



COUNTY OF HUMBOLDT

For the meeting of August 16, 2016

Date: July 27, 2016
 To: Board of Supervisors
 From: Robert Wall, Interim Director Planning and Building RSW
 Subject: **Manufactured Home and Special Occupancy/RV Park Conversion Ordinances**
 Case Number OR-15-004

RECOMMENDATIONS

That the Board of Supervisors:

1. Introduce the proposed ordinances (Attachments 2 and 3) by title and waive further reading.
2. Open the public hearing, receive and consider the staff report, the Planning Commission's input and accept public comment.
3. Close the public hearing and deliberate.
4. Adopt Resolution No. 16-96 (Attachment 1), A Resolution of the Board of Supervisors of the County of Humboldt making the required findings for certifying compliance with the California Environmental Quality Act and approving the Manufactured home Park zoning ordinance amendments, and directing Planning staff to transmit the amendment to the California Coastal Commission for review and consideration; and certifying the Board of Supervisors intends to carry out the Humboldt County Local Coastal Program in a manner fully in conformity with the California Coastal Act.
5. Adopt Ordinance, No. 2557 (Attachment 2 - Manufactured home Park Conversions), which adds sections 313-106.9 to Title III, Division 1, Chapter 3 (Coastal Zoning Regulations), and section 314-106.9 to Title III, Division 1, Chapter 4 (Inland Zoning Regulations) to the Humboldt County Code.

Prepared by Michzel Richardson

CAO Approval Chyl D. Higgins

REVIEW: Auditor _____ County Counsel JWZ Personnel _____ Risk Manager _____ Other _____

TYPE OF ITEM:
 Consent
 Departmental
 Public Hearing
 Other _____

PREVIOUS ACTION/REFERRAL:

Board Order No. _____

Meeting of: _____

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT
 Upon motion of Supervisor _____ Seconded by
 Supervisor _____

Ayes
 Nays
 Abstain
 Absent

SEE ACTION SUMMARY

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: _____

By: _____

Kathy Hayes, Clerk of the Board

6. Reject Ordinance, No. ____ (Attachment 3 - Special Occupancy/RV Park Conversions), which would sections 313-113.2 to Title III, Division 1, Chapter 3 (Coastal Zoning Regulations), and section 314-113.2 of Title III, Division 1, Chapter 4 (Inland Zoning Regulations) to the Humboldt County Code.
7. Direct the Clerk of the Board to publish a Post Adoption Summary of the Ordinance (Attachment 4) within 15 days after adoption by the Board, along with the names of those Supervisors voting for and against the ordinance, and to post in the Office of the Clerk of the Board of Supervisors a certified copy of the full text of the adopted ordinance.

SOURCE OF FUNDING

Planning and Building Department, Advance Planning Division, FY 2016-2017 budget (Budget Unit 1100-282).

DISCUSSION

The Board of Supervisors adopted the Housing Element in May, 2014. One of the Element's implementation measures directs the County to adopt an ordinance consistent with State law establishing procedures for conversion of existing manufactured home parks to other uses and to consider a similar procedure for Special Occupancy/RV Park Conversions. The applicable Housing Element implementation measure is H-1M29:

"H-1M29. Procedures for Conversion of Mobilehome Parks and Recreational Vehicle Parks. The County shall amend County Code to adopt a mobilehome park conversion ordinance pursuant to Government Code §65863.7, and to require similar procedures acceptable to the Planning Commission for conversion of Recreational Vehicle Parks to other uses. Responsible Agency: Planning and Building Department. Timeframe: By January 1, 2016."

The intent of this Government Code section is to protect tenants of manufactured home parks from immediate relocation or dislocation, thereby avoiding large-scale socioeconomic impacts from park conversions. During the Housing Element hearings, testimony was presented that a similar ordinance would be helpful to protect long-term tenants of Recreational Vehicle Parks from dislocation as well. Testimony was presented that there is no substantial difference between a manufactured home in a manufactured home park and long-term occupancy of Recreational Vehicles (RV's) in an RV park.

Prior to sending the item to the Planning Commission for consideration staff notified the Housing Element interest group and 79 park owners about the ordinances and conducted a workshop on February 24, 2016. The minutes from the Planning Commission meeting and follow-up comments are included in Attachment 5 of this staff report.

The Planning Commission recommended that the Board approve a manufactured home park conversion ordinance with some changes which are shown in red in Attachment 2. The Planning Commission voted not to recommend adoption of the Special Occupancy Park conversion ordinance. The Planning Commission received public testimony that many special occupancy parks are visitor-serving and the restrictions on converting these parks to other uses would be counter-productive.

Consistent with the Planning Commission's recommendations, staff recommends adoption of the attached zoning ordinance amendment regarding Manufactured Home Park Conversions to come into line with state law. Given the wording of the implementation measure which requires Planning Commission acceptance of the proposed Special Occupancy/RV Park conversion ordinance, and the Planning Commission's recommendation to reject that proposed ordinance, staff does not recommend adoption of a conversion ordinance for Special Occupancy/RV Parks.

FINANCIAL IMPACT

The costs of Housing Element implementation of this Ordinance will be covered by current planning staff and applicants as projects come forward. It is estimated that the implementation costs to the county will be minimal. This item supports the Board's Strategic Framework by facilitating public/private partnerships to solve problems.

OTHER AGENCY INVOLVEMENT

The Coastal Commission must certify the proposed Coastal Zoning Ordinance changes.

ALTERNATIVES TO STAFF RECOMMENDATIONS

The Board of Supervisors could modify the draft manufactured park conversion ordinance provided the changes are consistent with state law.

The Board of Supervisors could also direct staff to develop prepare a resolution and bring the special occupancy park conversion ordinance back, with or without changes.

ATTACHMENTS

1. Resolution of Approval for the Zoning Ordinance Amendment and transmittal of the Coastal Zoning Ordinance changes to the California Coastal Commission.
2. Ordinance, No. ~~2557~~ Amending the Zoning Regulations.
3. Draft Special Occupancy Park Conversion Ordinance – not approved by Planning Commission
4. Ordinance Summary for Publication
5. Comments Received and Planning Commission Minutes and Resolutions

Attachment 1

Resolution Approving the Zoning Ordinance Changes

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified copy of portion of proceedings, Meeting of August 16, 2016

RESOLUTION NO. 16-96

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT MAKING THE REQUIRED FINDINGS FOR CERTIFYING COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING AMENDMENTS TO THE COASTAL ZONING REGULATIONS/COASTAL IMPLEMENTATION PLAN ADDING TITLE III, DIVISION 1, CHAPTER 3, SECTION B, PART 3, SECTION 313-106.9 *ET SEQ.*; ADDING TITLE III, DIVISION 1, CHAPTER 4, SECTION B, PART 3, SECTION 314-106.9 *ET SEQ.*; AND DIRECTING PLANNING STAFF TO TRANSMIT THE LOCAL COASTAL PROGRAM AMENDMENT TO THE CALIFORNIA COASTAL COMMISSION FOR REVIEW AND CERTIFICATION; AND CERTIFYING THE BOARD OF SUPERVISORS INTENDS TO CARRY OUT THE HUMBOLDT COUNTY LOCAL COASTAL PROGRAM IN A MANNER FULLY IN CONFORMITY WITH THE CALIFORNIA COASTAL ACT; CASE NUMBERS OR-15-004

WHEREAS, the 2014 Housing Element Appendix documents considerable opportunities for public input on the policies and implementation measures in the Housing Element, including workshops, scoping meetings and public hearings; and

WHEREAS, the 2014 Housing Element was adopted on May 13, 2014 in compliance with the requirements of state law regarding Housing Elements; and

WHEREAS, the 2014 Housing Element includes an implementation measure to develop a Manufactured Home Park Conversion Ordinance in accordance with state law; and

WHEREAS, the proposed ordinances are consistent with the 2014 Housing Element; and

WHEREAS, on March 22, 2016, the Planning Division caused to be published in the Eureka Times-Standard, a newspaper of general circulation in Humboldt County, and caused to be mailed to all relevant parties listed in 14 CCR §13515(a), a Notice of Public Hearing on the proposed ordinance changes, which also serves as the 45-day public notice prior to the County's final action on the Amendment required for Local Coastal Program amendments pursuant to 14 CCR §13515(c); and

WHEREAS, the Planning Division prepared, posted for public review, and filed with the Planning Commission a report dated April 7, 2016, incorporated herein by reference, which contains evidence, findings, analysis, and conclusions in support of making the required findings for approving the Zoning Ordinance Amendment as provided to the Planning Commission; and

WHEREAS, the Humboldt County Planning Commission held a duly noticed public hearing on the proposed Zoning Ordinance Amendment on April 7, 2016, and received said Planning Commission report, an oral staff report, as well as written and spoken evidence and testimony; and

WHEREAS, the Planning Commission reviewed and considered said Planning Commission report together with any other written and spoken evidence and testimony presented to the Planning Commission during the public hearing; and

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WHEREAS, the Planning Commission, voted 6 to 0 (with one Commissioner absent) for a motion to recommend approval of the Manufactured home Park Conversion Ordinance, and to not recommend approval of the Special Occupancy/RV Park Conversion Ordinance to the Board of Supervisors; and

WHEREAS, the Planning Division prepared, posted for public review, and filed with the Board of Supervisors a report dated July 20, 2016 for the Board of Supervisors meeting of August 16, 2016, incorporated herein by reference, which contains evidence, analysis, findings, and conclusions in support of making the required findings described below in the attached Findings for Approval, Exhibit A, which is incorporated herein, for approving the Manufactured home Park Conversion Ordinance in Exhibit A, Case Number OR-15-004; and

WHEREAS, the Board of Supervisors reviewed and considered the Board of Supervisors report, including all the information considered by the Planning Commission, for the Manufactured home Park Conversion Ordinance, including the public testimony received during the public hearing on April 7, 2016 and testimony provided by the Planning Commission, and any other written and spoken evidence and testimony presented to the Board of Supervisors during a duly noticed public hearing on August 16, 2016; and

WHEREAS, the Board of Supervisors report dated June 28, 2016, including all attachments thereto, herein incorporated by reference, includes evidence in support of making all of the required findings described below in the attached Findings for Approval, Exhibit A, which is incorporated herein, for approving the proposed Manufactured home Park Conversion Ordinance in Attachment 2, Case Number OR-15-004.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Supervisors, based on Planning and Building Department – Planning Division staff reports and all attachments thereto, supplemental reports, testimony presented at public hearings, and having considered testimony from the Planning Commission, that:

1. All the above citations are true and correct; and
2. The proposed ordinance is in the public interest because they implement the 2014 Housing Element Update; and
3. The proposed ordinance is consistent with the General Plan, all other Elements of the General Plan, including §1452.2 of the General Plan (Findings Required for Plan Amendments).
4. The proposed ordinance is consistent with all the other sections of zoning ordinances, including Humboldt County Code §312-50.3 (Required Findings for All Amendments).
5. The proposed Manufactured home Park Conversion Ordinance is exempt from environmental review per Sections 15061 (b)(3) (General Rule), of the CEQA Guidelines because the ordinance requires landowners to provide for the notice and mitigation of social and financial impacts to tenants of manufactured home parks prior to conversion to a different use, and there is no evidence before the Department that these amendments could have any adverse effect, either individually or cumulatively, on the environment.

