM:

DENNIS A. MARSHALL
COUNTY COUNSEL

By _____
Deputy County Counsel

EXHIBIT:

1. 11ORD-00000-00017, Land Use and Development Code

EXHIBIT 1

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 35-1, THE SANTA BARBARA COUNTY LAND USE AND DEVELOPMENT CODE, OF CHAPTER 35, ZONING, OF THE COUNTY CODE BY AMENDING ARTICLE 35.8, PLANNING PERMIT PROCEDURES, ARTICLE 35.10, LAND USE AND DEVELOPMENT CODE ADMINISTRATION, AND ARTICLE 35.11, GLOSSARY, TO IMPLEMENT NEW REGULATIONS AND MAKE OTHER MINOR CLARIFICATIONS, CORRECTIONS AND REVISIONS REGARDING MOBILEHOME PARK CLOSURES.

Case No. 11ORD-00000-00017

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

SECTION 1:

ARTICLE 35.8, Planning Permit Procedures, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to add a new Chapter 35.89 titled “Mobilehome Park Closure” to read as follows:

CHAPTER 35.89 - MOBILEHOME PARK CLOSURE

35.89.010 - Purpose and Intent.

This Chapter establishes standards for the closure of a mobilehome park and addresses the impact of such closures upon the ability of displaced residents to find adequate housing in another mobilehome park. Mobilehome parks are an important source of affordable housing within Santa Barbara County. The purpose of this Chapter is to provide financial compensation and relocation assistance to displaced residents and provide mobilehome park owners with protection from unreasonable relocation costs, in compliance with Government Code Sections 65863.7 and 66427.4.

35.89.020 – Applicability.

This Chapter applies to applications for the closure of conforming and nonconforming mobilehome parks. Reasons for closure may include conversion to another land use and/or financial considerations on the part of the park owner.

35.89.030 – Conditional Use Permit Requirement.

- A. A Conditional Use Permit approved in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits) shall be required in order for a mobilehome park closure to occur.
- B. The Commission shall be the review authority for the application for the Conditional Use Permit.

35.89.040 – Application Contents.

An application for a Conditional Use Permit required in compliance with Section 35.89.030 (Conditional Use Permit Requirements), above, shall be submitted in compliance with Chapter 35.80 (Permit Application Filing and Processing) and shall include all of the following, in addition to all

information required in Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits).

A. Closure Impact Report. A Closure Impact Report shall be prepared and submitted in compliance with Government Code Sections 65863.7 and 66427.4. The Closure Impact Report shall be prepared by an independent agent acceptable to the County and, at a minimum, shall include the following information:

1. The number of mobilehomes that will be displaced by the proposed development and the number that will not be affected, and the age, size and condition of all mobilehomes in the park.
2. The number of available vacant mobilehome spaces in existing mobilehome parks within a 25 mile radius of the mobilehome park for which closure is sought, the space rental rates and evidence of the willingness of those mobilehome park owners to receive some or all of the displaced mobilehomes.
3. An estimate of the relocation cost considering all of the costs related to moving and installing the displaced mobilehomes on an available receiving site, providing rental subsidies, or purchasing the mobilehome unit as described in Section 35.89.070 (Conditions of Approval) below.
4. For displaced residents, the household sizes, whether they own or rent the mobilehome, and the monthly rental rates (space rent and/or unit rental rate).
5. The names, addresses and phone numbers of the Closure Impact Report consultants, mobilehome appraisers, mobilehome movers, and relocation counselors who the applicant might use. The professional credentials of these specialists shall be described, and all such specialists used during the project shall be acceptable to the County.
6. A list of alternative housing and/or replacement housing within a 25 mile radius that is currently available to displaced mobilehome park residents. The list shall include mobilehomes and housing units that are available for rent or for sale, both affordable and market-rate units.

35.89.050 – Special Notice Requirements.

The following special notice requirements are in addition to any notice that may be required in compliance with Chapter 35.106 (Noticing and Public Hearings). The applicant shall verify, to the satisfaction of the Director, that a good faith effort has been made to ensure that each park resident and mobilehome owner has received or will receive each of the following notices and documents. No hearing on a proposed mobilehome park closure shall be scheduled until the applicant has provided verification of the notification to the satisfaction of the Director.

A. Notice of Intent. A “Notice of Intent” by applicant to convert or close the mobilehome park shall be sent by the applicant by certified mail at least 60 days prior to submittal of the Conditional Use Permit application to the County. After the “Notice of Intent” has been issued, the applicant shall inform all new or prospective residents and/or mobilehome owners that the applicant has requested County approval, or intends to request County approval, of a change of use or that a change of use request has been granted, in compliance with Civil Code Section 798.56(g).

B. Closure Impact Report. A copy of the Closure Impact Report in compliance with Section

35.89.040 (Application Content) at least 15 days before the scheduled hearing on the application for the Conditional Use Permit, in compliance with Government Code Sections 65863.7 and 66427.5.

- C. Written notice.** A written notice, in addition to the public hearing notice required in compliance with Chapter 35.106 (Noticing and Public Hearings), at least 15 days before the scheduled hearing on the application for the Conditional Use Permit, informing residents that the applicant will be appearing before a local government board, commission, or body to request permits for a change of use of the mobilehome park, in compliance with Civil Code Section 798.56(g).
- D. Notice of termination of tenancy.** In compliance with Civil Code Section 798(g), the applicant shall provide all residents proposed to be displaced and the owners of all mobilehomes proposed to be displaced a written “notice of termination of tenancy” that provides the affected residents or owners a minimum of six months notice to vacate following the effective date of the Conditional Use Permit, as “Effective Date of Permits” is defined in Section 35.82.020 (Effective Date of Permits). The said notice shall be sent by certified mail to each resident and mobilehome owner within the 10 calendar days following the effective date of the Conditional Use Permit as specified in Section 35.82.020 (Effective Date of Permits).

35.89.060 – Informational Meeting.

- A.** The applicant shall conduct an informational meeting for the residents of the mobilehome park at least 10 days before the initial scheduled hearing on the application for the Conditional Use Permit regarding the proposed mobilehome park closure.
- B.** The meeting shall be conducted on the premises of the mobilehome park, or other location acceptable to the County, and a County representative and the Relocation Counselor, as described in Subsection 35.89.070.B.1, shall be present.
- C.** The meeting shall address the proposed mobilehome park closure, the closure application process, the contents of the Closure Impact Report, and proposed relocation assistance for displaced mobilehome owners and residents.
- D.** All mobilehome park residents shall receive a written notice at least 10 days prior to the meeting. The notice shall specify the time, date, and location of the informational meeting and summarize the subject matter of the meeting which at a minimum shall address the requirements listed in Subsection C, above.

35.89.070 – Conditions of Approval.

Approval of a Conditional Use Permit shall include conditions of approval which, at a minimum, shall satisfy the following requirements.

- A. Relocation or sale.** In compliance with Government Code Sections 65863.7 and 66427.4, the County may apply measures to cover, but not exceed, the reasonable costs of relocation for displaced mobilehome park residents. Mobilehome owners who are not permanent residents are not eligible for relocation benefits. The Conditional Use Permit shall identify the options assigned to each displaced mobilehome occupant in a Relocation Plan, as follows:

 - 1. Relocation assistance for mobilehome owners whose homes can be relocated.** The applicant shall comply with all of the following requirements as applicable for each mobilehome owner who is also a permanent resident.

- a. The applicant shall pay all costs related to moving the mobilehome, fixtures, and accessories to a comparable mobilehome park within 25 miles of the existing location. If no spaces within 25 miles are available, the mobilehome may also be moved to a mobilehome owner-approved receiving site as requested by the mobilehome owner at a cost to the applicant that does not exceed the costs of moving the mobilehome to a site within 25 miles. Fixtures and accessories include: decks, porches, stairs, access ramps, skirting, awnings, carports and storage sheds. Relocation shall include all disassembly and moving costs, mobilehome set-up costs, utility hook-up fees, any move-in deposit, any permitting fees (e.g., mobilehome permit, land use permit, coastal development permit) and the reasonable living expenses of displaced mobilehome residents for a period not exceeding 30 days (from the date of actual displacement until the date of occupancy at the new site) except where the County determines that extenuating circumstances prolong the moving period. The comparable mobilehome park, or mobilehome owner-approved receiving site, and the relocated mobilehome shall conform to all applicable federal, State, and County regulations. The mobilehome park or receiving site shall be available and willing to receive the mobilehome. The mobilehome park shall be a facility that is licensed and inspected by the California Department of Housing and Community Development.
 - b. The applicant shall provide displaced mobilehome owners that qualify as permanent residents with the payment of a lump sum equal to the difference of rent between the old and new mobilehome park spaces for a period of 12 months, if the new rent exceeds the old rent.
2. **Relocation assistance for mobilehome owners whose homes cannot be relocated.** In cases in which it is not feasible to relocate the mobilehome, including cases in which the condition of the mobilehome is such that it cannot be safely relocated, cases in which the mobilehome does not meet minimum requirements to be accepted into another mobilehome park, or cases in which there are no available spaces at a mobilehome park within 25 miles, the applicant shall provide the following relocation assistance to each mobilehome owner who is also a permanent resident.
- a. Each displaced mobilehome household will receive a lump sum difference between current space rent and rent for a housing unit of a size appropriate, according to California Health and Safety Code Section 50052.5.(h), to accommodate the displaced household and that meets Department of Housing and Urban Development (HUD) Housing Quality Standards for a period of 12 months. For purposes of calculating a relocation payment, the rent differential shall not exceed the difference between the current space rent and the Fair Market Rent of a unit of a size appropriate to accommodate the displaced household as published annually by HUD. If the mobilehome owner sells their unit to a third party the mobilehome owner shall receive the proceeds from said sale and is also eligible for the aforementioned rent subsidy. The total subsidy shall not exceed the total amount of relocation assistance described in Subsection 35.89.070.A. 1. that would be payable if relocation at a distance of 25 miles were feasible, using the estimates provided in the Closure Impact Report; and,
 - b. The mobilehome owner may require the applicant to purchase the mobilehome for the appraised value of the unit, which is the value assigned by a certified real estate appraiser including fixtures and accessories but not including the value of the land space, not to exceed the total amount of relocation assistance described in Subsection 35.89.070.A. 1. that would be payable if relocation at a distance of 25 miles were feasible, using the estimates provided in the Closure Impact Report.

3. **Relocation assistance for non-mobilehome residents.** For permanent residents whose residential units do not meet the definition of a mobilehome, the applicant shall pay all costs related to moving the unit, fixtures, and accessories to a resident-approved receiving site within 25 miles of the existing location, as requested by the resident. The applicant shall provide payment of a lump sum equal to the difference of rent between the old and new mobilehome park spaces for a period of 12 months, if the new rent exceeds the old rent. The applicant shall also pay the reasonable living expenses of displaced residents for a period not exceeding 30 days (from the date of actual displacement until the date of occupancy at the new site) except in cases in which the County determines that extenuating circumstances prolong the moving period. If the unit cannot be relocated, the applicant shall pay a sum equal to three months of the fair market rent for the area as determined by HUD pursuant to Section 1437f(c)(1) of Title 42 of the United States Code or seven thousand dollars, whichever is greater, to each such displaced household.
4. **Relocation assistance for mobilehome renters.** The applicant shall pay a sum equal to three months of the fair market rent for the area as determined by HUD pursuant to Section 1437f(c)(1) of Title 42 of the United States Code or seven thousand dollars, whichever is greater, to each displaced renter household.
5. Nothing contained herein precludes any mobilehome owner who is also a permanent resident of the park from selling his or her mobilehome to the applicant for an agreed upon price to be no less than the amount of relocation assistance described in Subsection 35.89.070.A. 1 in exchange for waiver of payment of those benefits described in Subsection 35.89.070.A. Nothing contained herein shall require any mobilehome owner to agree to sell his or her mobilehome to the applicant or to waive receipt of relocation benefits.
6. Nothing contained herein precludes the applicant and displaced mobilehome park residents who are also permanent residents of the park from agreeing on other mutually satisfactory relocation assistance in lieu of the assistance required in Subsection 35.89.070.A of this ordinance.

B. Relocation plan. The Relocation Plan required in compliance with Subsection A, above, shall describe the relocation assistance to be provided for all permanent mobilehome park residents who will be displaced, whether they rent or own the occupied mobilehome unit. The plan shall describe the cost of relocation for each displaced mobilehome and/or household, identify the location of the new mobilehome space or replacement housing unit, the amount of financial assistance to be provided, and shall describe the time frame and steps that will be taken to complete the relocation. All real estate and financial transactions and all relocation activities shall be completed prior to termination of mobilehome park tenancy for each displaced household.

The plan shall identify all displaced mobilehomes to be sold to the applicant or a third party, or to be relocated for the mobilehome owner(s). The plan shall provide the purchase value of all mobilehomes to be sold including fixtures and accessories, but not including the value of the land space. The plan shall describe all relocation costs for displaced mobilehome park residents. Any disagreement between a mobilehome park resident and the applicant regarding relocation assistance or sales value shall be referred to a professional arbitrator acceptable to the County and paid for by the applicant. Such disagreements must be submitted in writing to the applicant by the mobilehome park resident within 45 days after the mobilehome park resident has obtained a written notice describing what he/she will receive.

1. **Relocation Counselor.** Applicant shall offer to provide to all displaced mobilehome owners and residents the services of a Relocation Counselor, acceptable to the County, to provide information about the available housing resources and to assist with the selection of suitable relocation alternatives. Acceptable relocation alternatives include vacant mobilehome units and spaces, rental and ownership housing units, affordable and market-rate units. The Relocation Counselor shall be familiar with the region’s housing market and qualified to assist residents to evaluate, select, and secure placement in the replacement housing, to arrange the moving of all of the household’s personal property and belongings to the replacement housing, to render financial advice on qualifying for various housing types, to explain the range of housing alternatives available, and to gather and present adequate information as to available housing. The Relocation Counselor shall assist in the preparation and implementation of the Relocation Plan.

