



REGULAR MEETING AGENDA OF THE SONOMA CITY COUNCIL

City Council Chambers, 177 First Street West

Wednesday, December 3, 2025

<https://us06web.zoom.us/j/84876986131>

City Council:

Patricia Farrar-Rivas, Mayor

Ron Wellander, Vice Mayor

Jack Ding

Sandra Lowe

John Gurney

6:00 PM Regular Meeting

ACCESSING PUBLIC MEETINGS

As a public service to the community, City Council meetings are held in-person, and viewable through a live webcast on the City's CivicWeb Portal at <https://sonomacity.civicweb.net/Portal/Video.aspx>, City of Sonoma YouTube channel at <https://www.youtube.com/channel/UChZjUrg2rNLyXtgQHhFy-Tg>, and televised on Comcast Cable Channel 27. Members of the public can also view the meeting via ZOOM, at <https://us06web.zoom.us/j/84876986131>.

If a technical issue arises with Zoom video or the listening phone dial-in option, the City Council meeting will continue unless a Council Member is participating remotely pursuant to the provisions of Assembly Bill 2449.

Members of the public who wish to address the Council by providing public comments during the meeting may do so in-person in the Council Chambers at 177 First Street West, where the meeting is being publicly held. As an alternative, members of the public may also provide written public comment submitted via the City's online Public Comment form at <https://sonomacity.civicweb.net/Portal/CitizenEngagement.aspx> or by email to: publiccomment@sonomacity.org

PROCESS FOR COMMENTS FROM THE PUBLIC: *There will be two opportunities for members of the public to address items not appearing on the agenda. The early public comment period, Agenda Item 1, will be limited to ten speakers. Each speaker will be allowed up to two minutes. Speakers who do not have an opportunity to speak during the first public comment section will be allowed to make their comments during the later public comment period, Agenda Item 10, provided there were more than 10 people in the first public comment section. When the Mayor announces these agenda items, please form a line to speak.*

In the event a Council Member participates remotely for just cause or an emergency circumstance under Assembly Bill 2449, the City will allow for public comment through the Zoom link.

In accordance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk (707) 933-2216. Notification 48 hours before the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Be Courteous - **TURN OFF** your cell phones and watches while the meeting is in session.

The City Council may discuss and/or take action on any or all of the items listed on the agenda irrespective of how the items are described.

No new items will begin after 9:00pm unless a majority of the members present vote to allow the items to be heard.

REGULAR MEETING

CONVENE, CALL TO ORDER & PLEDGE OF ALLEGIANCE

ROLL CALL (Gurney, Wellander, Ding, Lowe, Farrar-Rivas)

REPORT ON CLOSED SESSION

APPROVAL OF THE AGENDA

1. COMMENTS FROM THE PUBLIC

At this time members of the public may address the Council on matters not listed on this agenda, but which are within the subject matter jurisdiction of the Council. This public comment period will be limited to ten speakers. Each speaker will be allowed up to two minutes. Speakers who do not have an opportunity to speak during the first public comment section will be allowed to make their comments during the later public comment period, Agenda Item 10, provided there were more than 10 people in the first public comment section. When the Mayor announces these agenda items, please form a line to speak.

Under State Law, unless otherwise permitted under the Ralph M. Brown Act, the merits of the matters presented under this item cannot be discussed or acted upon by the City Council at this time. For items appearing on the agenda, the public will be invited to make comments at the time the item comes up for Council consideration. Please begin by stating your name.

2. MEETING DEDICATIONS

3. COUNCILMEMBERS' REPORTS AND COMMENTS

Committee Reports - Council Members are appointed to various boards and committees - local, county-wide and regional. Any updates from a council member will be shared at this time. A list of all appointments is available on our [City Website](#) for easy reference.

Council Members may also make appointments to city commissions at this time.

4. CITY MANAGER COMMENTS AND ANNOUNCEMENTS

5. CITY ATTORNEY COMMENTS

6. PRESENTATIONS

7. CONSENT CALENDAR – CITY COUNCIL

All items listed on the Consent Calendar are considered to be routine and will be acted upon by a single motion. There will be no separate discussion of these items unless members of the Council or staff request specific items to be removed for separate action.

7.1: Waive further reading and Authorize Introduction and/or Adoption of Ordinances by Title Only. (Standard procedural action - no backup information provided)

7.2: Receive the Minutes from the Regular Meeting of November 19, 2025
(Rebekah Barr, MMC, City Clerk)
[11.19.2025 Regular Meeting Minutes](#)

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8. PUBLIC HEARING

8.1: Public Hearing to Adopt an Ordinance Repealing Chapter 14.10 of the Sonoma Municipal Code and Reenacting a New Chapter 14.10 Adopting New Administrative Provisions and Adopting by Reference Parts 1 through 12 of the 2025 California Building Standards Code and local Amendments (Jennifer Gates, AICP, Community Development Director)
RECOMMENDATION: Conduct the Public Hearing and adopt the ordinance.

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9. REGULAR CALENDAR – CITY COUNCIL

(Matters requiring discussion and/or action by the City Council)

- 9.1:** Study Session to Discuss Options for Mobilehome Park Closures and Conversions Under the City of Sonoma Municipal Code and Recent Legislative Changes Under AB 2782 and SB 610 (Jennifer Gates, AICP, Community Development Director)

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RECOMMENDATION: Provide direction to City staff on ordinance changes.

[Agenda Report - Mobilehome AB2782 Study Session Dec - Pdf](#)

10. SECOND PUBLIC COMMENT (ONLY REQUIRED IF EARLIER PUBLIC SPEAKERS REMAIN)

At this time members of the public who did not have the opportunity to speak during the early comment period may address the Council on matters not listed on this agenda, but which are within the subject matter jurisdiction of the Council. Each speaker will be allowed up to two minutes. Please form a line to speak.

Under State Law, unless otherwise permitted under the Ralph M. Brown Act, the merits of the matters presented under this item cannot be discussed or acted upon by the City Council at this time. For items appearing on the agenda, the public will be invited to make comments at the time the item comes up for Council consideration. Please begin by stating your name.

11. ADJOURNMENT

I do hereby certify that a copy of the foregoing agenda was posted as legally required. Rebekah Barr, MMC, City Clerk.

Copies of all staff reports and documents subject to disclosure that relate to any item of business referred to on the agenda are usually available for public inspection the Wednesday before each regularly scheduled meeting at City Hall, located at No. 1 The Plaza, Sonoma CA. Any documents subject to disclosure that are provided to all, or a majority of all, of the members of the City Council regarding any item on this agenda after the agenda has been distributed will be made available for inspection at the City Clerk's office, No. 1 The Plaza, Sonoma CA during regular business hours. If you challenge the action of the City Council in court, you may be limited to raising only those issues you or someone else raised at the public hearing described on the agenda or in written correspondence delivered to the City Clerk at or prior to the public hearing.

In accordance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk (707) 933-2216. Notification 48 hours before the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Appointments to Commission/Committees: The Council may establish and make appointments to a Council committee (made up of two Council Members) with respect to any item appearing on this agenda.

Closed Session: If action is taken during a Closed Session meeting that is required to be reported out at this meeting, the Council will return to Open Session and report out immediately. However, if the Council is unable to do so due to time constraints, it will report out at the immediately following Regular Council Meeting under "REPORT ON CLOSED SESSION".

Motion for Consideration: A Council Member voting with the majority on any item appearing on this agenda may move for reconsideration of that vote provided the motion is in conformance with the rules adopted by the Council governing such motions.

NOTE: Portions of this document may have been drafted with support from AI-based tools, consistent with City of Sonoma policy on use of artificial intelligence. All information represented in this document has been reviewed by City of Sonoma staff.



City of Sonoma

Agenda Item Summary

Meeting: City Council - 03 Dec 2025

Department	Staff Contact
Community Development Department	Jennifer Gates, AICP Community Development Director

Agenda Item Title

Study Session to Discuss Options for Mobilehome Park Closures and Conversions Under the City of Sonoma Municipal Code and Recent Legislative Changes Under AB 2782 and SB 610

Summary

Key Areas for Discussion

1. Mandatory Relocation Impact Report (RIR)

Provide more specificity on what is contained in the RIR and the relocation plan?

Any person applying to change the use, close, or cease operations of a mobilehome park must file a comprehensive Mobilehome Relocation Impact Report (RIR). Applications will not be considered complete until this report is filed and approved. The Tri-Park Committee ordinance contains more specificity regarding what is required in the RIR and the required relocation plan. The example ordinances provide a range of level of specificity.

2. Notification and Timeline

Require additional, or extend timing of noticing requirements pre or post application submittal?

The City's current notice to provide the mobilehome owners and residents the RIR 15 days before the hearing will change to at least 60 days in compliance with the state law. The City can modify other deadlines and noticing periods including if a noticing must be sent to mobilehome owners before application submittal. The example cities provided a variety of noticing timelines for pre-application, before public hearing, and post hearing.

Change City Manager to Director of Community Development?

Currently the City Manager is identified as the lead, however most jurisdictions identify the Planning or Community Development Director as the lead to process the applications.

Add an approval expiration and extension procedure.

The City's code does not currently have a period of time for the permit to be executed before expiring and an extension procedure. The standard period for development permits in Sonoma is 2 years.

3. Relocation and Payments

Clarify components of the relocation plan to determine and identify appropriate relocation assistance?

State law provides a "replacement and relocation plan that adequately mitigates the impact upon the ability of the displaced residents of the mobilehome park to be converted or closed to

find adequate housing in a mobilehome park” is to be provided with the RIR. Some jurisdictions provide more detail on what is to be included in the relocation plan provided as part of the RIR.

Require a housing specialist to be identified to assist?

The City currently requires the RIR include a list of potential housing specialists to assist park residents with relocation. Some jurisdictions and the Sonoma Tri-Park Committee ordinance require the owner to pay for a housing specialist to help prepare the relocation plan and assist the homeowners and residents.

Clarify timing when the payments shall be made?

The Tri-Park Committee ordinance requires the payments be made not less than 90 days before the date to vacate the mobilehome park.

Identify provision of additional relocation assistance for low income households and/or disabled households?

Some jurisdictions provide specific types of relocation assistance for low-income and/or disabled households that could be included in the relocation plan.

Expand comparable parks to include those within a certain radius of the City and/or other counties?

The Tri-Park Committee ordinance identifies comparable parks to be up to a distance of 20 miles or in Sonoma or Napa Counties and of similar Cal EPA's CalEnviroScreen score. Currently, the City's code states comparable parks are only those in Sonoma County.

4. Valuation / Appraisal

Appraiser selected and managed by the City or approved list provided to select from?

Currently the City has the consultant preparing the RIR to complete or have the appraisal completed for the “fair market value” of each mobilehome. The state law just requires that the “in-place market value” must be appraised by a state certified appraiser and submitted as part of the RIR.

Should the scope of the appraisal include the park?

The proposed ordinance from the Tri-Park Committee includes an appraisal for the mobilehome park to be included in the RIR comparing values. Two of the four example jurisdictions require this.

5. Review Procedures and Findings

Planning Commission or City Council to approve? Allow for appeals to Council?

Currently the City requires approval by City Council along with most jurisdictions. However, the City Council can identify the Planning Commission as the approval body. This would allow for an appeal process to City Council.

How to involve mobilehome owners and residents in the process?

Currently the City only requires standard noticing and public hearing. The Tri-Park Committee ordinance provides for additional opportunity during the public hearing for residents so it is equal to the applicant.

Should development be reviewed concurrently with a closure/conversion?

Currently the City states an RIR is to be provided with a change of use request. The Tri-Park Committee ordinance requires a special use permit to be considered concurrent with the required development approvals or an additional finding is required in the instance that no development is concurrently proposed. The example jurisdictions provide a variety of treatments from development must be heard after the closure request to allowing development agreements concurrently with the closure request.

Should decision be made at the public hearing or time given for consideration after close of the public hearing?

A few jurisdictions and the Tri-Park Committee ordinance allow for a decision to be made after the close of the public hearing, but within 60 – 90 days.

Should conditions necessary to mitigate impacts be required?

The City's current wording is that conditions may be necessary. The Tri-Park Committee ordinance requires conditions to mitigate while other example ordinances state findings should include conditions necessary to mitigate.

6. Consistency Findings (Housing Element/RHNA/ lower income housing availability)

Should language be strengthened to require denial if housing availability negatively impacted or require conditions to mitigate impact.

State law requires that the a finding shall be made as to whether a closure will result in or materially contribute to a shortage of housing opportunities and choices for low- and moderate income households. The Tri-Park Committee ordinance proposes a finding that the closure will not reduce affordable housing stock to the extent that the closure/conversion would be inconsistent with the Housing Element.

7. Resident Purchase / Right of First Refusal (ROFR)

Add ROFR to the RIR information if being provided? Add ROFR as a potential relocation assistance option?

The City currently requires the Council to make a finding regarding if ROFR is provided. However, the codes does not specify in the RIR or the relocation plan any information to be submitted.

8. Public Outreach

Require resident/mobilehome owner questionnaire to be included in the RIR?

The RIR requires information on each mobilehome, its owner, and its occupants to be provided. Most of the example jurisdictions and the Tri-Park Committee ordinance require questionnaires be completed by the mobilehome owner and occupant households and provided with the RIR.

Require an informational meeting held by the applicant for the affected mobilehome owners and residents before the public hearing?

The Tri-Park Committee ordinance proposes to require a community meeting be held by the applicant at least 30 days before the public hearing and attended by City staff.

9. Enforcement Tools

Require recordation of agreement and/or require affidavit of compliance completeness before issuance of building permit?

The City currently requires a written agreement to ensure compliance, but it is not required to be recorded nor does the ordinance clearly state when the compliance need to be completed by. The Tri-Park Committee ordinance provides that the mitigation measures are to be completed before issuance of building permits. The example jurisdictions also tie the completion of mitigation before construction and some require recorded or written letters stating that they have complied.

10. Reconsideration

Include a revocation process?

Most jurisdictions and the Tri-Park Committee ordinance include a revocation process.

11. Other

Add provision for exemption from relocation assistance requirements based on reasonable use or economic value?

The Tri-Park Committee ordinance and a couple example ordinances allow for an exemption from relocation assistance. State law requires an exemption for bankruptcy.

Add additional finding for closure not heard concurrently with a change of use?

The Tri-Park Committee ordinance requires an additional finding be made if a change of use in not heard concurrently.

Next Steps

Staff is requesting direction and any further questions or requests for additional information. We will take the direction provided and present a draft ordinance in the early 2026. City staff will continue to work with residents and park owners through the process to ensure everyone has the time and forum to provide input before a public hearing.

Recommended Council Action

Provide direction to City staff on ordinance changes.

Alternative Actions

At Council discretion.

Financial Impact

Not applicable.

Environmental Review

- ☐ Environmental Impact Report
- ☐ Negative Declaration
- ☐ Exempt
- ☐ Not Applicable

Status

- ☐ Approved/Certified
- ☐ No Action Required
- ☐ Action Requested

Attachments

[MH Option Matrix](#)

[MH Jurisdictions Matrix](#)

[City of Sonoma Ordinance 05-2004](#)

[Watsonville Ord](#)

[Yucaipa Ord](#)

[Oxnard Ord](#)

[Goleta Ord](#)

[Tri Park Committee MH Owners and Residents Comment Letter](#)

[MH Park Owners Comment Letter](#)

Category	Sonoma Municipal Code Chapter 9.82 (Mobilehome Park Conversions) Adopted 2004	AB 2782 & Other State Law Requirements	Proposed Ordinance Requested by Tri Park Committee, Mobilehome Owners and Residents	Options for Consideration
Relocation Impact Report (RIR)	City selects consultant to prepare; Paid by applicant; Includes the replacement information and relocation plan prepared by the consultant.	RIR submitted by applicant; must demonstrate adequate mitigation	Director selects consultant to prepare; Paid by applicant; Includes the replacement and relocation plan prepared by the consultant.	<i>Provide more specificity on what is contained in the RIR and the relocation plan?</i>
Notice & Timeline	• City to select a consultant to perform the RIR within 90 days of written request from applicant; • City manager shall schedule a public hearing on the relocation impact report before the city council within 30 days of receiving the relocation impact report; • City shall notify applicant at least 30 days prior to any hearing of the notification requirements for owners/residents; • Notice of the hearing to be sent to each mobilehome owner and resident in the affected park at least 30 days prior to the hearing by the applicant; • RIR to be provided to each mobilehome owner and resident in the affected park at least 15 days prior to the hearing by the applicant; • No expiration.	• RIR provided to the residents and mobilehome owners at least 60 days prior to the hearing; • After all required permits are obtained the management shall give the homeowners six months’ or more written notice of termination of tenancy; if change of use requires no permits, notice of change of use shall be 12 months.	• Notice provided to mobilehome owners at least 30 days prior to the date of filing an application; • Notice of the hearing to be sent to each mobile home owner in the affected park at least 45 days prior to the hearing; • At least thirty 30 days before the hearing on the application for a “special use permit” for conversion or closure, the park owner shall conduct an informational meeting; • Record a certificate within 90 days of the final action; • Notice of termination of tenancy given within 120 days for the 6 or 12 month notice of the termination of tenancy and closure of the park per state law. • Expiration 2 years.	• <i>Require additional, or extend timing of noticing requirements pre or post application submittal?</i> • <i>Change City Manager to Director of Community Development?</i> • <i>Add an approval expiration and extension procedure.</i>
Relocation and Payments	Shall not exceed the reasonable cost of relocation; RIR to include comparable parks and replacement housing in Sonoma County ; relocation costs up to maximum distance of 50 miles ; list of housing specialists to be provided in RIR; Relocation assistance to be paid as of or after application is filed or date of closure.	In-place market-value compensation for homes that can’t relocate.	Mitigation benefits shall not exceed the reasonable cost of relocation; A relocation counselor, selected by the City and paid for by the park owner, to assist; RIR to include comparable parks (defined in the code) up to a distance of 20 miles, or in Sonoma or Napa Counties and use of Cal EPA’s CalEnviroScreen score ; To be paid not less than ninety (90) days prior to the date that the homeowner is required to vacate the mobile home park.	• <i>Clarify components of the relocation plan to determine and identify appropriate relocation assistance?</i> • <i>Require a housing specialist to be identified to assist?</i> • <i>Clarify timing when the payments shall be made?</i> • <i>Identify provision of additional relocation assistance for low income households and/or disabled households?</i> • <i>Expand comparable parks to include those within a certain radius of the City and/or other counties?</i>

Category	Sonoma Municipal Code Chapter 9.82 (Mobilehome Park Conversions) Adopted 2004	AB 2782 & Other State Law Requirements	Proposed Ordinance Requested by Tri Park Committee, Mobilehome Owners and Residents	Options for Consideration
Valuation / Appraisal	Consultant preparing RIR to provide appraisal in RIR; Estimate of the fair market value of each mobilehome and all associated fixed property that cannot be relocated to a comparable mobilehome park	In-place market value shall be determined by a state-certified appraiser with experience establishing the value of mobilehomes; submitted as part of the RIR; paid for by the applicant	City selects appraiser; Paid by applicant; Appraisal to include (aa) value if it is continued in its use as a rental mobile home park, (ab) value if it is used for the highest and best special use permitted by the current zoning for the site, and (ac) value if the new zoning requested by the park owner is approved.	• <i>Appraiser selected and managed by the City or approved list provided to select from?</i> • <i>Should the scope of the appraisal include the park?</i>
Review Procedures and Findings	Standard findings; Final decision by City Council ; All interested parties allowed to present evidence; May include conditions necessary to mitigate; RIR required to be filed concurrently with a permit application that modifies use of a MHP; may include conditions necessary to mitigate impacts.	Approval by the legislative body or delegated advisory agency required.	The homeowners will be given equal time with the park owner in presentations in the hearing; each side and the City have the right to cross-examine expert witnesses; Special use permit for conversion or closure is to be considered concurrently with the required development permit(s) or approval(s) for the new intended use; 60 days after the close of the public hearing to issue a decision; Standard findings with Housing Element consistency finding; Final decision to be made by City Council ; require conditions of approval to mitigate.	• <i>Planning Commission or City Council to approve?</i> • <i>Allow for appeals to Council?</i> • <i>How to involve mobilehome owners and residents in the process?</i> • <i>Should development be reviewed concurrently with a closure/conversion?</i> • <i>Should decision be made at the public hearing or time given for consideration after close of the public hearing?</i> • <i>Should conditions necessary to mitigate impacts be required?</i>
Consistency Findings (Housing Element / RHNA/ lower income housing availability)	Not Included	Finding on whether a closure will result in or materially contribute to a shortage of housing opportunities and choices for low- and moderate-income households within the local jurisdiction.	Adds requirement that closure approval must be consistent with Housing Element and not reduce affordable housing stock.	<i>Should language be strengthened to not approve if impacted or require conditions to mitigate impact.</i>
Resident Purchase / Right of First Refusal (ROFR)	Finding as to whether units are made available for purchase or rent on or offsite.	Not required. Option for ROFR may be provided when subdivision map is applied for.	Not Addressed	• <i>Add ROFR to the RIR information if being provided?</i> • <i>Add ROFR as a potential relocation assistance option?</i>
Affordable Housing In-Lieu Fees / Preservation	Relocation assistance option - setting aside a certain number of affordable units for the residents of the park, if the park is to be converted to another residential use; or providing a certain number of affordable units on-site or off-site, if the park is to be converted to a use other than residential.	Not required.	Not Addressed	

Mobilehome Park Conversion AB 2782 Compliance Options

Category	Sonoma Municipal Code Chapter 9.82 (Mobilehome Park Conversions) Adopted 2004	AB 2782 & Other State Law Requirements	Proposed Ordinance Requested by Tri Park Committee, Mobilehome Owners and Residents	Options for Consideration
Public Outreach	Nothing in addition to noticing and public hearing	One public hearing required.	Requires occupant and homeowner questionnaire responses; Community meeting prior to public hearing	• <i>Require resident/mobilehome owner questionnaire to be included in the RIR?</i> • <i>Require an informational meeting held by the applicant for the affected mobilehome owners and residents prior to the public hearing?</i>
Enforcement Tools	Written agreement with the City to ensure compliance	Not specified.	Completion of mitigation measures prior to issuance of building permits;	<i>Require recordation of agreement and/or require affidavit of compliance completeness prior to issuance of building permit?</i>
Appeal / Reconsideration	Not specified.	Not specified.	Revocation process.	<i>Include a revocation process?</i>
Other	Bankruptcy Exemption; Identifies option of setting aside affordable units on or offsite.	Bankruptcy exemption; Specific requirements apply when a subdivision map is processed prior to closure.	Exemption from relocation assistance requirements based on reasonable use or economic value; Additional finding if closure is not concurrently being requested with the change of use.	• <i>Add provision for exemption from relocation assistance requirements based on reasonable use or economic value?</i> • <i>Add additional finding for closure not heard concurrently with a change of use?</i>
Administrative Cost Recovery	City cost-recovery fees; administration fees.	Reasonable fees may be established.	City cost-recovery fees; Administrative fees	No change to existing Code

Mobilehome Park Conversion Code Examples

Category	Watsonville Municipal Code Chapter 4 (Mobile Home Park Conversions or Closures) Adopted 2024	Yucaipa Municipal Code Article 3.5 (Conversion to Mobilehome Park to Other Uses) Adopted 2016, amended 2023	Goleta Municipal Code Chapter 8.17 (Mobilehome Park Closure) Adopted 2016, amended 2020	Oxnard Municipal Code Article II (Mobile Home Park Closures)
Relocation Impact Report (RIR)	Director selects consultant to prepare; Paid by applicant; Includes the replacement and relocation plan prepared by the consultant.	Relocation specialist to prepare and applicant to provide.	Applicant provides the report.	Applicant provides the report; Includes the replacement and relocation plan prepared for or by the applicant.
Notice & Timeline	• Notice provided to mobilehome owners at least 30 days prior to the date of filing an application; • Notice of the hearing to be sent to each mobile home owner in the affected park at least 45 days prior to the hearing; • At least thirty 30 days before the hearing on the application for a “special use permit” for conversion or closure, the park owner shall conduct an informational meeting; • Record a certificate within 90 days of the final action; • Notice of termination of tenancy given within 120 days for the 6 or 12 month notice of the closure of the park per state law. • Expiration 2 years.	• Notice provided to mobilehome owners and residents at least 30 days prior to the date of filing an application to include pre-conversion questionnaire; • Notice of the hearing to be sent to each mobilehome owner and resident in the affected park at least 30 days prior to the hearing paid for by the applicant; • Record a certificate within 30 days of the final action. • Expiration 2 years.	• Director shall set a time, date and place for a hearing before the Planning Commission within 60 days of determination of completeness; • Notice of the hearing to be sent to each mobile home owner in the affected park at least fifteen (15) days prior to the hearing. • Expiration 1 year.	• Notice provided to mobilehome owners and residents at least 90 days prior to the date of filing an application; • Notice of the hearing to be sent to each mobile home owner in the affected park at least 30 days prior to the hearing; • Written notices will be mailed to all residents residing in the mobile home park by city staff within ten days after the approval of a mobile home park paid for by the applicant; • Notice of termination of tenancy given within 120 days for the 6 or 12 month notice of the closure of the park per state law. • Expiration 2 years.
Relocation and Payments	Mitigation benefits shall not exceed the reasonable cost of relocation; A relocation counselor, selected by the City and paid for by the park owner, to assist; RIR to include comparable parks (defined in the code) up to a distance of 20 miles, or in Santa Clara or Santa Cruz Counties and use of Cal EPA’s CalEnviroScreen score ; To be paid not less than ninety (90) days prior to the date that the homeowner is required to vacate the mobile home park.	RIR to include comparable parks and replacement housing up to a distance of 15 miles ; relocation costs up to maximum distance of 15 miles ; additional assistance for disabled households	Identification of a relocation specialist from Director provided list and paid for by the park owner; replacement housing up to a distance of 100 miles ; relocation costs up to maximum distance of 50 miles ; additional assistance for seniors and low income households.	Relocation benefits must bear a relationship to the cost of displaced residents’ finding alternative housing and will be determined on a case-by-case basis.
Valuation / Appraisal	City selects appraiser; Paid by applicant; Appraisal to include (aa) value if it is continued in its use as a rental mobile home park, (ab) value if it is used for the highest and best special use permitted by the current zoning for the site, and (ac) value if the new zoning requested by the park owner is approved.	For any eligible mobilehome owner whose home cannot be relocated to a comparable park within 15 miles, the applicant shall hire a mobilehome appraiser from a list provided by the Director to determine the in-place value of the mobilehome.	For any eligible mobilehome owner whose home cannot be relocated to a comparable park within 50 miles, the applicant shall hire a mobilehome appraiser from a list provided by the Director to determine the in-place value of the mobilehome. An appraisal of the park if continued in use as a mobilehome park and an appraisal of the park site if used for the highest and best use permitted by the zoning for the site or any new zoning	Appraised fair market value as determined by a qualified, independent appraiser, as approved by the city.

Mobilehome Park Conversion Code Examples

Category	Watsonville Municipal Code Chapter 4 (Mobile Home Park Conversions or Closures) Adopted 2024	Yucaipa Municipal Code Article 3.5 (Conversion to Mobilehome Park to Other Uses) Adopted 2016, amended 2023	Goleta Municipal Code Chapter 8.17 (Mobilehome Park Closure) Adopted 2016, amended 2020	Oxnard Municipal Code Article II (Mobile Home Park Closures)
			being requested by the park owner. The appraiser shall be selected by the park owner from a list provided by the Director, and shall be paid by the park owner.	
Review Procedures and Findings	The homeowners will be given equal time with the park owner in presentations in the hearing; each side and the City have the right to cross-examine expert witnesses; 60 days after the close of the public hearing to issue a decision; Standard findings with Housing Element consistency finding; Final decision to be made by City Council ; require conditions of approval to mitigate.	Standard findings; Director shall either approve the conversion permit ministerially (if consisting of residential uses) Final decision to be made by Council for DOR/MOU applications (mixed-use); 90 days after the close of the public hearing to issue a decision; To include conditions necessary to mitigate.	Standard findings; Recommendation to be made by Planning Commission ; Final decision to be made by City Council ; To include conditions necessary to mitigate; Development applications have to be held after Closure hearing.	Standard findings; Final decision to be made by Commission ; To include conditions necessary to mitigate.
Consistency Findings (Housing Element / RHNA)	Adds requirement that closure approval must be consistent with Housing Element and not reduce affordable housing stock.	Adds requirement that closure approval must be consistent with General Plan.	Not Included	Not Included
Resident Purchase / Right of First Refusal (ROFR)	Not Addressed	Not Addressed	Relocation assistance shall include the right of first refusal to purchase or rent new homes or apartments to be constructed on the park site.	Not Addressed
Affordable Housing In-Lieu Fees / Preservation	Not Addressed	Not Addressed	Not Addressed	Not Addressed
Public Outreach	Requires occupant and homeowner questionnaire responses; Community meeting prior to public hearing	Requires occupant and homeowner questionnaire responses	Requires occupant and homeowner questionnaire responses	Nothing in addition to notice and public hearing
Enforcement Tools	Completion of mitigation measures prior to issuance of building permits;	Written letter of compliance required before issuance of building permits.	Not Addressed	Affidavit of compliance required prior to the commencement of any construction.
Appeal / Reconsideration	Not Specified	Only specified for Director approval of an extension.	Not Specified	Appeal to City Council within 21 days of Commission action.
Other	Exemption from relocation assistance requirements based on reasonable use or economic value.	Application procedures for a Development Opportunity Reserve (DOR) and Memorandum of Understanding (MOU) to implement the DOR for the proposed conversion of use of an eligible park may be submitted concurrently with, or subsequent to the approval of a conversion.	Standards for closure due to reduced occupancy; Exemption from relocation assistance requirements.	
Administrative Cost Recovery	City cost-recovery fees;	City cost-recovery fees; administration fees.	Administration fees	Administration fees

CITY OF SONOMA

ORDINANCE NO. 05 - 2004

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SONOMA
ESTABLISHING REGULATIONS ON THE CONVERSION OF
MOBILEHOME PARKS TO OTHER USES**

WHEREAS, there are three mobilehome parks within the City of Sonoma; and

WHEREAS, these mobilehome parks represent a significant stock of affordable housing; and

WHEREAS, State law authorizes local jurisdictions to regulate the conversion of mobilehome parks to ensure that the rights of mobilehome park residents are protected.

NOW, THEREFORE, the City Council of the City of Sonoma does ordain as follows:

Section 1. A new Chapter of the Sonoma Municipal Code, Chapter 9.82, is hereby established as set forth below:

**Chapter 9.82
Mobile Home Park Conversions**

9.82.010 Purpose and Intent.

- A. Where a person proposes to convert an existing mobilehome park to another use or to close a mobilehome park or to cease using land as a mobilehome park, current provisions of state law, as set forth in Government Code Section 65863.7 and Civil Code Section 798.56, authorize the city to require the person proposing the change of use to file and distribute a report on the impact of such change and further authorize the city to require measures to be undertaken to mitigate the adverse effects of the change of use upon the tenants of the mobilehome park who would be displaced by such change.
- B. The city council finds and determines that unless mitigation measures are undertaken, the conversion, closure or cessation of use of mobilehome parks could have a substantial adverse effect upon park residents in terms of cost of relocation, scarcity of similar comparable housing within a reasonable proximity to the city, and the significantly higher costs of other types of housing in the immediate area if park residents cannot relocate to other mobilehome parks.
- C. It is the intent and purpose of the city council in adopting this chapter to establish reasonable rules and regulations in accordance with the authority granted by state law to mitigate the adverse effects of relocation upon mobilehome park residents who are confronted with a proposed change of use for their mobilehome park or portions of the park and so that the owners and occupants of mobilehomes and the owners of mobilehome parks understand their rights and responsibilities in such situations.

9.82.015 Definitions.

"Applicant" means the person(s), firm(s), entity(ies) or corporation(s) applying for any application for the purpose of converting, changing to another use, closing, or ceasing to use land as a mobilehome park. If the owner of the controlling interest in a mobilehome park is not the applicant, then the applicant must provide evidence of the controlling owner's consent to the filing of the application.

"Cessation of use of land as a mobilehome park" means a decision by the owner(s) of a mobilehome park to discontinue the use of property as a mobilehome park which is not an adjudication of bankruptcy.

"Closure of a mobilehome park" means one of the following:

- A. A closure of a mobilehome park occurs when less than seventy-five percent of the occupiable spaces are leased by qualified homeowners as defined in the Mobile-home Residency Law (Civil Code Section 798 et seq.). However, upon application of a mobilehome park owner, the city council may, in its absolute discretion and upon a finding of good cause, determine that a closure of a mobilehome park is not occurring, notwithstanding that less than seventy-five percent of the occupiable spaces are leased. Any such application by the mobilehome park owner shall be accompanied by an estimate of a qualified appraiser as to the fair market value of the mobilehome(s) and all associated fixed property for which the foregoing exemption is requested. The appraiser's estimate shall conform to the requirements of Section 9.82.030(C)(12).
- B. Notwithstanding the provisions set forth above in subsection (A), a closure of a mobilehome park occurs when the city council, in its absolute discretion and upon a finding of good cause, determines that the mobilehome park owner has acted and/or has failed to act in a manner which would cause a reasonable person to conclude that the mobilehome park owner intends to eliminate or reduce mobilehome spaces available for rent to the general public. Such acts or omissions include, but are not limited to, the withholding of available mobilehome spaces under the control of the mobilehome park owner, and statements by authorized agents and representatives of the mobilehome park owner to prospective buyers of the mobilehome park that the mobilehome park is being closed by the mobilehome park owner.

"Comparable housing" means housing which is comparable in floor area and number of bedrooms, bathrooms, and other rooms to the mobilehome to which comparison is being made, which housing meets the minimum standards of the Uniform Housing Code.

"Comparable mobilehome park" means any other mobilehome park within Sonoma County, substantially equal in terms of park amenities, rent and proximity to services.

"Conversion of a mobilehome park" means changing the use of a mobile home 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. A conversion shall include, but not be limited to, a change of any existing mobile home park or any portion thereof to condominium, stock cooperative, planned unit development, or any form of ownership wherein spaces within the mobile home park are to be sold, or the cessation of use of all or a portion of the park as a mobile home park, whether immediately or on a gradual basis, or the closure of a park.

"Conversion of a mobilehome park" shall not include a conversion of a mobilehome park to resident ownership.

"Conversion of a mobilehome park to resident ownership" means a sale, transfer or assignment of a mobilehome park either directly or indirectly in whole or in part to mobilehome park's homeowners and prospective homeowners for the benefit of the mobilehome park's homeowners and prospective homeowners. A conversion of a mobilehome park to resident ownership may include but not be limited to, conversion of the community to a subdivision, condominiums, planned development, community apartments, stock cooperative, other form of corporate ownership, or by a non-profit organization qualified pursuant to Internal Revenue Code 501(c)3 for the homeowners' or prospective homeowners' benefit. Notwithstanding any provision in this Ordinance to the contrary, in the event the conversion of a mobilehome park to resident ownership is by a non-profit corporation qualified under Internal Revenue Code 501(c)3, homeowners may or may not have the right to participate through direct ownership of the mobilehome park and the nonprofit shall not be required to make an offer of participation to the homeowners.