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6. The Board of Supervisors makes all the required findings described below in the attached Findings for Approval, Exhibit A, and finds that the Ordinance conforms to the policies contained in Chapter 3 of the Coastal Act, and further finds that the Amendment will be carried out in accordance with the Coastal Act.
7. The Board of Supervisors finds the Ordinance is in conformity with and appropriately carries out the policies of Humboldt County's Local Coastal Program, and certifies its intent to carry out the Local Coastal Program in a manner fully consistent with the California Coastal Act.
8. The Board of Supervisors approves Ordinance No. _____ (Attachment 2) amending adding Title III, Division 1, Chapter 3, Section B, Part 3, Section 313-106.9 *et seq.* which will become effective upon certification by the Coastal Commission; and adding Title III, Division 1, Chapter 3, Section B, Part 3 Section 314-106.9 *et seq.*
9. This resolution shall take effect and be in full force thirty (30) days from the date of its passage. For amendments to the local coastal plan, this resolution shall take effect immediately upon Coastal Commission certification of the proposed amendments to the local coastal program.
10. The Board of Supervisors hereby directs Planning staff to transmit the approved Coastal Zoning Ordinance amendment to the California Coastal Commission for their review and certification.
11. Modifications to the amendments required by the Coastal Commission for certification shall be brought back to the Board of Supervisors for consideration at a future public hearing.
12. The individual parts of this resolution are severable, such that if one or more parts are determined to be invalid, all the other parts will remain in full force and effect.

The Board of Supervisors directs the Clerk of the Board to publish a summary of the Ordinance within 15 days after its adoption.

Dated: August 16, 2016



MARK LOVELACE, Chair
Humboldt County Board of Supervisors

Adopted on motion by Supervisor Fennell, seconded by Supervisor Sundberg, and the following vote:

AYES:	Supervisors	Sundberg, Fennell, Lovelace, Bohn, Bass
NAYS:	Supervisors	--
ABSENT:	Supervisors	--
ABSTAIN:	Supervisors	--

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

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STATE OF CALIFORNIA)
County of Humboldt)

I, KATHY HAYES, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be an original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.



Ana Hartwell

By ANA HARTWELL

Deputy Clerk of the Board of Supervisors of the
County of Humboldt, State of California

Exhibit A

Analysis of Evidence Supporting the Required Findings for the Zoning Ordinance Amendments

REQUIRED FINDINGS

To approve these zoning ordinance amendments, Section 312-50.3 of the Zoning Ordinance (Required Findings For All Amendments) requires the Planning Commission and Board of Supervisors make all of the following required findings.

1. The amendment is in the public interest; and (Former Section INL#317-9; CZ#A316-9(a))
2. The amendment is consistent with the County General Plan. (Former Section INL#317-9; CZ#A316-9(b))
3. If the amendment requires a Local Coastal Plan Amendment, the amendment is in conformity with the policies of Chapter 3 (commencing with Section 30200) of the Coastal Act. (Added by Ord. 2214, 6/6/00)
4. The proposed amendment does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law (the mid-point of the density range specified in the plan designation) unless certain site-specific findings are made.

In addition, the California Environmental Quality Act (CEQA) states that one of the following findings must be made prior to approval of any development which is subject to the regulations of CEQA. The project either:

- a) is categorically or statutorily exempt; or
- b) will not have a significant effect on the environment and a negative declaration has been prepared; or
- c) has had an environmental impact report (EIR) prepared and all significant environmental effects have been eliminated or substantially lessened, or the required findings in Section 15091 of the CEQA Guidelines have been made.

STAFF ANALYSIS OF THE EVIDENCE SUPPORTING THE REQUIRED FINDINGS

The following table identifies the evidence which supports finding that the proposed implementing ordinances are consistent with Section 312-50.3 of the Zoning Ordinance (Required Findings For All Amendments).

Section(s)	Applicable Requirements	Evidence Supporting Finding
1) Public Interest	The amendment is in the public interest.	<p>State law Section 65580 of the Government Code describes the availability of housing is of “vital statewide importance”, and “the early attainment of decent housing and a suitable living environment for every Californian, including farmworkers, is a priority of the highest order.” It goes on to say the early attainment of this goal requires “the cooperative participation of government and the private sector in an effort to expand housing opportunities and accommodate the housing needs of Californians of all economic levels.” And that “the provision of housing affordable to low- and moderate-income households requires the cooperation of all levels of government.” The proposed ordinances meet this state housing goal by helping ensure that occupants of manufactured home parks, particularly low- and moderate income households, will be notified in advance of a future conversion of their living area to other uses, which will better accommodate their housing needs.</p>
2) Consistency with the General Plan §1330	Zoning or the implementation of the plan is required to be consistent with the plan.	<p>The new implementing ordinances and LCP Amendments are required to implement the adopted 2014 Housing Element Update and to conform it to requirements of state law.</p> <p>The program involves zoning changes to ensure consistency with the 2014 Housing Element Update.</p>
3) Consistency with the Coastal Act: Administrative Regulations – Title 14, § 13551 and Public Resources Code, § 30200	<p>The proposed amendments must conform to the policies contained in Chapter 3 of the Coastal Act. Chapter 3 sets forth policies regarding all the following items:</p> <p>Access (including provisions for access with new development projects, public facilities, lower cost visitor facilities, and public access)</p>	The proposed ordinance in the coastal zone does not contain any measures that will directly result in or otherwise encourage new development.

Section(s)	Applicable Requirements	Evidence Supporting Finding
Administrative Regulations – Title 14, § 13551 and Public Resources Code, § 30200	Recreation (including protection of water-oriented activities, ocean- front land protection for recreational uses, aqua-cultural uses, and priority of development purposes)	The Manufactured Home Park Conversion Ordinance outlines a process for park closures. They will not change the patterns, timing, or intensity of development in the unincorporated area.
Administrative Regulations – Title 14, § 13551 and Public Resources Code, § 30200	Marine Resources (including protecting biological productivity, prevent hazardous waste spills, diking, filling and dredging, fishing, revetments and breakwaters, and water supply and flood control)	The Manufactured Home Park conversion ordinances outline a process for park closures. These ordinances will not change the patterns, timing, or intensity of development in the unincorporated area. Therefore these ordinances will not impact marine resources.
Administrative Regulations – Title 14, § 13551 and Public Resources Code, § 30200	Land Resources (including environmentally sensitive habitats, agricultural lands, timberlands, and archaeological resources)	This program would support the preservation of existing mobile home parks but would not change the patterns, timing, or intensity of residential development in the unincorporated area. Therefore these ordinances will not impact land resources.
Administrative Regulations – Title 14, § 13551 and Public Resources Code, § 30200	Development (including scenic resources, public works facilities, safety, and priority of coastal dependent developments)	The Manufactured Home Park conversion ordinances outline a process for park closures. They would not change the patterns, timing, or intensity of development in the unincorporated area, so they will have no impact on scenic resources, public works facilities, safety, and priority of coastal dependent developments.

Section(s)	Applicable Requirements	Evidence Supporting Finding
Administrative Regulations – Title 14, § 13551 and Public Resources Code, § 30200	Industrial Development (including location and expansion, use of tanker facilities, oil and gas development and transport (both onshore and off), and power plants.	The Manufactured Home Park conversion ordinances outline a process for park closures. They would not change the patterns, timing, or intensity of development in the unincorporated area, so they will have no impact on industrial development including the location and expansion, use of tanker facilities, oil and gas development and transport (both onshore and off), and power plants.
The LCP Amendment shall be carried out in accordance with the Coastal Act (Public Resources Code, § 30200).	The LCP Amendments will be carried out in accordance with the Coastal Act (pursuant to Section 30510(a) of the Act.	The ordinance in the coastal zone is being carried out in accordance with the Coastal Act (pursuant to Section 30510(a) of the Act). This section of the coastal act identifies the procedural requirements of ordinance changes and other local coastal plan amendments.
4) Housing Element Residential Development Potential	The proposed amendment shall not reduce the residential density for any parcel below the mid- point of the density range specified in the plan designation unless certain site-specific findings are made.	The proposed ordinances will apply to existing manufactured home parks. The residential land inventory in the Housing Element does not consider any sites with existing housing to have additional residential development potential, so the proposed ordinances will have no effect on the development potential of any site.

5. Environmental Impact: The proposed Manufactured home Park Conversion Ordinance is exempt from environmental review per Sections 15061 (b)(3) (General Rule), of the CEQA Guidelines. The ordinance requires landowners to provide for the notice and mitigation of social and financial impacts to tenants of manufactured home parks prior to conversion to a different use. The proposed ordinance will not prevent any conversions from occurring, but may slow them down. The affected tenants will be better prepared when the conversion occurs. There is no evidence before the Department that these amendments could have any adverse effect, either individually or cumulatively, on the environment.

ATTACHMENT 2

Ordinance, No. 2557

AN ORDINANCE TO AMEND COUNTY ZONING CODE TO ADD
SECTIONS 313-106.9 (COASTAL)

AN ORDINANCE TO AMEND COUNTY ZONING CODE TO ADD
SECTIONS 314-106.9 (INLAND)

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting of August 16, 2016

**ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT
ADDING SECTIONS 313-106.9 OF TITLE III, DIVISION 1, CHAPTER 3 (COASTAL ZONING
REGULATIONS) AND 314-106.9 OF TITLE III, DIVISION 1, CHAPTER 4 (INLAND ZONING
REGULATIONS), TO THE HUMBOLDT COUNTY CODE**

ORDINANCE NO. 2557

The Board of Supervisors of the County of Humboldt do ordain as follows:

SECTION 1. CODE ADDITIONS. Sections 313-106.9 of Title III, Division 1, Chapter 3 (Coastal Zoning Regulations) and 314-106.9 of Title III, Division 1, Chapter 4 (Inland Zoning Regulations), to the Humboldt County Code, as described in Exhibit A of this ordinance, which is incorporated into this ordinance as set forth in its entirety herein, to implement the 2014 Housing Element Implementation Measure (H-IM29).

SECTION 2. EFFECTIVE DATE. The inland (non-coastal) portion of the County, this ordinance shall take effect and be in full force thirty (30) days from the date of its passage. For properties in the coastal zone, the ordinance shall take effect immediately upon certification of the proposed amendments to the local coastal program. A summary shall be published at least ten days before the date for adoption and again fifteen days after passage of this ordinance. It shall be published at least once with the names of the Board of Supervisors voting for and against the ordinance in a newspaper of general circulation published in the County of Humboldt, State of California.

PASSED, APPROVED AND ADOPTED this 16th day of August, 2016 on the following vote, to wit:

AYES:	Supervisors	Sundberg, Fennell, Lovelace, Bohn, Bass
NOES:	Supervisors	--
ABSENT:	Supervisors	--



MARK LOVELACE, Chair
Board of Supervisors of the County of Humboldt,
State of California

(SEAL)

ATTEST:
Kathy Hayes, Clerk of the Board of Supervisors
of the County of Humboldt, State of California

By: 
Ana Hartwell, Deputy

EXHIBIT A

ADDITIONS TO SECTION 313-106.9 OF THE HUMBOLDT COUNTY ZONING ORDINANCE (COASTAL)

ADDITIONS TO SECTION 314-106.9 OF THE HUMBOLDT COUNTY ZONING ORDINANCE (INLAND)

313-106.9 MANUFACTURED HOME PARK CONVERSION (Coastal)

106.9.1 **Purpose.** The purpose of the Manufactured Home Park Conversion procedure is to ensure that any conversion of manufactured home parks, which includes mobile home parks, to other uses is preceded by adequate notice, that the social and fiscal impacts of the proposed conversion are adequately defined prior to consideration of the proposed conversion, and that relocation and other assistance is provided to park residents when warranted, consistent with California Government Code, Section 65863.7 and 66427.4.

106.9.2 **Applicability.** This Chapter applies to applications for closure of manufactured home parks. Reasons for closure may include conversion to another land use and/or financial considerations of the park owner.

106.9.3 **Definitions.** The below definitions pertain to Section 106.9.1.

106.9.3.1 "Applicant" means a person or entity who has filed an application for change of use of a manufactured home park.

106.9.3.2 "Change of use", is defined in Section 798.10, and Government Code §65863.7, and includes closure, cessation or change of use of the manufactured home park. It includes the use of the park for a purpose other than the rental, or the holding out for rent, of two or more mobile home sites to accommodate mobile homes 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 sold.

106.9.3.3 "Manufactured home park closure" includes any closure, cessation or change of use of the park. A closure includes ceasing to rent manufactured home lots for human habitation and displacement of manufactured home park residents, or when 25 percent or more of the manufactured home units or lots within a park become vacant.