No later than 30 calendar days following the effective date of the Conditional Use Permit for the mobilehome park closure, the Relocation Counselor(s) shall make personal contact with each displaced resident of the mobilehome park and, unless waived by the resident, commence to determine the applicable relocation costs and assistance to be provided. The Relocation Counselor shall give to each person eligible to receive relocation assistance a written notice of his or her options for relocation assistance as determined by the Conditional Use Permit. The Relocation Counselor shall provide proof of contact and written notice with the mobilehome park residents by filing an affidavit attesting that fact with the Department.

35.89.080 – Vacancy of a Mobilehome Park of 25 Percent or More.

- A.** Whenever 25 percent or more of the total number of mobilehome sites within a mobilehome park that are occupied as of [effective date of this Ordinance] are uninhabited for more than 90 consecutive days, and such condition was not caused by a natural or physical disaster beyond the control of the mobilehome park owner, then such condition shall be deemed a “mobilehome park closure” for the purposes of this ordinance. The mobilehome park owner shall file an application for the mobilehome park closure, in compliance with the requirements of this Section. A mobilehome site is considered to be “uninhabited” when it is either (i) unoccupied by a mobilehome, or (ii) occupied by a mobilehome in which no person resides for a period of 90 days or more.
- B.** Whenever a mobilehome park resident or other interested person has reason to believe that 25 percent or more of the total number of mobilehome sites within a mobilehome park are uninhabited, as described in Subsection A, above, such resident or person may file a written statement to that effect with the Director. Upon receipt of such statement, the Director shall cause an investigation and inspection to be conducted to verify the accuracy of such statement. Upon completion of the investigation and inspection, the Director shall make a determination as to whether an unauthorized mobilehome park closure is underway.
- C.** If the Director determines that an unauthorized mobilehome park closure is underway, he or she shall send a written notice by certified mail to the mobilehome park owner which describes the Director’s determination and establishes a reasonable period of time by which the mobilehome park owner shall submit an application in compliance with this Section for the closure of a mobilehome park.
- D.** Once the Director has determined whether an unauthorized mobilehome park closure is underway, a written notice that describes such determination shall be sent by the County to the mobilehome park owner, mobilehome park manager, the person(s) who filed the written

statement in compliance with Subsection B, above, and to all the residents in the mobilehome park.

E. The determination of the Director, in compliance with Subsection B, above, may be appealed by the person who filed the statement, by the mobilehome park owner, the mobilehome park manager, or by any other interested person within the 10 calendar days following the date of the notice of determination. All such appeals shall be submitted and processed in compliance with Chapter 35.102 (Appeals).

35.89.090 – Request for Exemption from Relocation Assistance Requirements.

A. Any person who files an application for a Conditional Use Permit for the closure of a mobilehome park may, simultaneous with and as part of the filing of such application, request an exemption from some or all of the relocation assistance requirements described above in Section 35.89.070 (Conditions of Approval). The request for the exemption shall be processed in conjunction with the application for the Conditional Use Permit.

1. The applicant may request an exemption for one of the following reasons:

- a. That the requirement(s) for relocation assistance would eliminate substantially all reasonable economic use of the property.
- b. That a court of competent jurisdiction has determined in connection with a proceeding in bankruptcy that mobilehome park closure or cessation of use of the property as a mobilehome park is necessary, and that such court has taken further action that would prohibit or preclude the payment of relocation assistance benefits, in whole or in part.

B. Any request for exemption submitted in compliance with Subsection 35.89.090.A.1 shall contain, at a minimum, the following information:

1. Statements of profit and loss from the operations of the mobilehome park for the five-year period immediately preceding the date of the application of exemption, certified by a certified public accountant. All such statements shall be maintained in confidence to the extent permitted by the California Public Records Act.

2. **Report Required.**

a. If the applicant contends that continued use of the property as a mobilehome park necessitates repairs and/or improvements that are not the result of the park owner or applicant's negligence or failure to properly maintain the said property, and that the costs thereof makes continuation of the mobilehome park economically infeasible, then a report shall be made and submitted, under penalty of perjury, by a civil engineer or general contractor licensed as such in compliance with the laws of the State of California.

1) The report shall verify that such civil engineer or contractor has thoroughly inspected the entire mobilehome park and has determined that certain repairs and improvements must be made to the mobilehome park to maintain the mobilehome park in decent, safe and sanitary condition, and that those certain repairs are not the result of the mobilehome park owner or applicant's negligent failure to properly maintain the said property.

- 2) The report shall describe the minimum period of time in which such improvements or repairs can be accomplished along with the estimated cost for the improvements and repairs. The anticipated costs or damages, if any, which may result if maintenance is deferred shall be identified separately. The report shall also describe any additional repairs or improvements that will be necessary for continuous upkeep and maintenance of the property.
 - 3) The report shall be referred to the California Department of Housing and Community Development for review and comment.
- b. If the Director requires an analysis of the information submitted by the civil engineer or general contractor, the Director may procure the services of another licensed civil engineer or general contractor to provide such written analysis, and all such costs shall be paid entirely by the applicant.
3. An estimate of the total cost of relocation assistance which would be required in compliance with Section 35.89.070 (Conditions of Approval). This estimate shall be based on surveys, appraisals and reports, prepared to the County's satisfaction, that document the number of residents of the park who are able to relocate their mobilehomes and those who would sell their mobilehomes, and the costs related to providing the relocation assistance measures delineated in Section 35.89.070 (Conditions of Approval).
 4. If the proposed closure is due to conversion of the land to another use, an estimate of the value of the mobilehome park, if the park were permitted to be developed for the change of use proposed in the application for closure of the park, and an estimate of the value of said park, if use of the property as a mobilehome park is continued, are required. These estimates shall be prepared by a certified real estate appraiser who is acceptable to the County.
 5. Any other information which the applicant believes to be pertinent, or that may be required by the Director.
 6. Any request for exemption filed pursuant to Subsection 35.89.090.A.1.b., above, shall be accompanied by adequate documentation regarding the title, case number, and court in which the bankruptcy proceeding was held, and copies of all pertinent judgments, orders, and decrees of the said court.
- C.** When making its determination as to whether to waive or modify a portion or all of any type of benefit that would otherwise be applicable, the Commission may take into account the financial history of the mobilehome park, its condition and the condition of amenities and improvements thereon, the cost of any necessary repairs, improvements or rehabilitation of said park, the estimated costs of relocation, the fair market value of the property for any proposed alternative use, the fair market value of the property for continued use as a mobilehome park, and any other pertinent evidence requested or presented. The Commission shall expressly indicate in its decision any waiver and the extent thereof.
- D.** Where a court of competent jurisdiction has determined in connection with a proceeding in bankruptcy that the closure or cessation of the use of said property as a mobilehome park is necessary, and such court has taken action which would prohibit or preclude payment of relocation benefits, whether in whole or in part, the Commission shall have the authority to waive all or a portion of any type of benefit to the extent necessary to comply with the judgment, order, or decree of the court.

- E. The action of the Commission to approve, conditionally approve, or deny the request for exemption is final, subject to appeal in compliance with Section 35.102 (Appeals).

35.89.100 – Additional Findings Required for Closure of a Mobilehome Park.

A Conditional Use Permit for a mobilehome park closure may be approved or conditionally approved only if the Commission first finds, in addition to the findings required in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits) that adequate measures to address the adverse impacts on the ability of displaced residents to find adequate housing in a mobilehome park, as described in Section 35.89.070, above, have to the maximum extent feasible, but not exceeding the reasonable costs of relocation, been taken without substantially eliminating reasonable economic use of the property.

SECTION 2:

ARTICLE 35.10, Land Use and Development Code Administration, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Subsection A.3, Director decisions, of Subsection A, Decisions appealed to the Commission, of Section 35.102.040, of Chapter 35.10, Land Use and Development Code Administration, to read as follows:

- 3. Director decisions.** The following decisions of the Director may be appealed to the Commission:
- a. Any determination on the meaning or applicability of the provisions of this Development Code.
 - b. Any determination that a discretionary permit application or information submitted with the application is incomplete as provided by Government Code Section 65943.
 - c. Any decision of the Director to revoke an approved or issued Coastal Development Permit or Land Use Permit.
 - d. Any decision of the Director to approve or deny an application for a Coastal Development Permit or Land Use Permit except as follows:
 - (1) Land Use Permits approved in compliance with Section 35.42.260 (Temporary Uses and Trailers) not including Subsection 35.42.260.G (Trailer Use).
 - e. Any decision of the Director to revoke an issued Zoning Clearance.
 - f. Any decision of the Director to approve, conditionally approved, or deny an application for a Development Plan.
 - g. Any decision of the Director to approve, conditionally approved, or deny any other discretionary application where the Director is the designated review authority.
 - h. Any decision of the Director as to whether an unauthorized mobilehome park closure is underway.
 - hi. Any other action, decision, or determination made by the Director as authorized by this Development Code where the Director is the review authority, except when specifically provided that the action, decision, or determination is final and not subject to appeal.

SECTION 3:

ARTICLE 35.11, Glossary, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35.110.020, Definitions of Specialized Terms and Phrases, of Chapter 35.110, Definitions, to add new definitions of “Mobilehome Park Closure, ” and “Mobilehome Owner,” “Mobilehome Owner-approved Receiving Site,” “Mobilehome Park Renters,” “Non-mobilehome Residents,” “Permanent Resident,” “Relocation Counselor,” “Relocation Plan” and “Resident-approved Receiving Site” to read as follows:

Mobilehome Park Closure. When a mobilehome park owner or operator chooses to cease renting or leasing mobilehome lots for human habitation and this cessation of use would result in the displacement of mobilehome park residents or, when 25 percent or more of the mobilehome units or lots within a park become vacant and the Director determines that an unauthorized closure is underway pursuant to Section 35.89.080 (Vacancy of a Mobilehome Park of 25 Percent or More).

Mobilehome Owner. The record owner or any person having possession and control of the mobilehome.

Mobilehome Owner-approved Receiving Site. A site which has been agreed upon by both the applicant and the mobilehome owner as a mutually acceptable location to receive a relocated mobilehome.

Mobilehome Park Renters. Residents who rent mobilehomes as their primary residences, but who do not own the mobilehomes.

Non-mobilehome Residents. Residents who meet the definition of Permanent Resident and own residential units which do not meet the definition of Mobilehome.

Permanent Resident. Any person who lives in a mobilehome park for 270 days or more in any 12-month period, and whose residential address in the mobilehome park can be verified as one that meets at least three of the following criteria:

1. Address where registered to vote
2. Home address on file at place of employment or business.
3. Home address on file at dependents’ primary or secondary school.
4. Not receiving a homeowner’s exemption for another property or mobilehome in this state nor having a principal residence in another state.
5. California Department of Motor Vehicles identification address.
6. Mailing address.
7. Vehicle insurance address.
8. Home address on file with Bank account.
9. Home address on file with the Internal Revenue Service.
10. Home address on file with local club/association membership.
11. Any other criteria determined to be acceptable by the Director.

Relocation Counselor. A counselor providing the services described in Section 35.89.070.B.1.

Relocation Plan. A document which describes the relocation assistance to be provided for all permanent mobilehome park residents who will be displaced, whether they rent or own their mobilehome unit.

Resident-approved Receiving Site. A site which has been agreed upon by both the applicant and the non-mobilehome resident as a mutually acceptable location to receive a relocated residential unit which does not meet the definition of mobilehome.

SECTION 4:

All existing indices, section references, and figure and table numbers contained in Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code, are hereby revised and renumbered as appropriate to reflect the revisions enumerated above.

SECTION 5:

Except as amended by this Ordinance, Article 35.8, Article 35.10, and Article 35.11 of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code, shall remain unchanged and shall continue in full force and effect.

SECTION 6:

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

SECTION 7:

This ordinance shall take effect and be in force 30 days from the date of its passage and before the expiration of 15 days after its passage 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 the Santa Barbara News-Press, 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 _____, 2012, by the following vote:

- AYES:
- NOES:
- ABSTAINED:
- ABSENT:

JONI GRAY
Chair, Board of Supervisors
County of Santa Barbara

ATTEST:

CHANDRA L. WALLAR
Clerk of the Board of Supervisors

By _____
Deputy Clerk

APPROVED AS TO FORM:

DENNIS A. MARSHALL
County Counsel

By _____
Deputy County Counsel

ATTACHMENT D: RESOLUTION AND PROPOSED ARTICLE II ORDINANCE

RESOLUTION OF THE SANTA BARBARA COUNTY PLANNING COMMISSION
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF RECOMMENDING TO THE BOARD OF SUPERVISORS THE ADOPTION OF AN AMENDMENT TO ARTICLE II (COASTAL ZONING ORDINANCE) OF CHAPTER 35, ZONING, OF THE COUNTY CODE, AMENDING DIVISION 2, DEFINITIONS, DIVISION 7, GENERAL REGULATIONS, AND DIVISION 12, ADMINISTRATION TO ESTABLISH A DISCRETIONARY PERMIT PROCESS FOR THE CLOSURE OF MOBILEHOME PARKS.

RESOLUTION NO.: 11 - ____

CASE NO.: 11ORD-00000-00018

WITH REFERENCE TO THE FOLLOWING:

- A. On July 19, 1982, by Ordinance 3312, the Board of Supervisors adopted the Coastal Zoning Ordinance, Article II of Chapter 35 of the Santa Barbara County Code; and
- B. The County Planning Commission now finds that it is in the interest of the orderly development of the County and important to the preservation of the health, safety and general welfare of the residents of the County to recommend that the Board of Supervisors adopt an ordinance (Case No. 11ORD-00000-00018) amending Article II of Chapter 35 of the Santa Barbara County Code, the Coastal Zoning Ordinance, to establish a discretionary permit process for the closure of mobilehome parks.

Said Ordinance is attached hereto as Exhibit 1 and is incorporated herein by reference.

- C. The proposed Ordinance is consistent with the Coastal Act of 1976, the Santa Barbara County Coastal Plan, the Santa Barbara County Comprehensive Plan including the Community Plans, and the requirements of state law.
- D. The proposed Ordinance is in the interest of the general community welfare since the amendment will serve to establish a permit process for the closure of a mobilehome park without compromising community values, environmental quality, or the public health and safety. The proposed ordinance amendments will establish that, in all applications for the closure of a mobilehome park, discretionary approval of a Closure Impact Report by the County Planning Commission is required.
- E. This County Planning Commission has held a duly noticed public hearing, as required by Section 65854 of the Government Code, on the proposed Ordinance at which hearing the proposed Ordinance was explained and comments invited from the persons in attendance.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

- 1. The above recitations are true and correct.

