

August 31, 2017

San Mateo County Mobile Home Parks – Proposed Regulatory Changes

Dear Owner, Manager, Representative, or Other Interested Party:

San Mateo County is proposing three distinct but interrelated changes to mobile home park regulations, consisting of:

1. Adoption of a new Mobile Home zoning district, and application of that zoning to the County's mobile home parks
2. Adoption of a new Mobile Home Park Closure/Conversion Ordinance
3. Clarifying amendments to the County's Mobile Home Rent Control Ordinance

The Board of Supervisors will consider each of these proposals at the regularly scheduled **Board of Supervisors hearing** on **September 12, 2017**. Information on the Board of Supervisors hearing is available here: <http://bos.smcgov.org/>. Additional detail on each proposal is included below:

Mobile Home Park Zoning. The proposed zoning update would:

- Create a new Mobile Home Park ("MH") zoning district as a chapter of the County Zoning Regulations. The new district would establish mobile homes as the principally permitted use, with ancillary uses conditionally permitted, and with various types of affordable housing, including multifamily, transitional, and supportive housing also conditionally permitted. The new district would incorporate the County's existing Trailer Camp regulations, and relevant State regulations.
- Apply the new MH zoning designation to six mobile home parks in the unincorporated County: *Bayshore Villa*; *Trailer Villa*; *Belmont Trailer Park*; *Pillar Ridge*; *Redwood Trailer Village*; and *Sequoia Trailer Park*
- Amend the General Plan land use designation for three parks, *Belmont Trailer Park*, *Redwood Trailer Village*, and *Sequoia Trailer Park*, changing the General Plan land use designation of each park to "Medium High Density Residential," to match the residential MH zoning.

The County Planning Commission considered the proposed zoning updates on August 23rd, 2017, and voted to recommend adoption by the Board of Supervisors. The draft staff

report and draft ordinance (as amended by the Planning Commission) for the September 12 Board of Supervisors hearing are attached.

Mobile Home Park Change of Use Ordinance. California law places a number of limitations on closure or conversion of a mobile home park. The County's proposed conversion ordinance is a local implementation of these restrictions, establishing more specificity regarding how parks may close or convert, what analysis must be undertaken prior to closure, and what assistance must be provided to residents. Key components of these regulations include requirements for:

- Securing of a permit prior to closure/ conversion
- Substantive analysis of the impact of closure/conversion on residents
- Payment of relocation costs to park residents displaced due to closure/conversion

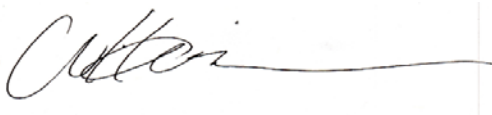
The draft Change of Use Ordinance, for the September 12 Board of Supervisors hearing, is attached.

Mobile Home Rent Control. The County has an existing mobile home rent control ordinance (Ordinance Code Chapter 1.30). Extensive amendments to the rent control ordinance were completed in 2016. The currently proposed amendments include the following additional modifications:

- Clarification that rent control applies to every space in a mobile home park, regardless of the type of unit in the space
- Provision for sanctions for park owners that fail to provide the requested and required reporting regarding mobile home occupancy, rents, tenure, and other information

The September 12, 2017 Board of Supervisors hearing is open to the public, and all interested parties are encouraged to attend. We also encourage all interested parties to submit any comments on these proposals, either to the contact information below, or directly to the Board of Supervisors. If you have any additional questions or comments, or would like any other information on these proposals, please contact Will Gibson at wgibson@smcgov.org, 650-363-1816.

Sincerely,

A handwritten signature in black ink, appearing to read 'W. Gibson', followed by a horizontal line extending to the right.

William Gibson
Planner, San Mateo County Planning and Building Department

Special Notice / Hearing: None
Vote Required: Majority
Meeting Date: September 12, 2017

To: Honorable Board of Supervisors
From: Steve Monowitz, Community Development Director
Subject: A zoning text and map amendment, a General Plan map amendment, an amendment to San Mateo County's Trailer Camp regulations, and an associated Initial Study and Negative Declaration, to 1) adopt a new Mobilehome Park (MH) zoning district as a new chapter of the San Mateo County Zoning Regulations, 2) amend the County zoning maps to apply the new MH zoning designation to six existing mobilehome parks in unincorporated San Mateo County, replacing the existing zoning of each park, 3) in the case of three of the existing mobilehome parks, amend the County General Plan land use map to change the underlying general plan land use designation of those parks to Medium High Density Residential, 4) repeal the County's Trailer Camp regulations, Chapter 5.92 of the County Ordinance Code, in their entirety, and 5) adopt the Initial Study and Negative Declaration for the project.

RECOMMENDATION:

1. Adopt, by resolution, the Initial Study and Negative Declaration for the proposed adoption of the new MH Zoning District, the proposed zoning map amendment, the proposed General Plan land use map amendments, and the repeal of Chapter 5.92 of the County Ordinance Code, as complete and correct.
2. Adopt, by ordinance, the proposed MH (Mobilehome Park) Zoning District as a new chapter of the County Zoning Regulations.
3. Adopt, by ordinance, the proposed zoning map amendments, applying the new MH zoning designation to six existing mobilehome parks in unincorporated San Mateo County.
4. Adopt, by ordinance, the proposed General Plan land use map amendments changing the underlying general plan land use designation of three of the parks to Medium High Density Residential.
5. Repeal, by ordinance, Chapter 5.92 of the County Ordinance Code, the Trailer Camp regulations, in its entirety.

BACKGROUND:

Proposal: The proposed project is a zoning text and map amendment, a General Plan map amendment, an amendment to San Mateo County's Trailer Camp regulations, and an associated Initial Study and Negative Declaration, to 1) adopt a new Mobilehome Park (MH) zoning district as a new chapter of the San Mateo County Zoning Regulations, 2) amend the County zoning maps to apply the new MH zoning designation to six existing mobilehome parks in unincorporated San Mateo County, replacing the existing zoning of each park, 3) in the case of three of existing mobilehome parks, amend the County General Plan land use map to change the underlying general plan land use designation of those parks to Medium High Density Residential, 4) repeal the County's Trailer Camp regulations, Chapter 5.92 of the County Ordinance Code, in their entirety, and 5) adopt the Initial Study and Negative declaration for the project.

Planning Commission Action: On August 23rd, the Planning Commission voted to recommend that the Board of Supervisors adopt the proposed new zoning district, proposed zoning and General Plan map amendments, repeal of Chapter 5.92 of the County Ordinance Code, and adoption of the associated Initial Study and Negative Declaration.

Report Prepared By: William Gibson

Appellant: N/A

Applicant: San Mateo County Planning and Building Department

Owner: Various

Locations:

1. Bayshore Villa Manufactured Housing Community
3499 E Bayshore Road, Redwood City.
2. Trailer Villa, 3401 E. Bayshore Road, Redwood City.
3. Belmont Trailer Park, 100 Harbor Boulevard, Belmont.
4. Pillar Ridge, 164 Culebra, Moss Beach.
5. Redwood Trailer Village, 855 Barron Ave, Redwood City.
6. Sequoia Trailer Park, 730 Barron Ave, Redwood City

APN(s):

Bayshore Villa Manufactured Housing Community and Trailer Villa: 134201130, 134201590, 134201701, 134201870, 134202260, 134202280, 134201570, 134202310, 134202341, 055010260, 134201090, 134211310, 134201120, 134201600, 134201630, 134202080, 134202240, 134211240, 134201770, 134201780, 134202030, 134202241, 134201560, 055010280, 134201730, 134201820, 134202160, 134202300, 134201031, 134201940, 134202050, 134201511, 134201140, 134201400, 134202110, 134202190, 134202230, 134202330, 134211190, 134211280, 134201830, 134202360, 134201970, 055010120, 055010270, 055130010, 134201030, 134201230, 134202010, 134202290, 134211110, 134201070, 134201641, 134202270, 134211120, 134201510, 134201650, 134201680, 134201690, 134201760, 134202150, 134202320, 134201971, 134201360, 134201580, 134201840, 134201990, 134202060, 134202120, 134211270, 134201080, 134201520, 055010200, 134201060, 134201640, 134201920, 134201980, 134202180, 134211130

Belmont Trailer Park: 046010140, 046010130, 134111590, 134111840, 134111710, 134111600, 134111910, 134111760, 134111580, 046010120, 046010150