106.9.3.5 "Eligible manufactured home resident" or "permanent resident" means a manufactured home resident whose manufactured home was located in a manufactured home park or resident of a recreational vehicle renting space in a manufactured home park on the date of an application for change of use. Eligible manufactured home resident includes the spouse, parents, children and grandchildren of the permanent resident when those persons resided in the manufactured home on the date of the application.

106.9.3.6 "Legal owner" means any person or entity having an ownership interest in a manufactured home other than the registered owner, such as a lender or mortgagor.

106.9.3.7 "Manufactured home" has the meaning set forth in Section 798.3 of the California Civil Code. Mobile homes are included in this definition.

106.9.3.8 "Manufactured home owner" means the registered owner or registered owners of a manufactured home, regardless of the number of such owners or the form of such ownership.

106.9.3.9 "Manufactured home park" or "park" has the same meaning set forth in Section 798.4 and 798.6 of the California Civil Code.

106.9.3.10 "Manufactured home park owner" or "park owner" means the person, persons or entity that owns a manufactured home park and includes any person authorized by the park owner to

seek approval of an application for change of use or respond to a rent review petition filed pursuant to this chapter.

106.9.3.13 "Manufactured home renter" or "renter" is a person who occupies a manufactured home within a manufactured home park pursuant to a bona fide lease or rental agreement and who, during his or her tenancy, was not the owner of that manufactured home.

- 106.9.4 **Permit Requirements for a Change of Use.** The conversion of an existing manufactured home park to another use shall require a special permit to be reviewed and approved by the Planning Commission. It is the park owner's responsibility to comply with the notice requirements of subsections g (1) and (2) of Civil Code Section 798.56. Because the Civil Code Section 798.56(g)(2) notice cannot be given until after the approval of both the project and the sufficiency of the relocation impact report (RIR), the park owner is encouraged to consult with staff early in the process about the contents of the RIR.
- 106.9.5 **Relocation Impact Report.** An application for a special permit for a conversion of an existing manufactured home park to another use shall include a relocation impact report (RIR) with all the following information.
- 106.9.5.1 A general description of any proposed change of use, or change without new use;
- 106.9.5.2 A timetable for conversion of the park;
- 106.9.5.3 A legal description of the park;
- 106.9.5.4 The number of spaces in the park, length of occupancy by the current occupant of each space and current rental rate for each space;
- 106.9.5.5 The date of manufacture and size of each manufactured home, description of outbuildings and accessory structures construction on the lots and the cost to move them;
- 106.9.5.6 The name and mailing address of each eligible manufactured home tenant, manufactured home resident, resident manufactured home owner and legal owner of a manufactured home in the park;
- 106.9.5.7 A list of comparable manufactured home parks within a thirty mile radius of the applicant's manufactured home park. For each comparable park, the list should, if possible, state the criteria of that park for accepting relocated manufactured homes, rental rates and the name, number and size of spaces, address and telephone number of the park representative having authority to accept relocated homes, including any written commitments from manufactured home park owners willing to accept displaced manufactured homes;
- 106.9.5.8 The purchase price of other housing of similar in size to the manufactured homes within a reasonable distance, and the rental rates and moving costs involved in moving to an apartment or other rental unit within a reasonable distance including, but not limited to, fees charged by moving companies and any requirement for payment of the first and last month's rent and security deposits;
- 106.9.5.9 Estimates as to the minimum cost of moving each manufactured home, including tear-down and set-up of manufactured homes and moving of improvements such as porches, carports, patios and other moveable amenities installed by the residents;
- 106.9.5.10 An in-place appraisal conducted by a qualified appraiser. The appraisals shall identify those manufactured homes which cannot be moved due to type, age or other

considerations. Appraisal information shall be provided on the effect upon the homeowner's investment in the manufactured home, such as the change in value of effected manufactured homes that would result from the proposed change in use.

106.9.5.11 Identification of a qualified relocation specialist to assist residents in finding relocation spaces and alternate housing;

106.9.5.12 A Relocation Plan as specified in Section 106.9.7 below.

106.9.6 **Notice Requirements.** The following notice requirements are in addition to any notice regularly required for special permits. The applicant shall verify that a good faith effort has been made to ensure that each manufactured home owner and tenant has received or will receive each of the following notices and documents. No hearing on a proposed manufactured home park closure shall be scheduled until the applicant has provided verification of notification.

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

106.9.6.2 Written Notice & Relocation Impact Report. A written notice, in addition to the regular public hearing notice shall be delivered at least 15 days before the application submittal for a special permit, informing residents that the applicant will be appearing before the Planning Commission to request permits for a change of use of the manufactured home park. A copy of the Relocation Impact Report shall be included with this notice.

106.9.6.3 Notice of termination of tenancy. The applicant shall provide all residents proposed to be displaced and the owners of manufactured homes proposed to be displaced a written "notice of termination of tenancy" that provides the affected residents or owners a minimum of six months' notice to vacate following the effective date of the approved special permit. The notice shall be sent by certified mail to each manufactured home owner and tenant within 10 calendar days following the effective date of the approved special permit.

106.9.7 **Conditions of Approval.** Approval of a special permit shall include reasonable conditions of approval which shall not exceed the reasonable costs as set forth in this ordinance. Manufactured homeowners who are not permanent residents are not eligible for relocation benefits. The special permit shall identify relocation options for each displaced manufactured home occupant in a Relocation Plan, as follows:

- 106.9.7.1 Relocation assistance for manufactured home owners whose homes can be relocated. The applicant shall pay all costs related to moving the manufactured home, fixtures, and accessories to comparable manufactured home park within a reasonable distance. Relocation shall include disassembly and moving costs, manufactured home set-up costs, utility hook-up fees, moving of the manufactured home owner's possessions, any move-in deposit and the reasonable housing expenses for displaced manufactured home residents for a period not exceeding 30 days from the date of actual displacement until the date of occupancy at the new site. The comparable manufactured home park, or manufactured home owner-approved receiving site, and the relocated manufactured home shall conform to all applicable Federal, State, and County regulations. In addition, the applicant shall provide displaced manufactured home owners with the payment of a lump sum equal to the difference of rent between the old and new manufactured home park spaces for a period of 12 months, if the new rent exceeds the old rent.
- 106.9.7.2 Relocation assistance for manufactured home owners whose homes cannot be relocated. In cases in which it is not feasible to relocate the manufactured home to a comparable manufactured home park, including those in which the condition of the manufactured home is such that it cannot be safely relocated, or in cases where the manufactured home does not meet minimum requirements to be accepted into another manufactured home park, the applicant shall provide the following relocation assistance to each manufactured home owner who is also a permanent resident:
- 106.9.7.2.1 The applicant shall be required to pay for the in-place value of the manufactured home and cost of disposal of the manufactured home in an approved facility; and
- 106.9.7.2.2 Each displaced manufactured home household will received a lump sum difference between current space rent and rent for a housing unit of a size appropriate, according to California Health and Safety code Section 50052.5 (h), to accommodate the displaced household for a period of 12 months. Lump sum funds due the resident may be paid directly to the new park owner as pre-paid rent upon request by the displaced household.
- 106.9.7.3 Relocation Assistance for non-manufactured home residents. For permanent residents whose residential units do not meet the definition of a manufactured home, such as a recreational vehicle, the applicant shall pay the same benefits as a manufactured home resident.
- 106.9.7.4 Relocation assistance for manufactured home renters. The applicant shall pay a sum equal to three months of fair market rent for the area as determined by HUD pursuant to Section 1437(c)(1) of Title 42 of the Unites States Code or four thousand dollars, whichever is greater, to each displaced household.
- 106.9.7.5 Relocation Counselor. The applicant shall offer to provide to all displaced manufactured home owners and residents the services of a Relocation Counselor to provide information about the available housing resources and to assist with the selection of suitable relocation alternatives.
- 106.9.7.5.1 The Relocation Counselor shall be familiar with the region's housing market and qualified to assist residents to evaluate, select, and secure placement in the replacement housing, to arrange the moving of all of the household's personal property, and to render financial advice on qualifying for various housing types.
- 106.9.7.5.2 No later than 30 calendar days after the issuance of the special permit for the manufactured home park closure, the Relocation Counselor shall make personal contract

with each displaced resident of the manufactured home park and commence to determine the applicable relocation costs and assistance to be provided. The relocation Counselor shall give to each person eligible to receive relocation assistance a written notice of his or her options for relocation assistance as determined by the special permit.

106.9.8 Vacancy of Manufactured home Park of 25 Percent or More.

106.9.8.1 Whenever 25 percent or more of the total number of manufactured home sites within a manufactured home park are uninhabited for more than 90 consecutive days, and such condition was not caused by a natural or physical disaster beyond the control of the manufactured home park owner, then such condition shall be deemed a "manufactured home park closure" for the purposes of this ordinance. The manufactured home park owner shall file an application for the manufactured home park closure, in compliance with this Section. A manufactured home 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 manufactured home or (ii) occupied by a manufactured home in which no person resides.

106.9.8.2 A manufactured home resident or other interested party who has reason to believe that 25% or more of the total number of manufactured home sites within a manufactured home park are uninhabited may file a written statement to that effect with the Director of Planning and Building. The Director or his designee shall investigate and make a determination as to whether an unauthorized manufactured home park closure is underway. Once the Director determines whether an unauthorized manufactured home park closure is underway, a written notice that describes such determination shall be sent by the County to the manufactured home park owner, manufactured home park manager, and the person who filed the written complaint.

106.9.9 Request for Exemption from Relocation Assistance Requirements.

106.9.9.1 Any person who files an application for a special permit for the closure of a manufactured home park may, simultaneous with and as part of the filing of such application, request an exemption from some or all of the relocation assistance requirements described above in Section 106.9.7 (Conditions of Approval). The request shall be processed in conjunction with the application for the special permit, and shall be distributed to each resident household and manufactured home owner at the time of application submittal, as specified in Section 106.9.6.2.

106.9.9.2 The applicant may request an exemption if the relocation assistance required exceeds the reasonable costs of relocation for displaced manufactured home park residents, as prescribed by Government Code Section 65863.7 (e), or as part of bankruptcy the court has taken action that would prohibit or preclude the payment of relocation assistance benefits, in whole or in part, or if the relocation assistance required would cause an undue burden or hardship.

106.9.9.3 Any request for exemptions submitted in compliance with this section shall contain at a minimum, the following information:

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

106.9.9.3.2 An estimate of the total cost of relocation assistance which would be required in compliance with Section 106.9.7 (Conditions of Approval). 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 manufactured homes and those who would sell their manufactured homes, and the costs related to providing the relocation assistance.

106.9.9.3.3 If the applicant contends that continued use of the property as a manufactured home park necessitates repairs and/or improvements that are not the result of the park owner or applicant's negligence or failure to properly maintain the said property, and that the costs thereof makes continuation of the manufactured home park economically feasible, then the report shall include a report by a civil engineer or licenses general contractor outlining the costs.

106.9.9.3.4 If the proposed closure is due to conversion of the land to another use an estimate of the value of the manufactured home park, an estimate of the value as is, and estimate of value after the change will be required. These estimates shall be prepared by a certified real estate appraiser.

106.9.9.3.5 Any request for exemption filed pursuant to Subsection 106.9.9.1, above, shall be accompanied by adequate documentation regarding the title, case number, and court in which the bankruptcy proceeding was held, and copies of all pertinent judgments, orders and decrees of the said court.

106.9.9.4 When making its determination as to whether to waive or modify a portion or all of any type of benefit that would otherwise be applicable, the Commission may take into account the financial history of the manufactured home 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 manufactured home park, and any other pertinent evidence requested or presented. The Commission shall expressly indicate in its decision any waiver and the extent thereof.

106.9.9.5 Where a court has determined in connection with a proceeding in bankruptcy that the closure or cessation of the use of said property as a manufactured home park is necessary, and such court has taken action which would prohibit or preclude payment of relocation benefits, whether in whole or in part, the Commission shall have the authority to waive all or a portion of any type of benefit to the extent necessary to comply with the judgment, order, or decree of the court.