2. In compliance with the provisions of Section 65855 of the Government Code, this Planning Commission recommends that the Board of Supervisors of the County of Santa Barbara, State of California, following the required noticed public hearing, adopt 11ORD-00000-00018, based on the findings included as Attachment A of the Planning Commission staff report dated November 23, 2011.
3. A certified copy of this resolution shall be transmitted to the Board of Supervisors.
4. The Chair of this Planning Commission is hereby authorized and directed to sign and certify all maps, documents, and other materials in accordance with this resolution to show the above-mentioned action by this Planning Commission.

PASSED, APPROVED, AND ADOPTED this 14th day of December, 2011 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

JOE H. VALENCIA, Chair
County Planning Commission

ATTEST:

DIANNE MEESTER BLACK
Secretary to the Commission

APPROVED AS TO FORM:

DENNIS A. MARSHALL
COUNTY COUNSEL

By _____
Deputy County Counsel

EXHIBIT:

1. 11ORD-00000-00018, Article II

EXHIBIT 1

ORDINANCE NO. _____

AN ORDINANCE AMENDING ARTICLE II, THE SANTA BARBARA COUNTY COASTAL ZONING ORDINANCE, OF CHAPTER 35, ZONING, OF THE COUNTY CODE BY AMENDING DIVISION 2, DEFINITIONS, DIVISION 7, GENERAL REGULATIONS, AND DIVISION 12, ADMINISTRATION, TO IMPLEMENT NEW REGULATIONS AND MAKE OTHER MINOR CLARIFICATIONS, CORRECTIONS AND REVISIONS REGARDING MOBILEHOME PARK CLOSURES.

Case No. 11ORD-00000-00018

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

SECTION 1:

DIVISION 2, Definitions, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend, Section 35-58 to add new definitions of “Effective Date of Permits,” “Mobilehome Park Closure,” and “Mobilehome Owner,” “Mobilehome Owner-approved Receiving Site,” “Mobilehome Park Renters,” “Non-mobilehome Residents,” “Permanent Resident,” “Relocation Counselor,” “Relocation Plan” and “Resident-approved Receiving Site” to read as follows:

EFFECTIVE DATE OF PERMITS:

(1) Development not appealable to the Coastal Commission. The approval of a planning permit for a project that is not appealable to the Coastal Commission shall be deemed effective on the eleventh day following the date of application approval by the appropriate decision maker where an appeal of the decision maker’s action has not been filed in compliance with Section 35-182 (Appeals) unless otherwise indicated in the planning permit. If appealed, the planning permit shall not be deemed effective until final action by the final decision maker on the appeal.

(2) Development appealable to the Coastal Commission. The approval of a planning permit for a project that is appealable to the Coastal Commission shall become effective upon:

- a. The expiration of the Coastal Commission’s 10-day appeal period which begins the next working day following the receipt by the Coastal Commission of adequate notice of the County’s final action unless otherwise indicated in the planning permit; and
- b. Where an appeal of the decision maker’s action has not been filed with or by the Coastal Commissioners, the applicant, or any aggrieved person in Compliance with the Coastal Act, and where a local appeal has not been filed within 10 days of the date of the decision by the applicable decision maker in compliance with Section 35-182 (Appeals) unless otherwise indicated in the planning permit.
- c. If appealed, the planning permit shall not be deemed effective until final action by the final decision maker on the appeal.

MOBILEHOME PARK CLOSURE: When a mobilehome park owner or operator chooses to cease

renting or leasing mobilehome lots for human habitation and this cessation of use would result in the displacement of mobilehome park residents or, when 25 percent or more of the mobilehome units or lots within a park become vacant and the Director determines that an unauthorized closure is underway pursuant to Section 35-144I.8 (Vacancy of a Mobilehome Park of 25 Percent or More).

MOBILEHOME OWNER: The record owner or any person having possession and control of the mobilehome.

MOBILEHOME OWNER-APPROVED RECEIVING SITE: A site which has been agreed upon by both the applicant and the mobilehome owner as a mutually acceptable location to receive a relocated mobilehome.

MOBILEHOME PARK RENTERS: Are residents who rent mobilehomes as their primary residences, but who do not own the mobilehomes.

NON-MOBILEHOME RESIDENTS: Residents who meet the definition of Permanent Resident and own residential units which do not meet the definition of Mobilehome.

PERMANENT RESIDENT: Any person who lives in a mobilehome park for 270 days or more in any 12-month period, and whose residential address in the mobilehome park can be verified as one that meets at least three of the following criteria:

1. Address where registered to vote
2. Home address on file at place of employment or business.
3. Home address on file at dependents' primary or secondary school.
4. Not receiving a homeowner's exemption for another property or mobilehome in this state nor having a principal residence in another state.
5. California Department of Motor Vehicles identification address.
6. Mailing address.
7. Vehicle insurance address.
8. Home address on file with Bank account.
9. Home address on file with the Internal Revenue Service.
10. Home address on file with local club/association membership.
11. Any other criteria determined to be acceptable by the Director.

RELOCATION COUNSELOR: A counselor providing the services described in Section 35-144K.7.2.a.

RELOCATION PLAN: A document which describes the relocation assistance to be provided for all permanent mobilehome park residents who will be displaced, whether they rent or own their mobilehome unit.

RESIDENT-APPROVED RECEIVING SITE: A site which has been agreed upon by both the applicant and the non-mobilehome resident as a mutually acceptable location to receive a relocated residential unit which does not meet the definition of mobilehome.

SECTION 2:

DIVISION 7, General Regulations, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to add a new Section 35-144K, titled "Mobilehome Park Closure" and to read as follows:

Sec. 35-144K. Mobilehome Park Closure

Sec. 35-144K.1 Purpose and Intent.

This Section establishes standards for the closure of a mobilehome park and addresses the impact of such closures upon the ability of displaced residents to find adequate housing in another mobilehome park. Mobilehome parks are an important source of affordable housing within Santa Barbara County. The purpose of this Section is to provide relocation assistance to displaced residents and provide mobilehome park owners with protection from unreasonable relocation costs, in compliance with Government Code Sections 65863.7 and 66427.4.

Sec. 35-144K.2 Applicability.

This Chapter applies to applications for the closure of conforming and nonconforming mobilehome parks. Reasons for closure may include conversion to another land use and/or financial considerations on the part of the park owner.

Sec. 35.144K.3 Conditional Use Permit Requirements.

1. A Conditional Use Permit approved in compliance with Section 35-172 (Conditional Use Permits) shall be required in order for a mobilehome park closure to occur.
2. The Planning Commission shall be the review authority for the application for the Conditional Use Permit.

Sec. 35-144K.4 Application Contents.

An application for a Conditional Use Permit required in compliance with Section 35-144K.3 (Conditional Use Permit Requirements), above, shall be submitted in compliance with Section 35-172 (Conditional Use Permits) and shall include all of the following, in addition to all information required in compliance with Section 35-172 (Conditional Use Permits).

1. **Closure Impact Report.** A Closure Impact Report shall be prepared and submitted in compliance with the Government Code Sections 65863.7 and 66427.4. The Closure Impact Report shall be prepared by an independent agent acceptable to the County and, at a minimum, shall include the following information:
 - a. The number of mobilehomes that will be displaced by the proposed development and the number that will not be affected, and the age, size and condition of all mobilehomes in the park.
 - b. The number of available vacant mobilehome spaces in existing mobilehome parks within a 25 mile radius of the mobilehome park for which closure is sought, the space rental rates and evidence of the willingness of those mobilehome park owners to receive some or all of the displaced mobilehomes.
 - c. An estimate of the relocation cost considering all of the costs related to moving and installing the displaced mobilehomes on an available receiving site, providing rental subsidies, or purchasing the mobilehome unit as described in 35-144K.7 (Conditions of Approval) below.
 - d. For displaced residents, the household sizes, whether they own or rent the mobilehome, and the monthly rental rates (space rent and/or unit rental rate).

- e. The names, addresses and phone numbers of the Closure Impact Report consultants, mobilehome appraisers, mobilehome movers, and relocation counselors who the applicant might use. The professional credentials of these specialists shall be described, and all such specialists used during the project shall be acceptable to the County.
- f. A list of alternative housing and/or replacement housing within a 25 mile radius that is currently available to displaced mobilehome park residents. The list shall include mobilehomes and housing units that are available for rent or for sale, both affordable and market-rate units.

Sec. 35-144K.5 Special Notice Requirements.

The following special notice requirements are in addition to any notice that may be required in compliance with Section 35-181 (Noticing). The applicant shall verify, to the satisfaction of the Director that a good faith effort has been made to ensure that each park resident and mobilehome owner has received or will receive each of the following notices and documents. No hearing on a proposed mobilehome park closure shall be scheduled until the applicant has provided verification of the notification to the satisfaction of the Director.

- 1. Notice of Intent.** A “Notice of Intent” by applicant to convert or close the mobilehome park shall be sent by the applicant by certified mail at least 60 days prior to submittal of the Conditional Use Permit application to the County. After the “Notice of Intent” has been issued, the applicant shall inform all new or prospective residents and/or mobilehome owners that the applicant has requested County approval, or intends to request County approval, of a change of use or that a change of use request has been granted, in compliance with Civil Code Section 798.56(g).
- 2. Closure Impact Report.** A copy of the Closure Impact Report in compliance with 35-144K.4 (Application Content) at least 15 days before the scheduled hearing on the application for the Conditional Use Permit, in compliance with Government Code Sections 65863.7 and 66427.5.
- 3. Written notice.** A written notice, in addition to the public hearing notice required in compliance with Section 35-181 (Noticing), at least 15 days before the scheduled hearing on the application for the Conditional Use Permit, informing residents that the applicant will be appearing before a local government board, commission, or body to request permits for a change of use of the mobilehome park, in compliance with Civil Code Section 798.56(g).
- 4. Notice of termination of tenancy.** In compliance with Civil Code Section 798(g), the applicant shall provide all residents proposed to be displaced and the owners of all mobilehomes proposed to be displaced a written “notice of termination of tenancy” that provides the affected residents or owners a minimum of six months notice to vacate following the effective date of the Conditional Use Permit. The said notice shall be sent by certified mail to each resident and mobilehome owner within the 10 calendar days following the effective date of the Conditional Use Permit.

Sec. 35-144I.6 Informational Meeting.

- 1.** The applicant shall conduct an informational meeting for the residents of the mobilehome park at least 10 calendar days before the initial scheduled hearing on the application for the Conditional Use Permit regarding the proposed mobilehome park closure.
- 2.** The meeting shall be conducted on the premises of the mobilehome park, or other location acceptable to the County, and a County representative and the Relocation Counselor, as described in Subsection 35-144K.7.2.a, shall be present.

3. The meeting shall address the proposed mobilehome park closure, the closure application process, the contents of the Closure Impact Report, and proposed relocation assistance for displaced mobilehome owners and residents.
4. All mobilehome park residents shall receive a written notice at least 10 days prior to the meeting. The notice shall specify the time, date, and location of the informational meeting and summarize the subject matter of the meeting which at a minimum shall address the requirements listed in Subsection C, above.

Sec. 35-144K.7 Conditions of Approval.

Approval of a Conditional Use Permit shall include conditions of approval which, at a minimum, shall satisfy the following requirements.

- 1. Relocation or sale.** In compliance with Government Code Sections 65863.7 and 66427.4, the County may apply measures to cover, but not exceed, the reasonable costs of relocation for displaced mobilehome park residents. Mobilehome owners who are not permanent residents are not eligible for relocation benefits. The Conditional Use Permit shall identify the options assigned to each displaced mobilehome occupant in a Relocation Plan, as follows:
 - a. **Relocation assistance for mobilehome owners whose homes can be relocated.** The applicant shall comply with all of the following requirements as applicable for each mobilehome owner who is also a permanent resident.
 - 1) The applicant shall pay all costs related to moving the mobilehome, fixtures, and accessories to a comparable mobilehome park within 25 miles of the existing location. If no spaces within 25 miles are available, the mobilehome may also be moved to a mobilehome owner-approved receiving site as requested by the mobilehome owner at a cost to the applicant that does not exceed the costs of moving the mobilehome to a site within 25 miles. Fixtures and accessories include: decks, porches, stairs, access ramps, skirting, awnings, carports and storage sheds. Relocation shall include all disassembly and moving costs, mobilehome set-up costs, utility hook-up fees, any move-in deposit, any permitting fees (e.g., mobilehome permit, land use permit, coastal development permit) and the reasonable living expenses of displaced mobilehome residents for a period not exceeding 30 days (from the date of actual displacement until the date of occupancy at the new site) except where the County determines that extenuating circumstances prolong the moving period. The comparable mobilehome park, or mobilehome owner-approved receiving site, and the relocated mobilehome shall conform to all applicable federal, State, and County regulations. The mobilehome park or receiving site shall be available and willing to receive the mobilehome. The mobilehome park shall be a facility that is licensed and inspected by the California Department of Housing and Community Development.
 - 2) The applicant shall provide displaced mobilehome owners, which qualify as permanent residents, with payment of a lump sum equal to the difference of rent between the old and new mobilehome park spaces for a period of 12 months, if the new rent exceeds the old rent.
 - b. **Relocation assistance for mobilehomes owners whose homes cannot not be relocated.** In cases in which it is not feasible to relocate the mobilehome, including cases in which the condition of the mobilehome is such that it cannot be safely relocated, cases in which the mobilehome does not meet minimum requirements to be accepted into another mobilehome

park, or cases in which there are no available spaces at a mobilehome park within 25 miles, the applicant shall provide the following relocation assistance to each mobilehome owner who is also a permanent resident.