Pillar Ridge: 047300060, 134131180, 134131260, 134131540, 134132030, 134132100, 134132110, 134132280, 134132360, 134132640, 134132650, 134132670, 134132731, 134132781, 134132840, 134133130, 134133150, 134133180, 134133280, 134133290, 134133540, 134132300, 134133230, 134133211, 134132070, 134131330, 134131340, 134131450, 134131620, 134132200, 134132290, 134132430, 134132550, 134132560, 134132610, 134132960, 134131651, 134132470, 134133381, 134133410, 134133351, 134132140, 134131631, 134132750, 134131461, 134131120, 134131290, 134131390, 134131460, 134131520, 134131650, 134132130, 134132170, 134132210, 134132220, 134132330, 134132350, 134132400, 134132480, 134132530, 134132620, 134132660, 134132680, 134132910, 134132990, 134133160, 134133250, 134133320, 134133350, 134133380, 134133530, 134133570, 134133610, 134132510, 134133501, 134131501, 134132050, 134132261, 134131561, 134131070, 134131160, 134131200, 134131221, 134131490, 134131560, 134132090, 134132190, 134132311, 134132370, 134132420, 134132520, 134132690, 134132721, 134132830, 134132880, 134132950, 134133330, 134133460, 134133520, 134131190, 134133010, 134133240, 134132160, 134133220, 134131210, 134131270, 134131320, 134131420, 134131610, 134132080, 134132390, 134132451, 134132741, 134132760, 134132771, 134133030, 134133050, 134133341, 134133430, 134133451, 134133510, 134133620, 134132010, 134133021, 134133260, 134132710, 134131030, 134131050, 134131150, 134131170, 134131280, 134131310, 134131370, 134131410, 134131530, 134131550, 134131570, 134131660, 134132150, 134132410, 134132570, 134132970, 134133080, 134133170, 134133270, 134133300, 134133310, 134133370, 134133480, 134132890, 134131440, 134133091, 134133590, 134131040, 134131130, 134131580, 134131591, 134131640, 134132060, 134132250, 134132440, 134132540, 134132850, 134132920, 134133040, 134133100, 134133110, 134133210, 134133390, 134133550, 134132481, 134133420, 134133461, 134131140, 134132490, 134131010, 134131361, 134131630, 134132270, 134132321, 134132341, 134132380, 134132500, 134132600, 134132701, 134132810, 134132821,

134132860, 134132980, 134133090, 134133140, 134133440, 134133470, 134133561, 134133580, 134131341, 134131381, 134131600, 134132790, 134133121, 134131240, 134133061, 134133500, 134133291

Redwood Trailer Village: 054171060

Sequoia Trailer Park: 054193020, 134182200, 134182320, 054193040, 134182270, 134182350, 134181450, 054193110

Size:

Bayshore Villa: 7.92 acres

Trailer Villa: 6.03 acres

Belmont Trailer Park: 3.19 acres

Pillar Ridge: 19.33 acres

Redwood Trailer Village: 1.53 acres

Sequoia Trailer Park: 4.61 acres

Existing Zoning:

Bayshore Villa Manufactured Housing Community: C-2/S-1 (commercial)

Trailer Villa: C-2/S-1 (commercial)

Belmont Trailer Park: C-2 (commercial)

Pillar Ridge: H-1 (highway frontage)

Redwood Trailer Village: C-2/S-1 (commercial)

Sequoia Trailer Park: C-2/S-1 (commercial)

General Plan Designation:

Bayshore Villa Manufactured Housing Community: High Density Residential

Trailer Villa: High Density Residential

Belmont Trailer Park: General Industrial

Pillar Ridge: Medium High Density Residential

Redwood Trailer Village: Industrial Mixed Use

Sequoia Trailer Park: Industrial Mixed Use

Sphere-of-Influence: Redwood City, Belmont, and Half Moon Bay

Existing Land Use: Fully developed trailer parks with a variety of trailers and other temporary, semi-temporary, and permanent residential structures and ancillary uses.

Water Supply: All parks are fully served.

Sewage Disposal: All parks are fully served.

Flood Zone: Various.

Environmental Evaluation: The County prepared an Initial Study and Negative Declaration for this project, which were circulated beginning on July 26, 2017.

Setting: Various settings; see Discussion, below.

DISCUSSION:

KEY ISSUES

1. Project Description

The project is 1) a zoning text and map amendment, 2) a general plan map amendment, and 3) an amendment to San Mateo County's existing Trailer Camp Regulations.

The project consists of:

- a. A zoning text amendment, adopting a new Mobilehome Park (MH) zoning district as a new chapter of the San Mateo County Zoning Regulations.
- b. A zoning map amendment applying the new MH zoning designation to six existing mobilehome parks in unincorporated San Mateo County.
- c. In the case of three of those parks, a General Plan land use map amendment changing the underlying general plan land use designation of each park to Medium High Density Residential.
- d. An amendment to the County's Trailer Camp regulations, Chapter 5.92 of the County Ordinance Code, repealing this Chapter of the Ordinance Code in its entirety. The land use and permitting regulations included in those

sections will be incorporated, in modified form, in the new MH Zoning District regulations.

The mobilehome parks (and size, current zoning and General Plan land use designations) included in and affected by these proposed zoning and General Plan map and text amendments are the following:

Bayshore Villa Manufactured Housing Community, 3499 East Bayshore Road, Redwood City. Approximately 7.92 acres, zoned C-2/S-1 (commercial), General Plan land use designation High Density Residential.

Trailer Villa, 3401 East Bayshore Road, Redwood City. Approximately 6.03 acres, zoned C-2/S-1 (commercial), General Plan land use designation High Density Residential.

Belmont Trailer Park, 100 Harbor Boulevard, Belmont. Approximately 3.19 acres, zoned C-2 (commercial), General Plan land use designation General Industrial.

Pillar Ridge, 164 Culebra, Moss Beach. Approximately 19.33 acres, zoned H-1 (highway frontage), General Plan land use designation Medium High Density Residential.

Redwood Trailer Village, 855 Barron Avenue, Redwood City. Approximately 1.53 acres, zoned C-2/S-1 (commercial), General Plan land use designation Industrial Mixed Use.

Sequoia Trailer Park, 730 Barron Avenue, Redwood City. Approximately 4.61 acres, zoned C-2/S-1 (commercial), General Plan land use designation Industrial Mixed Use.

One mobile home park in the unincorporated County, La Honda Trailer Park, is not included in the proposed rezoning and General Plan land use amendment. This park is located in a low-density, primarily rural and heavily forested setting, is zoned RM, and is surrounded by other properties also zoned RM. Given the location, setting, and surrounding zoning, the RM zoning designation provides the most appropriate development restrictions should the park ever desire to convert to another use. However, La Honda Trailer Park would still be covered by the regulations incorporated in the MH zoning district.

The proposed rezoning also excludes one small parcel of the Pillar Ridge mobile home park, zoned PAD. The County's Local Coastal Program places special emphasis on and provides specific protections for PAD-zoned parcels, and changing the designation of those parcels requires specific findings that may not be feasible at this time. However, mobile homes are and are intended to remain a conditionally permitted use on PAD lands, and the portion of the Pillar Ridge park

zoned PAD would still be covered by the regulations incorporated in the MH zoning district.

This proposed zoning map amendments would change the zoning of each listed park from its current zoning designation to the new “MH” zoning designation. The General Plan land use map amendments would change the General Plan land use designation for Belmont Trailer Park, Redwood Trailer Village, and Sequoia Trailer Park to Medium High Density Residential. The components of the project are discussed in more detail below.

2. MH (Mobilehome) Zoning District

Unlike many jurisdictions, the County has no specific zoning designation applicable to mobilehome parks. However, the existing Trailer Camp regulations, presently codified in Ordinance Code Chapter 5.92 establish land use regulations, performance standards, and permitting requirements for mobilehome parks. In many respects, Chapter 5.92 is a set of zoning regulations, located in the business regulations title of the Ordinance Code, rather than the County’s zoning regulations.

Rather than being zoned for mobilehome use with a relevant zoning designation, each of the mobilehome parks listed above is in a commercial (or in the case of Pillar Ridge, highway frontage) zoning district. However, these sites have in fact been used as mobilehome parks for many years. The parks have historically been, and continue to be, unique residential areas that are not commercial or industrial in nature.

Mobilehomes, and mobilehome parks, provide a distinct type of housing. In many cases, due to the size of mobilehomes, their semi-permanent nature, the fact that the homes and land are in separate ownership, and a variety of other factors, they are significantly more affordable than other housing, offering opportunities that residents cannot find elsewhere. State law recognizes the unique character of mobilehomes, and allows mobilehome parks to be regulated by rent control, and imposes strict limits on conversion of mobilehome parks to other uses. The County has adopted rent control for these parks (codified at Chapter 1.30 of the County’s Ordinance Code), and intends to propose an ordinance implementing State law regarding park conversions for consideration by the Board of Supervisors this fall.