"Impact report" means a report required by California Government Code Sections 65863.7 and 66427.4, as applicable, and containing the information set forth in Section 9.82.030(C). "Impact report" does not include the impact required by Government Code Section 66427.5(b) for conversion to resident ownership.

"Homeowner" means the owner(s) of a mobilehome.

"Long-term lot" means any mobilehome lot that has been occupied by the same mobilehome for at least nine of the twelve months prior to the adoption of this chapter.

"Mobilehome" means a vehicle designed or used for human habitation and shall include camping trailers, motorhomes, slide-in campers and trailers, when used as the occupant's principal place of residence, and mobile-homes as defined in Health & Safety Code Section 18211.

"Mobilehome lot" means any area or tract of land, or portion thereof, occupied or held out for occupancy by one mobilehome that is not owned by the park owner.

"Mobilehome park" means any area or tract of land where ten or more mobilehome lots are rented or leased or held out for rent or lease to accommodate mobile-homes used for human habitation.

"Resident" means a homeowner or tenant.

"Tenant" means a person who occupies a mobilehome within a mobilehome park pursuant to a bona fide lease or rental agreement and who, during his or her tenancy, is not the owner or member of the immediate household of the owner of the mobilehome.

9.82.020 Applicability.

For applications involving the redevelopment, closure, or conversion of a mobile home park that include a subdivision map, the provisions of Chapter 9.84 shall apply. The provisions of this Chapter shall not apply to such applications, except as specifically referenced in Chapter 9.84.

9.82.025 Disclosure of Notification Requirements.

When an application has been made to the city for the redevelopment, closure or conversion of a mobile home park, the city shall inform the applicant, in writing, of local regulations regarding notifications to residents and mobilehome owners within the affected park, as well as the notification requirements set forth in Section 798.56 of the Civil Code. This disclosure shall be made at least thirty days prior to any hearing on the application or the relocation impact report. No hearing on the application or shall be held or any other action on the application taken until the applicant has satisfactorily verified that required notices have been provided.

9.82.030 Relocation impact report required.

- A. Any person who files an application with the city for a general plan amendment or for a rezoning of land use type or density, or for approval of a conditional use permit or any other application for the purpose of converting a mobilehome park to another use, close a mobilehome park or cease to use land as a mobilehome park, shall concurrently file with the city a mobilehome relocation impact report that complies with this section. No such applications shall be considered or deemed complete or processed for consideration or approved unless and until such relocation impact report is filed and approved in accordance with this chapter.
- B. At any time at which the occupancy of a mobilehome park is such that it meets the definition of "closure" as set forth in this chapter, the owner shall immediately provide written notification to the city of the event and shall either file a request for the preparation of a relocation impact report or shall petition the city council to make a finding that a closure is not occurring as set forth in section 9.82.015(A).
- C. The city shall select a consultant to perform the relocation impact report within ninety days of a written request from the applicant. The applicant shall be noticed in writing of the estimated cost of the relocation impact report and shall deposit that sum with the city prior to commencement of any work on the relocation impact report. The city will then contract with a consultant for the preparation of the relocation impact report. Once an application is filed, the residents of the mobilehome park shall be notified by the city that an application has been filed and that the preparation of a relocation impact report will be required. The relocation impact report shall contain, but need not be limited to, the following information:
 - 1. A legal description of the property.
 - 2. A map and a detailed description of the condition of the mobilehome park, including the nature and location of structures, landscaping, easements, utilities and other on-site features and amenities.
 - 3. The names and addresses of all mobilehome owners within the park (including absentee mobilehome owners), as shown on the rental agreement for the mobilehome park spaces, and the names and addresses of all mobilehome tenants within the park as of the date of the application.
 - 4. The characteristics of each mobile home within the park, listed by space number and address, including the date of manufacture, type, width, living area, and number of bedrooms.

5. The number of spaces within the park, length of occupancy by the current occupant of each space and the current lease rate for each space.
6. The total number of mobilehome residents, listed by space identifying owner or renter occupancy, principal or second home occupancy, and the number of residents who are physically disabled, including the chronically ill.
7. A description of the proposed new use and all discretionary approvals necessary therefor, if any.
8. The proposed timetable for conversion, closure or cessation of use of the land as a mobilehome park and for obtaining other discretionary approvals for the proposed use, if any.
9. The location of all comparable mobilehome parks within Sonoma County, including the park name, number of lots, number of vacancies, lease rates and terms, policies and restrictions on the type of mobilehomes and residents accepted, amenities offered and proximity to services (bus stops, grocery stores, hospitals, etc.).
10. A determination based on the information provided in subdivisions (4), (5) and (9) of this subsection of the total number of mobilehome units that are eligible to be relocated to a comparable mobilehome park.
11. The estimated cost of relocating the mobilehomes identified in subdivision (10) of this subsection to available lots in mobilehome parks within the study area. The cost of relocating shall include the costs of dismantling, packing, moving, reassembling, rebuilding and unpacking, as necessary, the mobilehome, all personal property, skirting, tie-downs and all other associated structures and property.
12. An estimate of the fair market value of each mobilehome and all associated fixed property that cannot be relocated to a comparable mobilehome park. In determining fair market value, the consultant shall consider the mobilehomes in their current locations assuming the continuation of the mobilehome park in a safe, sanitary and well maintained condition with competitive lease rates. The consultant shall specify the basis for a conclusion that any mobilehome cannot be relocated to a mobilehome park and the basis for determining the value of the mobilehome.
13. The availability and cost of rental housing of comparable size and quality in the city of Sonoma for each mobilehome park tenant.
14. A relocation plan that will include a timetable for physically relocating the mobilehomes, or payment of relocation assistance.
15. Proposed measures to mitigate the adverse impacts of the conversion upon each park resident based on Section 9.82.055.
16. A list of persons, firms and organizations with proven expertise in the fields of housing and relocation of persons displaced from housing. This list shall include the names, addresses, telephone numbers, and fee schedules of persons who are qualified as mobilehome movers and appraisers of mobilehomes. The information shall include an explanation of the services that the housing specialists can provide.

17. Any information which the city manager determines is necessary to address the specific issues raised by the application or the impact study and any information that may be necessary to implement provisions of this chapter.

9.82.035 Notice and distribution of relocation impact report.

Not less than fifteen days prior to a scheduled hearing before the city council, the park owner shall transmit to the owner or occupant of each mobilehome occupying a site within the mobilehome park and to all other persons described in Section 9.82.030(C)(3), a copy of the relocation impact report, a copy of this chapter, and notices of the dates, times and places of the public hearings or any informational meetings. The copies provided shall be free of charge. Proof of service of distribution of the impact report to each resident must be filed by the applicant with the city manager seven days prior to the hearing and shall be signed under penalty of perjury.

9.82.040 Notice to new residents.

When an application for a change of use and/or closure of a mobilehome park has been filed with the city, the park owner shall advise each prospective new resident who proposes to occupy a mobilehome within such park after the filing of such application, in writing, prior to the execution of a rental agreement or commencement of such occupancy whichever occurs first, that such application has been filed.

9.82.045 Hearing on relocation impact report.

- A. When an application has been filed for a general plan amendment, rezoning, or conditional use permit for the proposed change of use and/or closure of a mobilehome park, the city manager shall schedule a public hearing on the relocation impact report before the city council within thirty days of receiving the relocation impact report. The city council, in considering the relocation impact report, shall make written findings based on evidence regarding the factors outlined in Section 9.82.050.
- B. At the public hearing, all interested parties will be allowed to present evidence to the city council on any aspect of the application. The evidence may include, but is not limited to, justification for the payment of relocation costs, including the fair market value of any mobilehome, evidence why a mobilehome cannot be relocated to a comparable mobilehome park, and similar information.
- C. If the city council is unable to make findings consistent with Section 9.82.050 and is unable to impose reasonable measures as provided in Section 9.82.055 to mitigate the adverse impact(s) of relocation, the city council shall deny the application for the proposed conversion, closure or cessation of use. No other permit or approval shall be granted in furtherance of the proposed conversion, and no change of use, including cessation or closure, shall occur unless a relocation impact report has been approved.

9.82.050 Findings.

The city council, in considering the relocation impact report, shall accept and hear evidence, shall consider such evidence, and shall make written findings based on such evidence regarding each of the following factors and any other factors as it deems appropriate:

- A. That the relocation impact report provides the information required by State law and this chapter and that it provides the city council with adequate information on the impacts of the park conversion in terms of disruption to affected residents and the methods available for addressing relocation needs.
- B. That there will exist, at the time of conversion, closure or cessation of use available mobilehome lots within Sonoma County to accommodate the mobilehomes to be displaced.
- C. That adequate options are available for residents who would be disrupted by the conversion.
- D. That the relocation plan provides for reasonable costs of relocation based on the findings of the relocation impact report.
- E. If the proposed conversion is to another residential use, whether the residents of the mobilehome park will have an opportunity to purchase, if for sale, or rent the new units, and whether the construction schedule will result in unreasonably long-term displacements.
- F. That the proposed conversion will not be detrimental to the public health, safety and general welfare.
- G. That all reports and notices required by law have been properly prepared and properly served.

9.82.055 Relocation assistance.

In approving a relocation impact report the city council may attach reasonable conditions in order to mitigate the impacts associated with the conversion, closure or cessation of use. The specific conditions of approval of a particular application shall be determined on an application-by-application basis with regard to the acts and circumstances of the application, but shall not exceed the reasonable cost of relocation, as documented in the relocation impact report. The city council shall require the applicant to enter into a written agreement with the city to ensure compliance with and fulfillment of the conditions of approval, which may include but are not limited to the following matters:

- A. Payment of relocation assistance to each resident who resided in the mobilehome park as of and after the date the application is filed or the date a closure, conversion or cessation of use is deemed by the city council to have commenced.
- B. Payment of the cost of physically moving the mobilehome to a new site, including tear-down and setup of movable improvements such as patios, carports and porches; packing, moving and unpacking all personal property; and in-transit costs for meals, lodging and gas.
- C. Payment of a lump sum to compensate for payment of the first and last month rent and any security deposit at the new mobilehome park.

- D. Payment of a lump sum to compensate for any differential between rental rates at the closing mobile-home park and the new mobilehome park during the first year of the new tenancy.
- E. For tenants the costs may include all reasonable expenses incurred in moving to a new location, up to a maximum distance of fifty miles.
- F. For homeowners who are unable to reasonably relocate their mobilehome, payment of fair market value for their mobilehome, based on information contained in the approved relocation impact report.
- G. Setting aside a certain number of affordable units for the residents of the park, if the park is to be converted to another residential use; or providing a certain number of affordable units on-site or off-site, if the park is to be converted to a use other than residential.
- H. In order to facilitate a proposed conversion, closure, or cessation of use of a mobilehome park the residents and applicant may agree to mutually satisfactory conditions. To be valid, such an agreement shall be in writing, shall include a provision stating that the resident is aware of the provisions of this chapter, shall include a copy of this chapter as an attachment, shall include a provision in at least ten-point type which clearly informs the resident of the right to seek advice of an attorney prior to signing the agreement with regard to the resident's rights under such agreement, and shall be drafted in the form and content otherwise required by applicable state law.

9.82.060 Bankruptcy exemption.

The provisions of this chapter shall not apply if it is determined that the closure of a mobilehome park or cessation of use of the land as a mobilehome park results from an adjudication of bankruptcy. The applicant shall have the burden to produce substantial evidence that a court of competent jurisdiction has determined in connection with a proceeding in bankruptcy that the closure or cessation of use of the affected park as a mobilehome park is necessary. The documentation shall include the title, case number and court in which the bankruptcy proceedings were held and certified copies of all pertinent judgments, orders and decrees of the court.

9.82.065 Administration fee.

The city council may establish by resolution reasonable fees to cover any costs incurred by the city in implementing this chapter. Such fees shall be paid by the park owner or applicant subject to the provisions of this chapter, in accordance with the limitations of Section 65863.7 (g) of the Government Code.

Section 2. Effective Date.

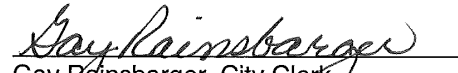
This ordinance shall become effective thirty (30) days from and after the date of its passage.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Sonoma this 20th day of October, 2004.



Joe Costello, Mayor

ATTEST:

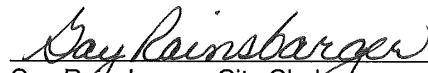


Gay Rainsbarger, City Clerk

State of California)
County of Sonoma)
City of Sonoma)

I, Gay Rainsbarger, City Clerk of the City of Sonoma, do hereby certify that the foregoing Ordinance was adopted on October 20, 2004 by the following vote:

AYES: Ashford, Costello, Brown, Barnett, McKesson
NOES: None
ABSENT: None



Gay Rainsbarger, City Clerk

Chapter 4 MOBILE HOME PARK CONVERSIONS OR CLOSURES

Sections:

11-4.110 Findings and purpose.

11-4.120 Definitions.

11-4.130 Application for a conditional special use permit for conversion or closure.

11-4.140 Relocation impact report.

11-4.150 Displaced homeowner housing replacement and relocation plan and counselor.

11-4.160 Procedures for review of the application for conversion or closure and the relocation impact report.

11-4.170 Required findings for approval.

11-4.180 Conditional approval of a special use permit for conversion or closure.

11-4.190 Exemption from the displaced homeowner housing replacement and relocation plan.

11-4.200 Acceptance and performance of mitigation measures.

11-4.210 Subsequent modification of the mitigation measures.

11-4.220 Expiration, extension, and revocation of special use permit.

11-4.230 Measures to prevent interference with mobile home owners' access to their rights.

11-4.240 Preemption.

11-4.110 Findings and purpose.

(a) Findings.

(1) Mobile home parks are highly profitable businesses. In 2020, the Wall Street Journal article "Investors Discover There's Gold in the Mobile Home Park" recounted the extraordinary returns obtained from manufactured mobile home park investments:

"One of the best-performing investments since last decade's housing crash: trailer parks... It is as if apartment owners didn't have to maintain or pay taxes on their buildings but still collected rent from those who lived inside... Even if residents can afford to move their homes, there aren't many places to plop an old double-wide. Plans for new parks usually meet local resistance. The right zoning is hard to find. Meanwhile, demand for manufactured homes has been stoked by retiring baby boomers, millennials with a taste for minimal living and prices for site-built single-family houses that have risen beyond the reach of many Americans... A who's who of big investors has joined the trailer-park hunt, boosting competition for facilities. Buyers have included pensions, sovereign-wealth funds and private equity firms." (See Ryan Dezembar, Investors Discover There's Gold in the Mobile-Home Park, WALL ST. J., Feb. 26, 2020, at B1-B2,

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Chapter 11-4 MOBILE HOME PARK CONVERSIONS OR CLOSURES

<https://perma.cc/KZ34-L6XV> cited in Baar, Protections of (Im)mobile Home Owners from the Consequences of (Im)mobile Home Park Closures 128 Penn State Law Rev. 779 (2024)

(2) Despite their high profitability and the extraordinary returns that they provide to their owners, other market factors have resulted in mobile home park closures and conversions into other uses. When closures occur, the impacts are devastating for mobile home owners:

investments in mobile home parks are highly profitable, in recent decades, as urban areas densify and alternate land uses, such as condominium projects, commercial centers, or high-end subdivisions, become more profitable, mobile home park closures have become widespread and are now becoming a national concern. When a mobile home park closes, it usually wipes out the mobile home owner's entire investment in their mobile home and displaces the mobile home owner. Park closures are a large problem, as appellate courts have noted for decades, because of the "captive" nature of mobile home park tenancies and the role of public regulations in severely limiting the possible locations of mobile homes. As a practical matter, after they are moved from the factory and installed on a plot of land, "mobile" homes cannot be relocated. Generally, they are only sold in place, an unavailable option when a park closes.

(See Baar, Protections of (Im)mobile Home Owners from the Consequences of (Im)mobile Home Park Closures 128 Penn State Law Rev. 779 (2024))

(3) The protection of the City's mobile home owners, and their substantial investments in their mobile homes and their spaces, which usually exceed the investments of their park owners in their spaces and, in the aggregate, also exceed their park owners' investments in their parks, further warrants additional special regulatory safeguards to protect these homeowners, their homes and their substantial and captive investments in their homes, which they would lose in the event the park that they are located in closes or converts to another use.

(4) Prior to approving a mobile home park conversion or closure, Government Code Section [65863.7](#)(e)(1)(B) requires that the City make a finding as to whether the park closure and its conversion to its intended new use will result in or materially contribute to a shortage of housing opportunities and choices for low- and moderate-income households within the City of Watsonville.

(5) Government Code Section [65863.7](#)(k) states that Section 65863.7 establishes a minimum standard for the local regulation of the conversion or closure of mobile home parks, and authorizes local governments to adopt additional rules and regulations. The legislative history of Section 65863.7 explicitly recognizes that Government Code Section [65863.7](#)(k) authorizes local jurisdictions to adopt additional local measures regulating conversions and closures of mobile home parks; Government Code Section [65863.7](#)(e)(1)(B) provides that a local agency's legislative body must "Make a finding as to whether or not approval of the park closure and the park's conversion into its intended new use, taking into consideration both the impact report as a whole and the overall housing availability within the local jurisdiction, will result in or materially contribute to a shortage of housing opportunities and choices for low- and moderate-income households within the local jurisdiction."

(6) Government Code Section [65583](#)(b)(1), a provision of California's Housing Element Law, requires the City's Housing Element to contain goals, policies, and objectives to preserve the City's current low-income and moderate-income affordable housing stock.

(7) To fulfill the above requirements of California's Housing Element Law, the City's Housing Element contains:

(i) Goal 1 to "Improve, conserve and preserve affordable housing stock and neighborhoods,"

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Chapter 11-4 MOBILE HOME PARK CONVERSIONS OR CLOSURES

(ii) Policy 1.5 to “Preserve the existing stock of affordable housing, including mobile homes, through City regulations and land use and development controls, including mobile home park exclusive-use zoning, as well as financial and other forms of assistance,” and

(iii) Five (5) year objective to “Preserve the continued availability and affordability of the current affordable housing stock located in the City’s mobile home parks.”

(8) Watsonville’s 2023 – 2031 Housing Element shows that the City is currently suffering a severe shortage of low- and moderate-income affordable housing. It indicates that in 2020, ten thousand two hundred (10,200), seventy-one and three-tenths (71.3%) percent, of the City’s fourteen thousand three hundred fifteen (14,315) households were low-income, six thousand eight hundred forty (6,840) of which were very low- and extremely low-income households (forty-seven and eighty-five hundredths (47.85%) percent of Watsonville’s total households). Other findings in the Housing Element were: The median price for a home in Watsonville in 2023 was Eight Hundred Thousand Ninety and no/100ths (\$820,090.00) Dollars, but the affordable purchase price for a home for low-income households in Watsonville was Three Hundred Three Thousand Three Hundred and no/100ths (\$303,300.00) Dollars for a one (1) person household and Five Hundred Fifty-One Thousand One Hundred and no/100ths (\$551,100.00) Dollars for a five (5) person household; that very low-income households could only afford to purchase a home costing One Hundred Seventy-Three Thousand and no/100ths (\$173,000.00) Dollars for a one (1) person household and Two Hundred Fifty Thousand Two Hundred and no/100ths (\$250,200.00) Dollars for a five (5) person household, and that extremely low-income households could only afford to purchase a home for Eighty-Seven Thousand and no/100ths (\$87,000.00) Dollars for a one (1) person household and One Hundred Seventeen Thousand Five Hundred and no/100ths (\$117,500.00) Dollars for a five (5) person household.

(9) Watsonville’s 2023 – 2031 Housing Element also indicates that nine thousand four hundred forty (9,440) of Watsonville’s households were experiencing housing “cost burdens,” with six thousand one hundred sixty-five (6,165) households having to pay more than thirty (30%) percent of their income for housing and three thousand two hundred seventy-five (3,275) households having to pay more than fifty (50%) percent of their income for housing. It also shows that four thousand one hundred nineteen (4,119) of Watsonville’s households were living in overcrowded conditions.

(10) The City has nine hundred nineteen (919) mobile homes and their spaces, constituting six (6%) percent of its total of fourteen thousand eight hundred eighty-two (14,882) housing units and a considerably higher portion of the housing units that are affordable to low- and moderate-income households.

(11) The mobile homes in the City’s mobile home parks are predominantly owner-occupied. Mobile home owners make substantial investments in purchasing their homes and improving their homes’ spaces, but they rent those spaces from their park owners. Their mobile homes are difficult to relocate to spaces in other mobile home parks because of the costs of moving to spaces in other mobile home parks. For example, some parks are not willing to accept displaced mobile homes that are more than five (5) or ten (10) years old.

(12) Mobile home owners have substantial investments that will be lost if they cannot continue their tenancies in the mobile home park where their home is located. Courts have recognized that this unique economic relationship creates a heightened need to provide special protections for the investments of mobile home owners.

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(13) Courts have acknowledged the special circumstances of mobile home owners, noting that mobile home owners make significant investments in their homes and spaces.

The U.S. Supreme Court stated:

"The term 'mobile home' is somewhat misleading. Mobile homes are largely immobile as a practical matter, because the cost of moving one is often a significant fraction of the value of the mobile home itself. They are generally placed permanently in parks; once in place, only about 1 in every 100 mobile homes is ever moved. [Citation.] A mobile home owner typically rents a plot of land, called a 'pad,' from the owner of a mobile home park. The park owner provides private roads within the park, common facilities such as washing machines or a swimming pool, and often utilities. The mobile home owner often invests in site-specific improvements such as a driveway, steps, walkways, porches, or landscaping. When the mobile home owner wishes to move, the mobile home is usually sold in place, and the purchaser continues to rent the pad on which the mobile home is located." (Yee v. Escondido (1992) 503 U.S. 519, 523.)

Subsequently, the California Supreme Court stated:

Thus, unlike the usual tenant, the mobile home owner generally makes a substantial investment in the home and its appurtenances--typically a greater investment in his or her space than the mobile home park owner. The immobility of the mobile home, the investment of the mobile home owner, and restriction on mobile home spaces, has sometimes led to what has been perceived as an economic imbalance of power in favor of mobile home park owners (id. at pp. 170-182) that has in turn led many California cities to adopt mobile home rent control ordinances (see id. at p. 182 [some 70 cities in California had adopted rent control as of 1992]). (Galland v. City of Clovis (2001) 24 Cal.4th 1003, 1009 [emphasis added].)

(14) Government Code Section [65863.7](#) recognizes that the unique circumstances of mobile home park tenants necessitate the mitigation of adverse effects of relocation upon mobile home park residents who are confronted with a proposed change of use for their mobile home park or portions of the park and so that the owners and occupants of mobile homes and the owners of mobile home parks understand their rights and responsibilities in such situations.

(b) Purposes.

(1) To carry out and supplement the provisions of State law, which require the City to ensure that a proposed mobile home park conversion or closure is consistent with the City's General Plan, particularly with its Housing Element. It is also the intent of this chapter to ensure compliance with the provisions of Government Code Section [65863.7](#), which addresses the need for park owners to provide its displaced mobile home owners with adequate mitigation benefits to enable them to obtain adequate housing in other mobile home parks in the event a park owner seeks to convert, close, or cease use of a mobile home park.

(2) To ensure that the closure of a mobile home park and its conversion to another use is consistent with the City's Housing Element.

(3) To ensure compliance with Government Code Section [65863.7\(e\)\(1\)\(B\)](#)'s requirement that the City must determine whether or not the approval of a conversion or closure of a mobile home park closure will result in or materially contribute to a shortage of housing opportunities and choices for low- and moderate-income households, taking into account both the impact report as a whole and the overall housing availability within the local jurisdiction.

(4) To effectuate Government Code Section [65863.7\(k\)](#)'s authorization for the City to enact additional regulations.

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(5) To provide procedures and standards for assessing the adverse impacts of a mobile home park conversion or closure on the displaced mobile home owners and to determine appropriate mitigation assistance to enable them to find and obtain adequate replacement housing in other mobile home parks pursuant to Government Code Section [65863.7](#), the City's police powers, and the provisions of this chapter.

(6) To ensure that the mobile home owners who will be displaced by a conversion or closure of their mobile home park will receive adequate mitigation benefits to offset the impacts of the park owner's decision to close or convert a mobile home park.

(§ 2 (Exh. A), Ord. 1467-24 (CM), eff. November 7, 2024)

11-4.120 Definitions.

(a) "Affordable housing" and "affordable housing stock" refer to housing, housing stock and mobile homes that are affordable to households in the categories of low, very low, extremely low or moderate income, as defined in Health and Safety Code Sections [50079.5](#), [50105](#), [50106](#) and [50093\(b\)](#), as measured by the housing affordability limits for those income categories that are published by the California Department of Housing and Community Development in its most recent update required by Health and Safety Code Section [50093\(c\)](#).

(b) "Low-income households" means persons and households who meet the definition of "lower income households" in Health and Safety Code Section [50079.5](#).

(c) "Very low-income households" means persons and households who meet the definition for "very low-income households" in Health and Safety Code Section [50105](#).

(d) "Extremely low-income households" means persons and households who meet the definition for "very low-income households" in Health and Safety Code Section [50106](#).

(e) "Moderate-income households" means persons and households who meet the definition of "persons and families of moderate income" as defined in Health and Safety Code Section [50093\(b\)](#).

(f) "Conversion project" (also referred to as the "project") means the entire administrative review and approval process of a proposed mobile home park conversion or closure, including the administrative review and approval of closing the park and its redevelopment into its intended new use, inclusive of the entire administrative process of obtaining all of the required permits and other local approvals necessary to close the park and convert it to its intended new use, beginning with any preliminary reviews, which may be required to identify the scope of the project and inform the park owner of all of the required permits necessary to complete the project through the approval of its intended new use. Included within a conversion project is the City's review, evaluation and approval of the project's special use permit for conversion or closure, relocation impact report, tentative map, development project permit and all other development approvals necessary to complete the project of closing and converting the park to its intended new use, regardless of the time at which any of the required approval applications are filed and inclusive of any required planning approvals that have not been filed at any point in time after the initiation project that must be filed and approved of to complete the project.

(g) "Homeowner" means the owner(s) of a mobile home who is renting a space in a park from the park owner, and a "displaced homeowner" is a homeowner who has been or will be displaced by the conversion or closure of the park in which their home is located.

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- (h) "Mobile home" means a structure that is designed for human habitation and is transportable in one (1) or more sections on a street or highway, whether commonly referred to as a manufactured home or a mobile home, including both a manufactured home as defined in the California Health and Safety Code Section [18007](#) and a mobile home as defined in California Health and Safety Code Section [18008](#). "Mobile home" also includes a residence commonly known as a "travel trailer," "recreational vehicle," "camping trailer," "motor home," "sliding camper," "park trailer" or a "park model recreational vehicle" which occupies a space in a park.
- (i) "Adequate mobile home" means an available mobile home which meets all of the following criteria:
 - (aa) Decent, safe, and sanitary and located in a mobile home park that is decent, safe, and sanitary.
 - (ab) Is comparable in floor area and number of bedrooms, bathrooms, and other rooms to the mobile home to which comparison is being made, which housing meets the minimum standards of the Uniform Housing Code.
- (j) "Mobile home park" (also referred to as a "park") means an area of land where four (4) or more mobile home spaces are rented out, or held out for rent, to accommodate a mobile home, as defined in subsection (h) of this section.
- (k) "Comparable mobile home park" means a mobile home park that is substantially similar to the mobile home park proposed to be converted or closed in terms of its rent, amenities, proximity to services, proximity to the homeowner's place of employment, its overall condition, and quality, including the condition and quality of its infrastructure, and its CalEnviroScreen score, and is located: (1) in Santa Cruz County; (2) in Santa Clara County, or (3) within twenty (20) miles of the mobile home park proposed to be converted or closed.
- (l) "Mobile home space" (or "space") means an area bounded, numbered, and designated as required by 25 California Code of Regulations Section 1104 and occupied by one (1), and only one (1), mobile home, as defined in subsection (h) of this section, or any other area commonly known to be used as a space for a mobile home in a mobile home park.
- (m) "Park owner" means the owner or lessor of a park, the designated agent of the park owner or a developer who is in the process of obtaining a park from the park owner in order to close and convert it to a different use, who has filed and is seeking approval of the special use permit for conversion or closure.
- (n) "Proof of service" means written evidence that a required recipient has received a notice or other document. Proof of service includes any United States Postal Service delivery confirmations such as certified mail or signature confirmation. If delivered personally, proof of service includes a statement signed by the recipient or attested to, under penalty of perjury, by the person effectuating the personal service.
- (o) "Displaced homeowner housing replacement and relocation plan" (also referred to as the "replacement and relocation plan") means the plan that is required to be filed by the park owner and approved by the City, under Section 11-4.150(a) and by Government Code Section [65863.7](#)(a)(1).
- (p) "Community Development Department Director" (also referred to as "Director") means the Director of the Watsonville Department of Community Development or their designate.

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(§ 2 (Exh. A), Ord. 1467-24 (CM), eff. November 7, 2024)

11-4.130 Application for a conditional special use permit for conversion or closure.

- (a) Until a special use permit for conversion or closure has been approved by the City Council, pursuant to this chapter, a park owner shall not convert a mobile home park to any other use, close a mobile home park, or cease to use the land as a mobile home park, and no building permit shall be issued and no application for approval of a development agreement, a tentative or parcel subdivision map, conditional special use permit or other development permit shall be approved on a property occupied by a mobile home park for uses other than those associated with the mobile home park use unless a special use permit for conversion or closure has, pursuant to this chapter, been approved by the City Council.
- (b) A special use permit for conversion or closure is a required local government permit for a change of use under Civil Code Section [798.56\(g\)\(2\)](#).
- (c) An application for a special use permit for conversion or closure shall be submitted to the Community Development Department Director with the filing fee prescribed by resolution of the City Council. The Director shall determine what information must be included in the application and prepare an application form.
- (d) Upon receipt of an application for special use permit for conversion or closure, the filing fee required by subsection (c) of this section, and all other supporting documents, reports, and applications required by this chapter to be filed concurrently therewith, the Director of the Community Development Department shall determine whether the filing is deemed complete.
- (e) The application for a special use permit for conversion or closure is to be considered concurrently with the required development permit(s) or approval(s) for the new intended use of the mobile home park proposed for conversion or closure.
 - (1) If the eventual new use of the conversion or closure of the mobile home park is a development that requires a tentative tract or parcel map approval, under Government Code Section [66427.5](#), the application for a special use permit for conversion or closure must be decided upon as part of the development's tentative map application. This requirement must be complied with even if the park owner is not ready to file an application for tentative map approval under Government Code Section [66427.5](#). In such instances, the park owner must wait to file the project's application for a special use permit for conversion or closure until they file their application for tentative map approval for the development that will be replacing the mobile home park. The City Council shall be the final decisionmaker on the special use permit for conversion or closure.
 - (2) If the park owner will not be required to obtain a tentative tract or parcel map approval for the development that will be replacing the mobile home park, under Government Code Section [66427.5](#), but will require approval of a development agreement, a development permit, zoning change, or any other planning department application, then the application for a special use permit for conversion or closure, required by this chapter, shall be filed and considered, concurrently with, and decided upon as part of the development's planning department application approval. The City Council shall be the final decisionmaker on the special use permit for conversion or closure.
- (f) Required Notices and Documents to Be Served on Homeowners by the Park Owner and Required Informational Meetings in Conjunction With an Application for Conversion or Closure.

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- (1) At least thirty (30) days prior to the date of filing an application for a special use permit for conversion or closure under this section, the park owner shall give written notice of its intention to convert or close the mobile home park to all homeowners in their park with proof of service. At the same time, a copy of the notice and proof of service must be provided to the City. The notice shall also be posted on all entrances of the park and on the doors, and bulletin boards in the park's clubhouse. The same written notice shall be provided to all prospective new homeowners who intend to purchase a mobile home in the park as soon as they contact the park owner about purchasing a mobile home in the park or apply for approval to reside in the park for the rental of a space in the park and at least five (5) days prior to their payment of any space rent or deposit.
- (2) Upon receiving, under Section 11-4.140(c), a deemed complete copy of the relocation impact report required by that section from the Director, the park owner shall reproduce and provide free copies of it to each mobile home owner in the affected park at least forty-five (45) days prior to the hearing on the application for special use permit for conversion or closure, the relocation impact report and any associated applications and reports required under this chapter. A certified list of the names and addresses of the residents who received the relocation impact report must be filed with the Director two (2) days prior to the hearing and signed under penalty of perjury.
- (3) At least thirty (30) days before the hearing on the application for a special use permit for conversion or closure, the park owner shall conduct an informational meeting with the homeowners regarding the proposed park conversion or closure. The meeting shall be conducted on the premises of the park or other location acceptable to the City. At least seven (7) days before the meeting, written notice of the meeting shall be provided to all homeowners in the park with proof of service. A copy of the notice shall be provided to the City. The notice shall also be posted on all entrances of the park and on the doors, and bulletin boards in the park's clubhouse. A City representative and the relocation counselor, as described in Section 11-4.150, shall attend the meeting.

(§ 2 (Exh. A), Ord. 1467-24 (CM), eff. November 7, 2024)

11-4.140 Relocation impact report.

(a) The Director shall select a consultant to prepare the relocation impact report required by Government Code Section [65863.7](#) after the submission of a conversion or closure application has been deemed complete. The applicant shall be notified, in writing, of the estimated cost of the report and shall be required to deposit that sum with the Department prior to the commencement of any work on the report. The City will then contract with a consultant for the preparation of the impact report. If, at any time during the contract period, additional monies are needed to complete the impact report, the applicant will be advised, in writing of the amount that is required. Before any additional work is performed on the report, the applicant shall provide the additional sum to the Department. Any excess funds remaining upon completion of the relocation impact report shall be returned to the park owner.

- (1) The relocation impact report shall: (i) describe the impacts of the proposed conversion on the displaced homeowners' abilities to find and obtain adequate housing in comparable mobile home parks; (ii) analyze any other significant economic and social impacts on the displaced homeowners; (iii) indicate if the park contains any of the City's low- or moderate-income affordable housing stock; (iv) analyze the proposed closure's consistency with the City's Housing Element; (v) whether the proposed conversion will result in or materially contribute to a shortage of low- and moderate-income affordable housing within the City.