- 1) Each displaced mobilehome household will receive a lump sum difference between current space rent and rent for a housing unit of a size appropriate, according to California Health and Safety Code Section 50052.5.(h), to accommodate the displaced household and that meets Department of Housing and Urban Development (HUD) Housing Quality Standards for a period of 12 months. For purposes of calculating a relocation payment, the rent differential shall not exceed the difference between the current space rent and the Fair Market Rent of a unit of a size appropriate to accommodate the displaced household as published annually by HUD. If the mobilehome owner sells their unit to a third party the mobilehome owner shall receive the proceeds from said sale and is also eligible for the aforementioned rent subsidy. The total subsidy shall not exceed the total amount of relocation assistance described in Subsection 35-144K.7.1.a that would be payable if relocation at a distance of 25 miles were feasible, using the estimates provided in the Closure Impact Report; and,
- 2) The mobilehome owner may require the applicant to purchase the mobilehome for the appraised value of the unit, not to exceed the total amount of relocation assistance described in Subsection 35-144K.7.1.a that would be payable if relocation at a distance of 25 miles were feasible, using the estimates provided in the Closure Impact Report.

- c. **Relocation assistance for non-mobilehome residents.** For permanent residents whose residential units do not meet the definition of a mobilehome, the applicant shall pay all costs related to moving the unit, fixtures, and accessories to a resident-approved receiving site within 25 miles of the existing location, as requested by the resident. The applicant shall provide payment of a lump sum equal to the difference of rent between the old and new mobilehome park spaces for a period of 12 months, if the new rent exceeds the old rent. The applicant shall also pay the reasonable living expenses of displaced residents for a period not exceeding 30 days (from the date of actual displacement until the date of occupancy at the new site) except in cases in which the County determines that extenuating circumstances prolong the moving period. If the unit cannot be relocated, the applicant shall pay a sum equal to three months of the fair market rent for the area as determined by the HUD pursuant to Section 1437f(c)(1) of Title 42 of the United States Code or seven thousand dollars, whichever is greater, to each such displaced household.
- d. **Relocation assistance for mobilehome renters.** The applicant shall pay a sum equal to three months of the fair market rent for the area as determined by the HUD pursuant to Section 1437f(c)(1) of Title 42 of the United States Code or seven thousand dollars, whichever is greater, to each displaced renter household.
- e. Nothing contained herein precludes any mobilehome owner who is also a permanent resident of the park from selling his or her mobilehome to the applicant for an agreed upon price to be no less than the amount of relocation assistance described in Subsection 35-144K.7.1.a in exchange for waiver of payment of those benefits described in Subsection 35-144K.7.1. Nothing contained herein shall require any mobilehome owner to agree to sell his or her mobilehome to the applicant or to waive receipt of relocation benefits.
- f. Nothing contained herein precludes the applicant and displaced mobilehome park residents who are also permanent residents of the park from agreeing on other mutually satisfactory

relocation assistance in lieu of the assistance required in Subsection 35.89.070.A of this ordinance.

- 2. Relocation plan.** The Relocation Plan required in compliance with Subsection A, above, shall describe the relocation assistance to be provided for all permanent mobilehome park residents who will be displaced, whether they rent or own the occupied mobilehome unit. The plan shall describe the cost of relocation for each displaced mobilehome and/or household, identify the location of the new mobilehome space or replacement housing unit, the amount of financial assistance to be provided, and shall describe the time frame and steps that will be taken to complete the relocation. All real estate and financial transactions and all relocation activities shall be completed prior to termination of mobilehome park tenancy for each displaced household.

The plan shall identify all displaced mobilehomes to be sold to the applicant or a third party, or to be relocated for the mobilehome owner(s). The plan shall provide the purchase value of all mobilehomes to be sold including fixtures and accessories, but not including the value of the land space. The plan shall describe all relocation costs for displaced mobilehome park residents. Any disagreement between a mobilehome park resident and the applicant regarding relocation assistance or sales value shall be referred to a professional arbitrator acceptable to the County and paid for by the applicant. Such disagreements must be submitted in writing to the applicant by the mobilehome park resident within 45 days after the mobilehome park resident has obtained a written notice describing what he/she will receive.

- a. Relocation Counselor.** Applicant shall offer to provide for all displaced mobilehome owners and residents the services of a Relocation Counselor, acceptable to the County, to provide information about the available housing resources and to assist with the selection of suitable relocation alternatives. Acceptable relocation alternatives include vacant mobilehome units and spaces, rental and ownership housing units, affordable and market-rate units. The Relocation Counselor shall be familiar with the region's housing market and qualified to assist residents to evaluate, select, and secure placement in the replacement housing, to arrange the moving of all of the household's personal property and belongings to the replacement housing, to render financial advice on qualifying for various housing types, to explain the range of housing alternatives available, and to gather and present adequate information as to available housing. The Relocation Counselor shall assist in the preparation and implementation of the Relocation Plan.

No later than 30 calendar days following the effective date of the Conditional Use Permit for the mobilehome park closure, the Relocation Counselor(s) shall make personal contact with each displaced resident of the mobilehome park and, unless waived by the resident, commence to determine the applicable relocation costs and assistance to be provided. The Relocation Counselor shall give to each person eligible to receive relocation assistance a written notice of his or her options for relocation assistance as determined by the Conditional Use Permit. The Relocation Counselor shall provide proof of contact and written notice with the mobilehome park residents by filing an affidavit attesting that fact with the Department.

Sec. 35-144K.8 ***Vacancy of a Mobilehome Park of 25 Percent or More.***

- 1.** Whenever 25 percent or more of the total number of mobilehome sites within a mobilehome park that are occupied as of [effective date of this Ordinance] are uninhabited for more than 90 consecutive days, and such condition was not caused by a natural or physical disaster beyond the control of the mobilehome park owner, then such condition shall be deemed a "mobilehome park closure" for the purposes of this ordinance. The mobilehome park owner shall file an application

for the mobilehome park closure, in compliance with the requirements of this Section. A mobilehome site is considered to be “uninhabited” when it is either (i) unoccupied by a mobilehome, or (ii) occupied by a mobilehome in which no person resides for a period of 90 days or more.

2. Whenever a mobilehome park resident or other interested person has reason to believe that 25 percent or more of the total number of mobilehome sites within a mobilehome park are uninhabited, as described in Subsection 1, above, such resident or person may file a written statement to that effect with the Director. Upon receipt of such statement, the Director shall cause an investigation and inspection to be conducted to verify the accuracy of such statement. Upon completion of the investigation and inspection, the Director shall make a determination as to whether an unauthorized mobilehome park closure is underway.
3. If the Director determines that an unauthorized mobilehome park closure is underway, he or she shall send a written notice by certified mail to the mobilehome park owner which describes the Director’s determination and establishes a reasonable period of time by which the mobilehome park owner shall submit an application in compliance with this Section for the closure of a mobilehome park.
4. Once the Director has determined whether an unauthorized mobilehome park closure is underway, a written notice that describes such determination shall be sent by the County to the mobilehome park owner, mobilehome park manager, the person(s) who filed the written statement in compliance with Subsection 2, above, and to all the residents in the mobilehome park.
5. The determination of the Director, in compliance with Subsection 2, above, may be appealed by the person who filed the statement, by the mobilehome park owner, the mobilehome park manager, or by any other interested person within the 10 calendar days following the date of the notice of determination. All such appeals shall be submitted and processed in compliance with Section 35-182 (Appeals).

Sec. 35-144K.9 Request for Exemption from Relocation Assistance Requirements.

1. Any person who files an application for a Conditional Use Permit for the closure of a mobilehome park may, simultaneous with and as part of the filing of such application, request an exemption from some or all of the relocation assistance requirements described above in Section 35-144K.7 (Conditions of Approval). The request for the exemption shall be processed in conjunction with the application for the Conditional Use Permit.
 - a. The applicant may request an exemption for one of the following reasons:
 - 1) That the requirement(s) for relocation assistance would eliminate substantially all reasonable economic use of the property.
 - 2) That a court of competent jurisdiction has determined in connection with a proceeding in bankruptcy that mobilehome park closure or cessation of use of the property as a mobilehome park is necessary, and that such court has taken further action that would prohibit or preclude the payment of relocation assistance benefits, in whole or in part.
2. Any request for exemption submitted in compliance with Subsection 35-144K.9.1.a shall contain, at a minimum, the following information:

- a. Statements of profit and loss from the operations of the mobilehome park for the five-year period immediately preceding the date of the application of exemption, certified by a certified public accountant. All such statements shall be maintained in confidence to the extent permitted by the California Public Records Act.
- b. **Report required.**
- 1) If the applicant contends that continued use of the property as a mobilehome park necessitates repairs and/or improvements that are not the result of the park owner or applicant's negligence or failure to properly maintain the said property, and that the costs thereof makes continuation of the mobilehome park economically infeasible, then a report shall be made and submitted, under penalty of perjury, by a civil engineer or general contractor licensed as such in compliance with the laws of the State of California.
- a) The report shall verify that such civil engineer or contractor has thoroughly inspected the entire mobilehome park and has determined that certain repairs and improvements must be made to the mobilehome park to maintain the mobilehome park in decent, safe and sanitary condition, and that those certain repairs are not the result of the mobilehome park owner or applicant's negligent failure to properly maintain the said property.
- b) The report shall describe the minimum period of time in which such improvements or repairs can be accomplished along with the estimated cost for the improvements and repairs. The anticipated costs or damages, if any, which may result if maintenance is deferred shall be identified separately. The report shall also describe any additional repairs or improvements that will be necessary for continuous upkeep and maintenance of the property.
- c) The report shall be referred to the California Department of Housing and Community Development for review and comment.
- 2) If the Director requires an analysis of the information submitted by the civil engineer or general contractor, the Director may procure the services of another licensed civil engineer or general contractor to provide such written analysis, and all such costs shall be paid entirely by the applicant.
- c. An estimate of the total cost of relocation assistance which would be required in compliance with Section 35-144K.7 (Conditions of Approval). This estimate shall be based on surveys, appraisals and reports, prepared to the County's satisfaction, that document the number of residents of the park who are able to relocate their mobilehomes and those who would sell their mobilehomes, and the costs related to providing the relocation assistance measures delineated in Section 35-144K.7 (Conditions of Approval).
- d. If the proposed closure is due to conversion of the land to another use, an estimate of the value of the mobilehome park, if the park were permitted to be developed for the change of use proposed in the application for closure of the park, and an estimate of the value of said park, if use of the property as a mobilehome park is continued, are required. These estimates shall be prepared by a certified real estate appraiser who is acceptable to the County.

- e. Any other information which the applicant believes to be pertinent, or that may be required by the Director.
 - f. Any request for exemption filed pursuant to Section 35-144K.9.1 a.1) shall be accompanied by adequate documentation regarding the title, case number, and court in which the bankruptcy proceeding was held, and copies of all pertinent judgments, orders, and decrees of the said court.
3. When making its determination as to whether to waive or modify a portion or all of any type of benefit that would otherwise be applicable, the Commission may take into account the financial history of the mobilehome park, its condition and the condition of amenities and improvements thereon, the cost of any necessary repairs, improvements or rehabilitation of said park, the estimated costs of relocation, the fair market value of the property for any proposed alternative use, the fair market value of the property for continued use as a mobilehome park, and any other pertinent evidence requested or presented. The Commission shall expressly indicate in its decision any waiver and the extent thereof.
 4. Where a court of competent jurisdiction has determined in connection with a proceeding in bankruptcy that the closure or cessation of the use of said property as a mobilehome park is necessary, and such court has taken action which would prohibit or preclude payment of relocation benefits, whether in whole or in part, the Commission shall have the authority to waive all or a portion of any type of benefit to the extent necessary to comply with the judgment, order, or decree of the court.
 5. The action of the Commission to approve, conditionally approve, or deny the request for exemption is final, subject to appeal in compliance with Section 35-182 (Appeals).

Sec. 35-144K.10 Additional Findings Required for Closure of a Mobilehome Park.

A Conditional Use Permit for a mobilehome park closure may be approved or conditionally approved only if the Commission first finds, in addition to the findings required in compliance with Section 35-172 (Conditional Use Permits), that adequate measures to address adverse impacts on the ability of displaced residents to find adequate housing in a mobilehome park, as described in Section 35-144K.7 of the County's Coastal Zoning Ordinance, have to the maximum extent feasible, but not exceeding the reasonable costs of relocation, been taken without substantially eliminating reasonable economic use of the property.

SECTION 3:

DIVISION 12, Administration, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Subsection A, Decisions appealed to the Planning Commission, of Section 35-182.4, Appeals to the Planning Commission, of Section 35-182, Appeals, to read as follows:

- A. **Decisions appealed to the Planning Commission.** The following decisions may be appealed to the Planning Commission provided the appeal complies with the requirements of Section 35-182.2.C and D.
 1. **Board of Architectural Review decisions.** The following decisions of the Board of Architectural Review may be appealed to the Planning Commission:
 - a. Any decision of the Board of Architectural Review to grant or deny preliminary approval.

- b. Any decision of the Board of Architectural Review to grant or deny final approval in compliance with Section 35-182.2.C.2.b.
- 2. Director decisions.** The following decisions of the Director may be appealed to the Planning Commission:
- a. Any determination on the meaning or applicability of the provisions of this Article.
 - b. Any determination that a discretionary permit application or information submitted with the application is incomplete as provided by Government Code Section 65943.
 - c. Any decision of the Director to revoke an approved or issued Coastal Development Permit or Land Use Permit.
 - d. Any decision of the Director to approve, conditionally approve, or deny an application for a Coastal Development Permit except for Coastal Development Permit approved in compliance with Section 35-137 (Temporary Uses).
 - e. Any decision of the Director to approve, conditionally approve, or deny an application for a Land Use Permit.
 - f. Any decision of the Director to approve, conditionally approved, or deny an application for a Development Plan.
 - g. Any decision of the Director to approve, conditionally approved, or deny any other discretionary application where the Director is the designated decision-maker.
 - h. Any decision of the Director as to whether or not an unauthorized mobilehome park closure is underway.
 - hi. Any other action, decision, or determination made by the Director as authorized by this Article where the Director is the decision-maker except when specifically provided that such action, decision or determination is final and not subject to appeal.

SECTION 4:

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

SECTION 5:

Except as amended by this Ordinance, Division 2, Division 7, and Division 12 of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the County Code, shall remain unchanged and shall continue in full force and effect.