The new MH Zoning District will continue to recognize the unique value of this land use, and to retain and establish appropriate standards and regulations for creating and maintaining mobilehome parks.

The proposed MH Zoning District would:

- a. Remove a number of current standards that are duplicative of State law, instead incorporating these standards by reference to relevant State codes.

- b. Remove other standards that are codified in the fire code, building code, and other codes, and are therefore redundant.
- c. Move the County's land use regulations for mobilehomes to their appropriate location in the Zoning Regulations, for consistency, clarity, and ease of application.
- d. Retain County standards that differ from or exceed the requirements established by the State.
- e. Create a specific zoning district for mobile home parks that acknowledges and incorporates the unique and long-term nature of their residential use.
- f. Establish a number of other affordable residential uses that would be the only permissible change in use for areas zoned MH, thereby recognizing that these locations currently provide and should continue to provide an affordable form of housing, unless the County elects to rezone the properties in the future.

As stated previously, the State of California regulates many aspects of mobilehome parks, and limits the ability of local jurisdictions to regulate these parks. The proposed MH Zoning Regulations are designed to maximize County control of permitting and land use to the extent permitted by State law.

The existing Trailer Camp regulations include a number of standards that are taken directly from State law; these standards apply regardless of whether they are repeated in the County's regulations. As a result, the new MH zoning regulation simply references the relevant sections of State law. This both provides consistency between the County and State regulations, and ensures that as State standards change, the County's regulations will remain current and accurate.

The new MH zoning regulations would apply the relevant standards for mobilehomes and mobilehome parks incorporated in:

- a. California Health and Safety Code Section 18000 et seq. "Manufactured Housing."
- b. California Code of Regulations, Title 25, Division 1, Chapter 2, "Mobilehome Parks and Installations," and
- c. California Code of Regulations, Title 25, Division 1, Chapter 3, "Factory-Built Housing, Mobilehomes, and Manufactured Homes."

In addition, the new regulations would establish that mobilehome parks and mobilehomes within them are the principally permitted use, with a use permit, in the MH district. Uses that are ancillary to mobilehome parks would be conditionally permitted (sale of mobilehome parts or accessories, retail stores serving the mobilehome community, management offices, community facilities, and others). Transitional housing, supportive housing, and multifamily affordable housing with long-term affordability restrictions would also be conditionally permitted uses. The new zoning regulations would also apply a new 36-foot height limit for principally permitted uses, with other ancillary uses limited to 28 feet, although a conditionally permitted maximum of 60 feet would be allowed for dedicated affordable housing uses; in the County's Coastal Zone, the maximum height would be uniformly 28 feet, with a 36 foot conditionally permitted maximum for affordable housing. The regulations would also retain landscaping, fencing, and access requirements, and other general development standards and permitting requirements previously included in the County's Trailer Camp regulations.

This adoption and application of the new MH Zoning District, and change in General Plan land use designation, are consistent with the existing, ongoing, and long-term use of these properties, and would not result in any change in or intensification of use, or any new development. These changes do not require any new action or new development on the part of owners or residents of the existing mobilehome parks. The proposed changes also do not legalize or formalize any existing zoning or building code violations, or any other violations of County, State, or other regulations.

3. Rezoning and General Plan Map Amendment

As noted above, each of the listed mobilehome parks has been in use as a mobilehome park for a substantial amount of time, providing a unique type of housing in the County. However, while these parks are, and have historically been, residential uses, and while a number of them are situated in areas designated as residential in the County's General Plan, none of them are specifically zoned for mobilehome use, or for residential uses generally.

The proposed zoning change would apply the new MH Zoning District to all of the parks listed above. In order to ensure consistency between the zoning district and the underlying General Plan land use designation, the proposed General Plan map amendment would also change the land use designation of three of the parks, listed above, to Medium High Density residential, which would be appropriate for and would accommodate all of the uses allowed by the new MH Zoning District. The attached maps show the current zoning, current land use designation, and proposed zoning and General Plan land use map amendments for each of the parks.

4. Outreach and Public Participation

On August 2, 2017, County Staff met with owners, managers, and representatives of the various mobilehome parks in the County, to inform them of the proposed changes. Representatives of all parks in the unincorporated County attended the meeting. Subsequent to the Planning Commission hearing on August 23, 2017, an additional information packet with a description of the project, proposed timeline and process for adoption, and information on opportunities for participation and comment was mailed to all park owners and their representatives. On August 30 and August 31, 2017, Planning and Building Department, Housing Department, and County Counsel staff also held two workshops, on the Coastsides and Baysides, respectively, for mobile home park residents, to provide information on the proposed changes.

5. Summary

The proposed new MH Zoning District continues the County's long-standing commitment to the preservation of mobilehome parks as a unique and valuable source of housing, aligns the County's regulations with State law, and revises the County's Ordinance Code to place mobilehome park regulations in the Zoning Regulations. The application of the new MH Zoning District to the listed mobilehome parks, and the alignment of General Plan land use designations with the residential zoning of the parks, ensures that each park is subject to appropriate standards and regulations for permitting, development, and maintenance of mobilehome parks.

B. ALTERNATIVES

The alternative to adoption of the proposed zoning text, zoning map, General Plan map, and Ordinance Code amendments is to forgo any or all of these amendments, maintaining the current Trailer Camp regulations in the Ordinance Code, and/or the current zoning, and/or the current land use designation of any or all of the parks.

C. ENVIRONMENTAL REVIEW

The County prepared an Initial Study and Negative Declaration for these amendments. The environmental review determined that there are no potentially significant impacts from adoption of the proposed amendments. The Initial Study and Negative Declaration were posted on July 26, 2017. No comments have been received to date.

D. REVIEWING AGENCIES

County Counsel

County Counsel has reviewed the staff report, ordinance, and resolution as to form.

Approval of this project contributes to the Shared Vision 2025 of a Livable Community by preserving, maintaining, and incentivizing affordable housing.

PERFORMANCE MEASURES:

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FISCAL IMPACT:

There is no fiscal impact to the County from adoption of the proposed ordinance and resolution.

ATTACHMENTS

- A. Map of Mobilehome Parks
- B. Map of Proposed Rezoning
- C. Map of Proposed General Plan Amendments
- D. Resolution Adopting the Initial Study and Negative Declaration
- E. Ordinance adopting MH Zoning District, rezoning six mobilehome parks, amending the General Plan land use designation for three parks, and repealing the Trailer Camp regulations
- F. Initial Study and Negative Declaration

ORDINANCE NO. .
BOARD OF SUPERVISORS, COUNTY OF SAN MATEO,
STATE OF CALIFORNIA

* * * * *

**AN ORDINANCE AMENDING THE COUNTY ORDINANCE CODE, DIVISION VI,
PART ONE (ZONING REGULATIONS) TO ADD CHAPTER 26 (MH ZONING
DISTRICT), AMENDING DIVISION VI, PART ONE, CHAPTER 2, SECTION 6115
(ZONING MAPS), AMENDING GENERAL PLAN LAND USE MAPS 8.2M AND 8.4M,
AND REPEALING CHAPTER 5.92 OF THE COUNTY ORDINANCE CODE (TRAILER
CAMP REGULATIONS) IN ITS ENTIRETY**

The Board of Supervisors of the County of San Mateo, State of California,
ORDAINS as follows

* * * * *

WHEREAS, there are a number of mobilehome parks in the unincorporated areas of San Mateo County; and

WHEREAS, San Mateo County recognizes the importance of mobilehome parks as a unique and important source of housing, as reflected in the County's Mobilehome Rent Control regulations (codified at Chapter 1.30 of the San Mateo County Ordinance Code) and Trailer Camp regulations (presently codified at Chapter 5.92 of the San Mateo County Ordinance Code); and

WHEREAS, San Mateo County's Trailer Camp regulations regulate the approval, creation, maintenance, and performance of mobilehome parks; and;

WHEREAS, the Trailer Camp regulations impose a number of land use-oriented requirements applicable to mobilehome parks that are located in the Ordinance Code's business regulations title, rather than in the Zoning Regulations; and

WHEREAS, despite having been used, historically and presently for mobilehome park use, the lands on which mobilehome parks in the unincorporated County are located are zoned primarily for commercial use, and;

WHEREAS, for consistency, applicability, and ease of use, the creation, regulation, and maintenance of these parks would be improved by adoption of a specific zoning district, applicable to mobilehome parks, with the regulations for such a zoning district codified in the County's Zoning Regulations; and