314-106.9 MANUFACTURED HOME PARK CONVERSION (Inland)

106.9.1 **Purpose.** The purpose of the Manufactured home Park Conversion procedure is to ensure that any conversion of manufactured home parks to other uses is preceded by adequate notice, that the social and fiscal impacts of the proposed conversion are adequately defined prior to consideration of the proposed conversion, and that relocation and other assistance is provided to park residents when warranted, consistent with California Government Code, Section 65863.7 and 66427.4.

106.9.2 **Applicability.** This Chapter applies to applications for closure of manufactured home parks. Reasons for closure may include conversion to another land use and/or financial considerations of the park owner.

106.9.3 **Definitions.** The below definitions pertain to Section 106.9.1.

106.9.3.1 "Applicant" means a person or entity who has filed an application for change of use of a manufactured home park.

106.9.3.2 "Change of use", is defined in Civil Code 798.10, and Government Code §65863.7, and includes closure, cessation or change of use of the manufactured home park. It includes the use of the park for a purpose other than the rental, or the holding out for rent, of two or more mobile home sites to accommodate mobile homes 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 sold.

106.9.3.3 "Manufactured home park closure" includes any closure, cessation or change of use of the park. A closure includes ceasing to rent manufactured home lots for human habitation and displacement of manufactured home park residents or when 25 percent or more of the manufactured home units or lots within a park become vacant.

106.9.3.5 "Eligible manufactured home resident" or "permanent resident" means a manufactured home resident whose manufactured home was located in a manufactured home park or resident of a recreational vehicle renting space in a manufactured home park on the date of an application for change of use. Eligible manufactured home resident includes the spouse, parents, children and grandchildren of the permanent resident when those persons resided in the manufactured home on the date of the application.

106.9.3.6 "Legal owner" means any person or entity having an ownership interest in a manufactured home other than the registered owner, such as a lender or mortgagor.

106.9.3.7 "Manufactured home" has the meaning set forth in Section 798.3 of the California Civil Code. Mobile homes are included in this definition.

106.9.3.8 "Manufactured home owner" means the registered owner or registered owners of a manufactured home, regardless of the number of such owners or the form of such ownership.

106.9.3.9 "Manufactured home park" or "park" has the same meaning set forth in Section 798.4 and 798.6 of the California Civil Code.

106.9.3.10 "Manufactured home park owner" or "park owner" means the person, persons or entity that owns a manufactured home park and includes any person authorized by the park owner to

seek approval of an application for change of use or respond to a rent review petition filed pursuant to this chapter.

106.9.3.13 "Manufactured home renter" or "renter" is a person who occupies a manufactured home within a manufactured home park pursuant to a bona fide lease or rental agreement and who, during his or her tenancy, was not the owner of that manufactured home.

- 106.9.4 **Permit Requirements for a Change of Use.** The conversion of an existing manufactured home park to another use shall require a special permit to be reviewed and approved by the Planning Commission. It is the park owner's responsibility to comply with the notice requirements of subsections g (1) and (2) of Civil Code Section 798.56. Because the Civil Code Section 798.56(g)(2) notice cannot be given until after the approval of both the project and the sufficiency of the relocation impact report (RIR), the park owner is encouraged to consult with staff early in the process about the contents of the RIR.
- 106.9.5 **Relocation Impact Report.** An application for a special permit for a conversion of an existing manufactured home park to another use shall include a relocation impact report (RIR) with all the following information.
- 106.9.5.1 A general description of any proposed change of use, or change without new use;
- 106.9.5.2 A timetable for conversion of the park;
- 106.9.5.3 A legal description of the park;
- 106.9.5.4 The number of spaces in the park, length of occupancy by the current occupant of each space and current rental rate for each space;
- 106.9.5.5 The date of manufacture and size of each manufactured home, description of outbuildings and accessory structures construction on the lots and the cost to move them;
- 106.9.5.6 The name and mailing address of each eligible manufactured home tenant, manufactured home resident, resident manufactured home owner and legal owner of a manufactured home in the park;
- 106.9.5.7 A list of comparable manufactured home parks within a thirty mile radius of the applicant's manufactured home park. For each comparable park, the list should, if possible, state the criteria of that park for accepting relocated manufactured homes, rental rates and the name, number and size of spaces, address and telephone number of the park representative having authority to accept relocated homes, including any written commitments from manufactured home park owners willing to accept displaced manufactured homes;
- 106.9.5.8 The purchase price of other housing of similar in size to the manufactured homes within a reasonable distance, and the rental rates and moving costs involved in moving to an apartment or other rental unit within a reasonable distance including, but not limited to, fees charged by moving companies and any requirement for payment of the first and last month's rent and security deposits;
- 106.9.5.9 Estimates as to the minimum cost of moving each manufactured home, including tear-down and set-up of manufactured homes and moving of improvements such as porches, carports, patios and other moveable amenities installed by the residents;
- 106.9.5.10 An in-place appraisal conducted by a qualified appraiser. The appraisals shall identify those manufactured homes which cannot be moved due to type, age or other

considerations. Appraisal information shall be provided on the effect upon the homeowner's investment in the manufactured home, such as the change in value of effected manufactured homes that would result from the proposed change in use.

106.9.5.11 Identification of a qualified relocation specialist to assist residents in finding relocation spaces and alternate housing;

106.9.5.12 A Relocation Plan as specified in Section 106.9.7 below.

106.9.6 **Notice Requirements.** The following notice requirements are in addition to any notice regularly required for special permits. The applicant shall verify that a good faith effort has been made to ensure that each manufactured home owner and tenant has received or will receive each of the following notices and documents. No hearing on a proposed manufactured home park closure shall be scheduled until the applicant has provided verification of notification.

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

106.9.6.2 Written Notice & Relocation Impact Report. A written notice, in addition to the regular public hearing notice shall be delivered at least 15 days before the application submittal for a special permit, informing residents that the applicant will be appearing before the Planning Commission to request permits for a change of use of the manufactured home park. A copy of the Relocation Impact Report shall be included with this notice.

106.9.6.3 Notice of termination of tenancy. The applicant shall provide all residents proposed to be displaced and the owners of manufactured home proposed to be displaced a written "notice of termination of tenancy" that provides the affected residents or owners a minimum of six months' notice to vacate following the effective date of the approved special permit. The notice shall be sent by certified mail to each manufactured home owner and tenant within 10 calendar days following the effective date of the approved special permit.

106.9.7 **Conditions of Approval.** Approval of a special permit shall include reasonable conditions of approval which shall not exceed the reasonable costs as set forth in this ordinance. Manufactured home park owners who are not permanent residents are not eligible for relocation benefits. The special permit shall identify relocation options for each displaced manufactured home occupant in a Relocation Plan, as follows:

106.9.7.1 Relocation assistance for manufactured home owners whose homes can be relocated. The applicant shall pay all costs related to moving the manufactured home, fixtures, and accessories to comparable manufactured home park within a reasonable distance. Relocation shall include disassembly and moving costs, manufactured home set-up costs, utility hook-up fees, moving of the manufactured home owner's possessions, any move-in deposit and the reasonable housing expenses for displaced manufactured home residents for a period not exceeding 30 days from the date of actual displacement until the date of occupancy at the new site. The comparable manufactured home park, or manufactured home owner-approved receiving site, and the relocated manufactured home shall conform to all applicable Federal, State, and County regulations. In addition, the applicant shall provide displaced manufactured home owners with the payment of a lump sum equal to the difference of rent between the old and new manufactured home park spaces for a period of 12 months, if the new rent exceeds the old rent.

106.9.7.2 Relocation assistance for manufactured home owners whose homes cannot be relocated. In cases in which it is not feasible to relocate the manufactured home to a comparable manufactured home park, including those in which the condition of the manufactured home is such that it cannot be safely relocated, or in cases where the manufactured home does not meet minimum requirements to be accepted into another manufactured home park, the applicant shall provide the following relocation assistance to each manufactured home owner who is a permanent resident:

106.9.7.2.1 The applicant shall be required to pay for the in-place value of the manufactured home and cost of disposal of the manufactured home in an approved facility; and

106.9.7.2.2 Each displaced manufactured home household will received a lump sum difference between current space rent and rent for a housing unit of a size appropriate, according to California Health and Safety code Section 50052.5 (h), to accommodate the displaced household for a period of 12 months. Lump sum funds due the resident may be paid directly to the new park owner as pre-paid rent upon request by the displaced household.

106.9.7.3 Relocation Assistance for non-manufactured home residents. For permanent residents whose residential units do not meet the definition of a manufactured home, such as a recreational vehicle, the applicant shall pay the same benefits as a manufactured home resident.

106.9.7.4 Relocation assistance for manufactured home renters. The applicant shall pay a sum equal to three months of fair market rent for the area as determined by HUD pursuant to Section 1437(c)(1) of Title 42 of the Unites States Code or four thousand dollars, whichever is greater, to each displaced household.

106.9.7.5 Relocation Counselor. The applicant shall offer to provide to all displaced manufactured home owners and residents the services of a Relocation Counselor to provide information about the available housing resources and to assist with the selection of suitable relocation alternatives.

106.9.7.5.1 The Relocation Counselor shall be familiar with the region's housing market and qualified to assist residents to evaluate, select, and secure placement in the replacement housing, to arrange the moving of all of the household's personal property, and to render financial advice on qualifying for various housing types.

106.9.7.5.2 No later than 30 calendar days after the issuance of the special permit for the manufactured home park closure, the Relocation Counselor shall make personal contract

with each displaced resident of the manufactured home park and commence to determine the applicable relocation costs and assistance to be provided. The relocation Counselor shall give to each person eligible to receive relocation assistance a written notice of his or her options for relocation assistance as determined by the special permit.

106.9.8 Vacancy of Manufactured home Park of 25 Percent or More.

106.9.8.1 Whenever 25 percent or more of the total number of manufactured home sites within a manufactured home park are uninhabited for more than 90 consecutive days, and such condition was not caused by a natural or physical disaster beyond the control of the manufactured home park owner, then such condition shall be deemed a "manufactured home park closure" for the purposes of this ordinance. The manufactured home park owner shall file an application for the manufactured home park closure, in compliance with this Section. A manufactured home 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 manufactured home or (ii) occupied by a manufactured home in which no person resides.

106.9.8.2 A manufactured home resident or other interested party who has reason to believe that 25% or more of the total number of manufactured home sites within a manufactured home park are uninhabited may file a written statement to that effect with the Director of Planning and Building. The Director or his designee shall investigate and make a determination as to whether an unauthorized manufactured home park closure is underway. Once the Director determines whether an unauthorized manufactured home park closure is underway, a written notice that describes such determination shall be sent by the County to the manufactured home park owner, manufactured home park manager, and the person who filed the written complaint.

106.9.9 Request for Exemption from Relocation Assistance Requirements.

106.9.9.1 Any person who files an application for a special permit for the closure of a manufactured home park may, simultaneous with and as part of the filing of such application, request an exemption from some or all of the relocation assistance requirements described above in Section 106.9.7 (Conditions of Approval). The request shall be processed in conjunction with the application for the special permit, and shall be distributed to each resident household and manufactured home owner at the time of application submittal, as specified in Section 106.9.6.2.

106.9.9.2 The applicant may request an exemption if the relocation assistance required exceeds the reasonable costs of relocation for displaced manufactured home park residents, as prescribed by Government Code Section 65863.7 (e), or as part of bankruptcy the court has taken action that would prohibit or preclude the payment of relocation assistance benefits, in whole or in part, or if the relocation assistance required would cause an undue burden or hardship.

106.9.9.3 Any request for exemptions submitted in compliance with this section shall contain at a minimum, the following information:

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

106.9.9.3.2 An estimate of the total cost of relocation assistance which would be required in compliance with Section 106.9.7 (Conditions of Approval). 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 manufactured homes and those who would sell their manufactured homes, and the costs related to providing the relocation assistance.