SECTION 6:

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

SECTION 7:

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 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 the Santa Barbara News-Press, 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 _____, 2012, by the following vote:

- AYES:
- NOES:
- ABSTAINED:
- ABSENT:

JONI GRAY
Chair, Board of Supervisors
County of Santa Barbara

ATTEST:

CHANDRA L. WALLAR
Clerk of the Board of Supervisors

By _____
Deputy Clerk

APPROVED AS TO FORM:

DENNIS A. MARSHALL
County Counsel

By _____
Deputy County Counsel

Attachment E

Public Comment Letters



DEREK A. WESTEN

ATTORNEY AT LAW
1800 JELINDA DRIVE
SANTA BARBARA, CALIFORNIA 93108

EMAIL: DEREK@WESTENLAW.COM
FACSIMILE: (805) 963-7131
TELEPHONE: (805) 963-7130

November 14, 2011

VIA EMAIL

County of Santa Barbara
Planning and Development Department
Long Range Planning Division
123 East Anapamu Street
Santa Barbara, CA 93101

Re: Draft Mobilehome Park Closure Ordinance

Dear Planning & Development Department:

I write on behalf of the owners of La Cumbre Mobilehome Park located at 4025 State Street, Santa Barbara, California.

The owners of the park have no intention of closing the park. However, as the proposed ordinance is broad in its implications we are providing comments to help ensure that it is drafted as appropriately as possible.

Our comments at this early stage of ordinance review fall into general comments about the overall structure of the ordinance, concerns regarding specific provisions in the draft, and certain detailed drafting suggestions. In a separate letter we will provide any comments we have on the substance of the ordinance itself.

General Comments

Triggering Cause. The information provided regarding the proposed ordinance refers to the fact that state law allows a local jurisdiction to enact requirements that provide greater protection to mobilehome park residents than that afforded by state law, and refers to the fact that other jurisdictions have done so. But the materials do not identify any actual problems in Santa Barbara that justify adoption of anew, fairly complicated ordinance regulating mobilehome park closures. Before a new ordinance is adopted that attempts to address a problem the County should identify the problem that is occurring or that it is concerned may occur, to ensure that the ordinance is actually correctly framed to address the problem. Otherwise, the County will simply be copying what other jurisdictions have done, and following a trend, rather than only enacting regulations to address an actual problem.



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CUP. CUPs are typically utilized to provide on-going supervision and regulation of a use that is being continued but that ultimately is not expressly allowed by applicable zoning. Use of the CUP process for discontinuation or change of use is surprising. We would appreciate an explanation of why staff recommends the Conditional Use Permit structure for the process of processing a request for a change in use of a mobilehome park.

Assembled Ordinance. The overall objective of the ordinance is to establish a procedural process for regulating closure or conversion of mobilehome parks and to impose requirements for assistance to affected residents that are provide greater assistance than that specified by state law. The ordinance reads as if provisions from other jurisdictions' ordinances have been pulled together into a proposed ordinance without a fresh consideration of the way in which all the new requirements interact with existing requirements, and how an applicant would actually go through the process of attempting to comply both with state law and such a proposed ordinance. As a consequence, there are drafting inconsistencies, unnecessary duplication, and some provision that cause uncertainty.

Substantive Provisions of Concern

Purpose. The ordinance would be improved by a general statement of the purpose of the ordinance. Lake County's ordinance has the following opening clause:

"Purpose: The purpose of the Mobile Home Park Conversion procedure is to ensure that any conversion of these parks to other uses is preceded by adequate notice, that the social and fiscal impacts of the proposed conversion are adequately defined prior to consideration of a proposed conversion, and that relocation and other assistance is provided to park residents when warranted, consistent with the provisions of this ordinance and the California Government Code, Section 65863.7 and 66427.4."

35.89.040 A.2. The term "comparable" is not defined and needs to be clarified. It is especially important that this term be defined when the reference is to non mobilehome residences which differ inherently.

35.89.050 — Special Notice Requirements. I believe the notice requirements have not been fully thought through from the perspective of someone trying to comply. As a consequence, it will be unnecessarily difficult for an applicant to comply and for staff to verify compliance. State law already regulates the closure of mobilehome parks, requiring several forms of notice. The draft ordinance, with the goal of requiring greater notice, has its own noticing requirements that are "in addition to" or "in compliance with" state requirements. The result is a hodgepodge of requirements that are unnecessarily duplicative, not consistent, and not reasonably integrated.



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The ordinance requires, in some cases, notice by certified mail, sometimes refers to “sending” notice and sometimes to “delivery” of notice. Some sections specify notice that is “in compliance with state law,” but then describes the noticing requirement using different language than state law. It will be difficult for any applicant to chart out all the noticing requirements, and difficult for staff to administer. There should be a single statement of notice requirements that meet or exceed state requirements, and staff should chart them out to ensure that they are internally inconsistent. If the ordinance requirements meet or exceed the notice requirements of state law there is no need to reference state law. At a minimum, if there is going to be a reference to state law, there should be a sentence that states, in effect, that the ordinance is not intended to be construed as requiring a separate or additional notice from notice required by state law that is also required by the ordinance.

35.89.070 – Conditions of Approval. Presumably the requirement that the applicant provide a move-in deposit is intended to remove a financial obstacle to the resident’s relocation. As drafted, the provision will be inequitable and arbitrary unless it factors in whether the resident is receiving a refund of a deposit at the mobilehome park being closed and at what point the resident gets credit for the deposit at the new location. If the vacating tenant is receiving repayment of a deposit previously made, and that deposit is equal to or less than the deposit at the new location, there is no need for assistance. If the tenant is required to make a deposit, but then gets credit for that deposit, the credit should be factored into the determination of the level of assistance. Absent consideration of these factors, different vacating tenants will receive different levels of assistance depending on their original conditions on moving in and the differing conditions imposed by the new location.

Living Expenses. Several sections of the ordinance require the applicant to pay the “living expenses” of displaced residents for a specified period. This language should definitely be changed to “housing expenses” or “motel/hotel expenses.” Living expenses include food, clothing, medical care, and many other expenses that the residents pay irrespective of relocation.

35.89.070 A.3. Non Mobilehome Displacement. The reference to a minimum payment of \$7,000 seems totally arbitrary and will, over time, either become irrelevant or will require regular updating to market conditions. If three months rent subsidy is fair, why should the applicant be required to pay an arbitrary amount that is greater? It would be preferable to simply use the requirement for payment of three month’s fair market rent and omit reference to a minimum.

35.89.070 B. The third paragraph, stating that the applicant and displaced residents may agree on other mutually satisfactory relocation assistance is unnecessary and potentially problematical. If the additional assistance is to be mutually satisfactory, not mandatory, then there is no need to reference the possibility in the ordinance. If additional forms of assistance are voluntary, why is there a specific reference to mortgage assistance? Is that meant to imply that some additional assistance in that form is encouraged? If so, it is not longer by mutual agreement. The clause does not add any substance to the ordinance.



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35.89.070 A. As drafted, this provision pertaining to 25% vacancy is inequitable. The underlying goal of the provision seems to be to prevent a mobilehome operator from attempting to evade the provisions pertaining to closing a mobilehome park by not re-leasing units or evicting tenants. But a park may experience more than 25% vacancy due to reasons that would not justify obligating the operator to apply for closure. Demand at the rental rates necessary for the operator to continue operation of the park on economical terms may be low. The location may be undesirable. This section should be re-written to apply only to instances in which the County determines, utilizing a fair process, that the operator is attempting to evade the application of the provision of the ordinance pertaining to a desire to change use. Also note that the definition of Mobilehome Park Closure near the end of the ordinance uses different defining language than the operative language of this section. In effect that creates two definitions of one term.

35.89.090. It is appropriate that the ordinance include provisions for exemptions to avoid a taking of property. However, the standard of "elimination of substantially all reasonable economic use of the property" is itself inconsistent with condemnation law. Property owners are entitled to reasonable economic use of their property. The proposed language implies that they are eligible for an exemption only if they get no use at all. Moreover, Subsection 35.89.090 B makes provision for an applicant to establish that it is economically unfeasible to continue to operate the mobilehome park. If the standard is "economic unfeasibility," then this section should use the same standard, not the different standard of "substantially all reasonable economic use." Note that Section 35.89.100 also refers to the standard of "substantially elimination of reasonable economic use of the property." This section should use consistent (identical) language in all provisions pertaining to loss of reasonable economic use.

35.89.100. It is appropriate that the Commission be required to make a finding that the provisions of the ordinance, to the maximum extent feasible, have been implemented. But the proposed language, which refers to "adequate measures to address the financial and other adverse impacts to residents and/or owners of the displaced mobilehomes" can be read as allowing the Commission to impose *additional* requirements. The required finding should be limited to a finding of compliance with the provision of the ordinance.

Section 3. Definitions. The actual definition of "Mobilehome Park Closure" in this section uses different language and additional standards (*e.g.*, the owner "choosing" to not rent) than the provisions of Section 35.89.080. That is unacceptable drafting in an ordinance because it may lead to difficult or inconsistent standards of application. Also, the definition is intended to apply the term "Mobilehome Park Closure", but the actual definition is of an "unauthorized Mobilehome Park Closure." This definition should be rewritten to apply to "Unauthorized Mobilehome Park Closure" and all of the provisions of Section 35.89.090 should be revised to refer to this definition, rather than stating different standards.



Drafting Comments

I am attaching to this letter a markup of the draft ordinance with specific suggestions for clarification of language. Except where noted, these suggestions are intended to clarify unclear, ungrammatical, or awkward provisions, but not change the substantive intent.¹

1. CIR. The draft is inconsistent in capitalization of "Closure Impact Report," which is referred to as a term of art in 35.89.040 A. (initial caps), but then sometimes capitalized and sometimes not later in the ordinance. The draft is also inconsistent in its references to "Relocation Plan," sometimes capitalizing the term and sometimes not.
2. Their; he/she. The ordinance is inconsistent in referring to displaced residents sometimes as "he/she" and sometimes (ungrammatically) as "their."
3. Inconsistent Formatting. There are many inconsistencies in numbering and headings that convey the impression that the draft has been cobbled together without a careful, integrated review. Some sections have headings; others at the same level do not. There are instances of a subsection 1, without a subsection 2. It would be much easier to identify such inconsistencies if there were a copy of the draft formatted as it is intended to be formatted, without underlining of all the text (which merely indicates that it is all new).
4. 35.89.040 A.1. The language "remain or be displaced by" is unclear. I suggest that the language be: "The number of mobilehomes that will be displaced by the proposed development, and the age, size and condition of the affected mobilehomes." If it is intended that *both* displaced and remaining mobilehomes be analyzed, then the language should be: "The number of mobilehomes that will be displaced by the proposed development and the number that will not be affected, and the age, size and condition of the affected mobilehomes."
5. 35.89.040 A.2. The "willingness of other Mobilehome park owners ..." should be "willingness of those Mobilehome park owners ..."
6. 35.89.040 A.5. I suggest that the paragraph begin "The names, addresses, etc." The words "A list with" are unnecessary (it is the information that is called for, not the form). The phrase "who the applicant might use" is unclear (and ungrammatical). The purpose of the information is unclear. Is the purpose of the clause to make sure the readers of the report know all the consultants who contributed to the report; or is it intended to be a

¹ I have prepared the markup from an attempt to produce the ordinance in Word format; there some inconsistencies in automatic numbering that arose from that process, but they do not affect the substance of the comments.



DEREK A. WESTEN

ATTORNEY AT LAW

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schedule of resources that the residents may wish to utilize? If it is to be a schedule of resources, should the preparer of the report be included?

7. 35.89.040 A.6. It is unclear how this section relates to subsection 2 that precedes it because it seems to duplicate the information regarding mobilehomes. Should this paragraph pertain only to "housing units that are available for rent or for sale, both affordable and market-rate units", and not repeat the reference to mobilehome park availability, which is already covered?

8. 35.89.050. I suggest that in the beginning of the second sentence be modified to read, "The applicant shall verify, to the satisfaction of the Director that a good faith effort has been made to ensure that each park resident" (The ordinance should not attempt to legislate intention.)

9. Section 2.3. Director Decisions. Between Subsections d and e there appears to be a superfluous subsection (1) numbering inconsistency.

10. 35.89.050. I suggest the following rewording:

A. Notice of Intent. A "Notice of Intent" by applicant to convert or close the mobilehome park shall be sent by the applicant by certified mail at least 60 days prior to submittal of the Conditional Use Permit application to the County. After the "Notice of Intent" has been issued, the applicant shall inform all new or prospective residents and/or mobilehome owners that the applicant has requested County approval, or intends to request County approval, of a change of use or that a change of use request has been granted, in compliance with Civil Code Section 798.56(g).

11. Section 3. Definition of "Relocation Counselor." The term "Relocation Counselor" is used in only one detailed provision of the ordinance, and referred to in two others. The detailed provision has some standards for the Relocation Counselor, but the definition has different language. To avoid unintentional discrepancies between the provisions and the definition, the definition should simply refer to the person providing the services in the substantive section. Alternatively, all the requirements should be in the definition, and the substantive provision can refer to that. For example, the ordinance itself does not state that the Relocation Counselor be a "professional," but the definition does. Since the operative provision does not specify what "professional" means, the definition is unclear, besides being unnecessary.

12. Section 3. The second full paragraph in the definition of "Permanent Resident" is syntactically and substantively confusing. On the attached marked up ordinance I have suggested alternate wording.



DEREK A. WESTEN

ATTORNEY AT LAW

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November 14, 2011

As noted above, this letter focuses on structural and drafting aspects of the proposed ordinance. We will provide you any substantive comments on the proposed ordinance in a separate letter.

Sincerely,

Derek A. Westen
Attorney at Law

Attachment: Marked up draft ordinance

cc. Ruelene Hochman
Daniel Hochman

Martha Hassenplug
333 Old Mill Rd. #67
Rancho Santa Barbara Mobile Home Park
Unincorporated Area of Santa Barbara County
California 93110

I'm researched four portions of the Draft Closure Ordinance and compared the Closure Ordinance wording with California State law and legal precedence. I will quote briefly for the record and leave copies of my findings with you.