WHEREAS, the creation, regulation, and maintenance of these parks would also be improved by the application of the regulations for such said zoning district to six of

the County's mobilehome parks, zoning those parks in a manner consistent with their existing and historic use; and

WHEREAS, while some of the mobilehome parks in the unincorporated County are on lands designated by the County General Plan as residential, some are designated as industrial or commercial, which is also inconsistent with the parks' long-term and ongoing residential use; and

WHEREAS, for the purpose of consistency between each park's zoning designation, General Plan land use designation, and existing land use, three of those parks not now designated with a residential General Plan land use designation should be so designated; and

WHEREAS, the new mobilehome park zoning district, in order to recognize and maintain the unique residential nature of the mobilehome parks, should allow mobilehomes as the primary permissible use in the zoning district, with only uses ancillary to mobilehomes, as well as other appropriate types of dedicated, long-term affordable housing, conditionally permitted; and

WHEREAS, County Staff met with mobilehome park owners, managers, representatives, and residents to inform them of these proposed changes; and

WHEREAS, the County prepared an Initial Study and Negative Declaration for this project, consistent with the requirements of the California Environmental Quality Act, and determined that the proposed zoning and General Plan land use map and text amendments have no potentially significant environmental impacts; and

WHEREAS, on August 23, 2017 the San Mateo County Planning Commission considered the proposed zoning and General Plan text and map amendments, proposed amendments to Chapter 5.92 of the County Ordinance Code, and associated Initial Study and Negative Declaration, and voted to recommend that the County Board of Supervisors adopt the proposed amendments and associated Initial Study and Negative Declaration; and

WHEREAS, the Board of Supervisors, in its independent judgment and analysis, has considered the Initial Study and Negative Declaration, along with comments received, and finds on the basis of the whole record before it that there is no substantial evidence that the project will have a significant effect on the environment; and

WHEREAS, the proposed amendments to the County's Zoning Regulations, and the proposed amendments to the zoning map and General Plan land use designations for the specified mobilehome parks, will create a clear and logical zoning designation applicable to and consistent with the parks' ongoing residential use, and consistent with State law, recognizing and helping maintain and manage this unique form of housing; and

WHEREAS, the proposed amendments to the zoning of the Pillar Ridge mobilehome park, in the County's Coastal Zone, constitute an amendment to the Implementation Plan of the County's Local Coastal Program; and

WHEREAS, the proposed amendments to the zoning of the Pillar Ridge mobilehome park are consistent with the County's Local Coastal Program; and

WHEREAS, on adoption, the proposed amendments will be submitted to the California Coastal Commission for review and certification.

NOW, THEREFORE, the Board of Supervisors of the County of San Mateo, State of California, ordains as follows:

SECTION 1. The San Mateo County Ordinance Code (Zoning Regulations), Division VI, Part One, is hereby amended to add Chapter 26 as follows:

CHAPTER 26. "MH" DISTRICTS
(MOBILEHOME PARK DISTRICT)

SECTION 6535. REGULATIONS FOR "MH" DISTRICTS. The following regulations shall apply in all "MH" Districts and shall be subject to the provisions of Chapter 22 of this Part.

SECTION 6536. PURPOSE. The purpose of the "MH" District is to provide for development and operation of mobilehome parks, as a source of short- and long-term housing, on appropriate designated sites, subject to reasonable regulations to ensure the compatibility and safety of mobilehome parks for park residents and surrounding properties.

SECTION 6537. DEFINITIONS.

1. "Mobilehome" includes a mobilehome as defined in California Health and Safety Code Section 18000 *et seq.* ("Manufactured Housing") and in California Civil Code Section 798 *et seq.*, and any other form of mobile housing, including but not limited to recreational vehicles and trailers, regardless of time present in a park.
2. "Mobilehome Park" means any mobilehome or manufactured home park, as defined in California Civil Code Section 798 *et seq.*, which constitutes an area of land where two or more mobilehome sites are rented, or held out for rent, to accommodate mobilehomes used for human habitation, and/or rents, leases, or sells mobilehome, trailer, or RV spaces in the unincorporated areas of San Mateo County.
3. "Mobilehome Park Owner" means the owner, lessor, operator or manager of a mobilehome park.
4. "Mobilehome Tenant" means any person entitled to occupy a mobilehome dwelling unit pursuant to ownership thereof or a lease or rental arrangement with

the owner thereof.

5. "Mobilehome Park Permit" means a conditional use permit issued for the creation and/or operation of a mobilehome park under the provisions incorporated in this Chapter.
6. "Management" means the owner of a mobilehome park or an agent or representative authorized to act on his or her behalf in connection with matters relating to a tenancy in the park.
7. "Homeowner" means a person who has a tenancy in a mobilehome park under a rental agreement, as defined in Civil Code Section 798.9. For the purposes of this Chapter, a "resident" of a mobilehome park is synonymous with "homeowner."
8. "Rent" means the money or other consideration given for the right of use, possession, and occupation of property.

SECTION 6538. USES PERMITTED.

1. The following uses shall be permitted in the "MH" District, upon the securing of a Mobilehome Park Permit, as provided in Sections 6539 through 6541 of this Chapter:
 - a. Mobilehome parks, subject to the standards, permitting procedures and requirements described in Sections 6539 through 6541.
2. The following uses shall be permitted in the "MH" District, upon the securing of a use permit, as provided in Chapter 24, Sections 6500 through 6505 of the Zoning Regulations:
 - a. Commercial uses ancillary to the operations of mobilehome parks, permitted only in conjunction with an existing or proposed mobilehome park, including but not limited to grocery and/or convenience stores, and stores selling goods accessory to the maintenance of and residence in mobilehomes.
 - b. Accessory uses and structures, such as managers' offices, laundry facilities, severe weather shelters, tool or storage sheds, and other services for the residents of the park.
 - c. Display of mobilehomes and mobilehome accessories for on-site sale, provided the accessories are contained within a mobilehome or an approved permanent structure.
 - d. Clubhouses, swimming pools, and recreation facilities for the use of park residents and guests.

- e. On-site signs in accordance with the requirements of the County Building Code, Section 9255.
- f. Childcare facilities exclusively serving mobilehome park residents.
- g. Supportive housing, as defined in California Health and Safety Code Section 50675.14, "Multifamily Housing Program."
- h. Transitional housing, as defined in California Health and Safety Code Section 50801, "Emergency Housing and Assistance Program."
- i. Multifamily housing with long-term affordability restrictions, dedicated entirely to residents with extremely low, very low, and/or low incomes, as defined by the California Department of Housing and Community Development. A use permit for multifamily low-income housing shall only be granted on approval and certification of affordability restrictions by the Director of the Department of Housing.

SECTION 6539. APPLICABLE REGULATIONS. All construction, installation, management, and operation procedures within the premises of a mobilehome park in this district shall be in accordance with the provisions of all applicable State and local laws and regulations, including those laws and regulations specified below, and as may be amended over time:

- 1. California Health and Safety Code Section 18000 *et seq.*, "Manufactured Housing".
- 2. California Code of Regulations, Title 25, Division 1, Chapter 2, "Mobilehome Parks and Installations."
- 3. California Code of Regulations, Title 25, Division 1, Chapter 3, "Factory-Built Housing, Mobilehomes, and Manufactured Homes."
- 4. California Civil Code Section 798 *et seq.*
- 5. San Mateo County Ordinance Code Chapter 1.30, "Mobilehome Rent Control."

SECTION 6540. PERMITS REQUIRED.

- 1. Creation and/or operation of any mobilehome park in any zoning district in the unincorporated County, including but not limited to the MH zoning district, shall be contingent on issuance of a Mobilehome Park Permit, and shall be subject to the procedures, requirements, and standards of this Chapter.
- 2. Each application for any such permit shall be made to the Planning and Building Department on a form provided by the Department for such purpose. Such application shall be accompanied by the following information:

- a. Data Required: Application for any Mobilehome Park Permit in the unincorporated area of San Mateo County shall set forth the following information:
- (1) Name and address of mobilehome park operator or applicant.
 - (2) Name and address of owner of property on which mobilehome park is, or is proposed to be, located.
 - (3) Proposed name of the mobilehome park.
 - (4) Legal description of the property proposed for the mobilehome park, and specification of all deed or lease restrictions.
 - (5) Source of water supply and type of sewage disposal proposed. If located within a fire, lighting, sewer, or other special district, indicate same.
 - (6) Total number of mobilehome spaces proposed.
- b. Data Required on Plans: Four (4) copies of plans shall be provided showing the following:
- (1) Plot plan, at a scale no smaller than one inch (1") equals fifty feet (50') and giving scaled dimensions and showing exterior boundaries of the property for the proposed mobilehome park.
 - (2) All public streets in the vicinity of such proposed mobilehome park.
 - (3) All mobilehome sites, together with scaled sizes and proposed or existing boundaries of such spaces.
 - (4) The location, width, and type of construction of all mobilehome park roads.
 - (5) Plans and locations of all mobilehome park buildings.
 - (6) Complete electrical plans.
 - (7) Unpaved areas which are to be landscaped and planting plans.
 - (8) Type of building construction, together with framing plan and elevation.
 - (9) All field plumbing, showing drainage system pipe sizes and give other plumbing details as may be required by the County Building Inspector.