- (2) Each report shall additionally contain the following information:

<https://www.codepublishing.com/CA/Watsonville/html/Watsonville11/Watsonville1104.html#11-4.140>

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- (i) A description of the proposed new use of the park property. If the proposed new use includes a housing component, then the description shall disclose the number and types of the housing units being proposed by size and the estimated offering sales prices or monthly rents and other charges for each proposed housing unit.
- (ii) A proposed timetable for the closure of the park.
- (iii) A legal description of the park.
- (iv) The number of spaces in the park.
- (v) Information about the mobile home owners and the mobile homes in the park. The consultant shall mail a questionnaire to each mobile home owner in the park seeking the following information and then include the responses in the relocation impact report:
 - (aa) The size, number of bedrooms and bathrooms, manufacturer and date of manufacture of the mobile home on the space.
 - (ab) The number of occupants of the mobile home and their length of residency in the park, their ages, and if any are attending school.
 - (ac) The total monthly space rent currently charged for each space with details showing the space rent, utility charges, and any other costs paid by the homeowner.
 - (ad) The annual income of each of the households.
 - (ae) The current homeowner's mobile home's purchase price and date of purchase.
 - (af) The estimated costs of any improvements that the current homeowner has made to the mobile home, including, but not limited to, patios, porches, pop-out rooms, and any recent major improvements to the home, including, but not limited to, a new roof or new siding.
 - (ag) A description of any handicap, disability, or special need of any of the homeowners or members of their households.
 - (ah) Other information that the Director deems relevant.
- (vi) The "in-place" value that each of the mobile homes in the park would have if the park were not being closed, assuming the park's continued safe, sanitary, and well-maintained condition. The value shall be determined by appraisals by a qualified appraiser chosen by the Director. The park owner shall pay for the cost of the appraisals.
- (vii) The date of purchase and price paid for the park by the current park owner, the date and price of any subsequent capital improvements to the park and the price paid by the prior owner of the park and date of purchase.
- (viii) An appraisal of the park, including its (aa) value if it is continued in its use as a rental mobile home park, (ab) value if it is used for the highest and best special use permitted by the current zoning for the site, and (ac) value if the new zoning requested by the park owner is approved. The City shall select the appraiser. The fee for the appraisal shall be paid by the park owner.

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- (ix) A summary statement containing information on the park owner's total investment in the park with the homeowners' total investments in their mobile home and their spaces in the park, presented in real dollars and current dollars adjusted for inflation.
- (x) The estimated cost of relocating into an adequate mobile home located in comparable mobile home parks, including the purchase prices of those homes and the costs of moving into them, such as the required first and last month's rent and security deposits.
- (xi) A list of comparable mobile home parks, including their space rents, their residency requirements (e.g., income-to-monthly housing costs residency approval ratio, age restrictions, pet policy), whether the listed parks have any vacant spaces, and any restrictions on the age, size, type and condition of the mobile homes that the parks will accept.
- (xii) Estimates from two (2) moving companies selected by the City and qualified to move mobile homes of the cost of moving each mobile home in the park, including the costs of permits and of tearing down and setting up the home at the new location including the cost of any upgrades to comply with applicable building, plumbing, electrical and health and safety codes and the cost of moving any improvements, including, but not limited to, patios, porches and pop-out rooms.
- (xiii) The rental rates in the park being proposed for conversion or closure for each of the three (3) years prior to filing the application for a special use permit for conversion.
- (xiv) The number, if any, of the mobile homes located in the park that are occupied by, or affordable to, households in each of the housing affordability categories of low-, very low-, extremely low- or moderate-income, as defined in Health and Safety Code Sections [50079.5](#), [50105](#), [50106](#) and [50093\(b\)](#), that will be eliminated by the park's conversion or closure. If there are any such households, then the relocation impact report shall analyze whether or not the development replacing the park will contain housing that is affordable to those households in the above income categories.
- (xv) Proposed displaced homeowner mitigation benefits, which shall be determined on an application-by-application basis with regard to the facts and circumstances of the application. Mitigation benefits may include, but are not limited to, all of the following benefits that are reasonably necessary to fully mitigate the adverse impacts of the park's conversion or closure on the ability of the displaced homeowners to obtain and relocate into adequate housing in other mobile home parks; provided, that mitigation benefits shall not exceed the reasonable cost of relocation, as documented in the relocation impact report:
 - (aa) Payment of the cost of physically moving a displaced mobile home to a new site, including the teardown and setup of the home and any movable improvements such as patios, carports, and porches, and packing, moving and unpacking all personal property.
 - (ab) Replacement or reconstruction of blocks, skirting, siding, porches, decks, awnings, storage sheds, cabanas, and earthquake bracing as necessitated by the relocation.
 - (ac) Indemnification for any damage to personal property of the displaced homeowner caused by the relocation.
 - (ad) Payment of a lump sum to compensate for payment of the first and last month's rent and any security deposit at the new mobile home home park.

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(ae) Reasonable living expenses of the displaced homeowner and the members of their household from the date of actual displacement to the date of occupancy of the new site or home.

(af) For any of the homeowners' mobile homes that cannot be relocated, the proposed mitigation benefits may include, but are not limited to: (1) payment of the appraised in-place market value of the displaced homeowner's mobile home pursuant to Government Code Section [65863.7\(a\)\(2\)\(A\)](#); (2) the option of lump sum payments to those homeowners in an amount that will enable them to purchase and relocate into adequate mobile homes that are located in comparable mobile home parks.

(ba) If the appraised value is insufficient to allow a displaced homeowner to purchase an adequate mobile home in a comparable mobile home park, then the proposed mitigation benefits may include payment of the reasonable cost of purchasing an available adequate mobile home located in a comparable mobile home park.

(bb) If there is a legal owner of any displaced homeowner's current mobile home, then the lump sum payment shall be sufficient to satisfy the remaining obligation owed by the homeowner to the legal owner under the homeowner's mobile home purchase loan and to reimburse the homeowner for their remaining invested equity in their mobile home as demonstrated in the appraisal required by this section. If the homeowner is required to be paid the reasonable cost of purchasing an available adequate mobile home that exceeds the appraised value of their current mobile home, then the benefits, required to be listed under this subsection for them, shall be the aggregate of their remaining invested equity, after the payoff of their loan to their home's legal owner, and the difference between the appraised value of their current home and the actual purchase price of an available adequate mobile home.

(xvi) Any other information that the Director determines is relevant to address the specific issues raised by the application, the impact study, and the requirements of State law and Watsonville's laws.

(b) The displaced homeowner housing replacement and relocation plan required by Government Code Section [65863.7\(a\)\(1\)](#) that complies with the requirements of Section 11-4.150 shall be prepared by the consultant as part of the relocation impact report, and it must be evaluated and approved, conditionally approved or disapproved concurrently with the relocation impact report and the application for a special use permit for conversion or closure.

(c) The Director shall review the relocation impact report and determine if it is complete in accordance with this section. Upon determining that the relocation impact report is complete, the Director shall issue a notification of the date of the public hearing on the application for special use permit for conversion or closure will be held. The Director shall also cause notice of the hearing to be sent to each mobile home owner in the affected park at least forty-five (45) days prior to the hearing. At that time, the Director shall also provide a copy of the relocation impact report to the park owner and shall set the hearing date in conjunction with the timing of the park owner's reproduction and distribution of these documents required by Section 11-4.130(f)(2).

(§ 2 (Exh. A), Ord. 1467-24 (CM), eff. November 7, 2024)

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11-4.150 Displaced homeowner housing replacement and relocation plan and counselor.

(a) Pursuant to Government Code Section [65863.7\(a\)\(1\)](#), the park owner shall file a replacement and relocation plan, which shall be prepared by the consultant, and is required to contain all of the following:

(1) The amount and type of the mitigation benefits, which pursuant to Section 11-4.140 are required to be listed in the relocation impact report, that it proposes to be provided by the park owner to all of the homeowners, including whether those benefits are proposed to enable them to relocate into an available space in a comparable mobile home park or to purchase and relocate into an available adequate mobile home that is located in a comparable mobile home park.

(2) In cases in which the report proposes relocating mobile homes into available spaces in other comparable mobile home parks, the plan shall demonstrate that:

(i) The mobile homes are physically capable of being relocated.

(ii) There are a sufficient number of available spaces in comparable mobile home parks to accommodate all of the homeowners whom the relocation plan proposes to relocate in this manner.

(iii) The homeowners will be able to meet the income and other residency requirements of the parks where the spaces are located.

(iv) The mitigation benefits, which the replacement and relocation plan proposes to be paid to the homeowners, will be sufficient to accomplish their proposed relocations.

(3) For the homeowners whom the replacement and relocation plan proposes to relocate by providing benefits to enable them to purchase and relocate into adequate mobile homes, which are located in comparable mobile home parks, the plan shall demonstrate that:

(i) There are a sufficient number of adequate mobile homes for sale in comparable mobile home parks to accommodate all of the homeowners whom the plan proposes to relocate in this manner.

(ii) The homeowners will be able to meet the income and other residency requirements of the parks in which the adequate mobile homes are located.

(iii) The mitigation benefits, which the replacement and relocation plan proposes to be paid to the homeowners, will be sufficient to accomplish their proposed relocations.

(4) If there is a legal owner of a homeowner's current mobile home and the relocation plan requires the homeowner to surrender it to the park owner in exchange for their proposed mitigation benefit payments, then the replacement and relocation plan shall provide for the appropriate amounts of their mitigation benefit payments to be divided and paid to both the homeowner and to the legal owner, as provided for in Section 11-4.140(a)(2)(xv)(af)(bb).

(b) Relocation Counselor. A relocation counselor, selected by the City and paid for by the park owner, shall provide information about the available housing resources and assist with the selection of suitable relocation alternatives. Acceptable alternatives include available adequate mobile homes and comparable mobile home spaces and, to the extent that they are acceptable to both the homeowner and the park owner, rental apartments and ownership housing units, both affordable and market-rate units. The relocation counselor shall be familiar with the region's housing market and qualified to assist the homeowners in evaluating, selecting, and securing placement in the replacement housing, and may

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assist with: arranging for the moving of all of the homeowner household's personal property and belongings to the replacement housing, providing financial advice on qualifying for various types of housing, explaining the range of housing alternatives available, and gathering and presenting information regarding available housing. The relocation counselor shall assist in preparing and implementing the replacement and relocation plan.

(c) Payment of Mitigation Benefits to the Homeowners. The mitigation benefits listed in an approved replacement and relocation plan shall be required as a condition of approval of a special use permit for conversion or closure, and shall be paid to the displaced homeowners in the following manner:

(1) As soon as the application of the special use permit for conversion or closure, relocation impact report, replacement and relocation plan, and related approvals required by this chapter have been approved by the City Council, the park owner shall promptly pay those benefits to the homeowner, to any former homeowner eligible for such benefits, or to any person, firm or corporation performing relocation-related services for the homeowner, as the homeowner may direct, but not less than ninety (90) days prior to the date that the homeowner is required to vacate the mobile home park.

(2) If the homeowner is required to surrender their mobile home to the park owner in exchange for the lump sum relocation benefit provided in Section 11-4.140(a)(2)(xv)(af), then, in conjunction with receiving payment of their benefits, the homeowner and any legal owner of the mobile home shall be required to submit to the park owner all documents necessary to transfer complete title and ownership of the mobile home to the park owner, free and clear of all security interests, liens, or other encumbrances.

(3) The park owner may not, as a condition of being paid their benefits required by this chapter, require a homeowner to waive rights to appeal or otherwise challenge the adequacy of: the relocation impact report, the displaced homeowner replacement housing and relocation plan, the benefits approved of, the approval of the development replacing the park, or any related approvals or aspects of the conversion project.

(§ 2 (Exh. A), Ord. 1467-24 (CM), eff. November 7, 2024)

11-4.160 Procedures for review of the application for conversion or closure and the relocation impact report.

(a) When the application for a special use permit for conversion or closure and the relocation impact report have both been received from the park owner and the consultant and deemed complete by the Director, the Director shall set a time, date, and place for the hearing of the relocation impact report and related reports or applications required under this chapter by the City Council.

(b) If the mobile home owners in the park proposed to be converted or closed, provide written notification to the Director that they will be jointly represented at the hearing on the application for special use permit for conversion or closure and provide the name, telephone number and address of that representative, then, through that representative, the homeowners will be given equal time with the park owner in presentations in the hearing. If either side relies on the testimony of any expert witness(s), or if the City retains and relies on the testimony of an independent expert witness(s), then each side and the City have the right to cross-examine such witnesses. Each side has the right to be provided with any written materials relied upon by the expert witness(es) in their testimony or conclusions. Written submissions shall be provided to the opposing side and to the City at least fifteen (15) days prior to the scheduled date of the hearing.

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(c) The City Council shall, within sixty (60) days after the close of the public hearing, issue a decision on whether the special use permit for conversion or closure should be approved based upon the findings set forth in Section 11-4.170.

(d) The decision of the City Council is final.

(§ 2 (Exh. A), Ord. 1467-24 (CM), eff. November 7, 2024)

11-4.170 Required findings for approval.

(a) Findings Required for Approval of a Special Use Permit for the Conversion or Closure of a Mobile Home Park and of Its Relocation Impact Report. An application for the special use permit for conversion or closure required by this chapter and for the relocation impact report required by Government Code Section [65863.7](#) and by Section 11-4.140 may be approved only if the following findings are made:

(1) That the displaced homeowner housing replacement and relocation plan meets all of the requirements of Section 11-4.150, including that it will provide all of the park's displaced homeowners with sufficient mitigation benefits to enable them to obtain and relocate into adequate housing in other mobile home parks or into other housing to the extent that the other housing is agreed upon by the displaced homeowner and the park owner.

(2) That the mitigation benefits, which are listed in the replacement and relocation plan to be provided to all of the displaced homeowners, have been listed as a condition of approval in the project's special use permit for conversion or closure, the relocation impact report, any required tentative map and in any of the project's other development approvals required for the development intended to replace the mobile home park proposed to be converted or closed.

(3) That an adequate relocation impact report has been submitted to the City and approved that complies with the provisions of Government Code Section [65863.7](#) and with the requirements of Section 11-4.140.

(4) That the proposed conversion or closure of all or part of the mobile home park is not inconsistent with the City's Housing Element.

(5) That the proposed conversion will not be detrimental to the public health, safety and general welfare.

(b) Additional Finding Required for the Closure of a Mobile Home Park When Approval of the Park's Conversion to Another Use Is Not Concurrently Being Requested. When an application for the closure of a mobile home park is not also seeking approval of its conversion to another use, additional findings must be made that the park owner has filed a certificate, signed under penalty of perjury, attesting that the park owner is not seeking an early closure of the park in order to avoid any requirements of this chapter or of controlling State or Federal law that regulate the conversion of mobile home parks to other uses.

(c) The findings required by any subsections of this section may be excused only if the park owner, pursuant to Section 11-4.190, files an application for exemption from the requirements of this subsection and if that exemption is granted pursuant to the provisions of Section 11-4.190.

(§ 2 (Exh. A), Ord. 1467-24 (CM), eff. November 7, 2024)

11-4.180 Conditional approval of a special use permit for conversion or closure.

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The City may grant a conditional approval by attaching conditions of approval. The conditions must be sufficient to enable the displaced homeowners to obtain adequate mobile homes or mobile home spaces in other comparable mobile home parks. Alternatively, the conditions may provide other adequate replacement housing that both the homeowners and the park owner have agreed to, which are sufficient to preserve the low- and moderate-income housing stock. Such conditions may include, but are not limited to, the following:

- (a) The mitigation benefits listed in the relocation impact report and displaced homeowner housing replacement and relocation plan will be paid to every homeowner in the displaced homeowner replacement housing and relocation plan.
- (b) Any other payment, provision or measure that the City finds will mitigate the adverse impacts of a park's conversion or closure on the ability of the displaced homeowners to obtain adequate housing in other mobile home park.
- (c) Any mitigation benefits do not exceed the reasonable cost of relocation.

(§ 2 (Exh. A), Ord. 1467-24 (CM), eff. November 7, 2024)

11-4.190 Exemption from the displaced homeowner housing replacement and relocation plan.

- (a) After receiving a relocation impact report, which has been deemed complete, a park owner may file an application for a partial or total exemption from the obligations to provide the displaced homeowner mitigation benefits. Notice of such application, and proof of service thereon, with the information contained therein, shall be made on the mobile home owners of the park proposed to be converted or closed.
- (b) Upon receiving an exemption application under this section, the Director shall determine if it is complete. The hearing date shall be held in conjunction with the hearing on the application for a special use permit for conversion or closure under this chapter. The Director shall determine if the employment of experts will be necessary or appropriate for a proper analysis of the exemption application. If the Director so determines, they shall also determine the anticipated cost of employing any such experts. The resulting figure shall be communicated to the park owner. The exemption application and the application for a special use permit for conversion or closure shall not be further processed until the park owner has paid to the City the estimated cost of expert analysis. Any unused portion for payments so collected shall be refunded to the park owner.
- (c) An exemption application shall be based on either of the following bases:
 - (1) The current use of the park is not economically feasible, or that a requirement to provide displaced homeowner mitigation benefits would eliminate substantially all reasonable use or economic value of the property for alternate uses, or would otherwise result in a taking.
 - (2) A court of competent jurisdiction has determined in connection with a bankruptcy proceeding that the closure or cessation of use of said property as a mobile home park is necessary and that such court has taken further action that would prohibit or preclude payment of relocation assistance benefits, in whole or in part.
- (d) Any exemption application made pursuant to subsection (c)(1) of this section shall contain the following information:

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- (1) Statements of profit and loss from the operation of the mobile home park for the most recent five (5) year period prior to the date of the application or request, as certified by a certified public accountant;
 - (2) Evidence supporting the park owner's assertion that the continuing use of the property as a mobile home park is economically infeasible;
 - (3) The estimated total cost of the displaced homeowner mitigation assistance;
 - (4) Other information that the Director deems to be relevant in a review of the application.
- (e) Any exemption application filed pursuant to subsection (c)(2) of this section shall be accompanied by adequate documentation as to the title, case number, and court in which the bankruptcy proceeding was held, and copies of all pertinent judgments, orders, and decrees of such court.
- (f) Where an exemption from having to provide displaced homeowner mitigation assistance has been applied for based upon the impact of providing such assistance, the City Council shall make one (1) of the following findings:
- (1) That the park owner shall not be exempt from the homeowner mitigation benefits obligations because substantial evidence has not shown that both of the following are true:
 - (i) That the continued use of the property as a mobile home park would substantially eliminate all economically viable use of such property; and
 - (ii) That the cost of the displaced homeowner mitigation assistance benefits would eliminate substantially all economically viable use of the property, or would otherwise result in a taking.
 - (2) That the park owner shall be exempt from the displaced homeowner mitigation benefits requirement, in whole or in part, because substantial evidence has shown that either or both of the following are true:
 - (i) That the continued use of the property as a mobile home park would substantially eliminate all reasonable use of such property; and
 - (ii) That the cost of the homeowner mitigation assistance benefits would eliminate substantially all reasonable use or economic value of the property, or would otherwise result in a taking.
 - (3) In making findings on an exemption application under this section, the City Council may take into account the financial history of the mobile home park; its condition and the condition of its amenities and improvements thereon; the cost of any necessary repairs, improvements or rehabilitation of such park; the estimated cost of the displaced homeowner mitigation assistance; the fair market value of the property for the proposed alternative use; the fair market value of the property for continued use as a mobile home park; and other relevant evidence.
- (g) Where an exemption from having to provide the displaced homeowner mitigation assistance benefits has been applied for based upon bankruptcy proceedings, pursuant to subsection (a) of this section, the Planning Commission shall make one (1) of the following findings:
- (1) That the park owner shall be exempt from the displaced homeowner mitigation benefits requirement in whole or in part, if a court in connection with a proceeding in bankruptcy has

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determined that both that the closure or cessation of use of said property as a mobile home park is necessary and has taken further action which would prohibit or preclude payment of such benefits, whether in whole or in part. In rendering its decision, the Planning Commission shall have the power to eliminate or waive all or portions of the requirements of this section to the extent necessary to comply with the court's judgment, order or decree.

(2) That the park owner shall not be exempt from the displaced homeowner mitigation assistance benefits requirement based upon any actions of a court of bankruptcy, because substantial evidence has not shown that any such court has ordered the closure or cessation of use of said property as a mobile home park, or that such court has prohibited or precluded the imposition of such obligations, or both.

(h) The approval of an exemption from the displaced homeowner mitigation assistance benefits requirement shall not have the effect of eliminating the requirements of the applicable portions of the special use permit for conversion or closure, the relocation impact report, the displaced homeowner mitigation requirements required by this chapter, which were not explicitly exempted under this section.

(§ 2 (Exh. A), Ord. 1467-24 (CM), eff. November 7, 2024)

11-4.200 Acceptance and performance of mitigation measures.

(a) The park owner shall execute and record a certificate and file proof thereof with the Director, accepting the mitigation benefits imposed on the approval of a change of use or closure within ninety (90) days of the final action approving the change of use and shall give the homeowners the six (6) or twelve (12) month notice of the termination of tenancy and closure of the park required by Civil Code Section [798.56](#)(g) within one hundred twenty (120) days of that action. An approval of a change of use shall automatically become null and void if the certificate accepting the conditions is not executed and filed within ninety (90) days of the date of the approval of the change of use or the notice of termination of tenancy has not been given within one hundred twenty (120) days of that resolution. All mitigation benefits imposed on the approval of conversion or closure shall be fully performed as to each homeowner prior to that homeowner's required vacation of the mobile home park unless otherwise provided in the mitigation measure. No eligible homeowner shall be required to vacate a space unless the park owner is in full compliance with all mitigation measures imposed pertaining to such homeowner and has otherwise fulfilled the notice requirements of this chapter and of the California Mobile Home Residency Law relating to termination of tenancy.

(b) No building permit shall be issued for the development of any real property which has been, or is being, converted from a mobile home park or closed pursuant to this chapter unless and until the City has approved the change of use or closure and the park owner has fully complied with the mitigation requirements required.

(§ 2 (Exh. A), Ord. 1467-24 (CM), eff. November 7, 2024)

11-4.210 Subsequent modification of the mitigation measures.

After a special use permit for conversion or closure has been approved and after the park owner has executed and recorded a certificate of acceptance of its conditions, modification of the mitigation conditions imposed, including any additions and deletions, may be considered by the City upon the filing of a written application by the park owner, or the park owner's authorized representative. Modification may be granted if there has been a change in circumstances or new information has become available that could not reasonably have been known or considered at the time of the hearings on the special use permit for conversion or closure. Examples of such new information or changed circumstances include,

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but are not limited to, revised plans by the park owner or a change in the availability of relocation spaces or mobile homes. Modification shall not be granted when it would unreasonably prejudice the ability of the homeowners to relocate to adequate mobile homes. All relevant substantive requirements, notice requirements to the homeowners, and the procedural and appeal conditions specified in this chapter shall be followed to obtain Planning Commission approval of such an application to modify mitigation conditions under this section.

(§ 2 (Exh. A), Ord. 1467-24 (CM), eff. November 7, 2024)

11-4.220 Expiration, extension, and revocation of special use permit.

(a) Expiration. An approved special use permit shall become automatically null and void if the park's conversion has not occurred within twenty-four (24) months of its effective date unless that date has been extended as provided in this section.

(b) Extension. Upon application by the park owner filed with the Director on or before the date of expiration of the special use permit, or other required approval relating to the conversion or closure of the mobile home park or the development replacing it, the approvals may be extended by the City Council, if the City Council finds that their termination would constitute an undue hardship to the park owner and that the continuation of their approval(s) would not be detrimental to or have any further adverse impact on the homeowners in the park. In approving an extension, the City Council may subject the applicable permit approval to any conditions of approval deemed necessary to mitigate any adverse impacts resulting from the extension. Multiple extensions may be granted, but no one (1) extension shall be issued for more than twelve (12) months.

(c) Revocation. The Council or the Planning Director may initiate proceedings to revoke the special use permit. The Planning Director shall give written notice of the hearing to the park owner and the homeowners at least thirty (30) days prior to the hearing. The City Council may, by resolution, revoke the applicable approvals if any of the following findings are made:

- (1) Approval was obtained by fraud, deceit or misrepresentation.
- (2) The park owner is either not currently or has not been in compliance with its conditions of approval contained or with the provisions of this chapter.
- (3) A revocation shall be effective fifteen (15) days after the date of the action by the City Council.

(§ 2 (Exh. A), Ord. 1467-24 (CM), eff. November 7, 2024)

11-4.230 Measures to prevent interference with mobile home owners' access to their rights.

(a) A park owner shall not require a homeowner to sign a waiver, lease or rental agreement if it includes a waiver of the homeowner's rights under this chapter, including but not limited to the right to receive the mitigation benefits approved of under this chapter or the right to oppose the special use permit application or to contest the adequacy of the related approvals for the project, including those necessary for the approval of the development that is intended to replace the park under this chapter. Any such waiver of rights shall be deemed to be invalid and void.

(b) If any application for a special use permit for conversion or closure is withdrawn or denied, the park owner shall immediately inform in writing all homeowners who were previously given notices or announcements regarding the proposed conversion or closure.

(§ 2 (Exh. A), Ord. 1467-24 (CM), eff. November 7, 2024)

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11-4.240 Preemption.

In the event any provisions of this chapter conflict with a provision of State law, this chapter shall be interpreted and applied in conformity with State law.

(§ 2 (Exh. A), Ord. 1467-24 (CM), eff. November 7, 2024)

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The Watsonville Municipal Code is current through Ordinance 1478-25 (CM), passed July 8, 2025.

Disclaimer: The City Clerk's Office has the official version of the Watsonville Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: <https://www.cityofwatsonville.org/>

City Telephone: (831) 768-3040

Codification services provided by [General Code](#)

ARTICLE 3.5

CONVERSION OF MOBILEHOME PARK TO OTHER USES

Sections:

85.0403501 Purpose

85.0403505 Applicability and Scope

85.0403510 Definitions

85.0403515 General Conversion Requirements

85.0403520 Relocation Impact Report Content

85.0403525 Pre-Conversion Questionnaire

85.0403530 Relocation Plan

85.0403535 Relocation Plan Development Opportunity Reserve and Memorandum of Understanding

85.0403540 Eminent Domain

85.0403545 Protections

85.0403550 City Council Hearing and Action

85.0403555 Certificate of Acceptance

85.0403560 Building Permits

85.0403565 Expiration of Approvals

85.0403570 Processing Fees

85.0403501 Purpose.

The City of Yucaipa General Plan preserves the City's mobilehome park inventories through policies establishing mobilehome park overlays and classifications contained in the City of Yucaipa Official Land Use Plan and Land Use Map. The City's rent stabilization program for mobilehome parks also helps preserve long-term affordability of housing for seniors and families. This article establishes procedures and requirements for the proposed closure of a mobilehome park or other conversion of an existing mobilehome park to another use. The purpose of this article is to ensure that any proposed mobilehome park conversion is preceded by adequate notice, and that the social and fiscal impacts of the proposed conversion on park residents are adequately identified and mitigated through reasonable relocation and other assistance, consistent with the provisions of this article, the City's General Plan, California Government Code Sections 65863.7, 65863.8 and 66427.4, and Civil Code Section 798.56. (Added by Ord. 344 § 4, 2016)

85.0403505 Applicability and Scope.

(a) **Eligible Parks.** This article applies only to those mobilehome parks located on real property bearing the land use designation of MHP3 on the City of Yucaipa Official Land Use Map as provided in Section 85.040301 of the Development Code. Parks bearing the land use designation of MHP1 or MHP2 shall not be eligible for conversion pursuant to this article unless the applicant first obtains a reclassification of the land use designation to MHP3 in accordance with all other requirements of the code and the City's General Plan.

(b) Except as provided in subsection (c), this article shall apply to all of the following actions affecting an eligible park:

- (1) The closure of the mobilehome park or any part thereof;
- (2) The cessation of use of the subject land as a mobilehome park; and
- (3) The change of use or other conversion of the mobilehome park or any part thereof to another use.

(c) In addition to subsection (a), this article shall not apply to any of the following:

- (1) The conversion of a rental mobilehome park to resident ownership. For resident-initiated conversions of rental mobilehome parks to resident ownership the provisions of Article 13 of Chapter 4 of Division 3 and the Subdivision Map Act shall apply. For park owner-initiated applications for conversion of a rental park to resident ownership, the provisions of the Subdivision Map Act shall apply.
- (2) The closure or cessation of use of a mobilehome park resulting from the entry of an order for relief in bankruptcy, if a court of competent jurisdiction has determined that the conversion of the mobile home park is necessary and such court has taken further action which would preclude the payment of relocation assistance benefits. (Added by Ord. 344 § 4, 2016)

85.0403510 Definitions.

For the purposes of this article, unless the context clearly requires otherwise, the following definitions shall apply:

- (a) Absentee mobilehome owner or absentee owner: A person who owns a mobilehome in a mobilehome park and does not reside in such mobilehome.
- (b) Affected mobilehome owners and residents: Resident mobilehome owners, mobilehome tenants and absentee mobilehome owners whose mobilehomes will be displaced by the conversion of a mobilehome park.
- (c) Comparable housing: A house, apartment complex or condominium that is substantially equivalent or better in terms of size (floor area and number of bedrooms), age, condition, location, price or rent level and amenities to the mobilehome that would be displaced by the mobilehome park conversion of use.
- (d) Comparable mobilehome: A mobilehome that is substantially equivalent or better in terms of size (floor area and number of bedrooms), age, condition, location, rental price, and amenities to the mobilehome that would be displaced by conversion of the mobilehome park.
- (e) Comparable mobilehome park: Any other mobilehome park substantially equivalent or better in terms of park age, condition, size (acreage and number of spaces), amenities, rental prices, rent control or rent stabilization, and other relevant factors to the mobilehome park that would be displaced by the mobilehome park conversion.
- (f) Conversion applicant or applicant: A mobilehome park owner who proposes to carry out a mobilehome park conversion of use.
- (g) Conversion or conversion of use: A mobilehome park closure, cessation of use or other change of use of a mobilehome park to another land use as defined in Section 85.0403505(b) of this article.
- (h) Conversion permit: A ministerial permit (including a Land Use Compliance Review and any other pertinent forms required by this article) to implement a conversion of use of a mobilehome park.
- (i) Residential base density: 24 du/acre shall be permitted as a by-right component of a conversion of use of a mobilehome park.
- (j) Development Opportunity Reserve or DOR: An increase in commercial square footage for an eligible park site in return for a conceptual development plan, including a memorandum of understanding ("MOU"), that provides enhanced architecture and design, which would require City Council review and approval concurrent with a conversion permit application.
- (k) Director or Director of Development Services: The Director of Development Services of the City of Yucaipa.
- (l) Disabled household: A household in which a resident is a person with a medical condition or physical or mental impairment that substantially limits at least one of the person's major life activities, as defined in the Federal Fair Housing Amendments Act of 1988 and the California Fair Employment and Housing Act, as now in effect or subsequently amended.
- (m) Legal owner: Any person or entity having a legal interest in a mobilehome, such as a lender or mortgagor.
- (n) Memorandum of Understanding or MOU: An agreement between the City and a conversion applicant to implement a Development Opportunity Reserve as part of a conversion of use project.
- (o) Mobilehome: Mobilehome shall have the meaning set forth in the Mobilehome Residency Law, Civil Code Section 798, et seq., as now in effect or subsequently amended. Mobilehome includes, but is not limited to, a manufactured home, as defined in Section 798.3 of the Civil Code, Section 18007 of the Health and Safety Code, and a mobilehome as defined in Section 18008 of the Health and Safety Code, but does not include a recreational vehicle as defined in Civil Code Section 799.29, a commercial modular as defined in Health and Safety Code Section 18001.8 or factory-built housing as defined in Health and Safety Code Section 19971, or as said statutes may be amended from time to time.
- (p) Mobilehome Improvements: Any lawfully constructed improvements or renovations to the mobilehome or improvements to the mobilehome space made by the current resident, including, but not limited to, carports, roof, porches, patios, awnings, pop-out rooms, recreational equipment, barbecue equipment, landscaping, and similar amenities and repairs.
- (q) Mobilehome Park: As defined in Yucaipa Development Code Section 812.13080.
- (r) Mobilehome Park Conversion of Use or Conversion: Any closure or cessation of use of land as a mobilehome park or other conversion of use, as provided in Section 85.0403505(b) of this article.
- (s) Mobilehome park conversion to ownership: The conversion of an existing rental mobilehome park to resident ownership, including, but not limited to, a condominium mobilehome park or a community mobilehome park.
- (t) Mobilehome Park Overlay District 1 or MHP1: The Mobilehome Park Overlay District established pursuant to Division 5 of the Development Code, and as designated on a particular parcel or parcels of land by the symbol "MHP1" on the City of Yucaipa Official Land Use Plan as provided in Section 85.040301 of the Development Code.
- (u) Mobilehome Park Overlay District 2 or MHP2: The Senior Mobilehome Park Overlay District established pursuant to Division 5 of the Development Code, and as designated on a particular parcel or parcels of land by the symbol

"MHP2" on the City of Yucaipa Official Land Use Plan as provided in Section 85.040301 of the Development Code.

(v) Mobilehome Park Overlay District 3 or MHP3: The Mobilehome Park Overlay District established pursuant to Division 5 of the Development Code, applicable to all mobilehome parks designated by the City Council of the City of Yucaipa for reuse to another use, and as designated on a particular parcel or parcels of land by the symbol "MHP3" on the City of Yucaipa Official Land Use Plan as provided in Section 85.040301 of the Development Code.

(w) Mobilehome Space: A mobilehome unit, lot or other portion of a mobilehome park designated or used for the occupancy of one mobilehome.

(x) Park Owner: A person or entity that owns a mobilehome park or a person or entity authorized to act on behalf of the owner of a mobilehome park.

(y) Relocation Impact Report or RIR: A report meeting the requirements of this article, describing the impacts of a mobilehome park conversion on affected resident mobilehome owners and residents; and including a Relocation Plan describing the relocation assistance measures that will be taken to mitigate adverse impacts of such conversion.

(z) Relocation Specialist: A person with verified professional qualifications demonstrating: familiarity with the region's housing market; competency in assisting residents to evaluate, select and secure placement in replacement housing; ability to facilitate the moving of residents' personal property, residential unit, and/or accessories, as appropriate; knowledge of qualifications for and availability of various housing types and programs; experience in mobile home sales and relocation including assistance in adequacy and location of replacement housing, relocation costs and mitigation of the impact of relocation on affected mobilehome park owners and residents; and ability to assist residents in applying for available housing programs or assistance, including, but not limited to, developers, real estate agents, appraisers and other persons with experience in mobile home sales and relocation.

(aa) Resident Mobilehome Owner: The registered (title) owner of the mobilehome in a mobilehome park who resides at such mobilehome.

(bb) Resident Mobilehome Tenant: A person who rents or leases a mobilehome in a mobilehome park and resides at such mobilehome.

(Added by Ord. 344 § 4, 2016; amended by Ord. 429 § 1, 2023)

85.0403515 General Conversion Requirements.

(a) Any person who files a conversion permit application with the City for approval of a mobilehome park conversion of use, and any other related discretionary permit to implement a conversion of use, shall concurrently file with the City a Relocation Impact Report that complies with this article. No conversion permit application shall be considered or deemed complete or processed for consideration or approved unless and until such Relocation Impact Report is filed and approved in accordance with this article. An applicant may also apply for City Council approval of a Development Opportunity Reserve (DOR) and Memorandum of Understanding (MOU) prepared in accordance with this article, but a DOR/MOU shall not be approved or made effective unless a Relocation Impact Report, has first been approved by the City Council in accordance with the requirements of this article. No Relocation Impact Report or DOR/MOU shall be approved if the subject property bears the land use designation of MHP1 or MHP2. All applications shall be on City-approved forms.