Item 1) FHA/HUD Restriction on mobile homes older than 1976

FHA/HUD have stringent rules for mobile homes. These rules are also being adopted by mobile home parks and conventional lenders

I quote from the <http://portal.hug.gov/hudportal/HUD>

“Only manufactured homes built after June 15, 1976 are eligible for Section 184 financing” (HUD financing)

“The manufactured home must not have been installed or occupied previously at any other site or location”

These restrictions, along with others effectively prevent moving both older and used mobile or manufactured homes to new locations. We have called several mobile home parks and the answer is always the same. I personally checked with the Manager of Rancho Santa Barbara Mobile Home Park; their policy is not to accept used units. It is a fantasy to think that mobile or manufactured homes can be moved to a new location in Santa Barbara County.

Item 2) The definition of a mobile home

A copy of *Yee v. City of Escondido*, 503 U.S. 519 (1992) is in the packet, along with a cite from California Vehicle Code 798.3

Item 3) Relocation benefits allowed under the State of California Redevelopment law

Health and Safety Code Section 33410-33418

Martha Hassenplug
333 Old Mill Rd. #67
Rancho Santa Barbara Mobile Home Park
Unincorporated Area of Santa Barbara County
California 93110

This is a direct quote from <http://www.hcd.ca.gov> "...no persons or families of low and moderate income shall be displaced unless and until there is a suitable housing unit available and ready for occupancy by such displaced person or family at rents comparable to those at the time of their displacement."

If the State Agency does not force people out of their homes when they have no place to go, I suggest that the Closure Ordinance follow that wording.

Item 4) Additional living Expenses as defined in Fire policies

California Endorsement 6493

"...we will pay the actual, reasonable and necessary amount of your living expense, up to 20% of the amount of insurance. "

In plain English this means that Insurance companies have a formula for living expense based on the value of the house. I'm requesting the Closure Ordinance follows these standard guidelines and use a formula, rather than a dollar amount. As a fixed dollar amount can not take into consideration the economic conditions at the time of closure.

Recognizing that these quotes are from disparate agencies does not change the facts that the ultimate issues of displacement and reimbursement are the same for all people.

In fact the owners of mobile or manufactured homes have a personal financial investment in their homes, above and beyond simple renters.

In conclusion I ask County Staff to find a mobile home community within the millage allotment that will accept used mobile or manufactured homes.

Submitted Jeff Hunt at The Long Range Planning Division, Planning and Development Dept., County of Santa Barbara

SUGGESTED ADDITIONS TO DRAFT ORDINANCE to Replace Omissions & Changes from Model Ordinance

1. Under Purpose/Intent: Please add: *This chapter also serves to reduce the incremental loss of mobilehome parks, preserve existing mobilehome parks and reduce the loss of affordable housing stock.* Also, please restore SLO Special Finding 9.b.
2. Please restore: *"In Place Fair Market Value"*. Mobilehome owners make considerable investments in purchasing, maintaining, and improving their mobilehomes. We cannot easily move a mobilehome due to the age, high cost and risk of damage involved. In recognition of the unique situation and vulnerability of MH owners, the State Mobilehome Residency Law, Civil Code Section 798, et seq. and Government Code Sections 65863.7 and 66427.4, limit the grounds on which mobilehome owners may be evicted from a mobilehome park, protect their right to sell their mobilehomes ***in place*** in a mobilehome park and authorize local jurisdictions to impose reasonable measures to mitigate the adverse impacts when a mobilehome park closes or converts to another use. The Draft Ordinance provision of a maximum amount being a *"third party"* or *"off site"* appraisal and/or the cost of moving a home plus one year's differential in space rent, none of which is to exceed A-1.....is DEVASTATING and treats residents in the Santa Barbara County MH parks differently from those in over 40 plus other California jurisdictions who receive IN PLACE FAIR MARKET VALUE for their homes.
3. Please increase the *Reasonable Living Expenses* time period. Whether setting up a new mobilehome or moving a mobilehome, you are dealing with various types of hook ups, utility companies, storage units and moving companies.....7 days is too short a time. Most ordinances provide a minimum of 30 – 60 days, with exceptions as needed. In addition, if a mobilehome is actually able to be moved, the applicant should also provide insurance so that any damage which is incurred in the move will be covered.
4. Please address the traumatic emotional upheaval and destruction of the sense of community which even just the threat of a park closure can bring to bear on seniors or families. There is no recognition given to this disruptive loss of community and seniors' fear of losing their home with no place to go.
5. Please consider a discussion on Relocation Distance: each jurisdiction must work out what is best for them based on the uniqueness of their area. There are numerous reasons for different possibilities in Santa Barbara County. One is the consideration of families with school children who would have their education disrupted. Working families could risk having to give up a job and re-locate which, today, would be devastating to a family's income. For the elderly and frail from senior parks, losing regular doctors and access to their network of health and welfare providers will be traumatic if moving too far from their original home.
6. Definitions: Please add - *Comparable housing* – alternative housing which is equal or better in terms of amenities, condition, location, price and size to the mobilehome for which compensation is being made. *Also add in the body of the ordinance, page 2, #6.*

Please **Adjust** - Mobilehome Park – consists of an area of land where **two** (not 5) or more.....
This definition is determined by MRL 798.4 and cannot be changed,

Also, Definition of Mobile Home is not consistent with MRL 798.3.
7. Address "Notice" Time differences: Vacancy appeal - 10 days vs 15 days;
Rental Subsidy: 12 months vs 24 mos; Tenancy termination – increase to 2 years.
8. Need Severability Clause (SLO section 4).

11-9-11

Harvey & Norma Blackmun

#207 - 333 Old Mill Road
Santa Barbara, California
93110

County of Santa Barbara planning and Development Dept.
Attention: Jeff Hunt

We have lived in this location since 1987.
If I had any idea that this park could be
closed and we would be forced to move - I
wouldn't have moved here.

We have made many improvements and additions
to our home because we thought we could
live here as long as we wanted.

These improvements include an extensive deck,
that was permitted by the county, and other
upgrades over the years.

We never anticipated we planned on the park
closing.

We need a secure closing ordinance to insure
our investment.

Thank you for your consideration.

Sincerely
Harvey and Norma Blackmun

Clementi, Paul

To: Hunt, Jeff
Subject: RE: Closure Conversion Ordinance for mobile home parks

**Jeff Hunt, AICP, Director
Planning at Santa Barbara County**

Long Range

Mr. Hunt:

Re: Closure Conversion Ordinance for mobile home parks

I was very pleased to see that Santa Barbara County officials are going ahead with a Closure Conversion Ordinance for our mobile home parks. I am pleased too that you will be working with us, given your past experience in planning.

I have several questions about the mobile home park Closure Conversion Ordinance draft. I have represented mobile home owners in many capacities, most notably as a member of the Goleta Valley Visioning Committee.

I also specialize in the sale of mobile homes, as the broker of Richard Realty. In addition, as a former professor of statistics, I have often applied my skills at projecting the probable results stemming from a planning decision, usually with reasonable accuracy.

I am especially concerned about the differences between the San Luis Obispo Closure Conversion Ordinance, and the present draft being proposed to Santa Barbara County Planning. The San Luis Obispo Closure Conversion Ordinance was originally submitted as a template for our ordinance.

80 MILES: TOO FAR

For instance, the draft version specifies that a mobile home owner in a closed mobile home park could be compelled to move up to 80 miles from his home. Even 20 miles from home would be a problem, if the new home were over our hill to the north:

1. Persons who are employed in our area would find getting to work both time consuming and onerous.

2. Driving on Highway 154 is challenging at best, and dangerous at night or in the rain.

3. Many mobile home owners are disabled, and they would be disconnected from the medical practitioners who are among the best in the County.

NEED TO ADDRESS LOCATION for an ACCURATE APPRAISAL

An appraisal of any home, especially a mobile home, only makes sense if you consider where the home is. "Location, location, location."
Lenders and Realtors would be in agreement with this statement.

Moreover, the appraisal must be based on a time before the closure became known to anyone but the park operator. Once the word is out about the closure, the mobile home equity would plummet immediately. This was dramatically demonstrated by such events as the proposed closure of mobile home parks in Palm Springs. The residents could not sell their homes to anyone. Later, the mobile home owners simply had to abandon their homes, and even had to pay for their homes to be hauled away as junk.

For a mobile home, it is also supremely important that the owner continue to have the same space rent protections that he had in his previous park. Mobile home space rent protections affect value so much that lenders will not finance the purchase of mobile homes unless the buyer has a very high income. With little or no financing available to the average citizen, few of mobile homes are sold. For instance, in Goleta, Rancho Goleta Mobile Home Park residents were denied their previous space rent protections. Our two local mobile home lenders then refused to finance a purchase of the home as long as there was no rent protection. As a result, no mobile homes were sold during the period when there were no space rent protections.

MOBILE HOMES ARE NOT MOBILE

A mobile home is mobile only when it comes from the factory in pieces. The home is next placed on the property and assembled on the spot. Then:

1. Skirting is added.
2. A porch is constructed and attached.

3. A car port is built onto the home.
4. Earthquake bracing is placed on the piers
5. The utilities are routed through the home.
6. The carpet is laid and the ceiling plaster is finished.
7. Landscaping is added.

To move the home, most of the above must be undone. The pieces of the home are placed on trailers, and the home is transported to the new location, where steps 1 through 7 are repeated.

Damage

It has been well established that the homes are usually significantly damaged during the above process.

Regards,

James Richard, M.A.
Barbara

Santa
805-698-6929

cc:
Janet Wolf, Supervisor
Second district, Santa Barbara County

Anne Anderson
President, Golden State Mobilehome Owners League

Martha Hassenplug
Mobile Home Owners' advocate

Mobile home advocates in Blue Skies, Nomad Village, San Vicente, and La Cumbre mobile home parks

Clementi, Paul

From: Jeff Gring [jumpguy1@verizon.net]
Sent: Thursday, November 10, 2011 11:33 AM
To: HUNT@CO.SANTA-BARBARA.CA.US
Cc: Clementi, Paul
Subject: COMMENTS ON MOBILEHOME ORD.

Moving a mobile-home resident 80 out of the area thus devaluing his \$200,000 mobile-home by 75% or telling him his \$200,000 mobile-home can't be moved and will be given 12 months rent for it is not fair and I doubt legal.

If implemented this ordinance will be challenged in court and the county will lose.

Jeff Gring
4280 Calle Real, space #41
SB, CA 93110

I WOULD LIKE TO SPEAK ON THE RELOCATION ASSISTANCE FOR MOBILE /mfg.
HOME OWNERS. 35.89 1. a. Page 4.

In your draft you state that the applicant shall pay all costs related to moving the mobilehome, fixtures, etc. at a cost to the applicant for a period not exceeding 7 days. This to the consensus of the mobilehome residents is impossible!!!! It would probably take 7 days just to get the permits!!! Let alone the disassembly and travel time and then reassembling the home. There are not that many businesses that do this type of work, we probably are not talking about one mobile home, if the park is closing, you are talking about a number of them and you know us seniors we all want it done at the same time!!!! One of the residents in our park had this experience and it took him 90 days from start to finish!!! So a figure of 90 days is more realistic. This compares to the figures that the other counties have approved!!!!

which of course would be impossible in their ordinances.

This closure is going to be dealing with a large number of very emotional people, the majority will be senior citizens on fixed incomes. Please give them peace of mind and not add any additional financial burdens on them

Thank you for your kind attention.

*Nancy Johnston
Member No Santa Barbara Co.
Mfg Homeowners Deam -*

I'M Marie Pounders, from Sea Oaks MHP in Los Osos. I am here tonight as the GSMOL, that's Golden State Mobilehome Owners League Manager for San Luis Obispo and Santa Barbara Counties.

Between late 2005 and the Fall of 2008, a group of dedicated mobilehome residents worked closely with the SLO county Planning Dept which also worked with Park Owners through numerous STAKEHOLDER meetings, local advisory committee meetings and meetings at our mobilehome parks. Together, we gathered a lot of information about how to create a closure conversion ordinance which was FAIR AND BALANCED FOR EVERYONE.....because that is what our SUPERVISORS REQUIRED!!!

We found the Huntington Beach and Seal Beach Ordinances from 2004, which then appeared to be the only models available. We became thoroughly familiar with both the Ellis Act and the Mello Act. We plowed through all kinds of ways to appraise a mobilehome which cannot be moved.....and in the end.....by the time we finished in September of 2008.....Ted Bench, our Senior Planner.....was to announce to the Board of Supervisors that using IN PLACE FAIR MARKET VALUE was the GOLD STANDARD for compensation for residents whose mobilehomes cannot be moved. You see, by that time, every ordinance Ted could find in the state of CA, which followed the model ordinances, adopted IN PLACE FAIR MARKET VALUE.

The key turning point for our Planning Department was when they found out the difference in price of when a park owner sells his/her park AS A MOBILE HOME PARK and it continues as a park.....and when the park owner SELLS IT TO A DEVELOPER.....we learned from the owner of the Hollywood Beach MHP in Oxnard that he would have received THREE TIMES THE AMOUNT OF MONEY by selling his park to a developer than by keeping it a park. **Reasonable Costs of Relocation** take on a whole different meaning when you triple the value of the mobilehome park itself!

In the last several weeks, we have also discovered something new. During the time period of 2004-2009, there was a flurry of activity in jurisdictions to draft closure conversion ordinances. In attempting to compile a list for your county, I was amazed to find much earlier closure ordinances from the mid 1990's.....which appear to also follow a certain model and ALL USE IN PLACE FAIR MARKET VALUE. So there have actually been two waves of time periods for jurisdictions to draft closure conversion ordinances. So far, my list has almost 40 cities and counties on it.

Santa Barbara County was provided with sample model ordinances from GSMOL which include the use of "IN PLACE FAIR MARKET VALUE". We are hopeful that both documentation soon to be provided to you/them and simply listening to the rationale for this way of appraisal will help the Planning Dept comprehend why it is the ONLY FAIR WAY TO TREAT THE RESIDENTS OF THIS COUNTY.

**Jeff Hunt, AICP, Director
Long Range Planning at Santa Barbara County**

MOBILE HOMES ARE NOT MOBILE

A mobile home is mobile only when it comes in sections from the factory on a trailer. There are two major sections.

Before the home is installed, the space has to be prepared. This takes at least a week. The ground is cleared, leveled, and compacted. Next, a pad is made for the home itself. Usually the pad is made out of cement, which takes several days to cure.