106.9.9.3.3 If the applicant contends that continued use of the property as a manufactured home park necessitates repairs and/or improvements that are not the result of the park owner or applicant's negligence or failure to properly maintain the said property, and that the costs thereof makes continuation of the manufactured home park economically feasible, then the report shall include a report by a civil engineer or licenses general contractor outlining the costs.

106.9.9.3.4 If the proposed closure is due to conversion of the land to another use an estimate of the value of the manufactured home park, an estimate of the value as is, and estimate of value after the change will be required. These estimates shall be prepared by a certified real estate appraiser.

106.9.9.3.5 Any request for exemption filed pursuant to Subsection 106.9.9.1, above, shall be accompanied by adequate documentation regarding the title, case number, and court in which the bankruptcy proceeding was held, and copies of all pertinent judgments, orders and decrees of the said court.

106.9.9.4 When making its determination as to whether to waive or modify a portion or all of any type of benefit that would otherwise be applicable, the Commission may take into account the financial history of the manufactured home 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 manufactured home park, and any other pertinent evidence requested or presented. The Commission shall expressly indicate in its decision any waiver and the extent thereof.

106.9.9.5 Where a court has determined in connection with a proceeding in bankruptcy that the closure or cessation of the use of said property as a manufactured home park is necessary, and such court has taken action which would prohibit or preclude payment of relocation benefits, whether in whole or in part, the Commission shall have the authority to waive all or a portion of any type of benefit to the extent necessary to comply with the judgment, order, or decree of the court.

ATTACHMENT 3

**SPECIAL OCCUPANCY PARK CONVERSION ORDINANCE
FOR CONSIDERATION**

**TO ADD COUNTY ZONING CODE TO
SECTIONS 313-113.2 (COASTAL)**

**TO ADD COUNTY ZONING CODE TO
SECTIONS 314-113.2 (INLAND)**

Add New Section:

313-113.2 SPECIAL OCCUPANCY PARK CONVERSION (Coastal)

- 113.2.1 **Purpose.** The purpose of the Special Occupancy Park Conversion procedure is to ensure that any conversion of special occupancy parks which include spaces for permanent recreational vehicles to other uses is preceded by adequate notice, that the social and fiscal impacts of the proposed conversion are adequately defined prior to consideration of the proposed conversion, and that relocation and other assistance is provided to permanent recreational vehicle residents when warranted.
- 113.2.2 **Applicability.** This Chapter applies to applications for closure of special occupancy parks which include spaces for permanent recreational vehicles. Reasons for closure may include conversion to another land use and/or financial considerations of the park owner.

- 113.2.3 **Definitions.** The below definitions pertain to Section 113.2.1.

113.2.3.1 "Applicant" means a person or entity who has filed an application for change of use of a special occupancy park which includes spaces for permanent recreational vehicles.

113.2.3.2 "Change of use" includes closure, cessation or change of use of the park. It means the use of the park for a purpose other than the rental, or the holding out for rent, of two or more permanent recreational vehicle sites to accommodate manufactured homes 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 sold.

113.2.3.3 "Special occupancy park closure" includes any closure, cessation or change of use of the park as described in Section 113.2.3.2. A closure includes ceasing to rent recreational vehicle lots for permanent human habitation and the cessation of use would result in the displacement of recreational vehicle park residents, or when 25 percent or more of the recreational vehicle units or lots within a park become vacant.

113.2.3.4 "Eligible recreational vehicle resident" or "permanent resident" means a permanent recreational vehicle resident whose recreational vehicle was located in a special occupancy park on the date of an application for change of use. Eligible recreational vehicle resident includes the spouse, parents, children and grandchildren of the eligible permanent vehicle resident when those persons resided in the recreational vehicle on the date of the application.

113.2.3.5 "Legal owner" means any person or entity having an ownership interest in a permanent recreational vehicle other than the registered owner, such as a lender or mortgagor.

113.2.3.6 "Permanent recreational vehicle" means recreational vehicles that continuously occupy a space within a special occupancy park for nine months or more.

113.2.3.7 "Recreational vehicle owner" means the registered owner or registered owners of a permanent recreational vehicle, regardless of the number of such owners or the form of such ownership.

113.2.3.8 "Special occupancy park owner" or "park owner" means the person, persons or entity that owns a special occupancy park and includes any person authorized by the park owner to seek approval of an application for change of use.

113.2.3.9 "Recreational vehicle renter" or "renter" is a person who occupies a permanent recreational vehicle within a special occupancy park pursuant to a bona fide lease or rental agreement and who, during his or her tenancy, was not the owner of that recreational vehicle.

- 113.2.4 **Permit Requirements for a Change of Use.** The conversion of an existing special occupancy park with spaces for permanent recreational vehicles to another use shall require a special permit to be reviewed and approved by the Planning Commission.
- 113.2.5 **Relocation Impact Report.** An application for a special permit for a conversion of an existing recreational vehicle park with spaces for permanent recreational vehicles to another use shall include a relocation impact report (RIR) with all the following information.
- 113.2.5.1 A general description of any proposed change of use, or change without new use;
- 113.2.5.2 A timetable for conversion of the park;
- 113.2.5.3 A legal description of the park;
- 113.2.5.4 The number of permanent recreational vehicle spaces in the park, length of occupancy by the current occupant of each space and current rental rate for each space;
- 113.2.5.5 The date of manufacture and size of each recreational vehicle, description of outbuildings and accessory structures construction on the lots and the cost to move them;
- 113.2.5.6 The name and mailing address of each eligible permanent recreational vehicle tenant, permanent recreational vehicle resident, permanent resident recreational vehicle owner and legal owner of a permanent recreational vehicle in the park;
- 113.2.5.7 A list of comparable special occupancy parks with permanent recreational vehicle spaces within a thirty mile radius of the applicant's special occupancy park. For each comparable park, the list should, if possible, state the criteria of that park for accepting relocated recreational vehicles, rental rates and the name, number and size of spaces, address and telephone number of the park representative having authority to accept relocated recreational vehicles, including any written commitments from recreational vehicle park owners willing to accept displaced recreational vehicles;
- 113.2.5.8 The rental rates and moving costs involved in moving to an apartment or other rental unit within a reasonable distance including, but not limited to, fees charged by moving companies and any requirement for payment of the first and last month's rent and security deposits;
- 113.2.5.9 Estimates as to the minimum cost of moving each permanent recreational vehicle, including tear-down and set-up of recreational vehicles and moving of improvements such as porches, carports, patios and other moveable amenities installed by the residents;
- 113.2.5.10 An appraisal conducted by a qualified appraiser. The appraisals shall identify those permanent recreational vehicles which cannot be moved due to type, age or other considerations. Appraisal information shall be provided on the effect upon the investment in the recreational vehicle, such as the change in value of effected recreational vehicles that would result from the proposed change in use.
- 113.2.5.11 Identification of a qualified relocation specialist to assist residents in finding relocation spaces and alternate housing;

113.2.5.12 A Relocation Plan for permanent recreational vehicles as specified in Section 113.2.7 below.

113.2.6 **Notice Requirements.** The following notice requirements are in addition to any notice regularly required for special permits. The applicant shall verify that a good faith effort has been made to ensure that each permanent recreational vehicle owner and tenant has received or will receive each of the following notices and documents. No hearing on a proposed special occupancy park closure shall be scheduled until the applicant has provided verification of notification.

113.2.6.1 Notice of Intent. A Notice of Intent by the applicant to convert or close the recreational vehicle park shall be sent by the applicant to all permanent recreational vehicle owners and tenants by certified mail at least 60 days prior to submittal of the special permit application to the County.

113.2.6.2 Written Notice & Relocation Impact Report. A written notice, in addition to the regular public hearing notice shall be delivered at least 15 days before the scheduled application for a special permit, informing all permanent recreational vehicle owners and tenants that the applicant will be appearing before the Planning Commission to request permits for a change of use of the special occupancy park. A copy of the Relocation Impact Report shall be included with this notice.

113.2.6.3 Notice of termination of tenancy. The applicant shall provide all permanent recreational vehicle owners and tenants proposed to be displaced a written "notice of termination of tenancy" that provides the affected residents or owners a minimum of six months' notice to vacate following the effective date of the approved special permit. The notice shall be sent by certified mail to each permanent recreational vehicle owner and tenant within 10 calendar days following the effective date of the approved special permit.

113.2.7 **Conditions of Approval.** Approval of a special permit shall include reasonable conditions of approval which shall not exceed the reasonable costs as set forth in this ordinance. Recreational vehicle owners who are not permanent residents are not eligible for relocation benefits. The special permit shall identify relocation options for each displaced permanent recreational vehicle occupant in a Relocation Plan, as follows:

113.2.7.1 Relocation assistance for permanent recreational vehicle owners whose vehicles can be relocated. The applicant shall pay all costs related to moving the permanent recreational vehicle, fixtures, and accessories to comparable special occupancy park within a reasonable distance. Relocation shall include moving costs, utility hook-up fees, moving of the permanent recreational vehicle resident's possessions, any move-in deposit and the reasonable housing expenses for displaced permanent recreational vehicle residents for a period not exceeding 30 days from the date of actual displacement until the date of occupancy at the new site. The comparable special occupancy park, or permanent recreational vehicle owner-approved receiving site, and the relocated recreational vehicle shall conform to all applicable Federal, State, and County regulations. In addition, the applicant shall provide displaced permanent recreational vehicle owners with the payment of a lump sum equal to the difference of rent between the old and new permanent recreational vehicle park spaces for a period of 12 months, if the new rent exceeds the old rent.

113.2.7.2 Relocation assistance for permanent recreational vehicle owners whose recreational vehicles cannot be relocated. In cases in which it is not feasible to relocate the permanent recreational vehicle to a comparable special occupancy park, including those in which the condition of the permanent recreational vehicle is such that it cannot

be safely relocated, or where the recreational vehicle does not meet minimum requirements to be accepted into another special occupancy park, the applicant shall provide the following relocation assistance to each permanent recreational vehicle owner who is also a permanent resident:

113.2.7.2.1 The applicant shall be required to pay for the fair-market value of the recreational vehicle and the cost of disposal of the permanent recreational vehicle in an approved facility; and

113.2.7.2.2 Each displaced permanent recreational vehicle household will received a lump sum difference between current space rent and rent for a housing unit of a size appropriate, according to California Health and Safety code Section 50052.5 (h), to accommodate the displaced household for a period of 12 months. Lump sum funds due the resident may be paid directly to the new park owner as pre-paid rent upon request by the displaced household.

113.2.7.3 Relocation Counselor. The applicant shall offer to provide to all displaced permanent recreational vehicle owners and residents the services of a Relocation Counselor to provide information about the available housing resources and to assist with the selection of suitable relocation alternatives.

113.2.7.5.1 The Relocation Counselor shall be familiar with the region's housing market and qualified to assist residents to evaluate, select, and secure placement in the replacement housing, to arrange the moving of all of the household's personal property, and to render financial advice on qualifying for various housing types.

113.2.7.5.2 No later than 30 calendar days after the issuance of the special permit for the recreational vehicle park closure, the Relocation Counselor shall make personal contract with each displaced resident of the permanent recreational vehicles and commence to determine the applicable relocation costs and assistance to be provided. The relocation Counselor shall give to each person eligible to receive relocation assistance a written notice of his or her options for relocation assistance as determined by the special permit.

113.2.8 **Vacancy of Special Occupancy Park of 25 Percent or More.**

113.2.8.1 Whenever 25 percent or more of the total number of permanent recreational vehicle sites within a special occupancy park containing spaces for permanent recreational vehicles are uninhabited for more than 90 consecutive days, and such condition was not caused by a natural or physical disaster beyond the control of the special occupancy park owner, then such condition shall be deemed a "special occupancy park closure" for the purposes of this ordinance. The special occupancy park owner shall file an application for the special occupancy park closure, in compliance with this Section. A permanent recreational vehicle 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 recreational vehicle or (ii) occupied by a recreational vehicle in which no person resides.