(b) The conversion application shall include a Relocation Impact Report (RIR) that complies with the requirements of this article and state law. The RIR shall be prepared by a relocation specialist on behalf of the applicant as part of the conversion permit application. The RIR shall address the impact of the conversion of the mobilehome park on its mobilehome owners and residents and shall contain a relocation plan addressing the availability of replacement housing for existing mobilehome owners and residents of the mobilehome park and relocation costs, consistent with Sections 65863.7 and/or 66427.4 of the California Government Code and this article. The application shall also contain pre-conversion questionnaires completed by the affected mobilehome owners and residents. The relocation specialist shall be a person with verified professional qualifications demonstrating: familiarity with the region's housing market; competency in assisting residents to evaluate, select and secure placement in replacement housing; ability to facilitate the moving of residents' personal property, residential unit, and/or accessories, as appropriate; knowledge of qualifications for and availability of various housing types and programs; and ability to assist residents in applying for available housing programs or assistance.

(c) An application for approval of a Development Opportunity Reserve (DOR) and Memorandum of Understanding (MOU) may be included with the conversion of use application. The DOR/MOU shall include a description of the proposed future uses, residential densities, commercial square footage, and design in accordance with Section 85.0403535, and consistent with the requirements of the underlying land use district, any applicable Specific Plan and this article.

(d) Upon filing an application for approval of an RIR and related conversion permit application, the Director of Development Services shall inform the conversion applicant in writing of the requirements of Civil Code Section 798.56 and Government Code Section 65863.7 and of all applicable City requirements which impose on the applicant the duty to notify the existing mobilehome park owners and residents and prospective residents concerning the proposed conversion. The Director of Development Services shall specify in writing to the conversion applicant the information that must be submitted in order to adequately notify all existing homeowners and residents and other notices as required by the California Government Code, the California Civil Code, and this article.

(e) No conversion permit application shall be deemed complete, until the Relocation Impact Report, relocation plan and verification that affected mobilehome owners and residents have been properly notified pursuant to Civil Code Section 798.56 and have been reviewed by the Director of Development Services for substantial conformance with the requirements of this article.

(f) No DOR/MOU application shall be deemed complete, and processing for consideration of DOR/MOU concurrent with a conversion permit application, will not commence until the DOR/MOU application have been reviewed and verified by the Director for substantial conformance with the requirements of this article.

(g) All notices required by this article shall be delivered by personal delivery or certified mail to the occupant of the mobilehome, absentee owners and legal owners of the mobilehome located on each mobilehome space within the mobilehome park.

(Added by Ord. 344 § 4, 2016; amended by Ord. 429 § 1, 2023)

85.0403520 Relocation Impact Report Content.

(a) Relocation Impact Report (RIR). The conversion applicant shall file a RIR on the impact of the proposed mobilehome park conversion of use upon the affected mobilehome owners and residents of the Mobilehome Park as part of the application for approval of the RIR and conversion permit to the City.

(b) At a minimum the RIR shall include the following information and documentation, and any other information and documentation deemed necessary and appropriate by the Director of Development Services:

- (1) A detailed description of the proposed use to which the mobilehome park is to be converted;
- (2) The proposed timetable for implementation of the conversion and development of the site;
- (3) Legal description of the mobilehome park;
- (4) Age of the mobilehome park;
- (5) The total number of mobilehome spaces in the park, number of spaces occupied by mobilehomes, and number of spaces occupied by recreational vehicles;
- (6) An illustrative map of all spaces, roads, improvements, common areas and amenities in the park;
- (7) For each mobilehome space in the mobilehome park:
 - (A) The age, size, number of bedrooms, manufacturer and date of manufacture of the mobilehome on the space,
 - (B) The number of occupant(s) of the mobilehome, if the occupant(s) are absentee owner(s), resident mobilehome owner(s) or mobilehome tenant(s) as defined in Section 85.0403510, their ages, and their length of residency in the mobilehome, and whether the mobilehome constitutes each person's primary place of residence,
 - (C) The name, mailing address and telephone number of each absentee mobilehome owner, resident mobilehome owner, mobilehome tenant, and legal owner of the mobilehome,
 - (D) The total monthly space rent and other charges currently charged for each space with detail showing the space rent, utility charges, and any other costs paid by the resident(s), and whether the space is a month-to-month space subject to rent control under Chapter 15.20 of the Municipal Code or a long-term lease in excess of twelve (12) months duration,
 - (E) The purchase date, purchase price paid by the current resident mobilehome owner(s) or absentee mobilehome owner(s) for the mobilehome, and the amount and terms of any outstanding mortgage loans or other financing obligation for the mobilehome,
 - (F) Any lawfully constructed or installed mobilehome improvements that have been paid for by the affected mobilehome owner(s) or resident(s), whether each improvement is movable, and the costs of each improvement,
 - (G) The In-Place Fair Market Value of each mobilehome in the mobilehome park. In-Place Fair Market Value shall include, but is not limited to, any accessory structures whose installation has been approved by mobilehome park management, such as a porch or a carport, and shall be determined by assuming the continuation of the mobilehome park in a safe, sanitary and well-maintained condition. These values shall be determined by appraisals by a qualified appraiser to be chosen by the park owner from a list provided by the Director of Development Services, and considering values of comparable homes in comparable parks. The appraisal shall be made no more than sixty (60) days prior to its submittal to the City. The conversion applicant shall pay all costs and expenses associated with the appraisal, including, but expressly not limited to, any appraisal fees. The conversion applicant shall not be required to provide appraisal information for park-owned units,
 - (H) Any other special or unique circumstances that may restrict potential relocation areas for affected mobilehome park owners and/or residents on a case-by-case basis, which may include, but are not

limited to, disability or other special needs, which restrict potential relocation areas for the affected mobilehome owners and/or residents,

(I) Any available, alternate housing opportunities known to the affected mobilehome owners and/or residents that would be acceptable as a relocation option to each individual and approximate cost to accomplish a relocation to the alternate housing;

(8) An estimate of the relocation cost considering all of the costs related to moving and installing the displaced mobilehomes on an available receiving site, including, but not limited to, tear down, transportation, and set up of mobilehomes (including all costs of utility hook-ups), providing rental subsidies, or purchasing the mobilehome unit as described in Section 85.0403530. Estimates from at least two moving companies shall be submitted with the application. Relocation cost shall not include the cost and expenses associated with the appraisal, including, but not limited to, any appraisal fees, which shall be paid by the conversion applicant;

(9) A list of comparable parks within a fifteen (15) mile radius and for each such park, the space rents and the qualifications for residency in each park (e.g., age restrictions, no pets), rental rates (e.g., first and last months' rent, security deposits, availability of rent control), whether the park has any vacant space and will accept homes being relocated and if so, any restrictions, such as size and age, on the relocated homes that would be accepted;

(10) Itemization of the cost of comparable mobilehomes within a fifteen (15) mile radius, including, but not limited to, the purchase price of each substantially equivalent or better mobilehome in a comparable mobilehome park as well as the rental rate for each substantially equivalent (or better) mobilehome in a comparable mobilehome park, first and last months' rent, security deposits and substantially equivalent or higher rent or mortgage payments at the comparable mobilehomes. For comparable mobilehomes, the itemization shall state the rental rate for each space and whether the owner of that

mobilehome park has agreed in writing to accept affected mobilehome owners and residents that are displaced by the proposed mobilehome park conversion;

(11) Itemization of the cost of comparable housing within a fifteen (15) mile radius, including, but not limited to, the purchase price of each substantially equivalent (or better) condominium, or the monthly rent for and other costs of moving into a comparable apartment or condominium, including such items as first and last months' rent, security deposits and the rental rate for each substantially equivalent or better, or mortgage payments at the comparable housing;

(12) Proposed measures to mitigate the adverse impacts of the park conversion on the affected mobilehome owners and residents in the park pursuant to Section 85.0403530;

(13) A copy of any agreement reached with any affected mobilehome owner or resident relating to the park owner's purchase of the mobilehome, relocation of the affected mobilehome owners or residents, and/or the provision of relocation assistance. The Director may waive the requirement to include any or all of the information required by this section where an affected mobilehome owner or resident and the conversion applicant have reached a final, mutually acceptable agreement as to the relocation assistance to be provided;

(14) Copies of the pre-conversion questionnaires completed by the affected mobilehome park owners and residents in accordance with the requirements of Section 85.0403525 of this article;

(15) Any other information the Director may deem necessary to facilitate the City's consideration of appropriate conditions to mitigate the adverse impacts of a park closure or conversion on affected mobilehome owners and residents.

(Added by Ord. 344 § 4, 2016; amended by Ord. 429 § 1, 2023)

85.0403525 Pre-Conversion Questionnaire.

(a) Prior to the applicant filing a conversion use permit application with the City, the relocation specialist shall distribute a pre-conversion questionnaire to the affected mobilehome owners and residents. The affected mobilehome owners and residents shall have no less than thirty (30) days from the date of certified mailing or personal delivery to complete and return the pre-conversion questionnaire to the relocation specialist.

(b) The Director shall provide a standard pre-conversion questionnaire for use by the relocation specialist. At a minimum, the pre-conversion questionnaire shall include questions requesting the affected mobilehome owners and residents to provide the information required in order for the applicant to prepare a RIR in accordance with Section 85.0403520(b) of this article.

(c) Prior to or concurrent with the distribution of the pre-conversion questionnaire, the applicant shall provide notice to affected mobilehome owners and residents of the applicant's intention to seek City approval for a mobilehome park conversion of use in accordance with this article. The notice shall, at a minimum, include an explanation, in general terms, of the nature and timeframes of the proposed conversion, shall advise affected mobilehome owners and residents that information will be sought from them to assist in determining appropriate relocation assistance, shall include a copy of the tenants' rights under the Government Code and Mobilehome Residency Law (California Civil Code Section 789 et seq.), as amended from time to time, and shall advise the residents that they will be provided with notices of the application for approval of the RIR and conversion permit in accordance with the requirements of

this article and state law.

(d) The notice shall also include the name, qualifications and contact information for the relocation specialist used by the applicant.

(e) Completed pre-conversion questionnaires submitted to the relocation specialist shall be treated as confidential, and disclosure of information provided therein shall be limited to those individuals and uses necessary to accomplish the purpose of this article, including the applicant, as deemed appropriate by the relocation specialist, and the City.

(f) Neither the completed pre-conversion questionnaire form nor any personal information provided in response thereto shall be considered public information and the City shall not publicly disclose any such information, except as necessary to facilitate the evaluation of the adequacy of the report herein or as may be required by law.

(g) Any affected mobilehome owner or resident may decline to provide any information requested, but the City's determination of the reasonableness of the level of relocation assistance proposed by the applicant will be based on information provided in response to the pre-conversion questionnaire, and the level of assistance deemed reasonable in an individual case may be limited, or the relocation assistance requirement may be eliminated, based on the owner's or resident's verified refusal to provide information necessary to make such a determination.

(Added by Ord. 344 § 4, 2016; amended by Ord. 429 § 1, 2023)

85.0403530 Relocation Plan.

In accordance with Government Code Sections 65863.7 and 66426.4, now in effect or as subsequently amended, the conversion applicant shall provide relocation assistance to mitigate any adverse impacts of a mobilehome park conversion on affected mobilehome owners and residents in a manner that does not exceed the reasonable cost of relocation. This section establishes minimum relocation assistance for affected mobilehome owners and residents, which shall be set forth in the Relocation Plan. The conversion applicant and any person eligible for relocation assistance may agree to other mutually satisfactory relocation assistance that meet or exceed these requirements.

(a) Eligibility for Relocation Assistance. Affected mobilehome owners and residents are entitled to relocation assistance if they have not given notice to terminate their lease or other rental agreement as of the date of submittal of the conversion of use application, including the filing of the RIR with the City.

(b) Reasonable Cost of Relocation. Reasonable cost of relocation includes a moving allowance and other applicable types of relocation assistance as defined in this section and based on the RIR and evidence presented at the public hearings on the proposed conversion of use.

(c) Moving Allowance for Eligible Residents. For all eligible residents, relocation assistance shall include a moving allowance to move to another park or other replacement housing up to a distance of fifteen (15) miles. Moving allowance includes:

- (1) The cost to move furniture and personal belongings.
- (2) Rent for first and last month at the new location.
- (3) Required security deposit at the new location.
- (4) Temporary lodging, if necessary, up to two months.
- (5) Assistance for Disabled Households. For eligible disabled households, relocation assistance may include an additional sum toward the cost of obtaining any assistance needed to enable the resident to move.
- (6) Accessibility Improvements for Affected Mobilehome Owners and Residents. For eligible affected mobilehome owners and residents, relocation assistance may include payment of the cost to reinstall or replace any accessibility improvements made to the mobilehome such as wheelchair ramps, lifts, and grab bars.

(d) Mobilehome Relocation Costs for Mobilehome Owners. For any mobilehome owner whose mobilehome can be relocated, and in addition to the moving allowance provided in subsection (c), relocation assistance may include the lowest of three estimates obtained by the conversion applicant with the Director of Development Services approval, from licensed mobilehome movers to physically relocate the mobilehome up to a maximum distance of fifteen (15) miles. The mobilehome owner is responsible for additional costs to move the mobilehome to a location farther than fifteen (15) miles. The estimates shall include the cost of disassembly of the mobilehome, transportation to the new site, reinstallation including, but not limited to, connection to utility hook-ups, permits, replacement or reconstruction of blocks, skirting, shiplap siding, process, decks and awning, earthquake bracing if necessary, insurance coverage during transport, including the cost of any upgrades to comply with applicable building, plumbing, electrical and health and safety codes.

(e) Sale at In-Place Market Value for Mobilehome Owners. In addition to the moving allowance provided in subsection (c), for any eligible mobilehome owner whose home cannot be relocated to a comparable park within fifteen (15) miles or another park chosen by the mobilehome owner, the City shall require the conversion applicant to purchase the mobilehome at In-Place Market Value. The conversion applicant shall hire a qualified appraiser from a list provided by the City to determine the In-Place Market Value of the mobilehome. If the affected mobilehome owner disputes the appraised value of his or her mobilehome, the affected mobilehome owner may hire an appraiser from

the City's list to obtain an appraisal, at their own expense. To be considered, the mobilehome owner shall obtain and submit the appraisal to the Director of Development Services ten (10) days prior to the City Council Hearing. The City Council will review and consider the two appraisals.

(f) Limitations on Imposed Conditions. The conditions imposed in connection with approval of a RIR shall not exceed the reasonable costs of relocation. Conditions shall only be imposed in order to ensure that the conversion applicant adequately mitigates adverse impacts of the mobilehome park conversion on affected mobilehome owners and residents. (Added by Ord. 344 § 4, 2016)

85.0403535 Relocation Plan Development Opportunity Reserve and Memorandum of Understanding.

An application for a Development Opportunity Reserve (DOR) and Memorandum of Understanding (MOU) to implement the DOR for the proposed conversion of use of an eligible park may be submitted concurrently with, or subsequent to the approval of, a Relocation Impact Report and conversion permit. The proposed DOR/MOU shall be prepared in accordance with the requirements of this section and the applicable land use district and/or Specific Plan, and shall be submitted for review and approval by the City Council.

(a) Purpose. The purpose of the DOR/MOU is to provide a potential developer with the opportunity to obtain early input from the City Council on the concept of a future development project for the reuse of an eligible park which, in addition to a by-right residential base density of 24 du/acre, and in return for providing enhanced architecture and project design, the applicant may seek commercial square footage or a mixed use design, than otherwise allowed under the regulations of the applicable land use district when formal land use permits or other entitlements are submitted for discretionary review and action. A DOR/MOU does not constitute a commitment to specific density, or to a future specific project or land uses, and all future discretionary entitlement permits and approvals shall be required, including, but expressly not limited to, compliance with the California Environmental Quality Act.

(b) Development Opportunity Reserve General Requirements

(1) Commercial Projects. There is hereby established a Development Opportunity Reserve of a combined maximum of two hundred forty-five thousand (245,000) square feet of commercial uses for all eligible parks ("Commercial Square Footage Reserve"). At no time shall the total square footage of commercial uses for all eligible parks exceed the Commercial Square Footage Reserve. The commercial square footage for proposed commercial uses for an eligible park shall be determined by the City Council on a project by project basis, and as each commercial development or use is approved through discretionary project approvals, the Commercial Square Footage Reserve for all eligible parks shall be correspondingly reduced. An eligible park shall also be subject to all other requirements of the applicable commercial land use district and/or Specific Plan for the subject property. The Commercial Square Footage Reserve incorporated into a DOR/MOU shall not allow an increase above the maximum square footage allowed under the applicable land use district and/or Specific Plan until an actual development proposal is approved by the City which adopts the square footage and other characteristics set forth in the DOR/MOU.

(2) Mixed Use Projects. For any mixed use project, the density of proposed residential uses shall not exceed 24 du/acre; and the square footage of any proposed commercial uses shall not exceed the maximum square footage allowed under subsection (b)(2) based on the available Commercial Square Footage Reserve in combination with the proposed mixed use project and all other approved commercial projects.

(3) The DOR application shall also include a proposed Memorandum of Understanding ("MOU") that complies with subsection (c) of this section.

(4) The Commercial Square Footage Reserve, shall be adjusted by the City Council as part of its Development Opportunity Reserve approval action pursuant to Section 85.0403550.

(c) Memorandum of Understanding Requirements. The Memorandum of Understanding ("MOU") shall include a conceptual development plan which addresses, at a minimum, all of the following:

(1) Potential future uses of the subject property;

(2) The specific number of residential dwelling units proposed and the maximum density for any potential future residential uses for the conversion site, based on the requirements of this Code which permit up to 24 du/acre;

(3) The commercial square footage proposed for any potential future commercial uses for the conversion site, based on Commercial Square Footage Reserve, and the maximum floor area ratio for each lot or parcel based on the underlying land use district;

(4) Conceptual architectural design of potential future residential and/or commercial uses.

(d) Procedures

(1) The application for a DOR/MOU shall be reviewed by Staff for completeness, and submitted for City Council review and approval. A DOR/MOU application may be submitted with an application for approval of a Relocation Impact Report and conversion permit. No DOR/MOU application shall be effective until the City Council has approved a Relocation Impact Report and conversion permit for the eligible park.

(2) The City Council will evaluate the DOR/MOU application and may approve, conditionally approve or

disapprove the DOR/MOU in accordance with Section 85.0403550 of this article.

(3) Following either Director approval of a conversion permit which allows no more than 24 du/acre and includes a Relocation Impact Report, or City Council approval if the conversion permit includes a DOR/MOU, the applicant may complete any other appropriate land use entitlement application process for formal project review by the Planning Commission and City Council in accordance with the requirements of this Code.

(e) Entitlement Procedures for Reuse-Conversion Permit

(1) In addition to the requirement for approval of a Relocation Impact Report, with Relocation Plan, the conversion of use of an eligible park requires that the applicant also obtain approval of a conversion permit for the proposed new uses or development. The conversion permit shall be subject to the same procedures of a Land Use Compliance Review set forth in Article 3 of Chapter 3 of Division 3 of the Development Code.

(2) Residential development proposed as part of a conversion permit and evaluated in accordance with the procedures of a Land Use Compliance Review and consistency with the Property Development Standards required by Section 84.0335(b) of Chapter 3 of Division 4 (High Density Multiple Residential (RM-24) District), and shall also be designed consistent with the provisions of Chapter 13 of Division 8 of the Development Code (High Density Multiple Residential Design Standards).

(3) Commercial development proposed as part of a proposed conversion of use permit and evaluated subject to the procedures and findings for approval of a Conditional Use Permit shall be designed consistent with the Property Development Standards required by Section 84.0350(d) of Chapter 3 of Division 4 (General Commercial (CG) District).

(4) A mixed-use (Residential and Commercial) project proposed as part of a conversion of use permit and evaluated subject to a Conditional Use Permit shall be designed using a combination of the standards required in subsections (e)(1) and (2). The dominant use of each mixed-use building shall determine the applicable development standards for that building. In the case of ambiguity, the most restrictive development standards shall apply.

(Added by Ord. 344 § 4, 2016; amended by Ord. 429 § 1, 2023)

85.0403540 Eminent Domain.

In the event there is an exercise of eminent domain by the City which has the effect of a mobilehome park conversion, relocation assistance benefits shall be provided by the City to affected mobilehome owners and residents pursuant to the provisions of this article or the law of eminent domain, whichever provides the maximum benefit. (Added by Ord. 344 § 4, 2016)

85.0403545 Protections.

(a) Before entering a rental agreement, the park owner shall advise each prospective mobilehome owner and mobilehome tenant, in writing, that a proposed Relocation Impact Report and conversion permit application has been filed and that the prospective mobilehome owner or tenant will not be entitled to any relocation assistance under this article.

(b) Any mobilehome owner or tenant already leasing or renting a space in the park, or residing in a mobilehome in the park, on the date the application for approval of a Relocation Impact Report is filed shall be eligible for relocation assistance.

(c) No park owner shall require any mobilehome owner or tenant to waive his or her rights to relocation assistance as a condition of leasing or renting a space in the park, except: (1) when the mobilehome owner or tenant moves into the park after the date the conversion application is filed; and (2) prior to the new mobilehome owner's or tenant's execution of the lease or other rental agreement, the park owner gave written notice to that new mobilehome owner or tenant that the conversion application has been filed. Any such waiver will only be valid if the park owner completes the conversion hearing process within one year.

(d) No mobilehome owner shall be required to remove his or her mobilehome and no tenant shall be required to vacate a mobilehome until all of the following conditions have been satisfied:

(1) The park owner has given the six months' notice of closure required by Civil Code Section 798.56 and that six-month period has elapsed;

(2) The City's decision approving the conversion is final; and

(3) The park owner has provided the relocation assistance required by the City as a condition of conversion.

(e) An application for conversion of a park does not relieve a mobilehome owner or tenant from his or her obligation to pay rent.

(f) Unless a Relocation Impact Report with Relocation Plan and conversion permit have been approved by the City and a certificate of acceptance has been recorded, as required by this article, no mobilehome park owner, agent or representative shall do any of the following:

(1) Perform or carry out a mobilehome park conversion of use.

(2) Display a sign in the mobilehome park or distribute any notice to any resident mobilehome owners, mobilehome tenants or absentee mobilehome owners of the park announcing that the mobilehome park or any part thereof is closing, may be closing or has been closed, or that the land will no longer be used for a mobilehome park.

(3) Display a sign announcing a new use for the mobilehome park property.

(g) Nothing in this section shall be interpreted to preclude any notification to resident mobilehome owners, resident mobilehome tenants, or absentee owners, as may be required by state law, nor shall this section preclude notification to mobilehome owners, resident mobilehome tenants or absentee owners, that information is being requested in anticipation of the filing of a development application or request for approval of a park closure or other mobilehome park conversion of use. Notification to prospective mobilehome owners and tenants regarding the existence or status of any application or approval process affecting the mobilehome park shall not be considered a violation of this section. (Added by Ord. 344 § 4, 2016)

85.0403550 City Council Hearing and Action.

(a) Upon the filing of a complete application for approval of a Relocation Impact Report and conversion permit, and verification to the City for review, the Director shall either approve the conversion permit ministerially (if consisting of residential uses) with appropriate notice and findings outlined in the below sections adhered to, or schedule a public hearing before the City Council if there are any related DOR/MOU applications beyond those that are considered by-right being requested as a part of the conversion permit. Notice of a public hearing shall be provided in accordance with Section 83.010330 of this Code and shall also be provided as set forth in subsection (b) below.

(b) At least thirty (30) days prior to the potential hearing date, the Director shall also perform the following actions:

- (1) Mail a notice of the public hearing and a copy of the Relocation Impact Report to affected mobilehome owners and residents, and to all legal owners of mobilehomes in the mobilehome park. The notice shall contain a general explanation of the matters to be considered by the City Council. The copy of the Relocation Impact Report shall include the Relocation Plan, the appraisal of the mobilehome owned or resided in by that particular notice recipient and the pre-conversion questionnaire completed by that notice recipient.
- (2) Inform the conversion applicant in writing of the provisions of Civil Code Section 798.56 regarding the conversion applicant's duty to notify affected mobilehome owners and residents of the proposed conversion. Such writing shall specify the manner in which the conversion applicant shall verify that affected mobilehome owners and residents have been notified of the proposed conversion.
- (3) The conversion applicant shall pay all costs associated with providing notice, including any publishing and postage expenses.

(c) The City Council shall conduct a public hearing to review the proposed conversion permit, RIR with Relocation Plan, and any proposed DOR/MOU. The City Council shall may consider all relevant evidence presented at the public hearing and shall render its findings and decision within ninety (90) days therefrom, unless a shorter period of time is required by state law, such as the processing time imposed by the Subdivision Map Act. Such hearing shall not be held before the conversion applicant has satisfactorily verified that affected mobilehome owners and residents have been notified of the proposed conversion pursuant to Civil Code Section 798.56.

(d) The City Council's decision shall be in the form of a written resolution approving, conditionally approving or disapproving the DOR/MOU, including the Relocation Impact Report, Relocation Plan, and conversion permit. The City Council resolution shall also approve, conditionally approve or disapprove the DOR/MOU. The City Council resolution shall include conditions to provide reasonable measures to mitigate the adverse impacts of the mobilehome park conversion on the affected mobilehome owners and residents; and conditions for approval of any proposed DOR/MOU.

(e) The City Council, or Director shall not approve the proposed RIR and Relocation Plan, unless the City can make all of the following findings:

- (1) The RIR contains the information and documentation required by this article and state law.
- (2) The RIR and its relocation plan contain reasonable measures to mitigate the adverse impacts of the mobilehome park conversion on affected mobilehome owners and residents, and the City Council.
- (3) The proposed mobilehome park conversion is consistent with the General Plan, and any applicable Specific Plan, or any similar state law or City Ordinance.
- (4) The conversion applicant has complied with all notice requirements as provided for in Government Code Section 65863.7(b) and (c), and Civil Code Section 798.56, and this article, and each affected mobilehome owner and resident has had adequate notification of the proposed conversion.
- (5) The RIR accurately represents the total reasonable costs associated with the relocation of affected mobilehome park owners and residents pursuant to Government Code Section 65863.7(e).
- (6) The City has imposed conditions to ensure that the conversion applicant shall be subject to, and shall take reasonable measures to mitigate the adverse impacts of the mobilehome park conversion on the affected mobilehome owners and residents.

(f) The City Council shall not approve a proposed Development Opportunity Reserve and Memorandum of Understanding unless the City Council makes all of the following findings:

- (1) For residential projects (including any mixed use projects containing a residential portion), the proposed residential density is up to 24 du/acre.
- (2) For commercial projects (including any mixed use projects containing a commercial portion), the proposed maximum square footage of commercial uses does not exceed the Commercial Square Footage Reserve available for the commercial uses in combination with all other existing and proposed commercial uses as provided in Section 85.0403535(b)(2), and further does not exceed the maximum floor area ratio(s) applicable pursuant to the underlying land use district and any applicable Specific Plan.
- (3) The conceptual architecture and project design contains enhanced elements that would justify approval of increased residential density and/or commercial square footage.
- (4) The applicant has submitted a signed covenant, as part of the DOR/MOU, that acknowledges the City's approval of the DOR/MOU does not constitute a binding commitment by the City to allow any specific development of the subject property, or vest any rights in the applicant to develop the subject property in accordance with the MOU/DOR, and that the applicant shall be required to submit and obtain approval of formal land use permits and other entitlement applications in order to develop the subject property.

(g) If an application includes applications for land use permits or other entitlements to implement a proposed conversion, such as a conditional use permit, those other entitlement applications shall be processed, reviewed, noticed and decided in accordance with the usual procedures set forth in this Code, including, but not limited to, any necessary review, noticing and/or action by the Planning Commission. Notwithstanding the foregoing, if a tentative map or tentative parcel map application is filed concurrently with the conversion application and DOR/MOU application, the tentative map or tentative parcel map application shall be concurrently processed for hearing by the Planning Commission in accordance with the requirements of this Code, but the Planning Commission shall make a recommendation on the proposed tentative map or tentative parcel map that shall subsequently be heard and decided by the City Council concurrently by either the Director if the conversion permit allows no more than 24 du/acre and includes a Relocation Impact Report, or City Council if the conversion permit includes a DOR.

(Added by Ord. 344 § 4, 2016; amended by Ord. 429 § 1, 2023)

85.0403555 Certificate of Acceptance.

Upon City approval of a conversion application and Relocation Impact Report, the applicant shall record a certificate of acceptance on the title of the mobilehome park property. City approval of a conversion application including Relocation Impact Report shall not be effective until proof of recordation of a certificate of acceptance has been delivered to the

Director. If the applicant included a proposed DOR/MOU, City approval of the DOR/MOU shall not be effective until the applicant has delivered the signed and notarized covenant required pursuant to Section 85.0403550(f)(4) of this article. The Director shall provide the certificate of acceptance form and covenant form for use by the applicant. (Added by Ord. 344 § 4, 2016)

85.0403560 Building Permits.

No building permit shall be issued for conversion of a mobilehome park property until the conversion applicant has filed with the Director of Development Services a written statement confirming full performance of the mitigation measures set forth in, and the conditions imposed in connection with, the approved Relocation Impact Report and any other conditions imposed on the conversion of use. Such statement shall specify in itemized form the name of each affected resident mobilehome owner and resident and the date and type of relocation assistance provided to such person. The statement shall be executed under penalty of perjury. (Added by Ord. 344 § 4, 2016)

85.0403565 Expiration of Approvals.

Except as otherwise provided in the resolution of approval, the City Council approval of a conversion application and DOR/MOU approval shall expire under the following circumstances:

- (a) Expiration for failure to submit Certificate of Acceptance. An approved conversion, with Relocation Impact Report and any DOR/MOU shall expire thirty (30) days after adoption of the resolution of approval, unless proof of recordation of a certificate of acceptance is delivered to the Director prior to such date, or unless such thirty (30) day recording period is extended by the Director for good cause due to delays in recording beyond the reasonable control of the applicant.
- (b) Expiration for Failure to Implement Project
 - (1) An approved RIR, conversion permit, and any DOR/MOU, shall expire two years after the date they are approved by the City Council. The Director of Development Services may deny or grant a request for an extension of time of the approval. The Director of Development Services may upon request grant an extension of time up to one year, based upon a showing that good faith progress has been made toward fulfilling the conditions of approval or some intervening event not the fault of the park owner has prevented timely compliance with the conditions of approval and RIR including relocation plan, and/or the DOR/MOU. The conversion applicant or affected mobilehome owners or residents may appeal the Director's decision on a request for an extension to the City Council.
 - (2) If the City Council approves an extension following an appeal, the City Council may impose conditions as deemed necessary to mitigate any adverse impacts resulting from an extension of a conversion use permit, including the RIR, relocation plan, and DOR/MOU. The City Council may grant multiple extensions but no single extension shall have a duration in excess of one year.
- (c) Upon the City's approval of an extension of an approved RIR, conversion permit, and DOR/MOU, with additional conditions, the applicant shall record a certificate of acceptance on the title of the mobilehome park property. City approval of an extension shall not be effective until proof of recordation of a certificate of acceptance has been delivered to the Director. An approved extension of a conversion permit, RIR with Relocation Plan, and any MOU/DOR, shall expire thirty (30) days after adoption of the resolution approving the extension, unless proof of recordation of a certificate of acceptance is delivered to the Director prior to such date, or unless such thirty (30) day recording period is extended by the Director for good cause due to delays in recording beyond the reasonable control of the applicant. (Added by Ord. 344 § 4, 2016)

85.0403570 Processing Fees.

The City Council may, by resolution, establish fees and deposits for the administration of this article. (Added by Ord. 344 § 4, 2016)

ARTICLE II. MOBILE HOME PARK CLOSURES

SEC. 24-30. MOBILE HOME PARK CLOSURE PERMIT.

Except as otherwise provided by law, prior to the conversion of a mobile home park to another use, or prior to the closure of a mobile home park or the cessation of the use of land as a mobile home park, in whole or in part, a mobile home park closure permit must be obtained pursuant to provisions of this code.

('64 Code, Sec. 17.1-50) (Ord. No. 2097)

SEC. 24-31. NOTICE TO RESIDENTS.

The park owner shall give at least 90 days' written advance notice prior to the filing of an application for a mobile home park closure permit regarding the proposed closure of the park to all residents and coach owners in the affected park, and shall continue to give such notice to all new potential residents.

('64 Code, Sec. 17.1-51) (Ord. No. 2097)

SEC. 24-32. MOBILE HOME PARK CLOSURE PERMIT APPLICATION REQUIREMENTS.

(A) A person or entity seeking to convert a mobile home park to another use, or to close a mobile home park or to cease a use of land as a mobile home park, in whole or in part, shall apply for a mobile home park closure permit on forms provided by the development services department. The application shall be accompanied by payment of a filing fee in an amount as prescribed by city council resolution and shall include a report on the impact of the proposed conversion, closure, or cessation of use upon the residents of the mobile home park who would be displaced and a proposed relocation assistance plan, each of which shall be prepared in accordance with the requirements hereinafter set forth. The application will not be accepted for filing unless accompanied by the required impact report and relocation assistance plan.

(B) The application shall include each of the following:

(1) Concept plan - A written statement and concept plan indicating the use the park site is intended to accommodate, including the approximate number of proposed residential units, if any; approximate square footage and use of any buildings proposed; and the probable impacts/benefits to the community created by the proposed project.

(2) Site plan - A site plan of the existing mobile home park showing the existing layout, with all existing mobile home spaces identified by number and indicating whether the space is currently occupied, and other site features.

(3) Residents list - A list of the names and address of all current residents of the mobile home park.

(4) Impact report - A report on the housing and financial impacts of the removal of the mobile homes upon all displaced residents. The report shall include, but not be limited to, the following items, except where the applicant can demonstrate that the necessary information is not available:

(a) Rental rate history for each space for the previous five years;

(b) Monthly vacancy rate for each month during the preceding two years;

(c) Makeup of existing resident households, including family size, length of residence, age of residents, estimated household income, and whether receiving federal or State rent subsidies;

(d) The date of manufacture and size of each mobile home in the park;

(e) An analysis of moving existing mobile homes which shall include, but not be limited to, the availability of other sites; the total costs of relocating mobile homes to a new location; and the feasibility of existing mobile homes being accepted at other locations.

(5) Relocation assistance plan -

(a) A proposed relocation assistance plan shall be prepared by or on behalf of the applicant which states all measures proposed by the applicant to mitigate any identifiable adverse impacts of the proposed closure or conversion of use on the residents of the mobile home park who would be displaced thereby. Every proposed relocation assistance plan shall provide that displaced residents will be provided relocation benefits that relate to the identified impacts. Relocation benefits must bear a relationship to the cost of displaced residents' finding alternative housing and will be determined on a case-by-case basis. With regard to mobile homes which cannot be moved to another mobile home park, consideration shall be given to the purchase of such mobile homes by the applicant at their appraised fair market value as determined by a qualified, independent appraiser, as approved by the city, utilizing principles applicable in relocation matters. The foregoing applies whether or not the mobile home owner resides in the unit.

(b) Persons who own mobile homes or who are tenants in the mobile home park at the time notice is given pursuant to section 24-31 will be eligible for relocation assistance as determined in the fully approved relocation assistance plan. Persons who become mobile home owners or tenants after the time notice is provided pursuant to section 24-31 may be eligible for relocation assistance as determined in the fully approved relocation assistance plan.