- (10) Storm water disposal facilities.
 - (11) Incinerator locations if any.
 - (12) Refuse and garbage disposal areas and facilities.
 - (13) Fire hydrants - if any - locations and sizes of outlet connections.
 - (14) Laundry and drying yard area and facilities.
 - (15) Fence location and detail of construction and materials.
 - (16) Grading plan showing existing topography and proposed grading.
 - (17) Show specific locations for parking mobilehomes offered for sale.
- 3. The submitted materials shall also be referred to the Departments of Environmental Health, Public Works, and Housing, and to the appropriate Fire District, for relevant comments on the existing or proposed mobilehome park.
 - 4. If it appears that the proposed mobilehome park will be in full conformance with this Chapter, and other applicable County rules and regulations and applicable State laws, a permit may be issued as herein specified. In issuing said permit the Planning Commission may specify such additional conditions as are necessary to insure that the operation of the mobilehome park will not adversely affect the character of the neighborhood in which the mobilehome park is located.
 - 5. A Mobilehome Park Permit is valid for five years from the date of approval, and must be renewed thereafter.
 - 6. Application for permit renewal shall be made by management of the mobilehome park on a form provided by the Planning and Building Department, and shall be subject to an application fee set by resolution of the Board of Supervisors.
 - 7. The mobilehome park requesting renewal must be in compliance with all provisions of the County's Mobilehome Rent Control Ordinance, including the periodic reporting requirement. Parks not in compliance may still be considered for renewal upon issuance of a waiver of compliance at the discretion of the Director of the Housing Department.
 - 8. The application for renewal shall be accompanied by any of the information listed in Section 6540.2 that the Planning Commission may require. Applications may also be required to include a detailed description of any maintenance and repair program for the mobilehome park, and proposed or existing processes for addressing complaints or concerns by homeowners of the park, including the matters specified in this section, and the name, address and telephone number of

the person acting on the management's behalf to whom communications are to be directed.

9. A hearing on the application for approval of a permit to operate a mobilehome park shall be commenced before the Planning Commission within ninety (90) days of receipt of the application. The Planning Commission shall give management fifteen (15) day notice of the hearing date and time. No later than ten (10) days before the date of the hearing, management of the mobilehome park shall provide notification to all homeowners of the mobilehome park, of the date, time and place of the hearing. Such notification shall be made by either mailing or hand delivering a copy of the notice of the hearing to each homeowner and posting a copy of the notice in a common area of the mobilehome park accessible to all homeowners of the mobilehome park.
10. Approval of an application for renewal of a permit to operate a mobilehome park shall be at the discretion of the Director of the Planning and Building Department. A hearing on the application for renewal of a permit may be required, at the discretion of the Director of the Planning and Building Department. In the case that a hearing is required, it shall be conducted by the provisions described in Section 6540.9.
11. At the hearing on the application for approval or renewal of the permit, the mobilehome park management and any homeowner residing in the mobilehome park shall have the opportunity to make a presentation to the Planning Commission. Such testimony may address, and the Planning Commission shall consider, issues concerning the operation of the mobilehome park including, but not limited to, the adequacy of the park management's program for maintenance and repair of common areas and other areas that are within the responsibility of the management to maintain and keep in good repair. In assessing the adequacy of the management's program for maintenance and repair, the Planning Commission may consider the amount of rent and other charges collected by the management, and in particular the portion of amounts collected which are used to develop and institute the management's program for maintenance and repair of common areas and other areas that are within the responsibility of the management to maintain and keep in good repair.
12. The Planning Commission, or in the case of an application for renewal, the Director of the Planning and Building Department, may deny the permit, approve the permit, or approve the permit with conditions designed to any address deficiencies in the mobilehome park management's program for maintenance and repair of common areas and other areas within the responsibility of the management. The Planning Commission, or in the case of an application for renewal, the Director of the Planning and Building Department, may include conditions requiring that the management commit to a dispute resolution procedure to address issues raised by park homeowners. At a minimum, this procedure will include a process by which homeowners may register their

complaints or concerns regarding the management's maintenance and repair program for the mobilehome park, the opportunity for homeowners to participate in a meet and confer session with the management to resolve issues related to the management's maintenance and repair program, and a process for selecting a third party community-based mediator to mediate disputes related to the management's maintenance and repair program in the event that the dispute cannot be resolved through a meet and confer session.

13. No rent increase may be imposed until such time that the mobilehome management has obtained the permit required by this Section.

SECTION 6541. GENERAL STANDARDS FOR MOBILEHOME PARKS.

1. Title 25 Compliance. Mobilehome park design, layout, development, maintenance and management shall be governed by and subject to the California Code of Regulations Title 25, Division 1, Chapter 2, "Mobile Home Parks and Installations," or successor regulations.
2. Use of Mobilehomes. No mobilehome in this district shall be used for any purpose other than a dwelling.
3. Location of Mobilehomes. Each mobilehome in a mobilehome park shall be located on an approved mobilehome site.
4. Maximum Height.
 - a. The maximum height of mobilehomes, RVs, trailers, and other residential structures in a mobilehome park shall be 36 feet, except within the County's Coastal Zone, where the maximum height shall be 28 feet.
 - b. The maximum height of any conditionally permitted use described in Section 6538.2 (a), (b), (c), (d), (e), and (f) shall be 28 feet.
 - c. The maximum height of any conditionally permitted use described in Section 6538.2 (g), (h) and (i) may exceed 28 feet, up to a maximum of 60 feet, on issuance of a conditional use permit, except within the County's Coastal Zone, where the maximum height may exceed 28 feet, up to a maximum of 36 feet, on issuance of a conditional use permit.
5. Garbage Collection Locations. Trash and garbage disposal and collection sites shall be surrounded on 3 sides by 5-foot opaque fencing, with adequate access for collection vehicles.

6. Landscaping and fencing.
 - a. All areas of a mobilehome park or trailer park not occupied by paved roadways or pathways, and not otherwise occupied by park facilities, shall be landscaped and maintained.
 - b. The outer boundaries of a mobilehome park shall be enclosed on all sides by a substantially constructed six foot (6') fence, the design of which shall be approved by the Planning Commission.
 - c. A hedge of plant material of a type acceptable to the Planning Commission may be substituted for such fence provided that proper maintenance is provided.
7. Parking. Provision shall be provided for a minimum of one individually accessible parking space per mobilehome. In addition, one visitor parking space shall be provided for each five (5) mobilehome units. Parking for conditionally permitted uses shall be provided in the amounts required by Chapter 3, Sections 6117 through 6121 of this Part.
8. Internal Street Access; Public Entrances. All mobilehomes and other occupancy spaces must be served by internal streets within the mobilehome park, and there shall be no direct vehicular access from a mobilehome space or a special occupancy space to a public street or alley.
9. Street Improvements. The Planning Commission may require fully improved streets which front on and provide ingress and egress to a mobilehome park, or improvements as prescribed by the Director of the Department of Public Works.
10. Dedication of Street Rights-of-Way. The Planning Commission may require dedication of certain street rights-of-way to the County.
11. Clearance from State Division of Highways. The Planning Commission may require the applicant to obtain clearance from the State Division of Highways before approving applications where the site is adjacent to a State Highway.
12. Parking of Mobilehomes for Sale. All mobilehomes offered for sale must be parked in an area approved by the Planning Commission.
13. Fire Hydrants. Wherever a public water system is available, a mobilehome park shall have a fire hydrant and connecting hose of a size and type approved by the County Fire Warden, or Fire District Chief.

SECTION 2. Division VI, Part One, Chapter 2, Section 6115 of the San Mateo County Ordinance Code (Zoning Maps) is hereby amended to change the zoning for the areas specifically delineated on the attached maps, encompassing the mobilehome parks currently known as Bayshore Villa Manufactured Housing Community, Trailer Villa, Belmont

Trailer Park, Redwood Trailer Village, and Sequoia Trailer Park, to “MH” (Mobilehome Parks), and the mobile home park currently known as Pillar Ridge to “MH/DR/CD” (Mobile Home Parks/Design Review/Coastal Development District).