Then the two house sections are placed over the cement pad and lined up face to face. The two pieces are connected. Connecting the two pieces can be very difficult if the pieces are from a used home. Used homes have usually shifted after sitting for a few years. About two dozen supports are placed under the home and the home is made level. The trailer attachments are then removed.

Then the skirting is carefully added all around the home. Great care must be taken to see that there are no gaps in the skirt pieces, to keep the home safe from rodents.

Next, a porch and deck are built onto the home. Then the driveway is laid. Cement driveways are best, but they are more expensive and they take longer to install. The car port is then built onto the home.

Earthquake braces are installed to connect all the supports together.

The roof must be finished at the points of connection. Gutters are added.

Next, the utilities are routed through the home and connected to the main sources.

The flooring is installed and the ceiling plaster is finished.

The grounds are then finished in preparation for landscaping. Trees and hedges are planted. Flower and lawn beds are installed.

All of this is done with the expectation that the home will stay where it is.

To move the home, most of the trees and hedges are taken out. The utilities are disconnected. The gas and electric sources are removed from the property. The carport and the porch are taken apart. They cannot be used again.

Then the supports below the home are separated and they are replaced with jacks. The major sections are separated, splitting the home in two. (See attached photo.) The trailer attachments are installed and the pieces are carried to a new location, where the installation procedure is done all over again.

Damage It has been well established from several court decisions that mobile homes are usually significantly damaged when moved from their original locations.

Regards, Madelyn Ratcliff
Santa Barbara County Mobile home owner

PUBLIC HEARING STATEMENT CLOSURE/CONVERSION ORDINANCE

To the Long Range Planning staff:

I am the President of the North Santa Barbara County Manufactured Homeowners Team which include 32 MHP, which 20 are in the unincorporated Santa Barbara County, at total of 2378 spaces I am here to provide public comment on the proposed Ordinance.

I first must address the County Santa Barbara 2011 Legislative Platform, page 51 of that document which indicates that mobile home parks comprise an important component of the County's stock of affordable housing. The impacts associated with the loss of affordable housing, whether temporary or permanent can be traumatic to both the affected residents and community. The amendments to the relevant law are to ensure that mobile home parks residents are not involuntarily removed from homes or otherwise economically impacted if parks are converted.

Manufactured homeowners live in either a 55+ year old, referred as a Senior Park or Family Park. Many of these Manufactured Home owners included low-income individuals or families, which include minorities, those who are frail, insolated, abused, neglected, and exploited, who have limited English speaking and comprehending abilities, live in rural areas, and who are physically, mentally, and emotionally challenged, as well as those with caregiver care responsibilities, and most of all day-to-day living financial responsibilities.

We appreciate your initial effort towards the development of a Closure/Conversion Ordinance as directed by the Santa Barbara Board of Supervisors at the Board Meeting of March 1, 2011, of which I attended and addressed the Board on this issue. But the current Ordinance as drafted lacks in very essential areas.

Such model ordinances establish standards for the closure conversion of a MH park to another use and provide for financial compensation and relocation assistance to displaced residents if the conditional use permit is approved. Two essential groups of ordinance components are: 1) A detailed **Conversion Impact Report** used by the County in deciding to permit conversion, the driving force of the ordinance, must include alternative housing sites available and "fair market value" cost to replace the mobile home if no MHP will accept the home: and 2) **Relocation assistance** provided by the applicant to help displaced resident homeowners must include payment of "in place" market value to residents whose homes cannot be moved, and a relocation plan describing aid to go to each displaced resident, including financial assistance to cover cost of relocation, the time frame and steps that will be taken to complete the relocations.

- A. **It fails to include payment of "in-place" market value** in its description of the "reasonable costs of relocation" to be paid by the project applicant. Instead, it limits the amount of compensation for homes that cannot be

moved because of the age or condition to its appraised value, but not to exceed the total amount of relocation assistance described for homes that can be moved. This is only: 1) the costs for moving the mobilehome and its accessory structures to a new park or property within 80 miles, 2) the payment of the difference in rent from the old park space to the new park space for a period of 12-months, and 3) the payment of up to 7-nights of hotel expenses during relocation. This is inadequate!

- B. Under the Fifth and Fourteenth Amendment of the US Constitution provides for no person will be deprived of life, liberty or property without due process of law. The present draft of the ordinance , may force some manufactured homeowners to give their property without payment. This is clear violation of those guaranteed rights provided by the US Constitution.

We are property owners, tax payers and voters. Please take into consideration all of comments you hear this evening and make the appropriate changes to this important Ordinance.



Bill Heintz
President-NSBMHT



11.13.11

Re: Closure Conversion Ordinance

Dear Honorary Janet Wolf and Jeff Hunt:

Thank you for taking the time to read my letter in support of the Closure Conversion Ordinance for Santa Barbara County. It would be comforting for owners to know what would happen in case a park owner decided to sell.

I am a full time active Broker and Realtor selling over 10 properties each year where the average agent in a good year sells 1-2 properties. As Past President of the Santa Barbara Association of Realtors I am well versed in the trials that mobile home owners face. I own a mobile home and live there now.

Not only is there always a thought looming of the park owners selling but financing is much more expensive on mobile homes than stick built homes and lenders are scarce to put it mildly. Mobile home owners are will be comforted by having a Closure Conversion Ordinance in place.

Jim Richard, Realtor and prior Statists Professor, mentioned some very good points in his letter. Any homes value is based on "Location, Location, Location," thus our higher values for our existing mobile homes (which are not really mobile after being set up in a park), the same home in Fresno would have very little value compared to our Santa Barbara area homes of the same year.

Our area has no spaces that are not occupied by homes already. If someone wanted a new home in any of our parks they must first purchase the older home and remove it at their expense. This is a costly proposition sometimes up from \$135,000 to \$200,000 just to buy and remove the older home. I bring this up to point out that there is nowhere to park a home in Santa Barbara area if a park were to close.

Many of our parks are 55+, or senior parks and other parks are designed for families who are our local work force who do not want to live with common walls such as condo living. Mobile homes are affordable and fit their needs. If a park closed and did not have a place to put the existing homes and their owners many would face financial ruin.

Most of us live here because we work here and living 80 miles away would create a hardship also. A 20 miles radius is much more reasonable and even then the thought of moving a home that is established in a park that is being sold is ridicules due to the fact there is no open space to move to. Are we going to be building more mobile home parks?

If we don't plan a place for these owners, who will?

Thank you for your service and your time.

Regards,

A handwritten signature in black ink, appearing to read 'Elaine Abercrombie', written over a horizontal line.

Elaine Abercrombie

Broker/Realtor/SERS/805-450-0086

COST OF MOBILE HOME (MH) PARK CLOSURE TO UNINCORPORATED SOUTH COUNTY MH OWNERS

by James Richard, Broker, Richard Realty, specializing in MH sales.

NEED TO PURCHASE A DIFFERENT MH (\$136,000)

To move to a different MH park, a MH owner from a closed park must *purchase* a home in the different park. That is because there are no open spaces in present day MH parks. Even if a space appeared empty, one would still have to purchase the "leasehold", which is the major cost of a mobile home purchase.

The average MH within 50 miles of South County mobile homes sells for about \$136,000. The figures are obtained from the Santa Barbara Board of Realtors multiple listing system (MLS).

Please see Appendix One, below.

LOSS of EQUITY in CLOSED UNINCOPROATED SOUTH COUNTY MH PARK (\$178,000 in most cases

To the price of purchasing a MH in another park, one must add the loss of equity of the home in the park being closed. Mobile homes in the unincorporated South County sell for average of \$178,000. Unincorporated South County MH's are in blue font in Appendix Two, listing numbers 15 -31. Calculations available.

MH's in the unincorporated South County are the most attractive in the County, partly because of the proximity to services and partly because of the proximity to beaches.

Most MH owners are seniors who own their home free and clear, but only because they have usually invested most of their assets in their home. With this loss, the MH owner's cost due to a park closure would then rise to about \$314,000

MOVING EXPENSES (\$3,000)

Then there is the cost of a temporary place to live during a move. \$3,000 would be a conservative estimate. Total loss of the MH owner's assets is now \$317,000.

COST OF MOVING MH (\$50,000)

If the MH owner still chose to take his home with him, then another \$40,000 must be added to his loss of assets. Another \$10,000 would have to be paid to get rid of the home on the space to which he moved. With the additional \$50,000 cost of moving, the MH owner's asset loss would be about \$367,000.

Conclusion:

THE TOTAL ESTIMATED COST TO SOUTH COUNTY MH OWNERS, IF THEIR PARK CLOSES, IS COMPUTED TO BE AT LEAST \$367,000.

LIKELY ADDITIONAL COSTS

EFFECT OF HIGH MH SPACE RENTS (Buyer pays \$12,000 for each \$100 in rent)

MH space rents are also a cost factor in moving into a MH park. For instance, over a ten year period, an extra \$100 in space rent would cost the home owner about \$12,000. As an example in the Santa Barbara area, the monthly MH park rents in Santa Barbara *City* are about \$350 more than those in the unincorporated South County. The actual cost to a MH buyer in Santa Barbara City is therefore increased by \$42,000, simply because of the higher rents.

Lenders' reaction to high space rents (Buyer pays higher loan costs.)

Lenders think of the extra \$100 per month space rent as if the buyer had to pay \$100 more on the loan. A MH buyer's "Debt Ratio" is correspondingly higher, so the MH buyer would have to earn a higher income to qualify for financing. Moreover, the lender would charge higher interest and more points for the loan.

EFFECT OF BEING WITHOUT SPACE RENT

PROTECTIONS (Buyer faces danger of high rent raises)

Where there are no limitations on the MH space rents, the homes would be cheaper to buy, but substantially more expensive to own. MH parks *without* space rent protections average about \$350 more in monthly rents. The owners of MH's without rent protection would also be subject to arbitrary rent raises by the park owners.

Reaction from lenders (MH Buyers pay more for loans or must pay cash.)

Lenders recognize the space rent protection factor also. Financing on MH's *without* rent protection is more expensive and harder to qualify for. Sometimes MH loans are not even available. The two MH lenders in our area stopped giving loans at all to potential buyers of MH's in Rancho MH Park when rent protections were lost in that park. Potential buyers of MH's in that park refused to purchase. No sales at all occurred during the period when no rent protections were in force.

Contact Information for Mr. Richard

Telephone: 805-698-6929

E-mail: richardswritings@aol.com and
richardrealty@aol.com

Appendix One

CALCULATIONS FOR COST OF MH'S IN SOUTH AND NORTHWEST SANTA BARBARA COUNTY

TABLE: Sale prices of South and Northwest Santa Barbara County MH's sold in last 6 months

All homes listed here have some limitation on the space rents.

Included are the MH's in:

1. The city of Carpinteria (20 miles from unincorporated South County mobile homes);
2. The city of Lompoc (50 miles from unincorporated South County mobile homes); and
3. The unincorporated areas of South Santa Barbara County.

Statistical Market Analysis

| Status | # Listings | List Volume | Sold Volume | | List Price | Sold Price | Sale/List Price | SqFt. | List Price Per SqFt. | Sold Price Per SqFt. | Days On Market |
|--------|------------|-------------|-------------|------|------------|------------|-----------------|-------|----------------------|----------------------|----------------|
| Closed | 33 | 5,556,600 | 5,104,400 | Low | 49,000 | 30,000 | 0.61 | 960 | 47.92 | 31.25 | 1 |
| | | | | Avg | 168,382 | 154,679 | 0.91 | 1,301 | 135.78 | 127.13 | 67 |
| | | | | High | 318,000 | 300,000 | 1.00 | 1,750 | 239.42 | 225.96 | 221 |






Selection Criteria for Comparable Properties








Specified listings from the following search: Property type Res; Status Change Date between '6/20/2011' and '11/19/2021'; Status of 'Closed'; Realtor.com Type of 'Residential: Mobile/Manufactured Homes'; Sold Date between '6/20/2011' and '11/19/2021'; End Date between '6/19/2011' and '11/19/2021'.

At the Sold Price Per Sq. Ft. of \$127, an 1,100 square foot MH would be expected to sell for about \$136,000.



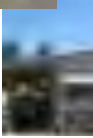



Appendix Two

INDIVIDUAL LISTINGS OF THE MH'S USED IN CALCULATING COST OF MH'S WITHIN 50 MILES OF SOUTH COUNTY MH'S

| | <u>SELLING PRICE/ADDRESS</u> | <u>ASKING PRICE</u> | <u>BR/BA</u> | <u>OFFICE</u> |
|----------------|--|---------------------|--------------|--|
| 1 (no picture) | \$90,000 3950 Via Real #8 CARPINTERIA, CA 93013 Closed / | 99,900 | 2/2 | |
| 2 |  \$108,000 3950 Via Real 240 CARPINTERIA, CA 93013 Closed / | 109,000 | 2/2 | Seascope Realty |
| 3 |  \$235,000 3950 Via Real 144 CARPINTERIA, CA 93013 Closed / | 250,000 | 3/2 | Seascope Realty |
| 4 |  \$100,000 5700 Via Real 119 CARPINTERIA, CA 93013 Closed / | 120,000 | 2/2 | Village Properties - |
| 5 |  \$80,000 5750 Via Real 246 CARPINTERIA, CA 93013 Closed / | 115,000 | 2/2 | Century 21 Butler Realty, Inc |
| 6 |  \$125,000 6180 Via Real 9 CARPINTERIA | 124,900 | 2/2 | MurphyKing Real Estate, Debbie Murphy |

| | | | | | |
|----|---|---|---------|-----|------------------------------|
| 7 |  | <p>\$260,000 3950 Via Real #154 CARPINTERIA, CA 93013 Closed /</p> | 275,000 | 2/2 | John Villar & Associates |
| 8 |  | <p>\$213,000 3950 Via Real #195 CARPINTERIA, CA 93013 Closed /</p> | 225,000 | 2/2 | John Villar & Associates |
| 9 |  | <p>\$99,900 3950 VIA REAL 81 CARPINTERIA, CA 93013 Closed /</p> | 99,900 | 2/2 | Village Properties - 1 |
| 10 |  | <p>\$148,000 3950 VIA REAL 253 CARPINTERIA, CA 93013 Closed /</p> | 155,000 | 2/2 | Village Properties - 1 |
| 11 |  | <p>\$99,000 5700 VIA REAL 54 CARPINTERIA, CA 93013 Closed /</p> | 99,000 | 2/2 | Prudential California Realty |
| 12 |  | <p>\$135,000 5750 VIA REAL 216 CARPINTERIA, CA 93013 Closed /</p> | 159,900 | 3/2 | Seascape Realty |
| 13 |  | <p>\$65,000 6180 VIA REAL 46 CARPINTERIA, CA 93013 Closed /</p> | 69,000 | 2/2 | Village Properties - 1 |