(6) Proof of service of notice - The applicant shall provide evidence, by proof of service, that he/she has given the notice required by section 24-31 to all applicable residents and coach owners, and continues to give such notice to all new

potential residents.

(7) Other information -

(a) The applicant shall provide any other information which the development services director reasonably believes is necessary for the purpose of properly evaluating the mobile home park closure permit request.

(b) The application will not be accepted as complete until and unless all materials required hereby have been submitted.

('64 Code, Sec. 17.1-52) (Ord. No. 2097)

SEC. 24-33. SERVICE OF IMPACT REPORT AND RELOCATION ASSISTANCE PLAN.

The development services department shall provide a notice of the hearing date and location, along with a copy of the impact report and relocation assistance plan to each resident of the mobile home park 30 days prior to the commission hearing on the mobile home park closure permit application.

('64 Code, Sec. 17.1-53) (Ord. No. 2097)

SEC. 24-34. HEARING ON MOBILE HOME PARK CLOSURE PERMIT.

(A) A hearing shall be held on the mobile home park closure permit application before the commission. The commission shall approve the mobile home park closure permit if it finds that:

(1) The conversion, closure, or cessation of use of the land as a mobile home park will not be materially detrimental to the housing needs and public interest of the affected neighborhood and of the city as a whole; and

(2) The measures to reasonably and adequately mitigate any adverse impact of the proposed conversion, closure, or cessation of use on the mobile home park residents who will be displaced will be incorporated as conditions of permit approval.

(B) If either the impact report or relocation assistance plan are found to be inadequate, insufficient, or incomplete, the mobile home park closure permit may be denied without prejudice. If the applicant thereafter cures the deficiencies, the applicant may reapply without payment of a new filing fee.

(C) In passing on and approving any mobile home park closure permit, reasonable conditions may be imposed by the commission to mitigate adverse impacts on mobile home park residents who will be displaced, including but not limited to relocation assistance requirements, phasing of the conversion, closure or cessation of use, bonding requirements, and any other reasonable requirements in the facts and circumstances of the particular permit request.

('64 Code, Sec. 17.1-54) (Ord. No. 2097)

SEC. 24-35. NOTICE OF APPROVAL OF MOBILE HOME PARK CLOSURE PERMIT.

(A) Written notices will be mailed to all residents residing in the mobile home park by city staff within ten days after the approval of a mobile home park closure permit. Such notice will state all of the conditions of approval of the mobile home park closure permit.

(B) The mobile home park owner shall pay the city's costs of doing said mailing.

('64 Code, Sec. 17.1-55) (Ord. No. 2097)

SEC. 24-36. DENIAL OF PERMIT FOR COERCION.

A permit may be denied where there is substantial evidence that mobile home park residents have been coerced to publicly support or approve closure, proposed conversion of a mobile home park to another use, or cessation of the use of land as a mobile home park, or to refrain from publicly opposing the same, or to forego any assistance to which they might be entitled.

('64 Code, Sec. 17.1-56) (Ord. No. 2097)

SEC. 24-37. DURATION OF PERMIT.

The mobile home park closure permit granted pursuant to this article shall be valid for a period of two years after approval by the commission or city council on appeal. Any and all rights to close a park pursuant to such a permit shall lapse at the expiration of the permit. The commission may, for good cause shown, grant an extension to the permit. Unless an extension is granted by the commission to delay the closure, the permit shall lapse.

('64 Code, Sec. 17.1-57) (Ord. No. 2097)

SEC. 24-38. APPEALS.

Any interested or aggrieved person shall have the right to appeal the decision of the commission on a mobile home park closure permit request or extension to the city council by paying the appeal fee established by city council resolution and filing a notice of appeal with the city clerk within 21 days of the date of the commission's action.

('64 Code, Sec. 17.1-58) (Ord. No. 2097)

SEC. 24-39. TERMINATION OF TENANCY.

Upon the approval of the mobile home park closure permit, the mobile home park owner shall serve a notice of termination of tenancy, in accordance with the provisions of Cal. Civil Code, Section 798.56, to each park resident informing them that they will be given two years from the date of the commission's approval of the mobile home park closure permit to terminate their tenancy in the park. The two-year termination period may be reduced to no less than six months or extended beyond two years upon the written agreement of the park owner and residents.

('64 Code, Sec. 17.1-59) (Ord. No. 2097)

SEC. 24-40. EFFECT ON EXISTING PERMITS.

The requirements of this article shall apply to all existing mobile home parks within the city, regardless of any time limitations that may exist with respect to the term of any conditional use permit issued for any mobile home park. The use of any property covered by such a conditional use permit may lawfully continue and the conditional use permit shall be deemed to remain in full force and effect until such time as a mobile home park closure permit for conversion, closure, or cessation of use is granted.

('64 Code, Sec. 17.1-60) (Ord. No. 2097)

SEC. 24-41. AFFIDAVIT OF COMPLIANCE.

Prior to the commencement of any construction on the property vacated as a result of the approval of a mobile home park closure permit for the conversion, closure or cessation of use of a mobile home park, the owner or developer of the property shall provide the city with an affidavit stating that the conditions imposed on the approval for the mobile home park closure permit have been satisfied, and that all tenancies on the property have been terminated.

('64 Code, Sec. 17.1-61) (Ord. No. 2097)

SEC. 24-42. PUBLIC POLICY.

No person shall subvert any provisions of this article by coercing the waiver of any rights or privileges created or protected thereby. Any provisions of a lease or agreement which purports directly or indirectly to waive or require waiver of a resident's rights under said sections or which requires prior consent to the conversion, closure, or cessation of use of land as a mobile home park shall be null, void and unenforceable.

('64 Code, Sec. 17.1-62) (Ord. No. 2097)

SEC. 24-43. EXEMPTION OF PUBLIC AGENCIES.

The requirements of this article shall not apply to any public agency which is required to comply with the relocation requirements of Cal. Gov't Code, Sections 7260 *et seq.* due to any displacement of a person or persons from a mobile home.

('64 Code, Sec. 17.1-63) (Ord. No. 2492)

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CHAPTER 8.17
MOBILEHOME PARK CLOSURE

§ 8.17.110. Title.

These regulations shall be known as the Mobilehome Park Closure Regulations of the City of Goleta, may be cited as such, and will be referred to herein as “this ordinance” or “this chapter.”

(Ord. 16-03 § 2)

§ 8.17.120. Purpose.

The mobilehome owners who rent spaces for their homes in mobilehome parks make a considerable investment in purchasing, maintaining and improving their homes and in maintaining the rented space for their homes. If a park closes or is converted to a new use, the mobilehome owners may lose their homes and the investment in them due to the high cost and risk of injury involved in moving a mobilehome, the fact that improvements to a home may not be movable and the lack of vacant mobilehome spaces in parks within a reasonable distance from the closing park that will accept relocating homes. In recognition of the unique situation and vulnerability of mobilehome owners, the State Legislature adopted the Mobilehome Residency Law, Civil Code Section 798, et seq., which protects mobilehome park residents from eviction except for specified and limited causes, and Government Code Sections 65863.7 and 66427.4, which authorize the City to require park owners who want to close a park or convert it to another use to provide reasonable relocation assistance as a condition of closing a park and/or changing the use.

This ordinance is adopted pursuant to Government Code Sections 65863.7 and 66427.4 and the City’s police power to provide a procedure and standards for assessing the adverse impacts of a mobilehome park closure or change of use on the displaced mobilehome owners residing in the park that is being closed and to determine appropriate relocation assistance for those residents.

(Ord. 16-03 § 2)

§ 8.17.130. Definitions.

As used in this chapter, the following terms shall have the meanings as designated:

"Applicant" means any person or entity seeking approval of a mobilehome park closure or change of use. Applicant can also mean a park owner whose park has been determined to be undergoing conversion due to reduced occupancy.

"Closure" means the closure of a mobilehome park and the cessation of holding out spaces in the park for rental even if no new use is planned; or closure with conversion of a mobilehome park to another use; or a park where 25% or more of the spaces are uninhabited. The term “closure” is synonymous with “change of use.”

"Comparable housing" means housing in an apartment complex or condominium that is similar in size, number of bedrooms and amenities to the mobilehome that is being displaced and is located in a community that has similar access to shopping, medical

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services, recreational facilities and transportation or a comparable mobilehome in a comparable mobilehome park.

"Comparable mobilehome" means a mobilehome that is similar in size, age, condition, number of bedrooms and amenities to a mobilehome that is being displaced by conversion of a mobilehome park.

"Comparable mobilehome park" means a mobilehome park that is similar in condition, age, size and amenities to the park that is being closed and is located within a community similar to that in which the park that is being closed is located and has similar access to community amenities such as shopping, medical services, recreational facilities and transportation.

"Department" means the Planning and Environmental Review Department or such other department as is assigned to implement these regulations.

"Development application" means a filed request for approval of a General Plan Land Use Designation amendment; or a zoning reclassification; or any other permit, including, but not limited to, a Development Plan or Development Plan Amendment, related to a proposed mobilehome park change of use.

"Director" means the Director of the Planning and Environmental Review Department or such other department as is assigned to implement these regulations.

"Disabled household" means a household in which a resident is a person with a medical condition or physical or mental impairment that substantially limits at least one of the person's major life activities, as defined in the Federal Fair Housing Amendments Act of 1988 and the California Fair Employment and Housing Act, or successor statutes.

"Legal owner" means any person or entity having a legal interest in a mobilehome, such as a lender or mortgagor.

"Low income household" means a household with annual income less than eighty percent of the area median income of households in Santa Barbara County, as defined by the California Housing and Community Development Department.

"Mobilehome" shall have the meaning set forth in the Mobilehome Residency Law, Civil Code Section 798, et seq., as now in effect or subsequently amended and shall also mean vehicles designed or used for human habitation, including camping trailers, motorhomes, slide-in campers and travel trailers if they have been in the park being closed or converted and used as the occupant's primary residence, as established by nine months' continuous residency prior to the filing of a closure application.

"Mobilehome park" or "park" means an area of land where two or more mobilehome spaces are rented or held out for rent to accommodate mobilehomes used for human habitation.

"Mobilehome resident" or "resident" means a registered owner of a mobilehome who resides in the mobilehome or a tenant.

"Park owner" means a person or entity that owns a mobilehome park or a person or entity authorized to act on behalf of the owner of a mobilehome park.

"Senior household" means a household in which a resident is at least 62 years old.

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(Ord. 16-03 § 2; Ord. 20-03 § 5)

§ 8.17.140. Relocation Assistance.

The City shall require every applicant to provide relocation assistance to mitigate any adverse impacts of a mobilehome park closure on the ability of displaced residents and mobilehome owners to find adequate replacement housing in a mobilehome park. Relocation assistance shall not exceed the reasonable cost of relocation. Relocation assistance shall be determined based on the procedures in this chapter whether by voluntary closure or closure due to reduced occupancy. This section establishes minimum relocation assistance for residents and mobilehome owners.

- A. Eligibility for Relocation Assistance. Mobilehome owners and residents are entitled to relocation assistance if they have not given notice to terminate their lease as of the date of the following, whichever occurs first:
 - 1. Filing of a development application;
 - 2. Filing of a relocation impact report; or
 - 3. Determination that the park is undergoing conversion due to reduced occupancy.
- B. Reasonable Cost of Relocation. Reasonable cost of relocation includes a moving allowance and other applicable types of relocation assistance as defined in this section and based on the relocation impact report.
- C. Moving Allowance for Eligible Residents. For all eligible residents, relocation assistance shall include a moving allowance to move to another park or other replacement housing up to a distance of 100 miles. The resident is responsible for additional costs to move to a location farther than 100 miles. Moving allowance includes:
 - 1. The cost to move furniture and personal belongings;
 - 2. Rent for first and last month at the new location;
 - 3. Required security deposit at the new location;
 - 4. Temporary lodging, if applicable; and
 - 5. The appraised value of personal property that cannot reasonably be relocated.
- D. Other Relocation Assistance. For eligible residents and mobilehome owners, relocation assistance may also include one or more of the following:
 - 1. Accessibility Improvements for Mobilehome Owners. For eligible mobilehome owners, relocation assistance may include payment of the cost to reinstall or replace any accessibility improvements made to the mobilehome such as wheelchair ramps, lifts, and grab bars.
 - 2. Assistance for Disabled Households. For eligible disabled households,

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relocation assistance may include an additional sum toward the cost of obtaining any assistance needed to enable the resident to move.

3. **Rent Subsidy for Senior, Disabled or Low Income Households.** For eligible senior, disabled or low income households, relocation assistance may include payment of a rent subsidy of up to 36 months if needed to offset increased housing costs and secure comparable housing. The rent subsidy is the difference of rent paid by the resident in the park and any higher rent for either a space at another park if the mobilehome is relocated, or rent for comparable housing if the resident moves to other rental housing. Mobilehome owners who are eligible to sell their mobilehome to the applicant at its in-place value may only receive the rent subsidy if the selling price is inadequate to secure comparable replacement housing for at least 36 months.
4. **Mobilehome Relocation Costs for Mobilehome Owners.** For any eligible mobilehome owner whose mobilehome can be relocated, relocation assistance may include the lowest of three estimates obtained by the relocation specialist from licensed mobilehome movers to physically relocate the mobilehome to up to a maximum distance of 50 miles. The mobilehome owner is responsible for additional costs to move the mobilehome to a location farther than 100 miles. The estimates shall include the cost of disassembly of the mobilehome, transportation to the new site, reinstallation, replacement or reconstruction of blocks, skirting, shiplap siding, porches, decks and awnings, earthquake bracing if necessary, insurance coverage during transport, and utility hook-ups.
5. **Sale at 100% In-Place Value for Mobilehome Owners.** For any eligible mobilehome owner whose home cannot be relocated to a comparable park within 50 miles or another park chosen by the mobilehome owner, the City may require the applicant to purchase the mobilehome at 100% of its in-place value. The applicant shall hire a mobilehome appraiser from a list provided by the Director to determine the in-place value of the mobilehome. If the mobilehome owner disputes the appraised value of his or her mobilehome, the mobilehome owner may hire an appraiser from the Director's list to obtain an appraisal. To be considered, the mobilehome owner shall obtain the appraisal within 180 days of the approval date of the relocation impact report. If a second appraisal is obtained, the mobilehome owner is entitled to the average of the appraisals obtained by the applicant and the mobilehome owner.

If the appraiser identifies lack of maintenance, deferred maintenance or deterioration of the subject park which negatively affects the value of a mobilehome, the appraiser shall determine the value of the home with an upward adjustment in value if necessary to eliminate the negative effect in value caused by the lack of maintenance, deferred maintenance or deterioration, normal wear and tear excepted.

6. **Right of First Refusal for Residents.** For all eligible residents, relocation assistance shall include the right of first refusal to purchase or rent new homes

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or apartments to be constructed on the park site. Income-eligible residents may have first priority to purchase or rent any below market rate (BMR) units which may be constructed on the park site, if they meet all eligibility requirements for the BMR housing program. In order to receive priority for BMR units, interested residents shall file a request with the Department before vacating the park.

(Ord. 16-03 § 2)

§ 8.17.150. Relocation Impact Report.

Prior to voluntary closure of a park, the applicant shall file with the City an application to close the park, a resident questionnaire and relocation impact report. The application shall be made on a form provided by the City. No application shall be deemed complete until a resident questionnaire for each affected mobilehome owner and resident and a completed relocation impact report have been filed.

No notice that the park is being closed or of any proposed new use of the park shall be given and no signs indicating that the park is being closed or indicating the future use of the park shall be posted prior to the date on which the City has approved the closure and the park owner has signed and filed a certificate accepting the conditions of approval adopted by the City.

(Ord. 16-03 § 2)

§ 8.17.160. Content of Relocation Impact Report.

The relocation impact report shall adequately define and address the social and economic impacts of the proposed conversion on displaced residents and mobilehome owners. The relocation impact report shall include the following information:

- A. A description of any proposed new use for the site;
- B. A proposed timetable for the closure of the park;
- C. A legal description of the park;
- D. The number of spaces in the park;
- E. For each space in the park:
 - 1. The size, number of bedrooms, manufacturer and date of manufacture of the mobilehome on the space.
 - 2. The number occupants of the mobilehome and their length of residency in the park.
 - 3. The total monthly space rent currently charged for each space with detail showing the space rent, utility charges, and any other costs paid by the resident.
 - 4. The value the mobilehome would have if the park were not being closed, the replacement value of the mobilehome, and its value if it is to be removed from

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the park and cannot be relocated to a space in a comparable mobilehome park. These values shall be determined by appraisals by a qualified appraiser to be chosen by the park owner from a list supplied by the Director. The cost of the appraisals shall be paid by the park owner.

5. Any improvements to the home, including, but not limited to, patios, porches, pop-out rooms and any recent major improvements to the home, including, but not limited to, a new roof or new siding.
 6. Any information available to the park owner concerning any handicap, disability or special need of the residents.
 7. Two sets of mailing labels for both the residents and legal owners of each mobilehome.
- F. The purchase price paid for the park by the park owner and any amount incurred to make capital improvements to the park.
- G. An appraisal of the park if continued in use as a mobilehome park and an appraisal of the park site if used for the highest and best use permitted by the zoning for the site or any new zoning being requested by the park owner. The appraiser shall be selected by the park owner from a list provided by the Director, and shall be paid by the park owner.
- H. Whether the park owner has offered to sell the mobilehome park to the residents and terms of that offer.
- I. Estimates from two moving companies approved by the Director, and qualified to move mobilehomes on public streets and highways, of the cost of moving each mobilehome in the park, including the cost of permits and tearing down and setting up the home at the new location, including the cost of any upgrades to comply with applicable building, plumbing, electrical and health and safety codes and the cost of moving any improvements, including, but not limited to, patios, porches and pop-out rooms.
- J. Identification of a relocation specialist to assist the residents in finding and moving to relocation spaces and comparable housing. The relocation specialist shall be selected by the park owner from a list provided by the Director, and shall be paid by the park owner. The relocation specialist shall assist with the identification and approval of the following information to be included in the report:
1. The purchase price of comparable mobilehomes in comparable mobilehome parks.
 2. The cost of comparable housing, including the purchase price of comparable condominiums and comparable mobilehomes in a comparable mobilehome park and the cost of moving into a comparable apartment, including such items as first and last months' rent, security deposits and higher rent or mortgage payments at the comparable housing.

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3. A list of comparable parks within a 100-mile radius and for each such park, the space rents and the qualifications for residency in each park (e.g., age restrictions, no pets), whether the park has any vacant space and will accept homes being relocated and if so, any restrictions, such as size and age, on the relocated homes that would be accepted.
 4. Proposed measures to mitigate the adverse impacts of the park closure on the residents in the park.
- (Ord. 16-03 § 2)

§ 8.17.170. Resident Questionnaire.

A confidential resident questionnaire shall be sent to each mobilehome owner and resident of the park on a form provided by the City as soon as the closure application has been filed. The questionnaires shall be kept separately from the rest of the application materials and shall not be included in the relocation impact report sent to each mobilehome owner and resident. The identity of each mobilehome owner and resident and his or her responses shall be kept confidential and used only to determine the relocation assistance to be provided to a particular mobilehome owner and resident. If a questionnaire contains insufficient information, the City may seek the information directly from the mobilehome owner and resident. The City shall be entitled to reimbursement for any such costs if the park owner failed or refused to obtain such information. The questionnaire shall require the following information for each mobilehome space in the park:

- A. The registered owner and legal owner of the mobilehome;
- B. The identity, ages, number and any mental or physical handicap or special needs of the residents occupying the mobilehome;
- C. The date of manufacture of the mobilehome, the name of the manufacturer, the size of the mobilehome, the number of bedrooms in the mobilehome, any special amenities in the home, including, but not limited to, equipment needed because of the medical condition, age, or handicap or disability of any resident or tenant in the home;
- D. Any improvements or renovations to the mobilehome or improvements to the mobilehome space made by the current resident, including, but not limited to, a new roof, porches, patios, awnings, pop-out rooms, recreational equipment, barbecue equipment, landscaping, etc., whether such improvements are movable and the cost of such improvements;
- E. The purchase price paid by the current resident of the mobilehome and the amount and terms of any remaining mortgage or loan on the home;
- F. Any special circumstance that would limit the area to which the resident or tenant is able to relocate;
- G. Whether the residents receive Supplemental Social Security Income or qualify as low or very low income persons or families under the standards issued by the

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Department of Housing and Urban Development (“HUD”).
(Ord. 16-03 § 2)

§ 8.17.175. Resident Questionnaire Notices.

The confidential resident questionnaire distributed pursuant to Section 8.17.170 shall provide the following notices:

- A. The identity of each mobilehome owner and resident and his or her responses shall be kept confidential and used only to determine the relocation assistance to be provided to a particular mobilehome owner and resident.
- B. The acceptance of relocation assistance from the applicant may limit or waive his or her rights to any assistance as provided for by this chapter.
(Ord. 16-03 § 2)

§ 8.17.180. Protections.

- A. Any resident already renting a space in the park on the date the application for closure is filed shall be eligible for relocation assistance.
- B. No park owner shall require any resident to waive his or her rights to relocation assistance as a condition of renting a space in the park, except when the resident moves into the park after the date the closure application is filed and notice has been given that the closure application has been filed. Any such waiver will only be valid if the park owner completes the closure hearing process within year.
- C. Residents who are eligible for relocation assistance shall be entitled to the assistance required by the City as a condition of closure even if they move out of the park before the City’s final determination concerning required relocation assistance.
- D. No resident shall be required to remove his or her mobilehome and no resident shall be required to vacate a mobilehome until all of the following conditions have been satisfied:
 - 1. The park owner has given the six months’ notice of closure required by the Civil Code Section 798.56 and that six-month period has elapsed, and
 - 2. The City’s decision approving the closure is final, and
 - 3. The park owner has provided the relocation assistance required by the City as a condition of closure.
- E. An application for closure of a park does not relieve a mobilehome owner or resident from his or her obligation to pay rent.
(Ord. 16-03 § 2)

§ 8.17.190. Notice to Prospective Residents.

Before executing a rental agreement, the park owner shall advise, in writing, each

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prospective new resident that a development application for park closure has been filed, or that the park has been determined to be undergoing closure due to reduced occupancy, and that the new resident may not be entitled to any relocation assistance.
(Ord. 16-03 § 2)

§ 8.17.200. Hearing and Notice.

- A. Relocation Impact Report Completion and Notice. Within 30 days after receipt of the relocation impact report, the Director shall determine whether the relocation impact report is complete and provide notification of the determination to the applicant. When a complete relocation impact report has been filed, the Director shall set a time, date and place for a hearing before the Planning Commission within 60 days of the date that the Director determines the relocation impact report is complete. Such time may be extended to the extent necessary to comply with any State regulations including the California Environmental Quality Act.

At least 15 days prior to the hearing, the Director shall mail notice to the applicant and mobilehome owners and residents of the date, time and place of the hearing. At least 15 days prior to the hearing, the Director shall cause the property to be posted with a notice of the date, time and place of the hearing. The notice of the hearing shall contain a general explanation of the matters to be considered by the Planning Commission.

- B. Distribution of Relocation Impact Report to Residents. Within 15 days of receiving notification that the relocation impact report has been accepted as complete, but no later than 15 days prior to the hearing held pursuant to Section 8.17.210, the applicant shall provide a copy of the report to a resident of each mobilehome.
(Ord. 16-03 § 2)

§ 8.17.210. Hearing Before the Planning Commission.

The Planning Commission shall conduct a hearing to review the relocation impact report. At the conclusion of the hearing, the Planning Commission shall render its decision. The Planning Commission decision shall be in the form of a recommendation to the City Council of approval, conditional approval or disapproval of the relocation impact report. The Planning Commission shall recommend approval of the relocation impact report if it finds the applicant and the relocation impact report have satisfactorily addressed the following:

- A. The relocation impact report contains the required information.
- B. The proposed change of use is consistent with the General Plan, any applicable Specific Plan, or any similar State law or City ordinance.
- C. The applicant has complied with all applicable notice requirements as provided for in Government Code Sections 65863.7(b) and (c), 66427.4(c), and Civil Code Section 798.56, and each mobilehome owner and resident has had adequate notification of the proposed closure.

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- D. The relocation impact report accurately represents the total costs associated with the relocation of each mobilehome resident.
- E. Each mobilehome resident will receive the reasonable costs of relocation from the mobilehome park owner consistent with State law and this ordinance.

In recommending approval of the relocation impact report, the Planning Commission may recommend the imposition of such conditions as it finds necessary to mitigate the adverse impacts on the residents; however, any steps required to be taken by the applicant pursuant to this section shall not exceed the reasonable costs of relocation. Notice of the decision of the Planning Commission shall be mailed to the applicant and to each mobilehome owner and resident of the park.

(Ord. 16-03 § 2)

§ 8.17.220. Hearing Before the City Council.

The City Council shall conduct a hearing to review the relocation impact report within 60 days of the date of the decision of the Planning Commission. Notice of the City Council hearing shall be provided in the same manner as required for notice of a Planning Commission hearing in this chapter. The Council may consider all relevant evidence presented at the hearing and shall render its findings and decision within 60 days therefrom. The Council shall approve the relocation impact report if it finds that the applicant and the relocation impact report have satisfactorily addressed the following:

- A. The relocation impact report contains the required information.
- B. The proposed change of use is consistent with the General Plan, any applicable Specific Plan, or any similar State law or City ordinance.
- C. The applicant has complied with all applicable notice requirements as provided for in Government Code Sections 65863.7(b) and (c), 66427.4(c), and Civil Code Section 798.56, and each mobilehome owner and resident has had adequate notification of the proposed closure.
- D. The relocation impact report accurately represents the total costs associated with the relocation of each mobilehome resident.
- E. Each mobilehome resident will receive the reasonable costs of relocation from the mobilehome park owner consistent with State law and this ordinance.

In approving of the relocation impact report, the City Council may require the imposition of such conditions as it finds necessary to mitigate the adverse impacts on the residents; however, any steps required to be taken by the applicant pursuant to this section shall not exceed the reasonable costs of relocation. Notice of the decision of the City Council shall be mailed to the applicant and to each mobilehome owner and resident of the park.

(Ord. 16-03 § 2)

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§ 8.17.230. Relocation Impact Report Approval Required Before Development Approval.

The City shall not take final action on a development application until the City Council has approved the relocation impact report. Public hearings on any development application for the park site shall not be held in conjunction with, or on the same night as any public hearing on the relocation impact report.
(Ord. 16-03 § 2)

§ 8.17.240. Closure Due to Reduced Occupancy.

A park is deemed to be undergoing closure or cessation of use when 25% or more of the spaces are vacant.

- A. Statements of Reduced Occupancy. At the time of 25% vacancy, the park owner shall file a statement explaining any known reasons for the reduced occupancy and any intention to change the use. A resident may also file a statement of reduced occupancy and shall indicate the spaces the resident believes to be vacant.
 - 1. Statement Filed by Park Owner. If a park owner files a statement of reduced occupancy, the Director shall issue a notice of closure. No public hearing is required.
 - 2. Statement Filed by Residents. If residents file a statement of reduced occupancy, the statement must be signed by no less than 10% of the residents of the mobilehome park, and the Planning Commission shall determine the correctness of the statement at a noticed public hearing.
 - 3. Hearing. The Planning Commission shall conduct a hearing on a statement filed by residents following the procedures in Sections 8.17.200 and 8.17.210. Notice of the time and place of any public hearing described in this subsection shall be given to the park owner, mobilehome owners and residents and posted at all entrances of the park at least 30 days before the hearing.
- B. Notice of Closure and Relocation Impact Report. Written notice of closure due to reduced occupancy shall be issued to the park owner, mobilehome owners, and residents with proof of service. The notice of closure shall include a reasonable period of time during which the park owner shall file a relocation impact report.
- C. Waiver Request from Relocation Assistance. The park owner may request a partial or total exemption from relocation assistance obligations under Section 8.17.250 (Exemption from Relocation Assistance Obligations). The request shall be filed no later than the date established by the Director in the notice of determination under subsection B.
- D. Failure to Prepare a Relocation Impact Report. The failure of the park owner to prepare a relocation impact report within the time required by the Director pursuant to subsection B of this section is hereby determined to have a severely adverse economic effect on mobilehome residents and eligible mobilehome owners due to the delay in providing necessary relocation assistance which would result from such

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failure. Such failure is hereby determined to be a public nuisance.

1. City-Initiated Relocation Impact Report Preparation. If the park owner fails to prepare or cause to be prepared a relocation impact report within such required time, the Director shall cause such report to be prepared.
2. Statement of Cost of Preparation. Upon completion of such report, the Director shall cause a statement of the cost of preparation of such report to be sent to the park owner. If the park owner fails to reimburse the City for such cost within 30 days after presentation of such statement, the Director shall prepare a report on such expense and file it with the City Clerk. The City Clerk shall thereupon submit written notice to the mobilehome park owner of the time and place when the City Council shall receive and consider such report and give the park owner not less than 30 days' written notice thereof by certified mail.
3. City Council Hearing on Relocation Impact Report Cost. At the time and place fixed for receiving and considering the Director's report on the cost of preparation of the relocation impact report, the City Council shall hear the same together with any objections which may be raised by the park owner liable to be assessed for the cost of the report. The Director shall attend such meeting with his or her record thereof, and upon such hearing, the City Council shall make such modifications in the proposed assessment thereof as it may deem necessary, after which such report and assessment shall be confirmed by resolution.
4. Collection of Relocation Impact Report Cost. The amount of the cost of preparation of such report shall constitute a special assessment against the mobilehome park and, after thus made and confirmed, shall constitute a lien on such property for the amount of said assessment until paid. The Director of Finance shall cause the amount of the assessment to be entered on the City assessment roll opposite the description of the particular property, and the amount shall be collected with all other taxes thereon upon the property. Thereafter such amounts shall be collected at the same time, and in the same manner, as general City taxes are collected and shall be subject to the same penalties and interest, and the same procedure and sale in case of delinquency as provided for City taxes. All laws and ordinances applicable to the levy, collection and enforcement of City taxes are hereby made applicable to such special assessment.

(Ord. 16-03 § 2)

§ 8.17.250. Exemption from Relocation Assistance Obligations.

If the applicant believes that providing the required relocation assistance would impose an unreasonable financial hardship, the applicant may request total or partial exemption from relocation assistance obligations in accordance with this section. The request shall be filed with the relocation impact report.

- A. Disclosure to Residents. The applicant shall notify residents of the request for exemption from relocation assistance obligations.

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- B. Required Information. To justify the basis for the request of exemption from relocation assistance obligations, the applicant shall provide the following information with the relocation impact report:
1. Financial Statements. Statements of profit and loss from the operations of the park for the most recent five-year period of the date of the application or request, audited by a certified public accountant;
 2. Statement of Repairs and Improvements. A statement made under penalty of perjury by a statelicensed general contractor that repairs and improvements are necessary to maintain the park in a decent, safe and sanitary condition and to continue the use of the property as a mobilehome park. The statement shall include an itemized list of the necessary repairs and improvements, their costs, and the minimum period of time they shall be made. The applicant shall also submit a statement audited by a certified public accountant on the necessary increase in rental rates of mobilehome spaces within the park within the next five years necessary to pay for such repairs or improvements. At the Director's discretion, the applicant may be required to hire another licensed general contractor selected by the Director to analyze the submitted information from another licensed general contractor selected by the Director;
 3. Estimated Relocation Costs. The estimated total cost of relocation assistance based on the requirements of Section 8.17.140 (Relocation Assistance) and as determined by the relocation specialist;
 4. Appraised Value Estimate. A comparison by an appraiser from the Director's list of the estimated values of the property if it were to continue as a mobilehome park, and if the park were developed according to the proposed redevelopment of the park; and
 5. Additional Information. Other information the applicant believes to be pertinent, or which may be required by the Director.
- (Ord. 16-03 § 2)

§ 8.17.260. Expiration of Approval of Closure.

Closure approvals shall expire one year after the date they are issued. The Director may deny or grant a request for an extension of time of closure approval. The Director may upon request grant extensions of time based upon a showing that good faith progress has been made toward fulfilling the conditions of approval or some intervening event not the fault of the park owner has prevented timely compliance with the conditions of approval. The applicant may appeal the denial of a request for an extension to the Planning Commission.

(Ord. 16-03 § 2)

§ 8.17.270. Administration Fee.

The City Council shall by resolution establish the reasonable fee to cover the cost of administering this ordinance and shall assess such fees to the applicant.

City of Goleta, CA

§ 8.17.270

§ 8.17.280

(Ord. 16-03 § 2)

§ 8.17.280. Adjudication of Bankruptcy.

If the closure of a mobilehome park results from an adjudication of bankruptcy, the provisions of this ordinance shall not be applicable to an applicant when a court of competent jurisdiction has determined in connection with a proceeding in bankruptcy that the closure of the mobilehome park is necessary and that such court has taken further action, which would preclude the payment of relocation assistance benefits.

(Ord. 16-03 § 2)

**MEMO ON THE PROPOSED MOBILEHOME PARK CONVERSION AND CLOSURE
ORDINANCE FOR THE CITY OF SONOMA**

Date: August 11, 2025

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To: Jennifer Gates, Director City of Sonoma Community Development Department

Topic: My clients, the AB 2782 Revision Committee and the Sonoma Tri Park Coalition, asked me to draft the accompanying proposed Draft Mobile Home Park Conversion and Closure Ordinance and this memo, which introduces and summarizes it, and then highlights and explains in more detail the most important provisions contained within it. Please feel free to contact me if you have any questions.

I INTRODUCTION AND EXECUTIVE SUMMARY

A. WHY THE PROPOSED ORDINANCE IS NOW NEEDED.

Sonoma's 488 mobilehomes provide 8.5% of the City's housing and a significantly larger percentage of the affordable home ownership opportunities for the City's low-income households, who make up 46.9% of Sonoma's renter households. The City's mobilehome park rent stabilization ordinance helps keep those mobilehomes affordable, but there is a growing threat of park conversions and closures, requiring a robust and effective mobilehome park conversion and closure ordinance, which, for the first time, new state law now allows and encourages.

In that regard, the proposed mobilehome conversion and closure ordinance is now needed because in 2020, AB 2782

significantly amended Government Code Section 65863.7, governing both what is required and what is optionally permitted in local ordinances regulating the conversion or closure of mobilehome parks. It expands the power of local jurisdictions to adopt more stringent local regulations, and it requires or allows protections beyond what is provided for in Sonoma's current ordinance. However, it requires more detailed and expanded local implementing regulations to enforce the new powers it grants to the City of Sonoma. Without those new local

implementing regulations, the most important provisions of AB 2782 cannot be effectively implemented.

B. SUMMARY OF HOW THE PROPOSED ORDINANCE PROTECTS AFFORDABLE HOUSING AND ADEQUATELY COMPENSATES DISPLACED HOMEOWNERS.

A summary of the reasons why neither Sonoma’s current ordinance nor the new provisions of Government Code Section 65863.7 are sufficient by themselves, and how the proposed ordinance addresses their intentions and deficiencies is as follows:

1. Provides the City with the authority to prevent mobilehome park conversions or closures that would cause a loss of affordable housing. Government Code Section 65863.7(e)(2)(B) requires a finding on whether the approval of a mobilehome park to its intended new use will result in or materially contribute to a shortage of housing that is affordable to low- and moderate-income households within the City of Sonoma. However, it requires the City to adopt a more stringent local regulation to reject a proposed conversion or closure if it is determined that approval will result in the loss of low-income affordable housing if the City wishes to do enforce Section 65863.7(e)(2)(B). Sonoma’s current ordinance does not contain such a provision. The proposed ordinance solves this deficiency by providing the City with the power to reject conversion or closure if it is determined that it will cause or materially contribute to a shortage of affordable housing to such an extent that it violates the low-income housing preservation provisions of the City’s Housing Element.