113.2.8.2 A permanent recreational vehicle resident or other interested party who has reason to believe that 25% or more of the total number of the permanent recreational vehicle sites within special occupancy park are uninhabited may file a written statement to that effect with the Director of Planning and Building. The Director or his designee shall investigate and make a determination as to whether an unauthorized special occupancy park closure is underway. Once the Director determines whether an unauthorized special occupancy park closure is underway, a written notice that describes such determination shall be sent by the County to the special occupancy park owner, special occupancy park manager, and the person who filed the written

complaint.

113.2.9 Request for Exemption from Relocation Assistance Requirements.

113.2.9.1 Any person who files an application for a special permit for the closure of a special occupancy park may, simultaneous with and as part of the filing of such application, request an exemption from some or all of the relocation assistance requirements described above in Section 113.2.7 (Conditions of Approval). The request shall be processed in conjunction with the application for the special permit, and shall be distributed to each permanent recreational vehicle owner and tenant at the time of application submittal, as specified in Section 113.2.6.2.

113.2.9.2 The applicant may request an exemption if the relocation assistance required exceeds the reasonable costs of relocation for displaced permanent recreational vehicle park residents, or as part of bankruptcy the court has taken action that would prohibit or preclude the payment of relocation assistance benefits, in whole or in part.

113.2.9.3 Any request for exemptions submitted in compliance with this section shall contain at a minimum, the following information:

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

113.2.9.3.2 An estimate of the total cost of relocation assistance which would be required in compliance with Section 113.2.7 (Conditions of Approval). 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 permanent recreational vehicles and those who would sell their permanent recreational vehicles, and the costs related to providing the relocation assistance.

113.2.9.3.3 If the applicant contends that continued use of the property as a special occupancy park necessitates repairs and/or improvements that are not the result of the park owner or applicant's negligence or failure to properly maintain the said property, and that the costs thereof makes continuation of the special occupancy park economically infeasible, then the report shall include a report by a civil engineer or licensed general contractor outlining the costs.

113.2.9.3.4 If the proposed closure is due to conversion of the land to another use an estimate of the value of the special occupancy park, an estimate of the value as is, and estimate of value after the change will be required. These estimates shall be prepared by a certified real estate appraiser.

113.2.9.3.5 Any request for exemption filed pursuant to Subsection 113.2.9.1, above, shall be accompanied by adequate documentation regarding the title, case number, and court in which the bankruptcy proceeding was held, and copies of all pertinent judgments, orders and decrees of the said court.

113.2.9.4 Where a court has determined in connection with a proceeding in bankruptcy that the closure or cessation of the use of said property as a special occupancy park is necessary, and such court has taken action which would prohibit or preclude payment of relocation benefits, whether in whole or in part, the Commission shall have the authority to waive all or a portion of any type of benefit to the extent necessary to comply with the judgment, order, or decree of the court.

Add New Section:

314-113.2 SPECIAL OCCUPANCY PARK CONVERSION (Inland)

113.2.1 **Purpose.** The purpose of the Special Occupancy Park Conversion procedure is to ensure that any conversion of special occupancy parks which include spaces for permanent recreational vehicles to other uses is preceded by adequate notice, that the social and fiscal impacts of the proposed conversion are adequately defined prior to consideration of the proposed conversion, and that relocation and other assistance is provided to permanent recreational vehicle residents when warranted.

113.2.2 **Applicability.** This Chapter applies to applications for closure of special occupancy parks which include spaces for permanent recreational vehicles. Reasons for closure may include conversion to another land use and/or financial considerations of the park owner.

113.2.3 **Definitions.** The below definitions pertain to Section 113.2.1.

113.2.3.1 "Applicant" means a person or entity who has filed an application for change of use of a special occupancy park which includes five or more spaces for permanent recreational vehicles.

113.2.3.2 "Change of use" includes closure, cessation or change of use of the park. It means the use of the park for a purpose other than the rental, or the holding out for rent, of two or more permanent recreational vehicle sites to accommodate manufactured homes 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 sold.

113.2.3.3 "Special occupancy park closure" includes any closure, cessation or change of use of the park as described in Section 113.2.3.2. A closure includes ceasing to rent recreational vehicle lots for permanent human habitation and the cessation of use would result in the displacement of recreational vehicle park residents or when 25 percent or more of the recreational vehicle units or lots within a park become vacant.

113.2.3.4 "Eligible recreational vehicle resident" or "permanent resident" means a permanent recreational vehicle resident whose recreational vehicle was located in a special occupancy park on the date of an application for change of use. Eligible resident includes the spouse, parents, children and grandchildren of the eligible resident when those persons resided in the recreational vehicle on the date of the application.

113.2.3.5 "Legal owner" means any person or entity having an ownership interest in a permanent recreational vehicle other than the registered owner, such as a lender or mortgagor.

113.2.3.6 "Permanent recreational vehicle" means recreational vehicles that continuously occupy a space within a special occupancy park for nine months or more.

113.2.3.7 "Recreational vehicle owner" means the registered owner or registered owners of a permanent recreational vehicle, regardless of the number of such owners or the form of such ownership.

113.2.3.8 "Special occupancy park owner" or "park owner" means the person, persons or entity that owns a special occupancy park and includes any person authorized by the park owner to seek approval of an application for change of use.

113.2.3.9 "Recreational vehicle renter" or "renter" is a person who occupies a permanent recreational vehicle within a special occupancy park pursuant to a bona fide lease or rental agreement and who, during his or her tenancy, was not the owner of that recreational vehicle.

113.2.4 **Permit Requirements for a Change of Use.** The conversion of an existing special occupancy park with spaces for permanent recreational vehicles to another use shall require a special permit to be reviewed and approved by the Planning Commission.

113.2.5 **Relocation Impact Report.** An application for a special permit for a conversion of an existing recreational vehicle park with spaces for permanent recreational vehicles to another use shall include a relocation impact report (RIR) with all the following information.

113.2.5.1 A general description of any proposed change of use, or change without new use;

113.2.5.2 A timetable for conversion of the park;

113.2.5.3 A legal description of the park;

113.2.5.4 The number of permanent recreational vehicle spaces in the park, length of occupancy by the current occupant of each space and current rental rate for each space;

113.2.5.5 The date of manufacture and size of each recreational vehicle description of outbuildings and accessory structures construction on the lots and the cost to move them;

113.2.5.6 The name and mailing address of each eligible permanent recreational vehicle tenant, permanent recreational vehicle resident, permanent resident recreational vehicle owner and legal owner of a permanent recreational vehicle in the park;

113.2.5.7 A list of comparable special occupancy parks with permanent recreational vehicle spaces within a thirty mile radius of the applicant's special occupancy park. For each comparable park, the list should, if possible, state the criteria of that park for accepting relocated recreational vehicles, rental rates and the name, number and size of spaces, address and telephone number of the park representative having authority to accept relocated recreational vehicles, including any written commitments from recreational vehicle park owners willing to accept displaced recreational vehicles;

113.2.5.8 The rental rates and moving costs involved in moving to an apartment or other rental unit within a reasonable distance including, but not limited to, fees charged by moving companies and any requirement for payment of the first and last month's rent and security deposits;

113.2.5.9 Estimates as to the minimum cost of moving each permanent recreational vehicle, including tear-down and set-up of recreational vehicles and moving of improvements such as porches, carports, patios and other moveable amenities installed by the residents;

113.2.5.10 An appraisal conducted by a qualified appraiser. The appraisals shall identify those permanent recreational vehicles which cannot be moved due to type, age or other considerations. Appraisal information shall be provided on the effect upon the investment in the recreational vehicle, such as the change in value of effected recreational vehicles that would result from the proposed change in use.

113.2.5.11 Identification of a qualified relocation specialist to assist residents in finding relocation spaces and alternate housing;

113.2.5.12 A Relocation Plan for permanent recreational vehicles as specified in Section 113.2.7 below.

113.2.6 **Notice Requirements.** The following notice requirements are in addition to any notice regularly required for special permits. The applicant shall verify that a good faith effort has been made to ensure that each permanent recreational vehicle owner and tenant has received or will receive each of the following notices and documents. No hearing on a proposed special occupancy park closure shall be scheduled until the applicant has provided verification of notification.

113.2.6.1 Notice of Intent. A Notice of Intent by the applicant to convert or close the recreational vehicle park shall be sent by the applicant to all permanent recreational vehicle owners and tenants by certified mail at least 60 days prior to submittal of the special permit application to the County.

113.2.6.2 Written Notice & Relocation Impact Report. A written notice, in addition to the regular public hearing notice shall be delivered at least 15 days before the scheduled application for a special permit, informing all permanent recreational vehicle owners and tenants that the applicant will be appearing before the Planning Commission to request permits for a change of use of the special occupancy park. A copy of the Relocation Impact Report shall be included with this notice.

113.2.6.3 Notice of termination of tenancy. The applicant shall provide all permanent recreational vehicle owners and tenants proposed to be displaced a written "notice of termination of tenancy" that provides the affected residents or owners a minimum of six months' notice to vacate following the effective date of the approved special permit. The notice shall be sent by certified mail to each permanent recreational vehicle owner and tenant within 10 calendar days following the effective date of the approved special permit.

113.2.7 **Conditions of Approval.** Approval of a special permit shall include reasonable conditions of approval which shall not exceed the reasonable costs as set forth in this ordinance. Recreational vehicle owners who are not permanent residents are not eligible for relocation benefits. The special permit shall identify relocation options for each displaced permanent recreational vehicle occupant in a Relocation Plan, as follows:

113.2.7.1 Relocation assistance for permanent recreational vehicle owners whose vehicles can be relocated. The applicant shall pay all costs related to moving the permanent recreational vehicle, fixtures, and accessories to comparable special occupancy park within a reasonable distance. Relocation shall include moving costs, utility hook-up fees, moving of the permanent recreational vehicle resident's possessions, any move-in deposit and the reasonable housing expenses for displaced permanent recreational vehicle residents for a period not exceeding 30 days from the date of actual displacement until the date of occupancy at the new site. The comparable special occupancy park, or permanent recreational vehicle owner-approved receiving site, and the relocated recreational vehicle shall conform to all applicable Federal, State, and County regulations. In addition, the applicant shall provide displaced permanent recreational vehicle owners with the payment of a lump sum equal to the difference of rent between the old and new permanent recreational vehicle park spaces for a period of 12 months, if the new rent exceeds the old rent.

113.2.7.2 Relocation assistance for permanent recreational vehicle owners whose recreational vehicles cannot be relocated. In cases in which it is not feasible to relocate the permanent recreational vehicle to a comparable special occupancy park, including those in which the condition of the permanent recreational vehicle is such that it cannot

be safely relocated, where the recreational vehicle does not meet minimum requirements to be accepted into another special occupancy park, or cases in which there are no available spaces at a special occupancy park within 30 miles, the applicant shall provide the following relocation assistance to each permanent recreational vehicle owner who is also a permanent resident:

113.2.7.2.1 The applicant shall be required to pay for the fair-market value of the recreational vehicle and the cost of disposal of the permanent recreational vehicle in an approved facility; and

113.2.7.2.2 Each displaced permanent recreational vehicle household will received a lump sum difference between current space rent and rent for a housing unit of a size appropriate, according to California Health and Safety code Section 50052.5 (h), to accommodate the displaced household for a period of 12 months. Lump sum funds due the resident may be paid directly to the new park owner as pre-paid rent upon request by the displaced household.

113.2.7.3 Relocation Counselor. The applicant shall offer to provide to all displaced permanent recreational vehicle owners and residents the services of a Relocation Counselor to provide information about the available housing resources and to assist with the selection of suitable relocation alternatives.

113.2.7.3.1 The Relocation Counselor shall be familiar with the region's housing market and qualified to assist residents to evaluate, select, and secure placement in the replacement housing, to arrange the moving of all of the household's personal property, and to render financial advice on qualifying for various housing types.

