

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

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**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

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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.