2. Provides the City with the analysis and required findings to ensure that, if a mobilehome park is approved to be converted or closed, its displaced mobilehome owners will be able to obtain adequate housing in other mobilehome parks. Government Code Section 65863.7 requires a report on the impact of a mobilehome park conversion or closure and a “replacement and relocation plan” that shows how displaced mobilehomeowners will obtain adequate housing in other mobilehome parks. Sonoma’s current ordinance does not provide the complete analysis or required findings for accomplishing this. The proposed ordinance rectifies this through the following groups of required findings and supporting analyses:

1. A finding that there are sufficient available spaces in other mobilehome parks to receive the displaced mobilehomes, that the mobilehomes are physically able to be moved to those spaces and that they meet the requirements of the mobilehome parks for accepting mobilehomes into them.
2. A finding that, when their mobilehomes cannot be relocated into available spaces, there are a sufficient number of mobilehomes for sale to accommodate the displaced homeowners,
3. A finding that, based on the displaced homeowners' financial circumstances and the amount of their proposed mitigation payments, the mobilehome parks proposed for the homeowners to be relocated to will be affordable to them.

4. A finding that the displaced homeowners will be able to meet the residency requirements of the mobilehome parks in which available spaces or mobilehomes for sale are stated to be available.

5. A finding that the mitigation benefits will be sufficient to fully accomplish the proposed relocations.

3. Provides for displaced mobilehome owners to be able to purchase the actually available replacement mobilehomes. Government Code Section 65863.7 and Sonoma's current ordinance require the payment of the in-place market value of the displaced mobilehomes when it is determined that they can be relocated. However, most of the time, the parks that park owners choose to convert or close are parks with older and smaller mobilehomes in them. This results in their in-place values being insufficient for purchasing the actually available mobilehomes in their communities. Copying from California's Uniform Relocation Act, the proposed ordinance solves this deficiency by, when the in-place value of a displaced mobilehome is insufficient, providing for a supplemental payment needed to enable the displaced mobilehome owner to purchase the actually available mobilehomes.

4. Provides the required exemption from complying with its requirements when doing so would eliminate substantially all reasonable use and economic value of the park property. Constitutional considerations require the ordinance to include an exemption clause excusing a park owner from meeting the requirements of the ordinance if they can show both that it is economically infeasible to either continue to operate their park as a rental park or to meet the ordinance's requirements to be able to convert or close it. (*See Nash v. City of Santa Monica* 37 Cal. 3d 97 (1984)). The proposed ordinance provides this exemption clause.

5. Documents that mobilehome owners typically have greater aggregate investments in their mobilehomes and spaces than their park owners have in their parks, and protects the investments of both groups. Studies and court decisions comparing the size of the investments of park owners in their mobilehome parks to their mobilehome owners' aggregate investments in their mobilehomes and spaces, including the California and US Supreme Courts, recognize that mobilehome owners are co-investors with their park owners and typically invest two dollars in their mobilehomes and spaces for every dollar that their park owner has invested in their spaces and in constructing or purchasing and maintaining their park. This recognition is crucial in supporting the requirements of Government Code Section 65863.7, the City's Housing Element, and the proposed ordinance. Accordingly, the proposed ordinance requires that the aggregate amount of the mobilehome owners' collective investments in their homes and spaces, compared with their park owners' investments in their parks, must be reported and included in a proposed conversion or closure's Conversion Impact Report.

This information is needed to help justify the rejection of a conversion or closure, when it is determined that it will result in a significant loss of low-income affordable housing or, when a conversion or closure is, instead, approved, to support the requirement that a park must pay the

substantial relocation benefits needed to ensure that the displaced mobilehome owners will not lose their investments in their mobilehomes and also be able to afford the costs of comparable mobilehomes in or within a reasonable distance of the City of Sonoma.

II DETAILED DISCUSSIONS ON SELECTED CRITICAL ISSUES COVERED IN THE PROPOSED ORDINANCE AND ITS PROVISIONS FOR ADDRESSING THEM.

A. SECTION 9.82.010 OF THE PROPOSED ORDINANCE: FINDINGS AND PURPOSE.

Section 9.82.010 of the proposed Ordinance contains robust findings and purpose sections that show that mobilehome owners have invested more in their mobilehomes and spaces than their park owners have, which is needed to support the proposed ordinance's displaced homeowner protections. It also demonstrates why the loss of the low- and moderate-income affordable housing located in mobilehome parks in the City of Sonoma would materially contribute to a serious shortage of low-and moderate-income affordable housing in the City.

These findings are essential to support the two main sets of protections that Government Code Section 65863.7 requires in the ordinance: **1.** Preservation of the current low- and moderate-income housing supply in Sonoma's mobilehome parks. **2.** The provision of adequate mitigation benefits to displaced mobilehome owners when a park conversion or closure is approved.

Specifically in making the required determination on whether or not a proposed conversion or closure will result in or maturely contribute to a shortage of low-income affordable housing, Government Code § 65863.7(e)(1)(B) requires the City to take into account both the impact report as a whole **and the overall housing availability within the local jurisdiction.** The findings contained in the proposed ordinance provide that essential information for making this determination, without which, the City could not enforce Government Code § 65863.7(e)(1)(B).

Just as necessary, if the City decides to grant a proposed park conversion or closure, the robust findings also provide the needed factual support that will enable the City to require a park owner to provide the substantial mitigation benefits needed to enable displaced mobilehome owners to obtain adequate, comparable replacement housing and other mobilehome parks.

Section 9.82.010's robust findings are also needed because courts have ruled that the provisions in ordinances that regulate mobilehome parks must contain sufficient findings to support them. (*See El Rovia Mobile Home Park, LLC v. City of El Monte* (2019) Case No. B288134, Second District Court of Appeal Unpublished Decision, Filed March 21, 2019 and *Birkenfeld v. City of Berkeley* 17 Cal.3d 129, 160 – 163 (1976))

These findings are also risk-free to the City, because a park owner cannot challenge them (*they only can challenge the lack of sufficient findings but not that they disagree with them*) if they file a lawsuit challenging the provisions of the ordinance, but they will be essential in convincing a court to uphold the substantive provisions of the ordinance.

B. SUBSTANTIVE PROVISIONS IN THE ORDINANCE RELATED TO THE PRESERVATION OF LOW- AND MODERATE-INCOME AFFORDABLE HOUSING.

Subsection (a)(5) of Section 9.82.040 “Required Findings of Approval” of the proposed ordinance requires a finding that a proposed conversion or closure:

“That the proposed conversion or closure for all or part of the mobilehome park will not result in or materially contribute to a shortage of housing opportunities and choices for low- and moderate-income households to such an extent that it will cause it to be inconsistent with the City’s Housing Element.”

This finding is required by the provisions of Government Code Section 65863.7, the applicable provisions of California’s Housing Elements Law, and the low-income affordable housing preservation goals, policies, and objectives of Sonoma’s 2023-2031 Housing Element.

Specifically, this finding is required because, prior to approving a mobilehome park conversion or closure, Government Code Section 65863.7(e)(1)(B) similarly requires that the City make a finding as to whether a park closure and its conversion to its intended new use will result in or materially contribute to a shortage of housing opportunities and choices for low- and moderate-income households within the City of Sonoma.

Supporting and encouraging this requirement, Government Code Section 65863.7 (k) then states that Section 65863.7 establishes a **minimum standard** for the local regulation of the conversion or closure of mobilehome parks and shall not prevent a local jurisdiction from enacting more stringent measures. The legislative history of Section 65863.7 explicitly recognizes that Government Code Section 65863.7(k) authorizes local jurisdictions to adopt more stringent local measures when the finding required by subsection Government Code Section 65863.7(e)(1)(B) demonstrates that it will result in or materially contribute to a shortage of housing opportunities and choices for low- and moderate-income households, including that the conversion or closure must then be rejected. (*See* p.4 Senate Rules Committee Floor Report, 8/21/2020, Third Reading AB 2782 as Amended on 8/14/2020.)

Also requiring this provision, Government Code Section 65583(b)(1), a provision of California’s Housing Elements Law, requires the City’s Housing Element to contain goals, policies, and objectives to preserve the City’s current low-income and moderate-income affordable housing stock. Government Code Section 65583(b)(2) specifies that the goals and policies within the Housing Element must include the preservation of the City’s housing stock that is affordable to all income categories of a community’s households, including extremely low-income households. Government Code Section 65583(c)(4) further requires the City to establish programs to conserve the existing affordable housing stock, which has been interpreted by the courts to require programs that will preserve the continued availability and affordability of the current affordable housing stock located in the City’s mobilehome parks. (*See Buena Vista Gardens Apartments Assn. v. City of San Diego Planning Dept.* (1985) 175 Cal. App.3d 289, 303.)

To fulfill the above requirements of California’s Housing Element Law, the City’s 2023-2031 Housing Element contains the following goals, policies, and objectives:

- (i) Goal H-1: “Provide a range of housing types affordable to all income levels, allowing those who work in Sonoma to also live in the community.
- (ii) Goal H-2: Improve housing affordability for both renters and homeowners in Sonoma.
- (iii) Goal H-3: Maintain and enhance the existing housing stock, preserve the affordable housing stock.
- (iv) Policy H-3.6: Support the preservation of mobilehome parks as an important source of affordable housing.
- (v) A 2023-2031 Objective *(to the Housing Element’s Program 11: Tenant and Resident Protections)* of:

“Continue to enforce the mobilehome park rent stabilization and conversion ordinances to preserve the affordability and long-term use of mobilehome parks in Sonoma.

“Update Chapter 9.92 of the Municipal Code by December 2023/4 to reflect the requirements of State law, including AB 2782 changes to Civil Code Section 798.17 (rental agreement requirements) Civil Code Section 798.56 (tenancy termination standards), and Government Code Sections 65863.7 and 66427.4 provisions regarding conversion or closure of a mobilehome park. Adoption of additional tenant protection requirements to reduce displacement.”

- (vi) Program 22 Fair Housing Program Action Item “11. Tenant and Resident Protections” of: Reduce displacement of lower-income households and mobilehome park residents through prohibiting unjust evictions and excessive rent increases and requiring projects that would convert mobilehome parks to provide protections for residents, including adequate notice and relocation assistance, in order to promote the preservation of affordable units throughout the City.

- (vi) 2023- 2031 Quantified Objective of conserving the availability and continued affordability of 339 low and moderate-income affordable housing units located in the City’s mobilehome parks, including 171 units that are affordable to low and below-income households.

Accordingly, the above-cited language of Subsection (a)(5) of Section 9.82.040 of the proposed ordinance fulfills the combined above requirements of Government Code Sections Government Code Sections 65583(b)(1) and (c)(2) and Section 65863.7(e)(1)(B).

In making the above determinations, Subsection (a)(5) of Section 9.82.040 of the proposed ordinance further provides that:

In making this determination, the City shall take into consideration both the impact report as a whole and the overall housing availability within the City. The City may also consider whether or not, as part of the development plan approved of, an adequate number of replacement affordable housing units are being provided, either on or off-site of the mobilehome park proposed for conversion or closure, to prevent it from causing or materially contributing to a shortage of low- and moderate- income affordable housing. In such instances, the evaluation and findings shall compare the affordability of proposed replacement housing with that of the housing that will be lost using the affordability categories defined in Health and Safety Code Sections 500795, 50105, 50106, and 50093(b) for low-income, very low-income, extremely low-income, and moderate-income households.

This fulfills the above Government Code Requirements, particularly, that under California's Housing Elements Law, the City is required to report on and demonstrate the actions they are taking to preserve housing that is affordable to the above three subgroups of, low- income, very low -income and extremely low - income households.

C. THE PROVISIONS OF THE PROPOSED ORDINANCE NEEDED TO ENSURE THAT THE DISPLACED HOMEOWNERS WILL BE ABLE TO OBTAIN ADEQUATE HOUSING IN OTHER MOBILEHOME PARKS.

1. The Requirements of Government Code Sections 65863.7 and 66427.4.

Government Code Section 65863.7(a)(1), which applies to all mobilehome park conversions not requiring subdivision approval for the development replacing them and also to all park closures, requires park owners to provide displaced mobilehome owners with sufficient mitigation benefits to enable them to relocate their displaced mobilehomes to available spaces in other mobilehome parks or, when that is not possible, to pay them the in-place market value of displaced mobilehomes. (*See* Government Code Section 65863.7(a)(1) and (a)(1)(A)). Government Code 66427.4, which applies to all mobilehome park conversions requiring subdivision approval for the development replacing them, states that the displaced homeowner mitigation requirements of Section 65863.7 also apply to conversions under its provisions.

The legislative history of AB 2782 states that the purpose of providing the displaced homeowners with the in-place value of their mobilehomes is to allow them to purchase mobilehomes in other mobilehome parks when spaces in those parks are not available to relocate their displaced mobilehomes to:

“AB 2782 also requires the CIR to ensure that the person or entity seeking a change of use includes in the report a “replacement and relocation plan that adequately mitigates the impact upon the ability of the displaced residents... to find adequate housing in a mobilehome park.” Currently park owners who seek a

change of use for their mobilehome park only have to include information on the availability of adequate housing for displaced residents and relocation costs. This bill also requires that, in cases where adequate housing in a mobilehome park is not available, the person or entity proposing the change of use must pay the displaced resident the in-place market value of their mobilehome.

To find adequate space in a mobilehome park would require the relocation of an existing mobilehome. However, in cases where relocation is not possible, finding adequate housing requires a resident to purchase another home that is similar to the one the owner is losing as a result of the park closure or conversion. In order to allow mobilehome park residents to purchase a similar home to the one they are being displaced from; this bill would provide homeowner owners with the in-place value of their current mobilehome.” (See ¶¶ 3 and 4 p. 6, Assembly Committee on Housing and Community Development, Analysis of AB 2782 (Mark Stone) Date of Hearing May 20, 2020.

Additionally, subsection (k) of Government Code Section 65863.7 and subsection (c) of Government Code Section 66427.4 both allow the City to impose more stringent local regulations or measures regarding mitigation benefits that can be required to be paid to displace mobilehome owners.

2 The Displaced Homeowner Manufactured Housing Replacement and Relocation Plan Set Forth in Section 9.82.030 of the Ordinance Ensures That Displaced Mobilehome Owners Will Be Able to Obtain Adequate Housing in Other Comparable Mobilehome Parks.

Subsection (A)(1) of proposed Section 9.8.030 ensures that mobilehome park conversions and closures will comply with the displaced homeowner requirements of Government Code Section 65863.7 by requiring a finding that the Replacement Relocation Plan, required by Government Code Section 65863.7(a)(1), meets the requirements for such plans in Section 9.82.030 of the Ordinance and enables the displaced homeowners to obtain and relocate into adequate housing in other Mobilehome Parks or into other housing to the extent that the Displaced Homeowner and the Park Owner voluntarily agree upon the other housing.

The Conversion Impact Report requirements of Section 9.82.025, the Replacement and Relocation Plan requirements of Section 9.82.030, and the Required Findings of Approval requirements of Section 9.82.040 of the Ordinance ensure that the displaced homeowners will be adequately compensated and relocated as follows:

Proposed Section 9.82.025(a)(2)(xv) requires the Conversion Impact Report to provide for the following relocation benefits:

- (aa) Payment of the cost of physically moving a displaced mobilehome to a new site, including the teardown and setup of the home and any

movable improvements such as patios, carports, and porches, and packing, moving and unpacking all personal property.

(ab) Replacement or reconstruction of blocks, skirting, siding, porches, decks, awnings, storage sheds, cabanas, and earthquake bracing as necessitated by the relocation.

(ac) Indemnification for any damage to personal property of the displaced homeowner caused by the relocation.

(ad) Payment of a lump sum to compensate for payment of the first and last month's rent and any security deposit at the new mobilehome home park.

(ae) Reasonable living expenses of the displaced homeowner and the members of their household from the date of actual displacement to the date of occupancy of the new mobilehome space or home.

(af) For any of the homeowners' mobilehomes that cannot be relocated, the proposed mitigation benefits may include, but are not limited to: (1) payment of the appraised in-place market value of the displaced homeowner's mobilehome pursuant to Government Code Section 65863.7(a)(2)(A); (2) the option of lump sum payments to those homeowners in an amount that will enable them to purchase and relocate into adequate mobilehomes that are located in comparable mobilehome parks.

(af1) If the appraised value is insufficient to allow a displaced homeowner to purchase an adequate mobilehome in a comparable mobilehome park, then the proposed mitigation benefits may include a supplemental payment to enable them to cover the reasonable cost of purchasing an actually available adequate mobilehome located in a comparable mobilehome park.

(af2) If there is a legal owner of any displaced homeowner's current mobilehome, then the lump sum payment shall be sufficient to satisfy the remaining obligation owed by the homeowner to the legal owner under the homeowner's mobilehome purchase loan and to reimburse the homeowner for their remaining invested equity in their mobilehome as demonstrated in the appraisal required by this section. If the homeowner is required to be paid the reasonable cost of purchasing an available adequate mobilehome that exceeds the appraised value of their current mobilehome, then the benefits, required to be listed

under this subsection for them, shall be the aggregate of their remaining invested equity, after the payoff of their loan to their home's legal owner, and the difference between the appraised value of their current home and the actual purchase price of an available adequate mobile home.

Him Proposed Section 9.82.030(a)(2) and (3) require the Replacement and Relocation Plan to demonstrate that:

(2) In cases in which the report proposes relocating mobilehomes into available spaces in other comparable mobilehome parks, the plan shall demonstrate that:

- (i) The mobilehomes are physically capable of being relocated.
- (ii) There are a sufficient number of available spaces in comparable mobilehome parks, which are willing to accept displaced mobilehomes and their owners, to accommodate all of the homeowners whom the relocation plan proposes to relocate in this manner.
- (iii) The homeowners will be able to meet the income and other residency requirements of the parks where the spaces are located.
- (iv) The displaced mobilehomes meet the age and other requirements for displaced mobilehomes that the mobilehome parks will allow to be relocated into their parks.
- (v) The mitigation benefits, which the replacement and relocation plan proposes to be paid to the homeowners, will be sufficient to accomplish their proposed relocations.

(3) For the homeowners whom the replacement and relocation plan proposes to relocate by providing benefits to enable them to purchase and relocate into adequate mobilehomes, which are located in comparable mobilehome parks, the plan shall demonstrate that:

- (i) There are a sufficient number of adequate mobilehomes for sale in comparable mobilehome parks to accommodate all of the homeowners whom the plan proposes to relocate in this manner.
- (ii) The homeowners will be able to meet the income and other residency requirements of the parks in which the adequate mobile homes are located.
- (iii) The mitigation benefits, which the replacement and relocation plan proposes to be paid to the homeowners, will be sufficient to purchase the available mobilehomes and accomplish their proposed relocations.

Proposed Section 9.82.040(a)(1) and (2) requires findings of approval that:

- (1) That the displaced homeowner housing replacement and relocation plan meets all of the requirements of Section 9.82.030, including that it will provide all of the park's displaced homeowners with sufficient mitigation benefits to enable them to obtain and relocate into adequate housing in other mobilehome parks or into other housing to the extent that the other housing is agreed upon by the displaced homeowner and the park owner.
- (2) That the mitigation benefits, which are listed in the replacement and relocation plan to be provided to all of the displaced homeowners, have been listed as a condition of approval in the project's special use permit for conversion or closure, the relocation impact report, any required tentative map and in any of the project's other development approvals required for the development intended to replace the mobilehome park proposed to be converted or closed.

3. The Provision of Supplementals Payment to Help Cover the Cost of the Actually Available Mobilehomes When the In-place Value of a Displaced Mobilehome is Insufficient.

A prevalent circumstance in many, if not most, mobilehome park conversions and closures is that the in-place value of the displaced mobilehomes will be insufficient to purchase the available mobilehomes for sale within a reasonable distance of the park proposed for conversion or closure.¹

When this occurs, Subsection 9.82.025(a)(2)(xv)(af)(af1) of the proposed ordinance requires a park owner to pay the displaced homeowner a supplemental payment, in addition to

¹ A 2019 - California Rural Legal Assistance Foundation Study on mobilehome park conversions and closures found that, out of 493 mobilehomes that were displaced in a sample of eleven mobilehome park conversions and closures that it studied, 454 of them were single-wide single mobilehomes or permanently located recreational vehicles. It also found that, of those conversions that provided income information on the displaced homeowners, 37% of the displaced homeowners were extremely low-income households, 16% were very low-income households, 25% were low-income households and 22% were moderate and above moderate-income households. Thus, 78% of the displaced households were low-income or below low-income households. The CRLA Foundation Study also found that there existed serious shortages of low-income affordable housing within all of the local jurisdictions in which the mobilehome parks, which were being closed, were located. It concluded that the in-place fair market values of these displaced mobilehomes were insufficient to enable their displaced homeowners to purchase the available mobilehomes in their areas. It concluded that the reason this occurred was that the prices of the actually available mobilehomes will be much higher since there was a severe shortage of the supply of equally low-income affordable mobilehomes in the vicinity of the park being closed, which was only being made much worse by the closure the parks. It concluded that the mobilehomes owned by the displaced homeowners, which were being displaced, were the only mobilehomes that had been available in their areas that would be have been for sale at the in-place market values of their displaced mobilehomes.

the payment for that in-place value of their mobilehome reasonable, to enable them to afford the higher cost of purchasing the actually available adequate mobilehomes in comparable mobilehome parks.

Government Code Section 65863.7(k) allows for this higher payment since it allows more stringent local regulations than those contained in Section 65863.7.

The cities of Capitola, Lancaster, Palo Alto and Watsonville all have mobilehome park conversion ordinances that require the displaced mobilehome owners to be paid the prices of the actually available mobilehomes when the in-place values of their displaced mobilehomes are insufficient to purchase those homes (*See* subdivision (a)(2)(xv) of Section 11-4.140 of Chapter 11-4 of the Watsonville Municipal Code, subdivision (D)(6) of Section 17.90.070 of Chapter 17.90 of the Capitola Municipal Code, subdivision (E)(5) of Section 17.90.070 of Chapter 11.22 of the Lancaster Municipal Code, and subdivision (a)(2)(a) of Section 9.76.040 of Chapter 9.76 of the Palo Alto Municipal Code)

Similarly, California's Uniform Relocation Act requires local governments, who obtain homes through their power of eminent domain, to add a supplemental payment, which, when added to the acquisition cost of the dwelling acquired by the public entity, equals the reasonable costs of a comparable replacement dwelling. " (*See* subdivision (b)(1) of Government Code Section 7263)

4. Use of California Environmental Protection Agency's "CalEnviroScreening" program to ensure that displaced mobilehome owners are relocated into "adequate housing" in mobilehome parks that will not expose them to significant health and safety risks.

Government Code Section 65863.7 (a)(1) requires a park owner proposing a mobilehome park conversion or closure to produce a replacement and relocation plan that adequately mitigates the impact of the park closure on the ability of the displaced mobilehome owners to find **adequate housing in a mobilehome park**. However, although it does not define what it means by "adequate housing," similar statutes do. For example, California's Uniform Relocation Act (the URA) requires adequate housing to be in a location that is not subject to adverse environmental or health conditions. (*See* Government Code Section 7260)

Although the URA does not apply to privately owned mobilehome park conversions and closures, its definition is a reasonable standard to apply to Government Code Section 65863.7(a)(1)'s requirement that the displaced homeowners must be relocated into adequate housing in another mobilehome park. The California Environmental Protection Agency (Cal EPA) has an Environmental Justice Program that makes it very easy to determine if this standard is being met using its "CalEnviroScreen" scoring system. (*See* Government Code Sections 65031.5 thru 65302 and Health & Safety Code Sections 39710 thru 39715)

The CalEnviroScreen scoring quantifies environmental health factors and poverty indicators for the populations in all 8,000 census tracts in California, resulting in a "CalEnviroScreen Score" from 0 to 100 for each tract. The census tracts are then ordered from highest to lowest based on their overall score. A high score indicates that the census tract is an

area of high poverty and environmental conditions, such as air and pollution, ground contamination etc, that severely impact the health of the population in the census tract. A census tract that is in the 75th percentile or higher, is then designated by Cal EPA as a “disadvantaged community” meaning that it has high rates of poverty and poor environmental conditions that subject its population to very high health risks.

Cal EPA's website contains a census tract map that can be easily used to locate the CalEnviroScreen scores of all 8,000 census districts in California. The address of the mobilehome parks, which a replacement and relocation plan lists as mobilehome parks the displaced homeowners can be relocated to, can be entered into a search box on this map. It will bring up the overall CalEnviroScreen score and the factors used in determining it for that census district. Cal EPA's CalEnviroScreen tract.

This information is a godsend for evaluating a proposed mobilehome park conversion's required Replacement and Relocation Plan because park owners typically close mobilehome parks in areas with low CalEnviroScreen scores and attempt to relocate them to parks in tracts of with high scores. The low scores mean that closed parks are situated in communities with minimal or no environmental health risks, primarily in higher-end areas. This occurs because these areas are in which it is most profitable to close low-income affordable mobilehome parks and replace them with upscale townhouses.

However, conversion impact reports for the conversion of mobilehome parks located in the San Francisco Bay Area, in other parts of coastal central California, and in the higher socio-economic areas in southern California rely on, for relocating displaced mobilehome owners, almost entirely on mobilehome parks located in areas with extremely high CalEnviroScreen scores, usually in census tracts designated a “disadvantaged communities” by Cal EPA.

To take advantage of this invaluable program, for determining whether or not replacement housing in other mobilehome parks is “adequate housing” under Government Code Section 65863.7, the proposed ordinance requires Cal EPA’s CalEnviroScreen, score to be taken into account. Mobilehome parks that have been designated by Cal EPA as “Disadvantaged Communities” are then also required to be excluded from consideration, as set forth in definition for a “Comparable mobilehome park” contained in subsection (k)(2) of Section of the proposed ordinance:

(k) Comparable mobilehome park is one that meets all of the following requirements:

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(2) Its California Environmental Protection Agency’s “CalEnviroScreen” score must not be higher than the score of the census tract in which the mobilehome park proposed for conversion or closure is located.

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(4) A mobilehome park that is located in a census tract that has been designated by the California Department of Environmental Protection as a “disadvantaged community” based on its CalEnviroScreen cannot be listed or considered under this Chapter as a comparable mobilehome park unless it is demonstrated, through clear and convincing

evidence, that the conditions in the census tract, upon which the designation is based, do not occur in the section of the census tract in which the mobilehome park is located.

Subsection (a)(3) of Section 9.82.040 “Required Findings of Approval” then enforces this requirement by requiring a finding that there are sufficient available spaces or mobilehomes for sale in comparable mobilehome parks that meet that definition, ensuring that the mobilehome owners will not be relocated into mobilehome parks that have been designated “disadvantaged communities” by Cal EPA:

“(2) That the Conversion Impact Report and the Relocation and Replacement Plan have demonstrated that a sufficient number of spaces, or adequate mobilehomes for sale, are available for the displaced homeowners to relocate into that are located in comparable mobilehome parks. In making that determination, the adequate mobilehomes and comparable mobilehome parks relied on must strictly meet the definitions in Section 9.82.015 of this Chapter.

It also should be noted that proposed subsection (k)(3) of Section 9.82.15 requires the available mobilehome spaces or mobilehomes for sale to be in parks that are within a reasonable distance from the park proposed for conversion or closure:

“It must be located in Sonoma County, Napa County, or within twenty (20) miles of the mobilehome park proposed to be converted or closed.”

5. Same as Sonoma’s Current ordinance, Section 9.82.025 of the Proposed Ordinance requires the Conversion Impact Report to be Prepared by a Consultant Selected by the City and Paid for by the Park Owner

Some mobilehome park conversion and closure ordinances require the park owner to select and direct the consultant to prepare the required Conversion Impact Report. However, this usually results in a biased report favoring the park owner’s financial interests since the consultants will want to get retained by other park owners to prepare their future park conversion or closure. Conversion Impact Reports:

“Some ordinances provide that the park owner shall prepare the impact analysis and relocation plan. A conflict of interest is inherent in this approach, which leaves the home owners with the legal, political, and financial burden of rebutting a plan that likely will be most favorable to the park owner. Other ordinances provide that the city shall select the consultant and/or the appraiser to prepare the relocation impact report and appraisals of the in-place value of the mobile homes.” [*See* Baar, Protections of (Im)mobile Home Owners from the Consequences of (Im)mobile Home Park Closures 128 Penn State Law Rev. 779 at p 808 (2024)]

To avoid this potential bias and the extensive time and cost needed to analyze and respond to it, subsection (A) of Section 9.82.025 of the proposed ordinance retains Sonoma's current ordinance's procedure of the City selecting the consultant to prepare the conversion impact report.

D. The proposed ordinance prevents park owners from undertaking early “sham closures,” to close the parks without submitting an application for the development intended to replace their parks.

Some park owners have sought early closure approval for the park, rather than submitting an application for conversion approval currently with one for development approval for the park's intended new use. There are various reasons for doing this. For example, sometimes, it is done to coerce the homeowners into accepting a rent increase, which the park owner would be unable to obtain under the local mobilehome park rent control ordinance or state law.

Under applicable case law, a park owner can be prohibited from simply closing their park, unless they can demonstrate that they cannot continue to make a fair return operating it as a rental mobilehome park (*See Nash v. City of Santa Monica* 37 Cal.3d 97 (1984)). To prevent park owners from closing their parks prior to filing a concurrent applications for their intended new uses subsection (b) of section 9.82.040 of the proposed ordinance, requires them to meet the criteria articulated in Nash for going out of business on a rental property which will cause a loss of affordable housing:

(b) Additional Finding Required for the Closure of a Mobilehome Park When Approval of the Park's Conversion to Another Use Is Not Concurrently Being Requested. That the Park Owner has filed a certificate, signed under penalty of perjury, attesting that the Park Owner is not seeking an early closure of the Park in order to avoid any of the requirements of this Chapter or of controlling State or Federal law that regulate the conversion of Mobilehome Parks to other uses and that they cannot continue to operate park as a rental mobilehome park until a new use is decided upon for the property. The certificate must state specifically articulable facts, which are supported by appropriate documentary or other evidence, that must meet the Park Owner's burden of demonstrating that the circumstances described in it do in fact exist and require the closure of the Park prior to the submission of an application for approval of a Tentative or Parcel Map, conditional use permit, zoning change, development agreement, other development permit or any other required permit for the change of use of a Mobilehome Park within the meaning of Civil Code Section 798.56(g)(2). To meet this burden, it must demonstrate that, for reasons not caused by or contributed to by the Park Owner, the property cannot continue to be operated as a rental Mobilehome Park until the time that the Park Owner is ready to either file a permit for change of use or to sell the Park, while also making the Park Owner a fair return on their investment in the Mobilehome Park during that time period.

D. SECTION 9.82.050 OF THE PROPOSED ORDINANCE: THE REQUIRED EXEMPTION SECTION.

A mobilehome park conversion or closure ordinance cannot allow for the disapproval of an application to convert or close a mobilehome park unless it permits the park owner to close their park, without meeting the mitigation requirements of the ordinance, if the park owner is able to demonstrate both that being required to continue to operate their park as rental mobilehome park or to meet its mitigation requirements would eliminate substantially all reasonable use and economic value of the property. (*See Nash v. City of Santa Monica* 37 Cal.3d 97 (1984))

In *Nash*, the California Supreme Court upheld the City of Santa Monica's apartment rent control ordinance, which did not allow rental apartments containing low-income affordable rentals to go out of business unless they were able to demonstrate that they could not make a fair return by continuing their rentals. The State Legislature responded to the *Nash* decision by passing the Ellis Act, which now prohibits local jurisdictions from preventing landlords from going out of business. However, it does not apply to the rental of mobilehome spaces in mobilehome parks because it only applies to residential rentals that are in detached physical structures and mobilehome spaces are not detached physical structures. (*See* subsection (a) and (b)(1) of Government Code Section 7060).

Accordingly, Section 9.82.050 of the proposed ordinance allows a park owner to obtain an exemption from meeting all or part of the proposed ordinance's displaced mobilehome owner replacement and relocation assistance if complying with them would eliminate substantially all reasonable use and economic value of the park property and the continued use of the property as a rental mobilehome park would also eliminate substantially all reasonable use in economic value of the property.

The proposed ordinance is exemption provision, also allows a park to be closed without meeting the ordinance's provisions, if required to do so by a bankruptcy court.

These exemption requirements are also contained in the mobilehome park conversion and closure ordinances of Culver City, Fremont, Hayward, Huntington Beach, Milpitas, Palo Alto, San Leandro, Santa Barbara County and Watsonville.

**AUGUST 5, 2025 -DRAFT PROPOSED CITY OF SONOMA MOBILEHOME PARK
CONVERSION AND CLOSURE ORDINANCE**

Sections:

9.82.010 Findings and Purpose.

9.82.015 Definitions.

9.82.020 Application for a conditional special use permit for conversion or closure.

9.82.025 Conversion impact report.

**9.82.030 Displaced homeowner housing replacement and relocation plan and
counselor.**

**9.82.035 Procedures for review of the application for conversion or closure and the
relocation impact report.**

9.82.040 Required Findings of Approval

9.82.045 Conditional approval of a special use permit for conversion or closure.

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displaced homeowner housing replacement by Section 9.82.030 or from any findings
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9.82.060 -Subsequent modification of the mitigation measures.

9.82.065 Expiration extension and revocation of special use permit.

**9.82.070 Measures to prevent interference with mobile home owners' access to their
rights.**

9.82.075 Preemption

9.82.010 Findings and Purpose

(a) Findings.