113.2.7.3.2 No later than 30 calendar days after the issuance of the special permit for the recreational vehicle park closure, the Relocation Counselor shall make personal contract with each displaced resident of the permanent recreational vehicles and commence to determine the applicable relocation costs and assistance to be provided. The relocation Counselor shall give to each person eligible to receive relocation assistance a written notice of his or her options for relocation assistance as determined by the special permit.

113.2.8 Vacancy of Special Occupancy Park of 25 Percent or More.

113.2.8.1 Whenever 25 percent or more of the total number of permanent recreational vehicle sites within a special occupancy park containing spaces for permanent recreational vehicles are uninhabited for more than 90 consecutive days, and such condition was not caused by a natural or physical disaster beyond the control of the special occupancy park owner, then such condition shall be deemed a "special occupancy park closure" for the purposes of this ordinance. The special occupancy park owner shall file an application for the special occupancy park closure, in compliance with this Section. A permanent recreational vehicle 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 recreational vehicle or (ii) occupied by a recreational vehicle in which no person resides.

113.2.8.2 A permanent recreational vehicle resident or other interested party who has reason to believe that 25% or more of the total number of the permanent recreational vehicle sites within special occupancy park are uninhabited may file a written statement to that effect with the Director of Planning and Building. The Director or his designee shall investigate and make a determination as to whether an unauthorized special occupancy park closure is underway. Once the Director determines whether an unauthorized special occupancy park closure is underway, a written notice that

describes such determination shall be sent by the County to the special occupancy park owner, special occupancy park manager, and the person who filed the written complaint.

113.2.9 Request for Exemption from Relocation Assistance Requirements.

113.2.9.1 Any person who files an application for a special permit for the closure of a special occupancy park may, simultaneous with and as part of the filing of such application, request an exemption from some or all of the relocation assistance requirements described above in Section 113.2.7 (Conditions of Approval). The request shall be processed in conjunction with the application for the special permit, and shall be distributed to each permanent recreational vehicle owner and tenant at the time of application submittal, as specified in Section 113.2.6.2.

113.2.9.2 The applicant may request an exemption if the relocation assistance required exceeds the reasonable costs of relocation for displaced permanent recreational vehicle park residents, or as part of bankruptcy the court has taken action that would prohibit or preclude the payment of relocation assistance benefits, in whole or in part.

113.2.9.3 Any request for exemptions submitted in compliance with this section shall contain at a minimum, the following information:

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

113.2.9.3.2 An estimate of the total cost of relocation assistance which would be required in compliance with Section 113.2.7 (Conditions of Approval). 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 permanent recreational vehicles and those who would sell their permanent recreational vehicles, and the costs related to providing the relocation assistance.

113.2.9.3.3 If the applicant contends that continued use of the property as a special occupancy park necessitates repairs and/or improvements that are not the result of the park owner or applicant's negligence or failure to properly maintain the said property, and that the costs thereof makes continuation of the special occupancy park economically infeasible, then the report shall include a report by a civil engineer or licensed general contractor outlining the costs.

113.2.9.3.4 If the proposed closure is due to conversion of the land to another use an estimate of the value of the special occupancy park, an estimate of the value as is, and estimate of value after the change will be required. These estimates shall be prepared by a certified real estate appraiser.

113.2.9.3.5 Any request for exemption filed pursuant to Subsection 113.2.9.1, above, shall be accompanied by adequate documentation regarding the title, case number, and court in which the bankruptcy proceeding was held, and copies of all pertinent judgments, orders and decrees of the said court.

113.2.9.4 When making its determination as to whether to waive or modify a portion or all of any type of benefit that would otherwise be applicable, the Commission may take into account the financial history of the special occupancy 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 special occupancy park, and any other pertinent evidence requested or presented. The Commission shall expressly indicate in its decision any waiver and the extent thereof.

113.2.9.5 Where a court has determined in connection with a proceeding in bankruptcy that the closure or cessation of the use of said property as a special occupancy park is necessary, and such court has taken action which would prohibit or preclude payment of relocation benefits, whether in whole or in part, the Commission shall have the authority to waive all or a portion of any type of benefit to the extent necessary to comply with the judgment, order, or decree of

Attachment 4

Post-Adoption Ordinance Summary for Publication

The Clerk of the Board is directed to publish the below summary of the Ordinance within 15 days after its adoption with the names of the Board members voting for and against the Ordinance:

"On Tuesday, August 16, 2016 the Humboldt County Board of Supervisors adopted an Ordinance amending Title III of the Humboldt County Code relating to the conversion of manufactured home parks to other uses.

The specific wording of the ordinance revisions is shown on the following website:
<http://www.co.humboldt.ca.us/gpu/documentshousingelement.aspx>.

Manufactured Home Park Conversion

The purpose of the Manufactured Home Park Conversion ordinance is to ensure that any conversion of manufactured parks, which includes mobilehome parks, to other uses is preceded by adequate notice, that the social and fiscal impacts of the proposed conversion are adequately defined prior to consideration of the proposed conversion, and that relocation and other assistance is provided to park residents when warranted, consistent with California Government Code, Section 65863.7 and 66427.4.

The Government Code 65863.7 (e) requires that 'the legislative body, or its delegated advisory agency, shall review the report, prior to any change of use, and may require, as a condition of the change, the person or entity to take steps to mitigate any adverse impact of the conversion, closure, or cessation of use on the ability of displaced mobilehome park residents to find adequate housing in a mobilehome park. The steps required to be taken to mitigate shall not exceed the reasonable costs of relocation.'

The proposed Inland and Coastal Manufactured Home Park Conversion Ordinance amends the zoning to include procedures for mobilehome park conversion to other uses."

Attachment 5

**Planning Commission Minutes from the April 7, 2016 Meeting,
And Comments Received**

HUMBOLDT COUNTY PLANNING COMMISSION

Board of Supervisors' Chambers
County Courthouse
825 Fifth Street
Eureka CA 95501

Draft Action Summary

April 7, 2016
6:00 pm

CALL TO ORDER / SALUTE TO FLAG Vice-Chair Edmonds called the meeting to order at 6:00 p.m.

COMMISSIONERS PRESENT Ulansey, Levy, McKenny, Edmonds, Shepherd, Bongio

COMMISSIONERS ABSENT Morris

STAFF PRESENT Rob Wall, Interim-Director Planning and Building Department; Steve Werner, Supervising Planner; Michael Richardson, Supervising Planner; Trevor Estlow, Senior Planner; Michelle Nielsen, Planner; Bob Bronkall, Deputy Director of Public Works Land Use; Suzanne Hegler, Clerk, Catherine Munsee, Business Manager, Blair Angus, County Counsel, Paula Mushrush, Housing and Grant Coordinator.

AGENDA MODIFICATIONS

By order of the Chair, the following modifications were made:

Item 4, Mateel Community Center has been moved up in the agenda to be heard second.

Item 2, Shelter Cove Resort Improvement District has been moved to be heard as the third item on the agenda..

Item 5, GPU Land Use Map for Assessor parcel number 212-033-004 has been moved and heard as the fourth item on the agenda.

Item 4, Housing Element Ordinances for Mobile Home and Special Occupancy Park conversions moved and heard as the fifth item on the agenda.

APPROVAL OF ACTION SUMMARY

March 3, 2016 Action Summary

Action: Approve the March 3, 2016 minutes.
Motion: Commissioner Shepard
Second: Commissioner McKenny
Ayes: Commissioners Ulansey, McKenny, Edmonds, Shepherd, Bongio
Nays: None
Abstain: Commissioner Levy
Absent: Morris
Decision: Motion carries 5/1/1.

PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

Jack Naughton
Charles Garden

CONSENT AGENDA

1. **Hugh and Irene Holt Parcel Map Subdivision and Special Permit**

Application Number 10019; Case Numbers PMS-15-005, SP-15-050; Assessor Parcel Number 510-131-003. A Minor Subdivision of an approximately 28,412 square-foot parcel into three parcels of 7,116 square feet (net), 8,845 square feet (net) and 9,531 square feet (net). The parcel is currently developed with a single-family residence and detached garage that will remain on proposed Parcel 1. An exception to the right of way width and maximum lot depth has been requested by the applicant. Pursuant to Section 314-99.1.1.2 of the Zoning Regulations, a Special Permit is required for the exception to maximum lot depth. The parcels will be served with community water and sewer by the McKinleyville Community Services District.

Public Comment

None

- Action: Move to adopt the Mitigated Negative Declaration and to make all of the required findings for approval of the Parcel Map Subdivision and Special Permit, based on evidence in the staff report and public testimony, and adopt the Resolution approving the Holt project subject to the recommended conditions.
- Motion: Commissioner Ulansey
- Second: Commissioner Shepherd
- Ayes: Commissioners Ulansey, Levy, McKenny, Edmonds, Shepherd, Bongio
- Nays: None
- Abstain: None
- Absent: Morris
- Decision: Motion carries 6/0 (roll call vote).

PUBLIC HEARINGS

4. **Mateel Community Center, Inc. Reggae on the River 2013-2017 Concert Events**

Application Number 10252; Case Number MON 16-001; Assessor Parcel Numbers 033-271-005-000, 033-160-013-000, 033-271-007-000, 033-271-014-000, 033-271-015-000
Review of the 2015 Annual Report for the approved Conditional Use Permit for the Reggae on the River music festival, a large concert event held each year in the Cooks Valley area. The Planning Commission will also review the Plan of Operations for the 2016 event. The event will be held from Thursday through Sunday over the first weekend of August, 2016. The applicant proposes no increase to the attendance levels from last year (2015), which was 6,500 ticket holders an additional 2,500 for staff, performers and others for a total of 9,000 persons. Traffic control measures are used along Highway 101 for public safety. A temporary flat-car bridge placed across the South Fork of the Eel River is used to provide access to the performance area for vehicles and pedestrians. There are several off-site parking areas to supplement the parking available for the event. The parcel where the event is held is served by on-site water which may be supplemented by water supplied by nearby community service districts. Sewage disposal for the event will be provided by portable toilets and by an on-site greywater system.

Public Comment

Keith Bowman
Mark Arthur
Steve Salzman

Commission Deliberation

Action: Move to make all the required findings in Attachment 2 of the Planning Division staff report based on the submitted evidence, and approve the 2015 Annual Report and 2016 Plan of Operation subject to the conditions of approval for the event with the following modifications:

Prior to the 2016 event,

- the applicant shall secure the required building permits for all structures on the property used for the event; and
- submit plans for the temporary bridge prepared by a registered professional for review and approval by the Building Division, and have the bridge installation inspected and documented in accordance with the approved plans by the registered professional and the Building Division; and
- water quality sampling and analysis shall be done in accordance with the Environmental Mitigation and Monitoring Program contained in the annual Operations Plan that was prepared by a registered professional. Samples will be collected by a qualified professional and the results of the analysis shall be presented in the Annual Post-Event Report; and
- Immediately following the 2016 event, the trash and recycling containers and portasans in the vicinity of the Grandfather Tree property shall be moved to the south end of the "Loop lot" shown on the site plan or another location on the site that is further removed from adjacent properties.

Discussion: Several modifications to the conditions of approval were discussed.

Motion: Commissioner Ulansey

Second: Commissioner McKenny

Ayes: Commissioners Ulansey, Levy, McKenny, Edmonds, Shepherd, Bongio

Nays: None

Abstain: None

Absent: Morris

Decision: Motion carries 6/0 by roll call vote.

2. SHELTER COVE RESORT IMPROVEMENT DISTRICT NO. 1

Coastal Development, Conditional Use Permits and General Plan Conformance Review

Application Number 10010; Case Numbers CDP-15-062, CUP-15-022, and GPC-15-004; Assessor Parcel Numbers 111-151-013, 109-301-040, 109-301-041, 109-301-042, 109-301-043, 110-021-044, 109-251-015, 109-081-007, and 110-091-016.