SECTION 3. San Mateo County General Plan Land Use maps 8.2m and 8.4m are hereby amended to designate those areas specifically delineated on the attached map, encompassing the mobilehome parks currently known as Belmont Trailer Park, Redwood Trailer Village, and Sequoia Trailer Park, as “Medium High Density Residential.”

SECTION 4. San Mateo County Ordinance Code Chapter 5.92 (Trailer Camp Regulations) is hereby amended to repeal Chapter 5.92 in its entirety.

SECTION 5. This Ordinance shall be effective thirty (30) days from the passage date thereof, except in the County’s Coastal Zone, where it shall be effective immediately upon certification by the California Coastal Commission.

[DRAFT] ORDINANCE NO. _____
BOARD OF SUPERVISORS, COUNTY OF SAN MATEO,
STATE OF CALIFORNIA

* * * * *

AN ORDINANCE ADDING CHAPTER 5.156 (MOBILEHOME PARK CHANGE OF USE) TO TITLE 5 (BUSINESS REGULATIONS) OF THE SAN MATEO COUNTY ORDINANCE CODE REGARDING CHANGES OF USE OF MOBILEHOME PARKS.

The Board of Supervisors of the County of San Mateo, State of California,
ORDAINS as follows:

SECTION 1. The Board of Supervisors of the County of San Mateo hereby finds and declares as follows:

WHEREAS, there are seven mobilehome parks located in the unincorporated County, which currently provide more than 750 spaces for mobile housing units; and

WHEREAS, many of the spaces in these mobilehome parks are occupied by low income families and seniors who own their mobilehomes; and

WHEREAS, many such units in these mobilehome parks cannot readily be moved to a new mobilehome park due to their physical condition, and, in any event, there are few local relocation options because most parks in the area will only accept new mobilehomes; and

WHEREAS, State law requires park owners to submit relocation impact reports to local governing bodies prior to conversion or closure of mobilehome parks, and authorizes governing bodies to impose conditions on the conversion or closure to mitigate adverse impacts of the conversion or closure, including the potential inability of displaced residents to find adequate replacement housing; and

WHEREAS, State law allows local governing bodies to adopt local procedures to implement these relocation impact requirements; and

WHEREAS, the County is currently experiencing an affordable housing crisis, with demand for such housing far outweighing the available supply, and with the Department of Housing and Urban Development (“HUD”) “Fair Market Rent” rate for a two-bedroom apartment in the County increasing from \$2,289 per month in 2016 to \$3,018 per month in 2017; and

WHEREAS, there have been a number of recent mobilehome park conversions or closures in cities within or near San Mateo County, and the market conditions that led to those conversions and closures create a high risk of similar

conversion or closure of mobilehome parks located within the unincorporated County; and

WHEREAS, such conversion or closure of mobilehome parks in the unincorporated area of the County would displace vulnerable residents of the County, including low-income families and seniors, and the risk of such displacement poses a current and immediate threat to the public health, safety or welfare; and

WHEREAS, the Board of Supervisors wishes to adopt local procedures for review of applications for conversion and closure of mobilehome parks and to attempt to mitigate any impact to the public health, safety, and welfare of such conversions and closures, to the extent permitted by State law; and

WHEREAS, this ordinance does not require review under the California Environmental Quality Act (Pub. Resources Code §§ 21000 *et seq.*, "CEQA") pursuant to CEQA Guidelines section 15061(b)(3) and section 15378 because the ordinance requires notice and mitigation of social and financial impacts to residents of mobilehome parks prior to conversion to a different use, and there is no evidence that the ordinance could have any adverse effect on the environment.

NOW, THEREFORE, the Board of Supervisors of the County of San Mateo, State of California, ordains as follows:

SECTION 2. Chapter 5.156, consisting of Sections 5.156.010 through 5.156.140, is hereby added to Title 5 of the San Mateo County Ordinance Code, to read in its entirety as follows:

CHAPTER 5.156. MOBILEHOME PARK CHANGE OF USE

SECTION 5.156.010. Purpose.

Mobilehome parks provide an important source of affordable housing in San Mateo County. The purpose of the Mobilehome Park Change of Use Ordinance is to provide residents with adequate notice and relocation assistance prior to conversion of a mobilehome park, pursuant to Government Code Sections 65863.7 and 66427.4.

SECTION 5.156.020. Applicability.

This Chapter applies to all applications for changes of use of mobilehome parks, as defined herein, including closure to end the business and closure to convert to another land use. This Chapter does not apply to the change in ownership structure of a mobilehome park from a rental park to resident ownership, pursuant to Government Code Sections 66427.5 and 66428.1.

SECTION 5.156.030. Definitions.

- (a) "Change of use" of a mobilehome park as used in this Chapter has the meaning set forth in Section 798.10 of the California Civil Code, and means the use of the park for a purpose other than the rental, or the holding out for rent, of two or more mobilehome sites to accommodate mobilehomes used for human habitation, and does not mean the adoption, amendment, or repeal of a park rule or regulation. A "change of use" may affect an entire park or any portion thereof. "Change of use" includes, but is not limited to, a change of the park or any portion thereof to a condominium, stock cooperative, planned unit development, or any form of ownership wherein spaces within the park are to be sold.
- (b) "Change of Use Permit" is the permit required to allow a change of use, as defined in this Chapter.
- (c) "Community Development Director" or "Director" means the director of the San Mateo County Planning and Building Department.
- (d) "Comparable housing" means housing that meets the minimum standards of the California Building Code, and that is similar to the subject mobilehome in terms of size, number of bedrooms and bathrooms, and other relevant factors such as location and proximity to the resident's place of employment, amenities, schools, and public transportation.
- (e) "Comparable mobilehome park" or "comparable park" means any other park similar to the subject park in terms of amenities, rent, and other relevant factors such as proximity to the resident's place of employment, amenities, schools, and public transportation.
- (f) "Department" means the San Mateo County Planning and Building Department.
- (g) "Eligible resident" means a mobilehome resident legally residing in a mobilehome park whose mobilehome was located in a mobilehome park on the date of issuance of a Notice of Intent to apply for a Change of Use Permit. Eligible resident includes the spouse, parents, children, and grandchildren of the legal resident when those persons legally resided in the unit on the date of the application.
- (h) "Mobilehome," as used in this Chapter, means those structures defined in Civil Code Section 798 *et seq.*, and other forms of vehicles designed or used for human habitation, including camping trailers, recreational vehicles, motorhomes, slide-in campers, or travel trailers, that may occupy a site in a mobilehome park.
- (i) "Mobilehome park" or "park" means an area of land where two or more mobilehome sites are held for rent.
- (j) "Mobilehome park closure" includes any closure, cessation, or change of use at of the park. A closure includes ceasing to rent mobilehome sites for human

habitation and displacement of mobilehome park residents, or when 25 percent or more of the mobilehome sites within a park become vacant.

- (k) "Mobilehome site" or "site" is an area within a park designated for occupancy by one mobilehome.
- (l) "Relocation Counselor" means the Department-approved individual or firm retained by the park owner, as required by this Chapter, to assist in the preparation of the Relocation Impact Report and to provide the support described herein to eligible residents. The relocation counselor shall be familiar with the region's housing market and qualified to assist residents to evaluate, select, and secure placement in replacement housing, to arrange the moving of all the household's personal property, and to render financial advice on qualifying for various housing types.
- (m) A "reasonable distance," unless otherwise defined more specifically herein, means that area within a thirty (30)-mile radius from the subject mobilehome park. At the discretion of the Community Development Director, "reasonable distance" may be increased to that area within a one hundred (100)-mile radius, as necessary under the circumstances.
- (n) "Relocation impact report" means a written report meeting the requirements of Ordinance Code Section 5.156.060 and that describes (1) the impacts of the change of use of the a mobilehome park on affected mobilehome owners and residents, and (2) the measures that will be taken to mitigate adverse impacts of such change of use on affected mobilehome owners and residents.

SECTION 5.156.040. Pre-Application Process.

Prior to submission of an application, as required by Section 5.156.050, an applicant for a Change of Use Permit shall engage in the pre-application process in order to identify issues specific to the application and the potentially affected community and to receive guidance regarding the park conversion requirements prior to beginning the application review process with the Department and the Planning Commission. The applicant must complete the following pre-application process tasks before an application for a Change of Use Permit will be deemed complete:

- (a) Early Assistance Meeting. Prior to submitting a change of use application, the applicant shall request an early assistance meeting with Department staff to allow staff to explain the change of use policies and process, as well as any relevant planning issues. Prior to this meeting, the applicant shall provide a preliminary plan and descriptive materials sufficient to convey to the Department a general understanding of the tentative proposal and a list of the names and mailing addresses of all mobilehome owners and residents occupying a site within the park.