| | | | | | |
|----|---|--|----------------|------------|-----------------------------------|
| 14 |  | \$30,000 5700 VIA REAL 108 SANTA BARBARA, CA 93103 Closed / | 49,000 | 2/2 | Village Properties - 1 |
| 15 |  | \$107,000 333 Old Mill Road 208 SANTA BARBARA, CA 93110 Closed / | 149,000 | 2/2 | Village Properties - 1 |
| 16 |  | \$140,000 4025 STATE ST 19 SANTA BARBARA, CA 93110 Closed / | 169,000 | 2/2 | Prudential California Real |
| 17 |  | \$205,000 4025 STATE ST 51 SANTA BARBARA, CA 93110 Closed / | 219,000 | 2/2 | Mobilehome Realty |
| 18 |  | \$233,000 4025 STATE ST 47 SANTA BARBARA, CA 93110 Closed / | 239,000 | 3/2 | Mobilehome Realty |
| 19 |  | \$166,000 30 Winchester Canyon Road 92 GOLETA, CA 93117 Closed / | 169,000 | 2/2 | Village Properties - 1 |
| 20 |  | \$203,000 4280 Calle Real 19 SANTA BARBARA, CA 93110 Closed / | 209,000 | 3/2 | Village Properties - 1 |
| 21 |  | \$185,000 4326 Calle Real 84 SANTA BARBARA, CA 93110 Closed / | 209,000 | 3/2 | Village Properties - 1 |
| |  | | 110,000 | 1/1 | Village |

| | | | | | |
|----|--|---|---------|-----|--|
| 22 | | \$110,000 4326 CALLE REAL 25 SANTA BARBARA, CA 93110 Closed / | | | Properties - 1 |
| | | | 215,000 | 2/2 | Abercrombie Fine Homes |
| 23 |  | \$210,000 333 Old Mill Road 127 SANTA BARBARA, CA 93110 Closed / | | | |
| 24 |   | \$175,000 340 Old Mill Road #45 SANTA BARBARA, CA 93110 Closed | 200,000 | 2/2 | Keller Williams Santa Barbara |
| 25 |  | \$120,000 333 OLD MILL RD 217 SANTA BARBARA, CA 93110 Closed / | N/A | 2/2 | Village Properties - 1 |
| 26 |  | \$140,000 333 OLD MILL RD 57 SANTA BARBARA, CA 93110 Closed / | 140,000 | 2/2 | Century 21 Gold Star |
| 27 |  | \$235,000 333 OLD MILL RD 226 SANTA BARBARA, CA 93110 Closed / | 249,000 | 2/2 | Village Properties - |
| 28 |  | \$300,000 333 OLD MILL RD 104 SANTA BARBARA, CA 93110 Closed / | 318,000 | 2/2 | Village Properties - 1 |

| | | | | | |
|----|---|--|---------|-----|--|
| 29 |  | <p>\$180,000 340 OLD MILL RD #256 STA BARBARA, CA 93110 Closed /</p> | 199,000 | 3/2 | Kim Bish Realtor |
| 30 |  | <p>\$180,000 340 OLD MILL RD # 91 SANTA BARBARA, CA 93110 Closed /</p> | 199,000 | 3/2 | Prudential California Realty - 1 |
| 31 |  | <p>\$210,000 340 OLD MILL RD 42 SANTA BARBARA, CA 93110 Closed /</p> | 230,000 | 2/2 | Prudential California Realty |
| 32 |  | <p>\$82,500 30 WINCHESTER CYN #144 SANTA BARBARA, CA 93117 Closed /</p> | 95,000 | 2/1 | Century 21 Gold Star |
| 33 |  | <p>\$135,000 330 W Highway 246 #150 BUELLTON, CA 93427 Closed /</p> | | | |

Attachment F

Real Estate Listings From Unincorporated
Mobilehome Parks

Attachment F - Real Estate Listings from Unincorporated Mobilehome Parks

| | Park Name | Area | Location | Lot # | Bed | Baths | Square Footage | Year Built | Asking Price | Assessed Value | Assess%ofAsk | Assessment Year | MLS ID | |
|----|----------------------|--------|-------------------|-------|-----|-------|----------------|------------|----------------------------|-------------------|--------------|-----------------|---------|--|
| 1 | San Vicente | Goleta | 340 Old Mill Road | 233 | 2 | 2 | 1440 | 1978 | \$ 229,000 | | | | 11-1670 | |
| 2 | San Vicente | Goleta | 340 Old Mill Road | 224 | 2 | 2 | 1680 | 1978 | \$ 229,000 | | | | 11-2170 | |
| 3 | San Vicente | Goleta | 340 Old Mill Road | 68 | 2 | 2 | Not Listed | 1978 | \$ 249,000 | | | | 11-1568 | |
| 4 | San Vicente | Goleta | 340 Old Mill Road | 3 | 2 | 2 | Not Listed | 1979 | \$ 235,000 | | | | 11-891 | |
| 5 | Rancho Santa Barbara | Goleta | 333 Old Mill Road | 214 | 2 | 2 | 1200 | 1964 | \$ 279,000 | | | | 10-3928 | |
| 6 | Rancho Santa Barbara | Goleta | 333 Old Mill Road | 280 | 2 | 2 | 1216 | 1984 | \$ 239,000 | \$ 28,000 | 12% | 2010 | 11-2108 | |
| 7 | Rancho Santa Barbara | Goleta | 333 Old Mill Road | 11 | 2 | 1 | 944 | 1964 | \$ 135,000 | | | | 11-2456 | |
| 8 | Rancho Santa Barbara | Goleta | 333 Old Mill Road | 281 | 2 | 2 | 1120 | 1983 | \$ 269,000 | \$ 29,959 | 11% | 2010 | 11-2272 | |
| 9 | Rancho Santa Barbara | Goleta | 333 Old Mill Road | 226 | 2 | 2 | 1040 | 2000 | \$ 249,000 | \$ 76,224 | 31% | 2010 | 11-2019 | |
| 10 | Rancho Santa Barbara | Goleta | 333 Old Mill Road | 104 | 2 | 2 | 1080 | 2009 | \$ 318,000 | \$ 100,000 | 31% | 2010 | 11-1330 | |
| 11 | Rancho Santa Barbara | Goleta | 333 Old Mill Road | 57 | 2 | 2 | 1120 | 1980 | \$ 179,000 | \$ 23,754 | 13% | 2010 | 11-1758 | |
| 12 | Rancho Santa Barbara | Goleta | 333 Old Mill Road | 19 | 2 | 2 | Not Listed | 1976 | \$ 159,000 | | | | 11-1397 | |
| 13 | Blue Skies | Goleta | 4280 Calle Real | 19 | 3 | 2 | 1056 | 2001 | \$ 209,000 | \$ 70,931 | 34% | 2010 | 11-1974 | |
| 14 | La Cumbre | Goleta | 4025 State Street | 64 | 2 | 2 | 1120 | 1974 | \$ 225,000 | | | | 11-1384 | |
| 15 | La Cumbre | Goleta | 4025 State Street | 59 | 2 | 1 | | 1974 | \$ 159,900 | | | | 11-967 | |
| 16 | Nomad Village | Goleta | 4326 Calle Real | 84 | 3 | 2 | 960 | 2001 | \$ 209,000 | \$ 56,865 | 27% | 2010 | 11-756 | |
| 17 | Nomad Village | Goleta | 4326 Calle Real | 25 | 1 | 1 | Not Listed | 1969 | \$ 110,000 | | | | 11-2141 | |
| | | | | | | | | | Median Asking Price | \$ 229,000 | | | | |

| | Park Name | Area | Location | Lot # | Bed | Baths | Square Footage | Year Built | Asking Price | Assessed Value | Assessment Year | MLS ID | | |
|----|----------------|--------|------------------------|------------|-----|-------|----------------|------------|----------------------------|------------------|-----------------|--------|--------|--|
| 1 | Del Cielo | Orcutt | 3210 Santa Maria Way | Not Listed | 2 | 2 | 1680 | 2005 | \$ 69,000 | | | 177654 | | |
| 2 | Town & Country | Orcutt | 1600 East Clark Avenue | 57 | 2 | 2 | 960 | 1980 | \$ 60,000 | \$ 22,231 | 37% | 2010 | 177750 | |
| 3 | Sunnyhills | Orcutt | 1650 East Clark Avenue | 233 | 2 | 2 | 1680 | 1988 | \$ 39,900 | \$ 35,615 | 89% | 2010 | 172838 | |
| 4 | Sunnyhills | Orcutt | 1650 East Clark Avenue | 329 | 2 | 2 | 1248 | 1989 | \$ 29,999 | \$ 44,355 | 148% | 2010 | 1103 | |
| 5 | Town & Country | Orcutt | 1600 East Clark Avenue | Not Listed | 2 | 2 | 1056 | Not Listed | \$ 10,000 | | | 175345 | | |
| 6 | Town & Country | Orcutt | 1600 East Clark Avenue | Not Listed | 2 | 1 | 1320 | Not Listed | \$ 19,900 | | | 174300 | | |
| 7 | Town & Country | Orcutt | 1600 East Clark Avenue | Not Listed | 2 | 1 | 1040 | Not Listed | \$ 17,500 | | | 173231 | | |
| 8 | Sunnyhills | Orcutt | 1650 East Clark Avenue | Not Listed | 2 | 2 | 1464 | Not Listed | \$ 39,900 | | | 168601 | | |
| 9 | Sunnyhills | Orcutt | 1650 East Clark Avenue | Not Listed | 2 | 2 | 1840 | Not Listed | \$ 39,500 | | | 174260 | | |
| 10 | Del Cielo | Orcutt | 3210 Santa Maria Way | Not Listed | 2 | 1 | 720 | Not Listed | \$ 17,000 | | | 174160 | | |
| 11 | Sunnyhills | Orcutt | 1650 East Clark Avenue | 359 | 2 | 2 | 1056 | 1984 | \$ 25,000 | 26847 | 107% | 2010 | 162407 | |
| 12 | Sunnyhills | Orcutt | 1650 East Clark Avenue | 355 | 2 | 2 | 1440 | 1987 | \$ 45,900 | 37650 | 82% | 2010 | 169035 | |
| 13 | Orcutt Ranch | Orcutt | 355 West Clark | 73 | 2 | 2 | | 1989 | \$ 40,000 | | | 177515 | | |
| | | | | | | | | | Median Asking Price | \$ 39,900 | | | | |

Source: Real Estate Listings from Trulia.com on July 11, 2011

Attachment G

Estimated Costs of Relocation Assistance

Attachment G - Estimated Costs of Relocation Assistance

| Costs to Relocate Mobilehome | | | | | |
|--------------------------------------|------------------|------------------|------------------|---|--|
| Benefit | Single-wide | Double-wide | Triple-wide | Source of Data | |
| Move of the Mobilehome | \$ 6,500 | \$ 15,250 | \$ 20,850 | Advantage Homes (Dealer) | |
| Move of the Extraneous Improvements | \$ 600 | \$ 1,400 | \$ 1,750 | Advantage Homes (Dealer) | |
| State & Local Permits | \$ 817 | \$ 922 | \$ 1,026 | See Permit Fee calculation below | |
| 30-nights of temporary accommodation | \$ 3,000 | \$ 3,000 | \$ 3,000 | Staff Estimate/\$100 per night | |
| 12-months of space rent differential | \$ 2,400 | \$ 2,400 | \$ 2,400 | Staff Estimate/\$200 per month times 12 | |
| Estimated Total | \$ 13,317 | \$ 22,972 | \$ 29,026 | | |

| Estimate of 12-month HUD Fair Market Rent differential | | | | | |
|--|------------------|------------------|------------------|----------------------------|--|
| Benefit | Minimum Cost | Average | Maximum Cost | Source of Data | |
| 12-months of rent differential (assuming 2-bedroom unit) | \$ 12,348 | \$ 12,348 | \$ 12,348 | See calculation info below | |
| Estimated Total | \$ 12,348 | \$ 12,348 | \$ 12,348 | | |

| Assessed Values of Mobilehomes within SB County | | | | | |
|---|-----------------|------------------|-------------------|--|--|
| Benefit | Minimum Cost | Average | Maximum Cost | Source of Data | |
| Replacement/Appraised Value* | \$ 5,025 | \$ 47,772 | \$ 179,416 | Assessor's Data (roughly equivalent to NADA Guide) | |
| Estimated Total | \$ 5,025 | \$ 47,772 | \$ 179,416 | | |

*Data based on Assessor's Valuation of Mobilehome Units in Uncincorporated Parks, units prior to 1976 are not assessed, data from Resident Owned Parks (Summerland by the Sea and Knollwood) was removed.

| Subsidy calculation | | | | Permit Fees | | |
|---|----------|-------------------------|--|---|---------------------------------|--|
| South Coast Parks Rent | | | | Single-wide/No Carport or other improvements | | |
| Nomad Village | \$ 315 | County HCD est. average | | | | |
| HUD Fair Market Rents for SB County 2012 | | | | | | |
| One-bedroom | \$ 1,198 | | | SHCD Permit Fee and Inspection | \$ 433 | |
| Two-bedroom | \$ 1,344 | | | CalTrans Transport Fee | \$ 16 | |
| Three-bedroom | \$ 1,770 | | | County Building Permit and Inspection | \$ 368 | |
| | | | | Total | \$ 817 | |
| Rent difference between HUD 2-bed and Nomad Village rent times 12 | | | | \$ 12,348 | Triple-wide/with Carport | |
| | | | | SHCD Permit Fee and Inspection | \$ 433 | |
| | | | | CalTrans Transport Fee | \$ 48 | |
| | | | | County Building Permit and Inspection | \$ 545 | |
| | | | | Total | \$ 1,026 | |