A Coastal Development Permit and Conditional Use Permit to replace the existing 30,000 gallon Jim Tank with a 100,000 gallon tank. The new Jim Tank will be constructed of welded steel, approximately 34 feet in diameter, and will be a minimum of 17 feet in height to a maximum of 23 feet in height. Due to the increased size of the replacement tank the footprint will be expanded, but grading will be limited to the existing site. A General Plan Conformance Review for the replacement of six (6) additional tanks located outside the Coastal Zone is also part of this application. The existing one million gallon capacity Kennedy Tank will be replaced with one tank having the same one million gallon capacity. The Lar, Bud, Jeff, and Jerry Tanks will be replaced with similarly-sized tanks having a total capacity of approximately 230,000 gallons. All replacement tanks will be anchored to an engineered foundation. Access roads will be developed around each of the tanks to allow maintenance vehicles to reach all sides of the tanks and the entrances to each tank site from the County roads will be graded to near level in order to allow larger maintenance vehicles to access the site. The project addresses leakage and other safety, structural, and safety deficiencies. The Jim Tank and the Kennedy Tank are essential elements of the Resort Improvement District's (RID) water system providing water for residential and commercial

users, as well as emergency purposes, such as fire suppression, to the different pressure zones of the RID.

Public Comment

Mrs. Knight
Michael Schneider

Commission Deliberation

Action: Move to adopt the Mitigated Negative Declaration and to make all of the required findings for approval of the Coastal Development Permit and Conditional Use Permit based on evidence in the staff report and any public testimony, and adopt the Resolution approving the proposed Resort Improvement District No. 1's project subject to the recommended conditions. Also pursuant to Government Code Section 65402 find the project to be in conformance with the General Plan based on the findings in the staff report.

Motion: Commissioner Shepherd
Second: Commissioner Levy
Ayes: Commissioners Ulansey, Levy, McKenny, Edmonds, Shepherd, Bongio
Nays: None
Abstain: None
Absent: Morris
Decision: Motion carries 6/0.

5. Board of Supervisors referral to the Planning Commission of a Request for a Modification to the General Plan Update (GPU) Land Use Map for Assessor's Parcel Number 212-033-004

Referral of Proposed Modification to the GPU Land Use Map for Assessor's Parcel Number 212-033-004 (Miranda) to the Planning Commission for review.

Public Comment

Kevin Caldwell

Commission Deliberation

Action: Move to make a recommendation to the Board of Supervisors on the proposed modification to the land use maps for APN 212-033-004.

Motion: Commissioner Ulansey
Second: Commissioner McKenny
Ayes: Commissioners Ulansey, Levy, McKenny, Edmonds, Shepherd, Bongio
Nays: None
Abstain: None
Absent: Morris
Decision: Motion carries 6/0.

3. 2014 Housing Element Implementing Ordinances for Mobilehome Park and Special Occupancy Park Conversions

This item involves consideration of ordinances and Local Coastal Program (LCP) Amendments implementing the 2014 Housing Element for Mobilehome Park and Special Occupancy Park Conversions. The applicable Housing Element implementation measure is H-1M29:

"H-1M29. Procedures for Conversion of Mobile Home Parks and Recreational Vehicle Parks. The County shall amend County Code to adopt a mobilehome park conversion ordinance pursuant to Government Code §65863.7, and to require similar procedures acceptable to the Planning Commission for conversion of Recreational

Vehicle Parks to other uses. Responsible Agency: Planning and Building Department.
Timeframe: By January 1, 2016."

The purpose of the Manufactured Home Park Conversion and Special Occupancy Park Conversion ordinances is to ensure that adequate notice is given to park residents before any conversion of these parks to other uses occurs. The ordinances would help address the social and fiscal impacts of the proposed conversion and provide relocation and other assistance when warranted. The Ordinances would add sections 313-106.9 and 313-113.2 to Title III, Division I, Chapter 3 (Coastal Zoning Regulations), and sections 314-106.9 and 314-113.2 of Title III, Division I, Chapter 4 (Inland Zoning Regulations) to the Humboldt County Code.

Public Comment

Hillary Moser
Tina Christensen
Ruth Motherwell
Josh Lindley
James Addussi

Commission Deliberation

The Commission chose to take up action on each proposal separately.

Action: Move to adopt the attached Resolution recommending Board approval of the Manufactured Home Park Conversion Ordinance to come into line with state law with the following modification:

- Modify the Notice of Intent section (106.9.6.1) to require a minimum **six-month** period between when the park residents are formally notified of an application to convert or close the manufactured home park and the submittal of an application for a Special Permit allowing the closure or conversion.

Motion: Shepard

Second: Levy

Discussion

Amend: Amendment proposed by McKenny to:

- Modify section 106.9.7.3 to apply the same relocation assistance benefits to non-manufactured home residents as those for mobilehome renters specified in 106.9.7.4 (three month's fair market rent or \$4,000 whichever is greater).

Commissioners Shepard and Levy agreed to the amendment.

Discussion

Amend: Amendment proposed by Ulansey to:

- Modify Section 106.9.9.2 to also allow an applicant to apply for an exemption from relocation assistance requirements if those requirements would cause an undue or unreasonable hardship.

Commissioners Shepard agreed to the amendment.

Amend: Additional amendment to original motion proposed by Levy:

- Modify the Notice of Intent section (106.9.6.1) to require a minimum **nine-month** period between when the park residents are formally notified of an application to convert or close the manufactured home park and the submittal of an application for a Special Permit allowing the closure or conversion.

Commissioner Shepard agreed to the amendment proposed by Levy, Commissioner Levy then agreed to the prior amendment proposed by Ulansey.

Ayes: Commissioners Ulansey, Levy, McKenny, Edmonds, Shepherd, Bongio

Nays: None
Abstain: None
Absent: Morris
Decision: Motion carries 6/0.

Action: Move to recommend that the Board **not** take any action on a RV Park (Special Occupancy Park) Conversion Ordinance.

Motion: Commissioner Ulansey
Second: Commissioner Shepard
Ayes: Commissioners Ulansey, Levy, McKenny, Edmonds, Shepherd, Bongio
Nays: None
Abstain: None
Absent: Morris
Decision: Motion carries 6/0.

CORRESPONDENCE

6. Letter from Humboldt Community Services District
7. Letter from Greater Eureka Area Municipal Advisory Committee

OLD BUSINESS

8. Item 8 has been continued to April 21, 2016 Planning Commission meeting: Ad Hoc Committee Report Regarding Policies and Procedures for staff interaction with the Planning Commission.

NEW BUSINESS

9. California State Law and Public Entity Real Estate Transactions
Director presented brief report.
10. Item 10 was continued until next Planning Commission meeting on April 21, 2016: Presentation from the Department of Public Works regarding the Traffic Impact Fee.
11. Report from Planning staff regarding Cannabis cultivation applications.
Director presented brief report.
12. Item 12 was continued until next Planning Commission meeting on April 21, 2016: Consideration of a limit or moratorium on cannabis manufacturing facilities. Discussion and possible action.

ADJOURNMENT **9:30 pm**
NEXT MEETINGS

April 21, 2016 6:00 pm Special Meeting
May 5, 2016 6:00 pm Permits Meeting

Greater Eureka Area Municipal Advisory Committee

Meeting Minutes January 12th, 2016

- 1) The meeting was called to order by Chairman Ziemer at 3: 03 p.m. at the Humboldt Community Services District office.
- 2) Those present completed the pledge of allegiance.
- 3) The Roll was called with the following members present:
Riley Topolewski (COE), Darrel Petersen, Glenn Ziemer, Richard Yeider and Greg Gardiner(Telephonically).
- 4) Minutes of the November 18th, 2015 meeting were reviewed with a motion for approval by Peterson/Yeider. The motion passed unanimously.
- 5) Public Comment - None.
- 6) Old Business- None
- 7) New Business:
Community Development Department Staff member, Paula Mushrush presented two draft ordinances, a Manufactured Home Park Conversion Ordinance, and a Special Occupancy Park Conversion Ordinance. Committee members sought clarification on a number of elements of the drafts, and Ms. Mushrush developed detailed notes to rely to other staff members for consideration and possible modification.

The meeting was adjourned at 4:05 p.m.

WORKSHOP AGENDA
2014 Housing Element Implementation Measure H-IM29*
Manufactured Home & Special Occupancy Park Conversion
Humboldt County Library
February 24, 2016
Wednesday 6:00 – 8:30 pm

- 6:00 – 6:15** **Welcome**
- Introductions
 - Purpose of Meeting
 - Review Agenda
 - Input – during and after the Meeting
- 6:15 – 7:00** **Review Manufactured Home Ordinance**
- Purpose
 - When is Report is due & to whom
 - Relocation Report items
 - Notice Requirements
 - Conditions of Approval: Types of Assistance
 - Requests for Exemptions
- 7:00 – 7:15** **Review Special Occupancy**
- Purpose
 - When Report is due & to whom
 - Relocation Report Items
 - Notice Requirements
 - Conditions of Approval: Types of Assistance
 - Requests for Exemptions
- 7:15 – 7:45** **Outstanding Questions**
- 7:45 – 8:00** **Closing**
- Submit comment cards
 - Planning Commission Meeting
 - Tentative April 7, 2016
 - Board of Supervisors Meeting

* **H-IM29. Procedures for Conversion of Mobilehome Parks and Recreational Vehicle Parks.** The County shall amend County Code to adopt a mobilehome park conversion ordinance pursuant to Government Code §65863.7, and to require similar procedures acceptable to the Planning Commission for conversion of Recreational Vehicle Parks to other uses. Responsible Agency: Planning and Building Department. Timeframe: By January 1, 2016.

Notes from the February 24, 2016 Workshop

In attendance: Joshua Lindsey, Isabel Brown, Patty Wheeler, Kermit Thobaben, John Bradley, Richard Motherwell, Time Walsh, June Walsh, Ruth Motherwell, Hillary Mosher, Bill Spencer, Jan Turner, Patti Rose

- 1 mobile home park owner/manager
- 3 RV park owner/manager
- 6 mobile home park residents
- 3 others

MANUFACTURED HOME (MH) PARK CONVERSION ORDINANCE

Can the planning commission deny an application for a special permit? Yes. Planning commission would need a reason to deny.

What if a MH can't be moved? What if it has to be disposed of and not bought – what happens to the owner? Why would they not pay for the home?

This ordinance doesn't seem fair to the homeowner.

The amount of mitigation to the homeowner, not commensurate with losses.

Need to add in that the park owner pays Fair Market Value (FMV) to the homeowner, or the cost to replace.

Closing parks affects affordable housing.

If this ordinance is too strict it could be onerous for a developer to want to develop a new park.

Need to look at the ordinance to ensure that there is payment to the homeowner for the MH.

For a rural region paying to move it 30 miles is too short.

Who decides the value? (Should include the space under it) –“in-place” value.

The reference to the cost to move an RV shall be the same benefit as a mobile home is maybe too much, clarify this.

Paying cost of relocation for both should be clarified.

Homes older than 1980 cannot be moved without a special permit.

SPECIAL OCCUPANCY (RV) PARK CONVERSION ORDINANCE

Mobilehome owners wished that RVs were not allowed in the parks.

Moving RVs into MH parks makes them considered MHs. Clarify what if an RV in a MH park is actually a MH or an RV

Look at the in-place value of a home, not moved value.

Look at the 30 mile stipulation.

RV parks are legally different than MH parks (ie: evictions)

Is Humboldt County the only one with an RV Park Ordinance? Yes

How do you determine "reasonableness"

Calls Subsequent to Meeting

Consider adding that the MH park residents would have "right of first refusal" on sale of a park.

Cost of moving an RV is negligible.

This ordinance will stifle RV park start-ups, and hurt tourism.

9-months is too short for an RV to be considered permanent, because several rent to tourists in the summer, and to others (ie. students in the winter)

Consider having 2 types of RV parks. Palm Springs has 3 types

- 30-day – tourism
- 210 days – snowbirds
- 365 – permanent homes

In order to not confuse the two issues staff should consider the MH and RV items on separate nights.