Department staff shall (a) acquaint the applicant with the significant land use planning issues, key general plan policies, and zoning and other development regulations that may apply to the change of use proposal and any related development proposal, (b) suggest changes to the proposal that would ensure compliance with County requirements, (c) describe any additional County expectations related to the proposal, (d) explain the permit review and decision process, and (e) describe applicable fees.

Within ten (10) days of the early assistance meeting, Department staff shall provide the applicant with a brief written summary of the key points discussed at the meeting.

- (b) Approval of Relocation Counselor. The applicant shall identify the relocation counselor that shall be approved in writing by the Community Development Director. The applicant will enter into a written agreement with the relocation counselor requiring the relocation counselor to make personal contact with each eligible resident of the mobilehome park in order to gather the data needed to complete the relocation impact report and relocation plan, as required by Section 5.156.060. The written agreement will also require the relocation counselor to meet with eligible residents to help them evaluate, select, and secure comparable housing. Such services include technical assistance related to leasing or purchasing comparable replacement housing, explanation of the relocation assistance alternatives available, referral to any available housing resources or programs, and facilitation of moving eligible residents' residential units and personal property, as appropriate. The Community Development Director's approval of the relocation counselor shall be based on consideration of all relevant factors deemed appropriate by the Director, including unique language needs of the mobilehome park residents, if any; competency in assisting eligible residents in evaluating, selecting, and securing replacement housing; ability to facilitate moving of eligible residents' residential units, personal property, and/or accessories, as appropriate; knowledge of qualifications for and availability of various forms of housing and housing assistance programs; and ability to assist with applications, if any, for replacement housing or housing programs.

SECTION 5.156.050. Change of Use Permit Required; Application.

The change of use of an existing mobilehome park requires a Change of Use Permit granted by the Planning Commission. The park owner, or authorized representative, requesting the change of use shall submit a Change of Use Application to the Planning and Building Department in the form determined by the Community Development Director, which application shall include, but not be limited to, the following information:

- (a) A completed change of use application form and fee in the amount set forth in the Department fee schedule;

- (b) A relocation impact report prepared in accordance with Section 5.156.060;
- (c) A site map indicating the park boundary, the boundaries of mobilehome sites, and all mobilehome park improvements;
- (d) A list of the names and mailing addresses of all mobilehome owners and residents occupying a site within the park as of the date of application;
- (e) Acknowledgment of the park owner's obligations to provide notice pursuant to California Civil Code Section 798.56;
- (f) Any other information that the Community Development Director determines is necessary to ensure compliance with this Chapter and State law.

Upon receipt of a complete Change of Use Application pursuant to this Chapter, the Community Development Director shall provide or cause to be provided written notice to eligible residents of the pending application.

SECTION 5.156.060. Relocation Impact Report.

An application for a Change of Use Permit shall include a written relocation impact report containing the following information:

- a) A general description of the proposed change of use;
- b) A proposed schedule for change of use of the park;
- c) A proposed schedule for outreach to park residents regarding the change of use and a description of the outreach to be provided;
- d) The legal description for the park;
- e) An inventory of spaces in the park, including:
 - i) the total number of spaces in the park;
 - ii) the length of occupancy by the current occupant of each space and the current rental rate for each space; and
 - iii) for each vacant space, the date that the space was vacated by the last resident of the space.
- f) The name and mailing address of each eligible mobilehome owner and resident;
- g) A list of comparable mobilehome parks within a thirty (30)-mile radius of the applicant's mobilehome park. For each comparable park, the report shall identify:
 - i) Criteria for acceptance of relocated mobilehomes;

- ii) Residency requirements, if any (e.g., minimum age);
 - iii) Rental rates and any other applicable charges;
 - iv) Number of spaces in the park and number of vacant spaces;
 - v) Contact information, including address and telephone number, of the park representative with authority to accept relocated homes;
 - vi) Written commitment, if any, of mobilehome park owner willing to accept displaced mobilehomes; and
 - vii) Identification of the public school districts serving the area in which the comparable park is located.
- h) The median rental price, including any requirement for payment of first and last month's rent and security deposits, of other housing of similar size (number of bedrooms and square footage) that is comparable to the displaced mobilehomes within San Mateo County or a thirty (30)-mile radius;
 - i) The estimated cost of moving each mobilehome from the mobilehome park that is proposed for closure or conversion, including tear-down and set-up of mobilehomes and moving of improvements such as porches, carports, patios, and other moveable amenities installed by residents;
 - j) The estimated moving cost for each eligible resident or household, including fees charged by moving companies, child care, temporary housing, and other similar expenses, of moving to other housing within San Mateo County or a thirty (30)-mile radius;
 - k) A description of proposed measures to minimize any impacts related to missed school days for school-age children of residents;
 - l) An in-place appraisal of each mobilehome in the mobilehome park, conducted by a Department-approved licensed appraiser. The appraisals shall identify those mobilehomes which cannot be moved due to type, age, or other considerations;
 - m) Identification of and contact information for the contracted and Department-approved relocation counselor retained by the mobilehome park owner to assist residents in finding relocation spaces and alternate housing;
 - n) A proposed relocation plan including the information specified in Section 5.156.090, below;
 - o) A copy of any agreement reached with any eligible resident relating to the relocation of the resident or the provision of relocation assistance. The Director may waive the requirement to include any or all of the information required by this Section where an eligible resident and the applicant have reached a final, mutually acceptable agreement as to the relocation assistance to be provided. To be valid, however, such an agreement shall be in writing, shall include a provision stating that the eligible resident is aware of the provisions of this

Chapter, shall include a copy of this Chapter as an attachment, shall include a provision in at least ten-point font which clearly informs the eligible resident of their right to seek the advice of an attorney prior to signing the agreement.

- p) Any other information the Department determines is necessary to address the specific issues raised by the application in order to implement this Chapter.

SECTION 5.156.070. Notice Requirements.

The following notice requirements are in addition to any other applicable notice requirements for hearings on matters before the Planning Commission. The Community Development Director, or designee, may require the applicant to translate required notices to an additional language. All required notices shall be posted at common areas within the park. Pursuant to Government Code Section 65863.8, the Planning Commission shall not hold any hearing on the application or render a decision thereon before the applicant has satisfactorily verified that the residents and owners have been notified as required by State and local law.

- a) Notice of Intent. A Notice of Intent to apply for a Change of Use Permit shall be sent by the applicant to each resident and owner proposed to be displaced at least nine (9) months before filing an application for a Change of Use Permit. The notice shall include all information reasonably required by the Community Development Director, including, but not limited to, a summary of the change of use process and estimated schedule for permit application and eventual park conversion or closure.

After the Notice of Intent has been issued, the applicant shall inform all new or prospective residents and mobilehome owners that the applicant has requested County approval, or intends to request County approval, of a Change of Use Permit, in compliance with Civil Code Section 798.56(g).

- b) Notice of Hearing and Relocation Impact Report. A written notice, in addition to the regular public hearing notice, shall be delivered by the applicant to each resident and owner proposed to be displaced at least fifteen (15) days before the hearing on a requested Change of Use Permit, informing residents that the applicant will appear at the Planning Commission to request permits for a change of use of the mobilehome park. A copy of the relocation impact report referenced in Section 5.156.060 shall be included with this notice.
- c) Informational Meetings. The applicant shall conduct at least two (2) informational meetings for mobilehome park residents and owners and their representatives. The informational meetings shall be scheduled to maximize resident and owner participation, and the scheduling shall be subject to the approval of the Community Development Director or his or her designee. The informational meetings shall occur after the Notice of Intent has been issued and before any hearing on the Change of Use Permit shall be held.

- d) Notice of Termination of Tenancy. The applicant shall provide all residents and owners proposed to be displaced a written “notice of termination of tenancy” that provides the affected residents or owners a minimum of six (6) months’ notice to vacate following the effective date of the approved Change of Use Permit. The notice shall be sent by the applicant by certified mail to each mobilehome owner and resident within ten (10) calendar days following the effective date of the permit.

SECTION 5.156.080. Hearing Procedure.

The Planning Commission shall hold a public hearing on the application for a Change of Use Permit pursuant to the procedure and notice requirements set forth in Section 6503 of the San Mateo County Zoning Regulations.

SECTION 5.156.090. Required Findings; Conditions of Approval.