(1) Mobilehome parks are highly profitable businesses. In 2020, the Wall Street Journal article "Investors Discover There's Gold in the Mobilehome Park" recounted the extraordinary returns obtained from manufactured mobilehome park investments:

"One of the best-performing investments since last decade's housing crash: trailer parks... It is as if apartment owners didn't have to maintain or pay taxes on their buildings but still collected rent from those who lived inside... Even if residents can afford to move their homes, there aren't many places to plop an old double-wide. Plans for new parks usually meet local resistance. The right zoning is hard to find. Meanwhile, demand for

manufactured homes has been stoked by retiring baby boomers, millennials with a taste for minimal living and prices for site-built single-family houses that have risen beyond the reach of many Americans... A who's who of big investors has joined the trailer-park hunt, boosting competition for facilities. Buyers have included pensions, sovereign-wealth funds and private equity firms." (See Ryan Dezember, Investors Discover There's Gold in the Mobile-Home Park, WALL ST. J., Feb. 26, 2020, at B1–B2, <https://perma.cc/KZ34-L6XV> cited in Baar, Protections of (Im)mobilehome Owners from the Consequences of (Im)mobilehome Park Closures 128 Penn State Law Rev. 779 (2024))

(2) Despite their high profitability and the extraordinary returns that they provide to their owners, other market factors have resulted in mobilehome park conversions into other uses and closures. When conversions or closures occur, the impacts are devastating for mobilehome owners:

Although investments in mobilehome parks are highly profitable, in recent decades, as urban areas densify and alternate land uses, such as condominium projects, commercial centers, or high-end subdivisions, become more profitable, mobilehome park closures have become widespread and are now becoming a national concern. When a mobilehome park closes, it usually wipes out the mobilehome owner's entire investment in their mobilehome and displaces the mobilehome owner. Park closures are a large problem, as appellate courts have noted for decades, because of the "captive" nature of mobilehome park tenancies and the role of public regulations in severely limiting the possible locations of mobilehome. As a practical matter, after they are moved from the factory and installed on a plot of land, "mobile" homes cannot be relocated. Generally, they are only sold in place, an unavailable option when a park closes. (See Baar, Protections of (Im)mobilehome Owners from the Consequences of (Im)mobilehome Park Closures 128 Penn State Law Rev. 779 (2024))

(3) The protection of the City's mobilehome owners, and their substantial investments in their mobilehomes and their spaces, which, in the aggregate, usually exceed the investments of their park owners in their mobilehome parks and warrants special regulatory safeguards to protect these homeowners, their affordable housing and their substantial and captive investments in their homes, which they would lose in the event the park that they are located in closes or converts to another use.

(4) Prior to approving a mobilehome park conversion or closure, Government Code Section 65863.7(e)(1)(B) requires that the City make a finding as to whether the mobilehome park closure and its conversion to its intended new use will result in or materially contribute to a shortage of housing opportunities and choices for low- and moderate-income households within the City but it does not state what the City should do if that finding determines that it will create or materially contribute to such a shortage. However, Government Code Section 65863.7(k) states that its provisions are minimum required standards but that it allows the City to adopt more stringent requirements in this Chapter. AB 2782's legislative history specifically states that these

allowable more stringent local requirements include a more stringent standard on its requirement that the City must make a finding on whether or not a park closure or conversion will result in a loss of affordable housing:

“AB 2782 requires local agencies to adopt this bill’s requirements as a minimum standard for regulating mobilehome park changes of use, including a requirement that local agencies make a finding that a proposed change of use does or does not lead to a loss of low- or moderate-income housing, but allows them to adopt more stringent requirements if they so desire.” (See ¶ 1 p.5 Analysis of the Senate Rules Committee, Office of Senate Floor Analysis, Third Reading, AB 2782, Amended: 8/25/20 in the Senate)

(5) The California Legislature and State Supreme Court have declared that the availability of housing is a vital priority of statewide importance of the highest order and that it requires the involvement of local government to ensure that the continued availability of housing affordable to low- and moderate-income households is provided:

The Legislature, as part of the housing elements law (Gov. Code, " 65580-65589.8), has declared that the "availability of housing is of vital statewide importance," and "decent housing and a suitable living environment for every Californian . . . is a priority of the highest order." (Id., ' 65580, subd. (a).) Further, "[t]he provision of housing affordable to low- and moderate-income households requires the cooperation of all levels of government." (Id., subd. (c).) Each local government therefore is required to adopt a "housing element" as a component of its general plan. (Id., ' 65581, subd. (b))." (Id., ' 65583.) See *Pacific Palisades Bowl Mobile Estates, LLC v. City of Los Angeles* (2012) 55 Cal.4th 783, 798.

(6) To facilitate the achievement of this statewide priority, Government Code Section 65583, which is a provision of California’s Housing Elements Law, requires the City’s Housing Element to contain goals, policies and objectives of preserving the City’s current low- income affordable housing stock. Subsection (c)(4) of Government Code Section 65583 further requires the City to establish programs to conserve the existing affordable housing stock, which has been interpreted by the courts to require programs that will preserve the continued availability and affordability of the current low- and moderate- income affordable housing stock located in a community’s manufactured home parks. See Buena Vista Gardens Apartments Assn. v. City of San Diego Planning Dept. (1985) 175 Cal.App.3d 289, 303.(7)

(7) To fulfill the above mandates of California’s Housing Element Law, the City’s Housing Element contains the following:

- (i) Goal H-1: “Provide a range of housing types affordable to all income levels, allowing those who work in Sonoma to also live in the community.
- (ii) Goal H-2: Improve housing affordability for both renters and homeowners in Sonoma.

(iii) Goal H-3: Maintain and enhance the existing housing stock, preserve the affordable housing stock.

(iv) Policy H-3.6: Support the preservation of mobilehome parks as an important source of affordable housing.

(v) A 2023-2031 Objective (*to the Housing Element's Program 11: Tenant and Resident Protections*) of:

“Continue to enforce the mobilehome park rent stabilization and conversion ordinances to preserve the affordability and long-term use of mobilehome parks in Sonoma.

“Update Chapter 9.92 of the Municipal Code by December 20234 to reflect the requirements of State law, including AB 2782 changes to Civil Code Section 798.17 (rental agreement requirements) Civil Code Section 798.56 (tenancy termination standards), and Government Code Sections 65863.7 and 66427.4 provisions regarding conversion or closure of a mobilehome park.

Adoption of additional tenant protection requirements to reduce displacement.”

(vi) Program 22 Fair Housing Program Action Item “11. Tenant and Resident Protections” of: Reduce displacement of lower-income households and mobilehome park residents through prohibiting unjust evictions and excessive rent increases and requiring projects that would convert mobilehome parks to provide protections for residents, including adequate notice and relocation assistance, in order to promote the preservation of affordable units throughout the City.

(vi) Him 2023- 2031 Quantified Objective of conserving the availability and continued affordability of 339 low and moderate-income affordable housing units located in the City’s mobilehome parks, including 171 units that are affordable to low and below-income households.

(8) Sonoma’s 2023 – 2031 Housing Element states that the City is currently suffering a severe shortage of low- and moderate-income affordable housing. It shows that in 2017, 46.9% of the City’s renter - households (*910 of 1,940 renter -households*) were low- income (*less than 80% of the median income*) and stated that “the high incidence of lower income renter households is of particular significance as market rents in the City exceed the level of affordability for lower income households.” (See City of Sonoma 2023 -2031 Housing Element p. HBR-8). It states that 56.7% of the City’s renter-households (*1,100 of 1,940 renter households*) were considered to be “overpaying” for their housing, with a majority of that group “severely overpaying for housing. Id. It also states that 23.9% of the City’s owner - households were lower income and that 905 of those households were “overpaying” for their housing (HBR 9 -10).

(9) Sonoma's 2023 – 2031 Housing Element states that the median price for a home in the City of Sonoma in 2021 was \$850,000.00, but the affordable purchase price for a home for low-income households in the City was \$243,425 for a one - person household and \$367,612 for a five - person household; that very low-income households could only afford to purchase a home costing \$152,069 for a one person household and \$212,881 for a five - person household, and that extremely low-income households could only afford to purchase a home for \$90,276 for a one - person household and \$126,798.00 for a five (5) person household.

(10) The City of Sonoma has 488 mobilehomes and their spaces, constituting 8.5% percent of the City's total 5,725 housing units and a considerably higher portion of the housing units that are affordable to low- and moderate-income households. The Housing Element states that the median value of a mobilehome in Sonoma County in 2019 was \$152,200. It states that there are three rent-controlled mobilehome parks in the City, with Moon Valley Mobilehome Park's 247 spaces having a rent range from \$698 to \$1,436 and Pueblo Serena Mobilehome Park's spaces having a median rent of \$700.60. "The Housing Element then concludes that "mobilehomes offer a more affordable option for those interested in homeownership."

(11) The mobilehomes in the City's mobilehome parks are predominantly owner-occupied. Mobilehome owners make substantial investments in purchasing their mobilehomes and improving their homes' spaces, but they rent those spaces from their park owners. Their mobilehomes are difficult to relocate to spaces in other mobilehome parks because of the costs of moving to spaces in other mobilehome parks. Additionally, most mobilehome parks will not accept displaced mobilehomes since a park owner can, instead, install a new mobilehome on any space that becomes empty, sell it onsite for a profit, and then continue to collect space rent from the new mobilehome owner. Almost all of the remaining mobilehome parks that are willing to accept displaced mobilehomes will not accept mobilehomes that are more than five (5) or ten (10) years old.

(12) Mobilehome owners have made substantial investments in their mobilehomes and spaces that will be lost if they cannot continue their tenancies in the mobilehome park where their mobilehomes are located. Courts have recognized that this unique economic relationship creates a heightened need to provide special protection for the investments of mobilehome owners.

(13) Courts have acknowledged the above-described exceptional circumstances of mobilehome owners, noting that mobilehome owners make significant investments in their homes and spaces.

The U.S. Supreme Court stated:

"The term 'mobilehome' is somewhat misleading. Mobilehome s are largely immobile as a practical matter, because the cost of moving one is often a significant fraction of the value of the mobilehome itself. They are generally placed permanently in parks; once in place, only about 1 in every 100 mobilehomes is ever moved. [Citation.] A mobilehome owner typically rents a plot of land, called a 'pad,' from the owner of a mobilehome park. The park owner provides private roads within the park, common facilities such as washing machines or a swimming pool, and often utilities. The mobilehome owner often

invests in site-specific improvements such as a driveway, steps, walkways, porches, or landscaping. When the mobilehome owner wishes to move, the mobilehome is usually sold in place, and the purchaser continues to rent the pad on which the mobilehome is located.” (Yee v. Escondido (1992) 503 U.S. 519, 523.)

Subsequently, the California Supreme Court stated:

Thus, unlike the usual tenant, the mobilehome owner generally makes a substantial investment in the home and its appurtenances--typically a greater investment in his or her space than the mobilehome park owner. The immobility of the mobilehome , the investment of the mobilehome owner, and restriction on mobilehome spaces, has sometimes led to what has been perceived as an economic imbalance of power in favor of mobilehome park owners (id. at pp. 170-182) that has in turn led many California cities to adopt mobilehome rent control ordinances (see id. at p. 182 [some 70 cities in California had adopted rent control as of 1992]). (Galland v. City of Clovis (2001) 24 Cal.4th 1003, 1009 [emphasis added].)

(14) Government Code Section 65863.7 recognizes that the unique circumstances of mobilehome park tenants necessitate the mitigation of adverse effects of relocation upon mobilehome owners who are confronted with a proposed change of use or closure of their mobilehome park or portions of the park, and so that the owners and occupants of mobilehomes and the owners of mobilehome parks understand their rights and responsibilities in such situations.

(b) Purposes.

(1) To carry out and supplement the provisions of State law, which require the City to ensure that a proposed mobilehome park conversion or closure is consistent with the City’s General Plan, particularly with its Housing Element, and that the closure or conversion of a mobilehome park will not result in or materially contribute to a shortage of housing opportunities and choices for the City’s low- and moderate-income households. It is also the intent of this chapter to ensure compliance with the provisions of Government Code Section 65863.7, which address the need for park owners to provide their displaced mobilehome owners with adequate mitigation benefits to enable them to obtain adequate housing in other mobilehome parks in the event a park owner seeks to convert, close, or cease to use it as a mobilehome park.

(2) To ensure that the closure of a mobilehome park and its conversion to another use is consistent with the City’s Housing Element.

(6) To provide clear and nonarbitrary directions and the requirements that park owners who desire to close or convert their mobilehome parks can follow.

(4) To ensure compliance with Government Code Section 65863.7(e)(1)(B)’s requirement that the City must determine whether or not the approval of a conversion or closure of a mobilehome park will result in or materially contribute to a shortage of housing opportunities and choices for low- and moderate-income households. To effectuate Government Code Section 65683.7(k)’s

authorization for the City to enact more stringent regulations, by providing the City with the authority to reject the closure or conversion of a mobilehome park if it is determined that the approval will result in or materially contribute to a shortage of housing opportunities and choices for low- and moderate-income households to such an extent that its approval would be inconsistent with the City's Housing Element's Goals, Policies and Objectives of preserving the low- and moderate – income affordable housing located in the City's mobilehome parks.

(5) To provide procedures and standards for assessing the adverse impacts of a mobilehome park conversion or closure on the displaced mobilehome owners and to determine appropriate mitigation assistance to enable them to find and obtain adequate replacement housing in other mobilehome parks pursuant to Government Code Section 65863.7, the City's police powers, and the provisions of this chapter.

(6) To ensure that the mobilehome owners who will be displaced by a conversion or closure of their mobilehome park will receive adequate mitigation benefits to offset the impacts of their park owner's decision to close or convert a mobilehome park.

9.82.015 Definitions.

(a) **"Affordable housing" and "affordable housing stock"** refer to housing, housing stock and mobilehomes that are affordable to households in the categories of low, very low, extremely low or moderate income, as defined in Health and Safety Code Sections 50079.5, 50105, 50106 and 50093(b), as measured by the housing affordability limits for those income categories that are published by the California Department of Housing and Community Development in its most recent update required by Health and Safety Code Section 50093(c).

(b) **"Low-income households"** means persons and households who meet the definition of "lower income households" in Health and Safety Code Section 50079.5.

(c) **"Very low-income households"** means persons and households who meet the definition for "very low-income households" in Health and Safety Code Section 50105.

(d) **"Extremely low-income households"** means persons and households who meet the definition for "very low-income households" in Health and Safety Code Section 50106.

(e) **"Moderate-income households"** means persons and households who meet the definition of "persons and families of moderate income" as defined in Health and Safety Code Section 50093(b).

(f) **"Conversion project"** (also referred to as the "project") means the entire administrative review and approval process of a proposed mobilehome park conversion or closure, including the administrative review and approval of closing the park and its redevelopment into its intended new use, inclusive of the entire administrative process of obtaining all of the required permits and other local approvals necessary to close the park and convert it to its intended new use, beginning with any preliminary reviews, which may be required to identify the scope of the

project and inform the park owner of all of the required permits necessary to complete the project through the approval of its intended new use. Included within a conversion project is the City's review, evaluation and approval of the project's special use permit for conversion or closure, relocation impact report, tentative map, development project permit and all other development approvals necessary to complete the project of closing and converting the park to its intended new use, regardless of the time at which any of the required approval applications are filed and inclusive of any required planning approvals that have not been filed at any point in time after the initiation project that must be filed and approved of to complete the project.

(g) "Homeowner" means the owner(s) of a mobilehome who is renting a space in a park from the park owner, and a "displaced homeowner" is a homeowner whose mobilehome has been or will be displaced by the conversion or closure of the park in which their home is located.

(h) "Mobilehome" means a structure that is designed for human habitation and is transportable in one (1) or more sections on a street or highway, whether commonly referred to as a manufactured home or a mobile home, including both a manufactured home as defined in the California Health and Safety Code Section 18007 and a mobilehome as defined in California Health and Safety Code Section 18008. "Mobilehome" also includes a residence commonly known as a "travel trailer," "recreational vehicle," "camping trailer," "motor home," "sliding camper," "park trailer" or a "park model recreational vehicle" which occupies a space in a park.

(i) "Adequate mobilehome" means an available mobilehome which meets all of the following criteria:

(aa) Decent, safe, and sanitary and located in a mobilehome park that is decent, safe, and sanitary.

(ab) Is comparable in floor area and number of bedrooms, bathrooms, and other rooms to the mobile home to which comparison is being made, which housing meets the minimum standards of the Uniform Housing Code.

(j) "Mobilehome park" (also referred to as a "park") means an area of land where four (4) or more mobilehome spaces are rented out, or held out for rent, to accommodate a mobile home, as defined in subsection (h) of this section.

(k) "Comparable mobilehome park" is one that meets all of the following requirements:

(1) It must be substantially similar to the mobilehome park proposed to be converted or closed in terms of its rent, amenities, proximity to services, proximity to the homeowner's place of employment, its overall condition, and quality, including the condition and quality of its infrastructure.

(2) Its California Environmental Protection Agency's "CalEnviroScreen" score must not be higher than the score of the census tract in which the mobilehome park proposed for conversion or closure is located.

(3) It must be in Sonoma County, Napa County, or within twenty (20) miles of the mobilehome park proposed to be converted or closed.

(4) A mobilehome park that is located in a census tract that has been designated by the California Department of Environmental Protection as a “disadvantaged community” based on its CalEnviroScreen cannot be listed or considered under this Chapter as a comparable mobilehome park unless it is demonstrated, through clear and convincing evidence, that the conditions in the census tract, upon which the designation is based, do not occur in the section of the census tract in which the mobilehome park is located.

(l) “Mobilehome space” (or “space”) means an area bounded, numbered, and designated as required by 25 California Code of Regulations Section 1104 and occupied by one (1), and only one (1), mobilehome, as defined in subsection (h) of this section, or any other area commonly known to be used as a space for a mobile home in a mobilehome park.

(m) “Park owner” means the owner or lessor of a park, the designated agent of the park owner or a developer who is in the process of obtaining a park from the park owner in order to close and convert it to a different use, who has filed and is seeking approval of the special use permit for conversion or closure.

(n) “Proof of service” means written evidence that a required recipient has received a notice or other document. Proof of service includes any United States Postal Service delivery confirmations such as certified mail or signature confirmation. If delivered personally, proof of service includes a statement signed by the recipient or attested to, under penalty of perjury, by the person effectuating the personal service.

(o) “Displaced homeowner housing replacement and relocation plan” (also referred to as the “replacement and relocation plan”) means the plan that is required to be filed by the park owner and approved by the City, under Section 11-4.150(a) and by Government Code Section 65863.7(a)(1).

(p) “Community Development Department Director” (also referred to as “Director”) means the Director of the City of Sonoma Department of Community Development or their designee.

9.82.020 Application for a conditional special use permit for conversion or closure.

(a) Until a special use permit for conversion or closure has been approved by the City Council pursuant to this chapter, a park owner shall not convert a mobilehome park to any other use, close a mobilehome park, or cease to use the land as a mobilehome park, and no building permit shall be issued and no application for approval of a development agreement, a tentative or parcel subdivision map, conditional special use permit or other development permit shall be approved on a property occupied by a mobilehome park for uses other than those associated with the mobile home park use unless a special use permit for conversion or closure has, pursuant to this chapter, been approved by the City Council.

(b) A special use permit for conversion or closure is a required local government permit for a change of use under Civil Code Section 798.56(g)(2).

(c) An application for a special use permit for conversion or closure shall be submitted to the Community Development Department Director, with the filing fee prescribed by resolution of the City Council. The Director shall determine what information must be included in the application and prepare an application form.

(d) Upon receipt of an application for special use permit for conversion or closure, the filing fee required by subsection (c) of this section, and all other supporting documents, reports, and applications required by this chapter to be filed concurrently therewith, the Community Development Department Director shall determine whether the filing is deemed complete.

(e) The application for a special use permit for conversion or closure is to be considered concurrently with the required development permit(s) or approval(s) for the new intended use of the mobile home park proposed for conversion or closure.

(1) If the eventual new use of the conversion or closure of the mobilehome park is a development that requires a tentative tract or parcel map approval, under Government Code Section 66427.4, the application for a special use permit for conversion or closure must be decided upon as part of the development's tentative map application. This requirement must be complied with even if the park owner is not ready to file an application for tentative map approval under Government Code Section 66427.4. In such instances, the park owner must wait to file the project's application for a special use permit for conversion or closure until they file their application for tentative map approval for the development that will be replacing the mobilehome park. The City Council shall be the final decision-maker on the special use permit for conversion or closure.

(2) If the park owner will not be required to obtain a tentative tract or parcel map approval for the development that will be replacing the mobile home park, under Government Code Section 66427.4 but will require approval of a development agreement, a development permit, zoning change, or any other planning department application, then the application for a special use permit for conversion or closure, required by this chapter, shall be filed and considered, concurrently with, and decided upon as part of the development's planning department application approval. The City Council shall be the final decision maker on the special use permit for conversion or closure.

(f) Required Notices and Documents to Be Served on Homeowners by the Park Owner and Required Informational Meetings in Conjunction With an Application for Conversion or Closure.

(1) At least thirty (30) days prior to the date of filing an application for a special use permit for conversion or closure under this section, the park owner shall give written notice of its intention to convert or close the mobilehome park to all homeowners in their

park with proof of service. At the same time, a copy of the notice and proof of service must be provided to the City. The notice shall also be posted on all entrances of the park and on the doors, and bulletin boards in the park's clubhouse. The same written notice shall be provided to all prospective new homeowners who intend to purchase a mobilehome in the park as soon as they contact the park owner about purchasing a mobilehome in the park or apply for approval to reside in the park for the rental of a space in the park and at least five (5) days prior to their payment of any space rent or deposit.

(2) Upon receiving, under Section 9.82.025(c), a deemed complete copy of the conversion impact report required by that section from the Director, the park owner shall reproduce and provide free copies of it to each mobilehome owner in the affected park at least forty-five (45) days prior to the hearing on the application for special use permit for conversion or closure, the relocation impact report and any associated applications and reports required under this chapter. A certified list of the names and addresses of the homeowners who received the relocation impact report must be filed with the Director two (2) days prior to the hearing and signed under penalty of perjury.

(3) At least thirty (30) days before the hearing on the application for a special use permit for conversion or closure, the park owner shall conduct an informational meeting with the homeowners regarding the proposed park conversion or closure. The meeting shall be conducted on the premises of the park or other location acceptable to the City. At least seven (7) days before the meeting, written notice of the meeting shall be provided to all homeowners in the park with proof of service. A copy of the notice shall be provided to the City. The notice shall also be posted on all entrances of the park and on the doors, and bulletin boards in the park's clubhouse. A City representative and the relocation counselor, as described in Section 9.82.030 shall attend the meeting.

9.82.025 Conversion Impact Report.

(a) The Director shall select a consultant to prepare the relocation impact report required by Government Code Section 65863.7 after the submission of a conversion or closure application has been deemed complete. The applicant park owner shall be notified, in writing, of the estimated cost of the report and shall be required to deposit that sum with the Department prior to the commencement of any work on the report. The City will then contract with a consultant for the preparation of the impact report. If, at any time during the contract period, additional monies are needed to complete the impact report, the applicant will be advised, in writing, of the amount that is required. Before any additional work is performed on the report, the applicant shall provide the additional sum to the Department. Any excess funds remaining upon completion of the relocation impact report shall be returned to the park owner.

(1) The relocation impact report shall: (i) describe the impacts of the proposed conversion on the displaced homeowners' abilities to find and obtain adequate housing in comparable mobilehome parks; (ii) analyze any other significant economic and social

impacts on the displaced homeowners; (iii) indicate if the park contains any of the City's low- or moderate-income affordable housing stock; (iv) analyze the proposed closure's consistency with the City's Housing Element; (v) determine whether the proposed conversion will result in or materially contribute to a shortage of low- and moderate-income affordable housing within the City.

(2) Each report shall additionally contain the following information:

- (i) A description of the proposed new use of the park property. If the proposed new use includes a housing component, then the description shall disclose the number and types of the housing units being proposed by size and the estimated offering sales prices or monthly rents and other charges for each proposed housing unit.
- (ii) A proposed timetable for the closure of the park.
- (iii) A legal description of the park.
- (iv) The number of spaces in the park.
- (v) Information about the mobilehome owners and the mobilehomes in the park. The consultant shall mail a questionnaire to each mobilehome owner in the park seeking the following information and then include the responses in the relocation impact report:
 - (aa) The size, number of bedrooms and bathrooms, manufacturer and date of manufacture of the mobile home on the space.
 - (ab) The number of occupants of the mobilehome and their length of residency in the park, their ages, and if any are attending school.
 - (ac) The total monthly space rent currently charged for each space with details showing the space rent, utility charges, and any other costs paid by the homeowner.
 - (ad) The annual income of each of the households.
 - (ae) The current homeowner's mobilehome's purchase price and date of purchase.
 - (af) The estimated costs of any improvements that the current homeowner has made to the mobilehome, including, but not limited to, patios, porches, pop-out rooms, and any recent major improvements to the home, including, but not limited to, a new roof or new siding.
 - (ag) A description of any handicap, disability, or special need of any of the homeowners or members of their households.
 - (ah) Other information that the Director deems relevant.

- (vi) The “in-place” value that each of the mobilehomes in the park would have if the park were not being closed, assuming the park’s continued safe, sanitary, and well-maintained condition. The value shall be determined by appraisals by a qualified appraiser chosen by the Director. The park owner shall pay for the cost of the appraisals.
- (vii) The date of purchase and price paid for the park by the current park owner, the date and price of any subsequent capital improvements to the park and the price paid by the prior owner of the park and date of purchase.
- (viii) An appraisal of the park, including its (aa) value if it is continued in its use as a rental mobile home park, (ab) value if it is used for the highest and best special use permitted by the current zoning for the site, and (ac) value if the new zoning requested by the park owner is approved. The City shall select the appraiser. The fee for the appraisal shall be paid by the park owner.
- (ix) A summary statement containing information on the park owner’s total investment in the park with the homeowners’ total investments in their mobilehome and their spaces in the park, presented in real dollars and current dollars adjusted for inflation.
- (x) The estimated cost of relocating into an adequate mobilehome located in comparable mobile home parks, including the purchase prices of those homes and the costs of moving into them, such as the required first and last month’s rent and security deposits.
- (xi) A list of comparable mobilehome parks, including their space rents, their residency requirements (e.g., income-to-monthly housing costs residency approval ratio, age restrictions, pet policy), whether the listed parks have any vacant spaces, and any restrictions on the age, size, type and condition of the mobilehomes that the parks will accept.
- (xii) Estimates from two (2) moving companies selected by the City and qualified to move mobile homes of the cost of moving each mobilehome in the park, including the costs of permits and of tearing down and setting up the home at the new location including the cost of any upgrades to comply with applicable building, plumbing, electrical and health and safety codes and the cost of moving any improvements, including, but not limited to, patios, porches and pop-out rooms.
- (xiii) The rental rates in the park being proposed for conversion or closure for each of the three (3) years prior to filing the application for a special use permit for conversion.
- (xiv) The number, if any, of the mobilehomes located in the park that are occupied by, or affordable to, households in each of the housing affordability

categories of low-, very low-, extremely low- or moderate-income, as defined in Health and Safety Code Sections 50079.5, 50105, 50106 and 50093(b), that will be eliminated by the park's conversion or closure. If there are any such households, then the relocation impact report shall analyze whether or not the development replacing the park will contain housing that is affordable to those households in the above income categories.

(xv) Proposed displaced homeowner mitigation benefits, which shall be determined on an application-by-application basis with regard to the facts and circumstances of the application. Mitigation benefits may include, but are not limited to, all of the following benefits that are reasonably necessary to fully mitigate the adverse impacts of the park's conversion or closure on the ability of the displaced homeowners to obtain and relocate into adequate housing in other mobilehome parks; provided, that mitigation benefits shall not exceed the reasonable cost of relocation, as documented in the relocation impact report:

(aa) Payment of the cost of physically moving a displaced mobilehome to a new site, including the teardown and setup of the home and any movable improvements such as patios, carports, and porches, and packing, moving and unpacking all personal property.

(ab) Replacement or reconstruction of blocks, skirting, siding, porches, decks, awnings, storage sheds, cabanas, and earthquake bracing as necessitated by the relocation.

(ac) Indemnification for any damage to personal property of the displaced homeowner caused by the relocation.

(ad) Payment of a lump sum to compensate for payment of the first and last month's rent and any security deposit at the new mobilehome home park.

(ae) Reasonable living expenses of the displaced homeowner and the members of their household from the date of actual displacement to the date of occupancy of the new site or home.

(af) For any of the homeowners' mobilehomes that cannot be relocated, the proposed mitigation benefits may include, but are not limited to: (1) payment of the appraised in-place market value of the displaced homeowner's mobilehome pursuant to Government Code Section 65863.7(a)(2)(A); (2) the option of lump sum payments to those homeowners in an amount that will enable them to purchase and relocate into adequate mobilehomes that are located in comparable mobilehome parks.

(af1) If the appraised value is insufficient to allow a displaced homeowner to purchase an adequate mobilehome in a comparable mobilehome park, then the proposed mitigation benefits may include a supplemental payment to enable them to cover the reasonable cost of purchasing an actually available adequate mobilehome located in a comparable mobilehome park.

(af2) If there is a legal owner of any displaced homeowner's current mobilehome, then the lump sum payment shall be sufficient to satisfy the remaining obligation owed by the homeowner to the legal owner under the homeowner's mobilehome purchase loan and to reimburse the homeowner for their remaining invested equity in their mobilehome as demonstrated in the appraisal required by this section. If the homeowner is required to be paid the reasonable cost of purchasing an available adequate mobilehome that exceeds the appraised value of their current mobilehome, then the benefits, required to be listed under this subsection for them, shall be the aggregate of their remaining invested equity, after the payoff of their loan to their home's legal owner, and the difference between the appraised value of their current home and the actual purchase price of an available adequate mobile home.

(xvi) Any other information that the Director determines is relevant to address the specific issues raised by the application, the impact study, and the requirements of State law and the City of Sanoma's ordinances.

(b) The displaced homeowner housing replacement and relocation plan required by Government Code Section 65863.7(a)(1) that complies with the requirements of Section 11-4.150 shall be prepared by the consultant as part of the relocation impact report, and it must be evaluated and approved, conditionally approved or disapproved concurrently with the relocation impact report and the application for a special use permit for conversion or closure.

(c) The Director shall review the relocation impact report and determine if it is complete in accordance with this section. Upon determining that the relocation impact report is complete, the Director shall issue a notification of the date of the public hearing on the application for special use permit for conversion or closure will be held. The Director shall also cause notice of the hearing to be sent to each mobilehome owner in the affected park at least forty-five (45) days prior to the hearing. At that time, the Director shall also provide a copy of the relocation impact report to the park owner and shall set the hearing date in conjunction with the timing of the park owner's reproduction and distribution of these documents required by Section 11-4.130(f)(2).

9.82.030 Displaced homeowner housing replacement and relocation plan and counselor.

(a) Pursuant to Government Code Section 65863.7(a)(1), the park owner shall file a replacement and relocation plan, which shall be prepared by the consultant, and is required to contain all of the following:

- (1) The amount and type of the mitigation benefits, which pursuant to Section 9.82.025 are required to be listed in the relocation impact report, that it proposes to be provided by the park owner to all of the homeowners, including whether those benefits are proposed to enable them to relocate into an available space in a comparable mobilehome park or to purchase and relocate into an available adequate mobilehome that is located in a comparable mobilehome park.
- (2) In cases in which the report proposes relocating mobilehomes into available spaces in other comparable mobilehome parks, the plan shall demonstrate that:
 - (i) The mobilehomes are physically capable of being relocated.
 - (ii) There are a sufficient number of available spaces in comparable mobilehome parks, which are willing to accept displaced mobilehomes and their owners, to accommodate all of the homeowners whom the relocation plan proposes to relocate in this manner.
 - (iii) The homeowners will be able to meet the income and other residency requirements of the parks where the spaces are located.
 - (iv) The displaced mobilehomes meet the age and other requirements for displaced mobilehomes that the mobilehome parks will allow to be relocated into their parks.
 - (v) The mitigation benefits, which the replacement and relocation plan proposes to be paid to the homeowners, will be sufficient to accomplish their proposed relocations.
- (3) For the homeowners whom the replacement and relocation plan proposes to relocate by providing benefits to enable them to purchase and relocate into adequate mobilehomes, which are located in comparable mobilehome parks, the plan shall demonstrate that:
 - (i) There are a sufficient number of adequate mobilehomes for sale in comparable mobilehome parks to accommodate all of the homeowners whom the plan proposes to relocate in this manner.
 - (ii) The homeowners will be able to meet the income and other residency requirements of the parks in which the adequate mobile homes are located.
 - (iii) The mitigation benefits, which the replacement and relocation plan proposes to be paid to the homeowners, will be sufficient to purchase the available mobilehomes and accomplish their proposed relocations.

(4) If there is a legal owner of a homeowner's current mobilehome and the relocation plan requires the homeowner to surrender it to the park owner in exchange for their proposed mitigation benefit payments, then the replacement and relocation plan shall provide for the appropriate amounts of their mitigation benefit payments to be divided and paid to both the homeowner and to the legal owner, as provided for in Section 9.82.025(a)(2)(xv)(af)(af2).

(b) Relocation Counselor. A relocation counselor, selected by the City and paid for by the park owner, shall provide information about the available housing resources and assist with the selection of suitable relocation alternatives. Acceptable alternatives include available adequate mobilehomes and comparable mobilehome spaces and, to the extent that they are acceptable to both the homeowner and the park owner, rental apartments and ownership housing units, both affordable and market-rate units. The relocation counselor shall be familiar with the region's housing market and qualified to assist the homeowners in evaluating, selecting, and securing placement in the replacement housing, and may assist with: arranging for the moving of all of the homeowner household's personal property and belongings to the replacement housing, providing financial advice on qualifying for various types of housing, explaining the range of housing alternatives available, and gathering and presenting information regarding available housing. The relocation counselor shall assist in preparing and implementing the replacement and relocation plan.

(c) Payment of Mitigation Benefits to the Homeowners. The mitigation benefits listed in an approved replacement and relocation plan shall be required as a condition of approval of a special use permit for conversion or closure, and shall be paid to the displaced homeowners in the following manner:

(1) As soon as the application of the special use permit for conversion or closure, relocation impact report, replacement and relocation plan, and related approvals required by this chapter have been approved by the City Council, the park owner shall promptly pay those benefits to the homeowner, to any former homeowner eligible for such benefits, or to any person, firm or corporation performing relocation-related services for the homeowner, as the homeowner may direct, but not less than ninety (90) days prior to the date that the homeowner is required to vacate the mobile home park.

(2) If the homeowner is required to surrender their mobilehome to the park owner in exchange for the lump sum relocation benefit provided in Section 9.82.025(a)(2)(xv)(af), then, in conjunction with receiving payment of their benefits, the homeowner and any legal owner of the mobile home shall be required to submit to the park owner all documents necessary to transfer complete title and ownership of the mobile home to the park owner, free and clear of all security interests, liens, or other encumbrances.

(3) The park owner may not, as a condition of being paid their benefits required by this chapter, require a homeowner to waive rights to appeal or otherwise challenge the adequacy of the relocation impact report, the displaced homeowner replacement housing

and relocation plan, the benefits approved of, the approval of the development replacing the park, or any related approvals or aspects of the conversion project.

9.82.035 Procedures for review of the application for conversion or closure and the relocation impact report.

- (a) When the application for a special use permit for conversion or closure and the relocation impact report have both been received from the park owner and the consultant and deemed complete by the Director, the Director shall set a time, date, and place for the hearing of the relocation impact report and related reports or applications required under this chapter by the City Council.
- (b) If the mobilehome owners in the park proposed to be converted or closed, provide written notification to the Director that they will be jointly represented at the hearing on the application for special use permit for conversion or closure and provide the name, telephone number and address of that representative, then, through that representative, the homeowners will be given equal time with the park owner in presentations in the hearing. If either side relies on the testimony of any expert witness(es), or if the City retains and relies on the testimony of an independent expert witness(es), then each side and the City have the right to cross-examine such witnesses. Each side has the right to be provided with any written materials relied upon by the expert witness(es) in their testimony or conclusions. Written submissions shall be provided to the opposing side and to the City at least fifteen (15) days prior to the scheduled date of the hearing.
- (c) The City Council shall, within sixty (60) days after the close of the public hearing, issue a decision on whether the special use permit for conversion or closure should be approved based upon the findings set forth in Section 9.82.040.
- (d) The decision of the City Council is final.