Required Findings. Approval of a Change of Use Permit by the Planning Commission shall include conditions of approval to mitigate, to the full extent legally feasible, the adverse impact of the proposed change of use on the ability of displaced mobilehome park residents to find adequate housing in a comparable mobilehome park or, in the alternative, adequate replacement housing. The conditions of approval shall not exceed the reasonable costs of relocation of all eligible residents. Prior to approving a Change of Use Permit, the Planning Commission shall make the following findings:

- a) The applicant has complied with the provisions of this Chapter and State law regarding change of use of mobilehome parks;
- b) Measures to address, to the full extent legally permissible, the adverse impacts of the change of use on the ability of displaced eligible residents to find adequate housing in a mobilehome park or, in the alternative, adequate replacement housing have been taken; and
- c) For Change of Use Permit applications accompanied by any additional request for discretionary approval, including, but not limited to a request for subdivision, General Plan amendment, zoning amendment, or use permit, all required findings for the additional approval have been made.

Conditions of Approval; Relocation Plan. The Change of Use Permit shall include as conditions of approval relocation options for each displaced eligible resident in a relocation plan, as follows:

- a) Moving allowance for eligible residents: For all eligible residents, relocation assistance shall include a moving allowance sufficient to pay for a move to another mobilehome park or other replacement housing, within a 100-mile radius of the mobilehome park to be vacated. The resident is responsible for any additional costs to move to a location outside the 100-mile radius. Moving allowance includes:

- i) The cost to move furniture and personal belongings.
 - ii) Rent for first and last month at the new location.
 - iii) Required security deposit at the new location.
 - iv) Reasonable temporary housing expenses, if applicable, not to exceed 30 days.
- b) Relocation assistance for mobilehome owners whose homes can be relocated:
 - i) In addition to the moving allowance described above, the applicant shall pay all costs related to moving the mobilehome, fixtures, and accessories to a comparable mobilehome park within a reasonable distance of the park from which the mobilehome owner is relocating. Costs shall include disassembly and moving costs, mobilehome set-up costs, utility hook-up fees, and the reasonable temporary housing expenses for displaced mobilehome residents for a period not exceeding thirty (30) days from the date of actual displacement until the date of occupancy at the new site.
 - ii) The comparable mobilehome park and the relocated mobilehome shall conform to all applicable federal, State, and local regulations.
 - iii) In addition, the applicant shall provide displaced mobilehome owners with the payment of a lump sum equal to the difference in monthly rental rates for a period of twelve (12) months, if the space rent rate in the new mobilehome park exceeds the rent rate in the mobilehome park from which the resident is relocating.
- c) Relocation assistance for mobilehome owners whose homes cannot be relocated:
 - i) In addition to the moving allowance described above, the applicant shall pay for the in-place value of the mobilehome and the cost of disposal of the mobilehome in an approved facility. The in-place value shall be based on the appraisal included in the relocation impact report, unless such appraisal is disputed by the mobilehome owner. In that case, the mobilehome owner may obtain an independent appraisal by a licensed appraiser at his or her own expense, and the in-place value shall be the average of the two appraisals, provided, however, that the applicant shall always pay at least the amount set forth in the relocation impact report.
- d) Relocation Counselor. The applicant shall provide the Community Development Director with reasonably satisfactory evidence of a contract between the applicant and the relocation counselor providing that no later than thirty (30) days after approval of the Change of Use Permit, the relocation counselor shall make personal contact with each displaced resident of the mobilehome park and initiate the relocation assistance process. The contract shall require the relocation counselor to give each eligible resident a written notice of his or her options for relocation assistance.

- e) Right of first refusal for residents. For all eligible residents, relocation assistance shall include the right of first refusal to purchase or rent new homes or apartments to be constructed on the park site, if applicable. Income-eligible residents may have first priority to purchase or rent any below market rate units which may be constructed on the park site, if they meet all eligibility requirements for the program. In order to receive priority for below market rate units, interested residents shall file a request with the San Mateo County Department of Housing before vacating the park.

SECTION 5.156.100. Term of Permit Approval.

The Change of Use Permit shall expire one (1) year from the date of its approval, unless the applicant requests an extension setting forth satisfactory reasons for not proceeding within the one-year period. The Community Development Director may grant no more than two (2) such extensions of one year each, based upon a showing that good faith progress has been made toward fulfilling the conditions of approval, or some intervening event not the fault of the park owner has prevented timely compliance with the conditions of approval. An application must be filed with the Department no less than sixty (60) days prior to the expiration of the Change of Use Permit or any extension. If relocation assistance has not been provided to all eligible residents in accordance with this Chapter within three (3) years of the original date of permit approval, a new relocation impact report and application shall be required in accordance with this Chapter. Each year on the anniversary date of the permit approval, the relocation assistance shall be increased by an amount equivalent to the increase in the cost-of-living index for the Oakland/San Francisco area published by the U.S. Department of Labor. The index shall be for the quarterly period closest to the anniversary date of the permit.

SECTION 5.156.110. Appeal to the Board of Supervisors.

The applicant or any mobilehome park resident may appeal, in writing, the determination of the Planning Commission to the Board of Supervisors within fourteen (14) calendar days from the date of such determination. The appealing party shall file a notice of appeal with the Planning Commission on a form provided by the Commission. Upon the filing of the notice of appeal, the Planning Commission shall immediately transmit the appeal, together with its minutes and all other records in the matter, to the Board of Supervisors. The Board of Supervisors shall set the matter for hearing and shall hear and decide the matter de novo. The Board of Supervisors may consider all relevant evidence presented at the hearing and shall render its findings and decision within sixty (60) days of the hearing. The decision of the Board of Supervisors upon an appeal is final and conclusive in the matter.

SECTION 5.156.120. Conversion Through Vacancy.

Whenever twenty five percent (25%) or more of the total number of mobilehome sites within a mobilehome park are uninhabited for more than ninety (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 change of use within a reasonable amount of time as determined by the Director, in compliance with this Chapter. A mobilehome site is considered to be "uninhabited" when no rent is being paid for use of the site and it is either (i) unoccupied by a mobilehome or (ii) occupied by a mobilehome in which no person resides.

A mobilehome resident or other interested party who believes that 25% or more of the total number of mobilehome sites within a mobilehome park are uninhabited may file a written statement to that effect with the Community Development Director. The Director or his or her designee shall investigate and determine whether an unpermitted change of use of a mobilehome park has occurred. Once the Director makes such determination, a written notice that describes such determination shall be sent by the County to the mobilehome park owner, mobilehome park manager, and the person who filed the written statement.

SECTION 5.156.130. Exemption from Relocation Assistance Requirements.

Any person who files an application for a Change of Use Permit 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 in this Chapter 5.156. The request shall be processed in conjunction with the application for the permit, and shall be distributed to each eligible resident household and mobilehome owner at the time of application submittal.

The applicant may request, in writing, an exemption if (1) the relocation assistance required exceeds the reasonable costs of relocation for displaced mobilehome park residents, as prescribed by Government Code Section 65863.7(e); or (2) if, as part of bankruptcy proceeding, the bankruptcy court has taken action that would prohibit or preclude the payment of relocation assistance benefits, in whole or in part; or (3) if the relocation assistance required would eliminate all or substantially all reasonable economic value of the property for alternate uses.

Any request for exemption shall contain at a minimum, the following information:

- a) Statements of profit and loss from operations of the mobilehome park for the five-year period immediately preceding the date of the application for 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) An estimate of the total cost of relocation assistance which would be required in compliance with Section 5.156.090. This estimate shall be based on surveys, appraisals, and reports 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, as otherwise required under Section 5.156.090.

- c) 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 such property, and that the costs thereof make continuation of the mobilehome park economically infeasible, then the report shall include a report by a civil engineer or licensed general contractor outlining such costs.
- d) If the proposed closure is due to conversion of the land to another use, an estimate of the value of the mobilehome park, an estimate of the value as is, and estimate of value after the change shall be provided. These estimates shall be prepared by a certified real estate appraiser.
- e) Any request for exemption filed pursuant to a bankruptcy proceeding shall be accompanied by adequate documentation regarding the case name, case number, and court in which the bankruptcy proceeding is pending, and copies of all pertinent judgments, orders and decrees of the said court.

In determining whether to waive or modify a portion or all of any type of benefit that would otherwise be due under this ordinance, the Planning Commission may take into account the financial history of the mobilehome park, its condition and the condition of the 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 Planning Commission shall expressly indicate in its decision any waiver and the extent thereof and the reason therefore. The Planning Commission determination is subject to appeal by the parties and process indicated in Section 5.156.110.

SECTION 5.156.140. Severability.

If any section, subsection, sentence, clause or phrase of this Chapter is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, it shall not affect the remaining portions of this Chapter.

SECTION 3. This Ordinance shall take effect thirty (30) days after adoption by the Board of Supervisors.

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