9.82.040 Required findings for approval.

(a) Findings Required for Approval of a Special Use Permit for the Conversion or Closure of a Mobile Home Park and of Its Relocation Impact Report. An application for the special use permit for conversion or closure required by this chapter and for the conversion impact report required by Government Code Section 65863.7 and by Section 9.82.025 may be approved only if the following findings are made:

- (1) That the displaced homeowner housing replacement and relocation plan meets all of the requirements of Section 9.82.030, including that it will provide all of the park's displaced homeowners with sufficient mitigation benefits to enable them to obtain and relocate into adequate housing in comparable mobilehome parks or into other housing to the extent that the other housing is agreed upon by the displaced homeowner and the park owner.
- (2) That the Conversion Impact Report and the Relocation and Replacement Plan have demonstrated that a sufficient number of spaces, or adequate mobilehomes for sale, are

available for the displaced homeowners to relocate into that are located in comparable mobilehome parks. In making that determination, the adequate mobilehomes and comparable mobilehome parks relied on must strictly meet the definitions in Section 9.82.015 of this Chapter.

(3) That the mitigation benefits, which are listed in the replacement and relocation plan to be provided to all of the displaced homeowners, have been listed as a condition of approval in the project's special use permit for conversion or closure, the relocation impact report, any required tentative map and in any of the project's other development approvals required for the development intended to replace the mobilehome park proposed to be converted or closed.

(4) That an adequate conversion impact report has been submitted to and approved by the City that complies with the provisions of Government Code Section 65863.7 and with the requirements of Section 9.82.025.

(5) That the proposed conversion or closure of all or part of the mobilehome park will not result in or materially contribute to a shortage of housing opportunities and choices for low- and moderate-income households to such an extent that it will cause it to be inconsistent with the City's Housing Element. In making this determination, the City shall take into consideration both the impact report as a whole and the overall housing availability within the City. The City may also consider whether or not, as part of the development plan approved of, an adequate number of replacement affordable housing units are being provided, either on or off-site of the mobilehome park proposed for conversion or closure, to, thereby, prevent it from causing or materially contributing to a shortage of low- and moderate- income affordable housing in the City. In such instances, the evaluation and findings shall consider the extent to which the affordability of the proposed replacement housing matches the affordability of housing that will be lost using the affordability categories defined in Health and Safety Code Sections 500795, 50105, 50106, and 50093(b) for low-income, very low-income, extremely low-income, and moderate-income households.

(5) That the proposed conversion will not be detrimental to the public health, safety and general welfare.

(b) Additional Finding Required for the Closure of a Mobilehome Park When Approval of the Park's Conversion to Another Use Is Not Concurrently Being Requested. That the Park Owner has filed a certificate, signed under penalty of perjury, attesting that the Park Owner is not seeking an early closure of the Park in order to avoid any of the requirements of this Chapter or of controlling State or Federal law that regulate the conversion of Manufactured Home Parks to other uses and that they cannot continue to operate park as a rental manufactured home park until a new use is decided upon for the property. The certificate must state specifically articulable facts, which are supported by appropriate documentary or other evidence, that must meet the Park Owner=s burden of demonstrating that the circumstances described in it do in fact exist and require the closure of the Park prior to the submission of an application for

approval of a Tentative or Parcel Map, conditional use permit, zoning change, development agreement, other development permit or any other required permit for the change of use of a Manufactured Home Park within the meaning of Civil Code Section 798.56(g)(2). To meet this burden, it must demonstrate that, for reasons not caused by or contributed to by the Park Owner, the property cannot continue to be operated as a rental Manufactured Home Park until the time that the Park Owner is ready to either file a permit for change of use or to sell the Park, while also making the Park Owner a fair return on their investment in the Manufactured Home Park during that time period.

(c) The findings required by any subsections of this section may be excused only if the park owner, pursuant to Section 9.82.050, files an application for exemption from the requirements of this subsection and if that exemption is granted pursuant to the provisions of Section 9.82.050

9.82.045 Conditional approval of a special use permit for conversion or closure.

The City may grant a conditional approval by attaching conditions of approval. The conditions must be sufficient to enable the displaced homeowners to obtain adequate mobilehomes or mobilehome spaces in other comparable mobilehome parks. Alternatively, the conditions may provide for other adequate replacement housing that both the homeowners and the park owner have agreed to. The conditions must also be sufficient to prevent the park conversion or closure from causing or materially contributing to a shortage of low- and moderate-income housing in the City, to such an extent that it would violate the City's Housing Element low-income housing preservation requirements. Such conditions may include, but are not limited to, the following:

(a) The mitigation benefits listed in the conversion impact report and the displaced homeowner housing replacement and relocation plan will be paid to every homeowner in the displaced homeowner replacement housing and relocation plan.

(b) Any other payment, provision, or measure that the City finds will mitigate the adverse impacts of a park's conversion or closure on the ability of the displaced homeowners to obtain adequate housing in another mobile home park.

982.050 Exemption from any of the mitigation benefits required to be in the displaced homeowner housing replacement by Section 9.82.030 or from any findings of approval required by Section 9.82.040.

(a) After receiving a relocation impact report, which has been deemed complete, a park owner may file an application for a partial or total exemption from the obligations to provide the displaced homeowner mitigation benefits required under Section 9.82.030 or from the obtaining the findings required by Section 9.82.040. Notice of such application, and proof of service thereon, with the information contained therein, shall be made on the mobile home owners of the park proposed to be converted or closed.

(b) Upon receiving an exemption application under this section, the Director shall determine if it is complete. The hearing date shall be held in conjunction with the hearing on the application for a special use permit for conversion or closure under this chapter. The Director shall determine if the employment of experts will be necessary or appropriate for a proper analysis of the

exemption application. If the Director so determines, they shall also determine the anticipated cost of employing any such experts. The resulting figure shall be communicated to the park owner. The exemption application and the application for a special use permit for conversion or closure shall not be further processed until the park owner has paid to the City the estimated cost of expert analysis. Any unused portion for payments so collected shall be refunded to the park owner.

(c) An exemption application shall be based on either of the following bases:

(1) The current use of the park is not economically feasible, or that a requirement to provide displaced homeowner mitigation benefits or obtain the required findings would eliminate substantially all reasonable use or economic value of the property for alternate uses, or would otherwise result in a taking.

(2) A court of competent jurisdiction has determined in connection with a bankruptcy proceeding that the closure or cessation of use of said property as a mobile home park is necessary and that such court has taken further action that would prohibit or preclude payment of relocation assistance benefits, in whole or in part.

(d) Any exemption application made pursuant to subsection (c)(1) of this section shall contain the following information:

(1) Statements of profit and loss from the operation of the mobile home park for the most recent five (5) year period prior to the date of the application or request, as certified by a certified public accountant;

(2) Evidence supporting the park owner's assertion that the continuing use of the property as a mobile home park is economically infeasible;

(3) The estimated total cost of the displaced homeowner mitigation assistance or of obtaining a required finding;

(4) Other information that the Director deems to be relevant in a review of the application.

(e) Any exemption application filed pursuant to subsection (c)(2) of this section shall be accompanied by adequate documentation as to the title, case number, and court in which the bankruptcy proceeding was held, and copies of all pertinent judgments, orders, and decrees of such court.

(f) Where an exemption from having to provide displaced homeowner mitigation assistance or of obtaining a required finding has been applied for based upon the impact of providing such assistance, the City Council shall make one (1) of the following findings:

(1) That the park owner shall not be exempt from the homeowner mitigation benefits obligations or of obtaining a required finding because substantial evidence has not shown that both of the following are true:

- (i) That the continued use of the property as a mobile home park would substantially eliminate all economically viable use of such property; and
 - (ii) That the cost of the displaced homeowner mitigation assistance benefits or of obtaining a required finding would eliminate substantially all economically viable use of the property, or would otherwise result in a taking.
- (2) That the park owner shall be exempt from the displaced homeowner mitigation benefits requirement or of obtaining a required finding, in whole or in part, because substantial evidence has shown that either or both of the following are true:
 - (i) That the continued use of the property as a mobile home park would substantially eliminate all reasonable use of such property; and
 - (ii) That the cost of the homeowner mitigation assistance benefits or of obtaining a required finding would eliminate substantially all reasonable use or economic value of the property, or would otherwise result in a taking.
- (3) In making findings on an exemption application under this section, the City Council may take into account the financial history of the mobilehome park; its condition and the condition of its amenities and improvements thereon; the cost of any necessary repairs, improvements or rehabilitation of such park; the estimated cost of the displaced homeowner mitigation assistance; or the cost of obtaining a required finding; the fair market value of the property for the proposed alternative use; the fair market value of the property for continued use as a mobile home park; and other relevant evidence.
- (g) Where an exemption from having to provide the displaced homeowner mitigation assistance benefits or from obtaining a required finding has been applied for based upon bankruptcy proceedings, pursuant to subsection (a) of this section, the Planning Commission shall make one (1) of the following findings:
 - (1) That the park owner shall be exempt from the displaced homeowner mitigation benefits requirement or from obtaining a required finding in whole or in part, if a court in connection with a proceeding in bankruptcy has determined that both that the closure or cessation of use of said property as a mobilehome park is necessary and has taken further action which would prohibit or preclude payment of such benefits, whether in whole or in part. In rendering its decision, the Planning Commission shall have the power to eliminate or waive all or portions of the requirements of this section to the extent necessary to comply with the court's judgment, order or decree.
 - (2) That the park owner shall not be exempt from the displaced homeowner mitigation assistance benefits requirement or from obtaining a required finding based upon any actions of a court of bankruptcy, because substantial evidence has not shown that any such court has ordered the closure or cessation of use of said property as a mobile home park, or that such court has prohibited or precluded the imposition of such obligations, or both.

(h) The approval of an exemption from the displaced homeowner mitigation assistance benefits requirement or from obtaining a required finding shall not have the effect of eliminating the requirements of the applicable portions of the special use permit for conversion or closure, the relocation impact report, the displaced homeowner mitigation requirements required by this chapter, which were not explicitly exempted under this section.

9.82.055 Acceptance and performance of mitigation measures.

(a) The park owner shall execute and record a certificate and file proof thereof with the Director, accepting the mitigation benefits imposed on the approval of a change of use or closure within ninety (90) days of the final action approving the change of use and shall give the homeowners the six (6) or twelve (12) month notice of the termination of tenancy and closure of the park required by Civil Code Section 798.56(g) within one hundred twenty (120) days of that action. An approval of a change of use shall automatically become null and void if the certificate accepting the conditions is not executed and filed within ninety (90) days of the date of the approval of the change of use or the notice of termination of tenancy has not been given within one hundred twenty (120) days of that resolution. All mitigation benefits imposed on the approval of conversion or closure shall be fully performed as to each homeowner prior to that homeowner's required vacation of the mobile home park unless otherwise provided in the mitigation measure. No eligible homeowner shall be required to vacate a space unless the park owner is in full compliance with all mitigation measures imposed pertaining to such homeowner and has otherwise fulfilled the notice requirements of this chapter and of the California Mobile Home Residency Law relating to termination of tenancy.

(b) No building permit shall be issued for the development of any real property which has been, or is being, converted from a mobile home park or closed pursuant to this chapter unless and until the City has approved the change of use or closure and the park owner has fully complied with the mitigation requirements required.

9.82.060 Subsequent modification of the mitigation measures.

After a special use permit for conversion or closure has been approved and after the park owner has executed and recorded a certificate of acceptance of its conditions, modification of the mitigation conditions imposed, including any additions and deletions, may be considered by the City upon the filing of a written application by the park owner, or the park owner's authorized representative. Modification may be granted if there has been a change in circumstances or new information has become available that could not reasonably have been known or considered at the time of the hearings on the special use permit for conversion or closure. Examples of such new information or changed circumstances include, but are not limited to, revised plans by the park owner or a change in the availability of relocation spaces or mobilehomes. Modification shall not be granted when it would unreasonably prejudice the ability of the homeowners to relocate to adequate mobile homes. All relevant substantive requirements, notice requirements to the homeowners, and the procedural and appeal conditions specified in this chapter shall be

followed to obtain Planning Commission approval of such an application to modify mitigation conditions under this section

9.82.065 Expiration, extension, and revocation of special use permit.

(a) Expiration. An approved special use permit shall become automatically null and void if the park's conversion has not occurred within twenty-four (24) months of its effective date unless that date has been extended as provided in this section.

(b) Extension. Upon application by the park owner filed with the Director on or before the date of expiration of the special use permit, or other required approval relating to the conversion or closure of the mobilehome park or the development replacing it, the approvals may be extended by the City Council, if the City Council finds that their termination would constitute an undue hardship to the park owner and that the continuation of their approval(s) would not be detrimental to or have any further adverse impact on the homeowners in the park. In approving an extension, the City Council may subject the applicable permit approval to any conditions of approval deemed necessary to mitigate any adverse impacts resulting from the extension. Multiple extensions may be granted, but no one (1) extension shall be issued for more than twelve (12) months.

(c) Revocation. The Council or the Planning Director may initiate proceedings to revoke the special use permit. The Planning Director shall give written notice of the hearing to the park owner and the homeowners at least thirty (30) days prior to the hearing. The City Council may, by resolution, revoke the applicable approvals if any of the following findings are made:

- (1) Approval was obtained by fraud, deceit or misrepresentation.
- (2) The park owner is either not currently or has not been in compliance with its conditions of approval contained or with the provisions of this chapter.
- (3) A revocation shall be effective fifteen (15) days after the date of the action by the City Council.

9.82.070 Measures to prevent interference with mobile and home owners' access to their rights.

(a) A park owner shall not require a homeowner to sign a waiver, lease or rental agreement if it includes a waiver of the homeowner's rights under this chapter, including but not limited to the right to receive the mitigation benefits approved of under this chapter or the right to oppose the special use permit application or to contest the adequacy of the related approvals for the project, including those necessary for the approval of the development that is intended to replace the park under this chapter. Any such waiver of rights shall be deemed to be invalid and void.

(b) If any application for a special use permit for conversion or closure is withdrawn or denied, the park owner shall immediately inform in writing all homeowners who were previously given notices or announcements regarding the proposed conversion or closure.

9.82.075 Preemption.

In the event any provisions of this chapter conflict with a provision of State law, this chapter shall be interpreted and applied in conformity with State law.



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November 24, 2025

Via Email

City of Sonoma
c/o David Guhin, City Manager
dguhin@sonomacity.org

Re: *Proposed Changes and Revisions to Chapter 9.82 of the Sonoma Municipal Code – Mobilehome Closure Ordinance Addressing Legislative Updates Embodied by AB 2782 and SB 610*

Dear Mr. Guhin:

I am legal counsel representing the interests of ownership for each of the three permitted mobilehome parks within the City of Sonoma – Moon Valley, Pueblo Serena, and Sonoma Oaks (“Park Owners”). Thank you for providing Park Owners with the opportunity to comment on and participate in the study session concerning the legal and procedural requirements for mobilehome park closures and conversions under the City of Sonoma (“City”), including how to best address the updates in state law embodied within Assembly Bill 2782 (“AB 2782”) and, more recently, Senate Bill 610 (“SB 610”). Please ensure this correspondence with the enclosed redline of the existing City law – Chapter 9.82 of the City’s Municipal Code – is included in the materials provided to City Council for its upcoming meeting on December 3, 2025.

Chapter 9.82 Requires Minimal Updating to Address the Changes Embodied in AB 2782 and SB 610

At the outset, enclosed herewith is a proposed redline of the changes to existing City law – specifically Chapter 9.82 of the City’s Municipal Code (“Closure Ordinance”) – which address completely each point raised in the Agenda Item Summary prepared by City Staff for City Council’s November 5, 2025 session. As you will see from the enclosed redline of the City’s Closure Ordinance, the required changes to the Closure Ordinance are relatively minimal. Reconciliation of the existing Closure Ordinance with updates to state law enacted through AB 2782 and SB 610 is a straightforward task, which should present no meaningful controversy for any constituency within the City. This should be a simple exercise.

The Park Owners have no intent to close any mobilehome park within the City – nor have they threatened to do so.

However, in connection with this study session, I strongly encourage City Staff and members of City Council to study the closure of Winchester Mobilehome Park in the City of San Jose. The San Jose City Council approved the closure and conversion unanimously and without objection by the park’s resident association. The net result of that project was a win for all involved:

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residents who wanted to stay were able to do so, resulting in no displacement, and the residents that wanted to go were compensated more than fairly. Additionally, the City experienced a net increase in the number of affordable housing units, a net increase in the number of total housing units, all of which lessened the housing burden which continues to afflict the City of San Jose, and many others through California.

I urge City Staff and City Council to exercise caution when evaluating overreaching proposals, driven not by sound housing policy, but by ideology and grounded in a foundation of misleading statistics and conclusory assertions. Proponents of a new ordinance, which is discussed below, cite several jurisdictions that have passed similar ordinances drafted by the same legal counsel. The City of Sonoma is not the City of Watsonville, Palo Alto or Lancaster. The proponents of the new ordinance submit that City Council should adopt their ordinance because others have done so. Park Owners believe that this City Council is comprised of leaders and not followers.

Turning back to the enclosed redline of the Closure Ordinance, I summarize the changes for ease of reference as follows:

- Changes Addressing AB 2782: the substantive changes addressing the updates embodied in AB 2782 may be found in Sections 9.82.030.C.15, 9.82.025, 9.82.035, 9.82.045, 9.82.050.I, and 9.82.055.F.
- Changes Addressing SB 610: the substantive change addressing SB 610, recently passed in October 2025, is set forth in newly created exemption Section 9.82.065.
- All other redlines are stylistic and primarily result from using defined term "RIR" in lieu of repeatedly referring to "Relocation Assistance Report."

No other changes are required to bring existing City law into full compliance with changes in state law spanning 2020-2025. I also note that the changes in state law would operate, as a matter of law, to modify the Closure Ordinance without any action from City Council. Certainly, bringing clarity through the simple proposed update is aspirational, but not legally required.

Sonoma Tri Park Coalition's Proposed New Closure Ordinance

My clients would also like to document their objection to and genuine concern about the proposal submitted on behalf of the AB 2782 Revision Committee and the Sonoma Tri Park Coalition, which was submitted in August 2025 (the "New Closure Ordinance").

The tone and tenure of the New Closure Ordinance, and related memorandum from legal counsel, raises serious concern. Since 2004, when the existing Closure Ordinance was adopted, there have been zero mobilehome park closures in the City. Indeed, there has been no discussion or threat of closure. Despite these facts, the proponents of the New Closure Ordinance conclude: "there is a growing threat of park conversions and closures, require a robust and effective mobilehome park and closure ordinance" This conclusion is without foundation and is fairly characterized as "fear mongering." There has been no such threat for more than twenty years and no owner is threatening to close any park within the City now.

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Moreover, to characterize state law as “encouraging” closures is also without foundation. State law may broadly be seeking to address California’s housing crisis, but to leverage these policy efforts (designed to provide more housing and to address what may only be characterized as an unhealthy housing market state-wide) is both dangerous and unfair. Simply put, proposals like the New Closure Ordinance are not a part of the solution, but drive and exacerbate the problem. All Californians - individual residents and business alike - have a stake in the current housing crisis and all have a role to play in its solution. Certainly, the Park Owners did not cause nor contribute to the current crisis, but that is the narrative string that runs through the proposed New Closure Ordinance.

The New Closure Ordinance encourages City Council to make many unsubstantiated – and in my opinion demonstrably false – findings in support of many overreaching provisions. For example, the proponents conclude: “most of the time, the parks that park owners choose to convert or close are parks with older and smaller mobilehomes in them. *This results in their in-place values being insufficient for purchasing the actually available mobilehomes in their communities.*” This is not my experience – and I may be the only active attorney licensed in the State of California that has successfully closed a mobilehome park in the last five years. Most recently, I closed a smaller park in East Palo Alto – which closure commenced because a third-party investor in distressed mobilehomes purposely purchased homes within the park to gain standing, and then claimed occupancy rates were below a threshold in the ordinance, thus requiring its closure. *It was not owner-initiated.* Moreover, each resident received the in-place value for their homes, many of which were long-term RVs. In one example, we had a receipt for the mobilehome purchased in the early 1990s for \$3,500.00. The in-place value paid for this home over 30 years later exceeded \$160,000.00. Mobilehomes and RVs are, by legal definition personal property, and as such a depreciating asset class. Yet, because of the existing protections and laws, residents, such as those in the East Palo Alto closure, realized appreciation of nearly 15%, compounded annually. A far greater return on the modest investment than was realized by the landowner.

The veracity of the findings proposed in the New Closure Ordinance is apparently unimportant to the proponents, which is reflected by the following admission: “These findings are also risk-free to the City, because a park owner cannot challenge them (*they can only challenge the lack of sufficient findings but not that they disagree with them*) if they file a lawsuit challenging the ordinance, . . .” First, the contention that a park owner harmed by a finding cannot challenge its foundation or its veracity is unsupported, and untrue. Second, Park Owners – as long-time partners with the City in providing important housing – find it repugnant that a group of individuals would suggest the City would adopt findings of *fact* it knows to be untrue or which are without foundation. To do so strongly suggests the City would be targeting Park Owners for disparate and unfair treatment. Park Owners do not believe the City would engage its housing partners in such an unnecessarily unfair manner.

There are so many substantive issues with the proposed New Closure Ordinance that it belies an easy summary. Generally, many of the provisions are designed to make closure and conversion functionally impossible. Understandably, residents do not want the parks to close, at least not while they have a stake in those communities. However, to pass the proposed New Closure Ordinance would unnecessarily constrain future City Council’s from addressing problems known and unknown – and it is not necessary to provide ample resident protections, which the current Closure Ordinance accomplishes. For example, proposed Section 9.82.030(a)(2) imposes

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requirements in the Relocation Impact Report that are functionally impossible to accomplish: I know because I have drafted, completed and presented these reports. As proposed, an application would have to obtain the income and other residency requirements for comparable parks, the income of current residents and report as to whether these residents would qualify under the standards at comparable parks. This is not possible. It would require each resident to submit a compliant application at each of these comparable parks and to have those applicants evaluated and approved by the comparable parks, with the outcome of each to be reported in the Relocation Impact Report. This condition, among many others, is functionally impossible to satisfy.

Other examples include: (i) demonstrating compliance with the Uniform Relocation Act – which is only applicable to government takings, not private businesses seeking to go out of business; (ii) adopting the standards in *Nash v. City of Santa Monica* which the legislature explicitly rejected through passage of the Ellis Act; (iii) satisfying the impossibly narrow definition of a “comparable park” including satisfaction of a “CalEnviroScreen” analysis tantamount to an environmental impact report; and (iv) additional subsidies that guarantees the ability to purchase a new mobilehome housing in a comparable park which is more valuable than a resident's current home.

In the event City Council and Staff elect to continue studying the proposed New Closure Ordinance, Park Owners reserve the right to make additional, specific comments on that document, as well as reserve all rights to challenge its adoption in court.

Request for Action

Respectfully, the goal of state and local law with respect to closures and conversion of mobilehome parks – or any existing housing assets – is to ensure those currently residing in any such community or complex are treated fairly and receive sufficient assistance to reasonably and adequately mitigate the consequences of the closure/conversion. The existing Closure Ordinance, with the added provision as reflected in the enclosed document, accomplishes this goal. Moreover, there is existing language in the Closure Ordinance that provides City Council with flexibility to impose additional requirements to ensure the goal is fully achieved. Park Owners submit that (i) there is no threat of any closure facing the City, and (ii) should a closure be proposed at some unknown point in the future, the Closure Ordinance provides a sufficient floor from which City Council may evaluate the proposed closure and craft other additional protective measures as may be required *under the specific circumstances presented by the future closure application*. City Council's decisions should be grounded in fairness to all its constituents, and they should respond to facts, real circumstances, and not developed in response to fictional melodramas and driven by fear mongering and ideological warriors.

Accordingly, Park Owners respectfully request the City Council carefully study the matters before it and take only that action which is necessary to reconcile existing law with modest recent amendments to relevant state law. The Closure Ordinance has existed for over 20 years, and a radicalization of local law is dangerously unnecessary.

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Park Owners look forward to continuing their partnership with the City and working closely to craft surgical amendments to the Closure Ordinance. Thank you for your prompt attention to these matters.

Sincerely,

LATHROP GPM LLP



Andrew J. Ditlevsen
Partner

AJD/emt
Enclosure [Redline of Chapter 9.82 of Sonoma Municipal Code – Mobilehome Park
Conversions]

**Chapter 9.82
MOBILEHOME PARK CONVERSIONS**

Sections

- 9.82.010 Purpose and intent.**
- 9.82.015 Definitions.**
- 9.82.020 Applicability.**
- 9.82.025 Disclosure of notification requirements.**
- 9.82.030 Relocation impact report required.**
- 9.82.035 Notice and distribution of relocation impact report.**
- 9.82.040 Notice to new residents.**
- 9.82.045 Hearing on relocation impact report.**
- 9.82.050 Findings.**
- 9.82.055 Relocation assistance**
- 9.82.060 Bankruptcy exemption.**
- 9.82.065 Administration fee**

9.82.010 Purpose and intent.

A. Where a person proposes to convert an existing mobilehome park to another use or to close a mobilehome park or to cease using land as a mobilehome park, current provisions of state law, as set forth in Government Code Section 65863.7 and Civil Code Section 798.56, authorize the city to require the person proposing the change of use to file and distribute a report on the impact of such change and further authorize the city to require measures to be undertaken to mitigate the adverse effects of the change of use upon the tenants of the mobilehome park who would be displaced by such change.

B. The city council finds and determines that unless mitigation measures are undertaken, the conversion, closure or cessation of use of mobilehome parks could have a substantial adverse effect upon park residents in terms of cost of relocation, scarcity of similar comparable housing within a reasonable proximity to the city, and the significantly higher costs of other types of housing in the immediate area if park residents cannot relocate to other mobilehome parks.

C. It is the intent and purpose of the city council in adopting this chapter to establish reasonable rules and regulations in accordance with the authority granted by state law to mitigate the adverse effects of relocation upon mobilehome park residents who are confronted with a proposed change of use for their mobilehome park or portions of the park and so that the owners and occupants of mobilehomes and the owners of mobilehome parks understand their rights and responsibilities in such situations. (Ord. 05-2004 § 1, 2004).

9.82.015 Definitions.

“Applicant” means the person(s), firm(s), entity(ies) or corporation(s) applying for any application for the purpose of converting, changing to another use, closing, or ceasing to use land as a mobilehome park. If the owner of the controlling interest in a mobilehome park is not the applicant, then the applicant must provide evidence of the controlling owner’s consent to the filing of the application.

“Cessation of use of land as a mobilehome park” means a decision by the owner(s) of a mobilehome park to discontinue the use of property as a mobilehome park which is not an adjudication of bankruptcy.

“Closure of a mobilehome park” means one of the following:

A. A closure of a mobilehome park occurs when less than 75 percent of the occupiable spaces are leased by qualified homeowners as defined in the Mobile-Home Residency Law (Civil Code Section 798 et seq.). However, upon application of a mobilehome park owner, the city council may, in its absolute discretion and upon a finding of good cause, determine that a closure of a mobilehome park is not occurring, notwithstanding that less than 75 percent of the occupiable spaces are leased. Any such application by the mobilehome park owner shall be accompanied by an estimate of a qualified appraiser as to the fair market value of the mobilehome(s) and all associated fixed property for which the foregoing exemption is requested. The appraiser’s estimate shall conform to the requirements of SMC 9.82.030(C)(12).

B. Notwithstanding the provisions set forth in subsection A of this definition, a closure of a mobilehome park occurs when the city council, in its absolute discretion and upon a finding of good cause, determines that the mobilehome park owner has acted and/or has failed to act in a manner which would cause a reasonable person to conclude that the mobilehome park owner intends to eliminate or reduce mobilehome spaces available for rent to the general public. Such acts or omissions include, but are not limited to, the withholding of available mobilehome spaces under the control of the mobilehome park owner, and statements by authorized agents and representatives of the mobilehome park owner to prospective buyers of the mobilehome park that the mobilehome park is being closed by the mobilehome park owner.

“Comparable housing” means housing which is comparable in floor area and number of bedrooms, bathrooms, and other rooms to the mobilehome to which comparison is being made, which housing meets the minimum standards of the Uniform Housing Code.

“Comparable mobilehome park” means any other mobilehome park within Sonoma County, substantially equal in terms of park amenities, rent and proximity to services.

“Conversion of a mobilehome park” means changing the use of a mobilehome park for a purpose other than the rental, or the holding out for rent, of two or more mobilehome sites to accommodate mobilehomes used for human habitation. A conversion shall include, but not be limited to, a change of any existing mobilehome park or any portion thereof to condominium, stock cooperative, planned unit development, or any form of ownership wherein spaces within the mobilehome park are to be sold, or the cessation of use of all or a portion of the park as a mobilehome park, whether immediately or on a gradual basis, or the closure of a park.

“Conversion of a mobilehome park” shall not include a conversion of a mobilehome park to resident ownership.

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“Conversion of a mobilehome park to resident ownership” means a sale, transfer or assignment of a mobilehome park either directly or indirectly in whole or in part to mobilehome park’s homeowners and prospective homeowners for the benefit of the mobilehome park’s homeowners and prospective homeowners. A conversion of a mobilehome park to resident ownership may include but not be limited to, conversion of the community to a subdivision, condominiums, planned development, community apartments, stock cooperative, other form of corporate ownership, or by a nonprofit organization qualified pursuant to Internal Revenue Code Section 501(c)(3) for the homeowners’ or prospective homeowners’ benefit. Notwithstanding any provision in this chapter to the contrary, in the event the conversion of a mobilehome park to resident ownership is by a nonprofit corporation qualified under Internal Revenue Code Section 501(c)(3), homeowners may or may not have the right to participate through direct ownership of the mobilehome park and the nonprofit shall not be required to make an offer of participation to the homeowners.

“Homeowner” means the owner(s) of a mobilehome.

“Impact report” means a report required by California Government Code Sections 65863.7 and 66427.4, as applicable, and containing the information set forth in SMC 9.82.030(C). “Impact report” does not include the impact required by Government Code Section 66427.5(b) for conversion to resident ownership.

“Long-term lot” means any mobilehome lot that has been occupied by the same mobilehome for at least nine of the 12 months prior to the adoption of this chapter.

“Mobilehome” means a vehicle designed or used for human habitation and shall include camping trailers, motorhomes, slide-in campers and trailers, when used as the occupant’s principal place of residence, and mobilehomes as defined in Health and Safety Code Section 18211.

“Mobilehome lot” means any area or tract of land, or portion thereof, occupied or held out for occupancy by one mobilehome that is not owned by the park owner.

“Mobilehome park” means any area or tract of land where 10 or more mobilehome lots are rented or leased or held out for rent or lease to accommodate mobilehomes used for human habitation.

“Resident” means a homeowner or tenant.

“Tenant” means a person who occupies a mobilehome within a mobilehome park pursuant to a bona fide lease or rental agreement and who, during his or her tenancy, is not the owner or member of the immediate household of the owner of the mobilehome. (Ord. 05-2004 § 1, 2004).

9.82.020 Applicability.

For applications involving the redevelopment, closure, or conversion of a mobilehome park that include a subdivision map, the provisions of Chapter 9.84 SMC shall apply. The provisions of this chapter shall not apply to such applications, except as specifically referenced in Chapter 9.84 SMC. (Ord. 05-2004 § 1, 2004).

9.82.025 Disclosure of notification requirements.

When an application has been made to the city for the redevelopment, closure or conversion of a mobilehome park, the city shall inform the applicant, in writing, of local regulations regarding notifications to residents and mobilehome owners within the affected park, as well as the notification requirements set forth in Section 798.56 of the Civil Code. This disclosure shall be made at least 3060 days prior to any hearing on the application or the relocation impact report. No hearing on the application shall be held or any other action on the application taken until the applicant has satisfactorily verified that required notices have been provided. (Ord. 05-2004 § 1, 2004).

9.82.030 Relocation impact report required.

A. Any person who files an application with the city for a general plan amendment or for a rezoning of land use type or density, or for approval of a conditional use permit or any other application for the purpose of converting a mobilehome park to another use, close a mobilehome park or cease to use land as a mobilehome park, shall concurrently file with the city a mobilehome relocation impact report ("RIR") that complies with this section. No such applications shall be considered or deemed complete or processed for consideration or approved unless and until such ~~relocation impact report~~RIR is filed and approved in accordance with this chapter.

B. At any time at which the occupancy of a mobilehome park is such that it meets the definition of "closure" as set forth in this chapter, the owner shall immediately provide written notification to the city of the event and shall either file a request for the preparation of a ~~relocation impact report~~RIR or shall petition the city council to make a finding that a closure is not occurring as set forth in SMC 9.82.015(A).

C. The city shall select a consultant to perform the ~~relocation impact report~~RIR within 90 days of a written request from the applicant. The applicant shall be noticed in writing of the estimated cost of the ~~relocation impact report~~RIR and shall deposit that sum with the city prior to commencement of any work on the ~~relocation impact report~~RIR. The city will then contract with a consultant for the preparation of the ~~relocation impact report~~RIR. Once an application is filed, the residents of the mobilehome park shall be notified by the city that an application has been filed and that the preparation of a ~~relocation impact report~~RIR will be required. The ~~relocation impact report~~RIR shall contain, but need not be limited to, the following information:

1. A legal description of the property.
2. A map and a detailed description of the condition of the mobilehome park, including the nature and location of structures, landscaping, easements, utilities and other on-site features and amenities.
3. The names and addresses of all mobilehome owners within the park (including absentee mobilehome owners), as shown on the rental agreement for the mobilehome park spaces, and the names and addresses of all mobilehome tenants within the park as of the date of the application.
4. The characteristics of each mobilehome within the park, listed by space number and address, including the date of manufacture, type, width, living area, and number of bedrooms.

5. The number of spaces within the park, length of occupancy by the current occupant of each space and the current lease rate for each space.
6. The total number of mobilehome residents, listed by space identifying owner or renter occupancy, principal or second home occupancy, and the number of residents who are physically disabled, including the chronically ill.
7. A description of the proposed new use and all discretionary approvals necessary therefor, if any.
8. The proposed timetable for conversion, closure or cessation of use of the land as a mobilehome park and for obtaining other discretionary approvals for the proposed use, if any.
9. The location of all comparable mobilehome parks within Sonoma County, including the park name, number of lots, number of vacancies, lease rates and terms, policies and restrictions on the type of mobilehomes and residents accepted, amenities offered and proximity to services (bus stops, grocery stores, hospitals, etc.).
10. A determination based on the information provided in subsections (C)(4), (5) and (9) of this section of the total number of mobilehome units that are eligible to be relocated to a comparable mobilehome park.
11. The estimated cost of relocating the mobilehomes identified in subsection (C)(10) of this section to available lots in mobilehome parks within the study area. The cost of relocating shall include the costs of dismantling, packing, moving, reassembling, rebuilding and unpacking, as necessary, the mobilehome, all personal property, skirting, tie-downs and all other associated structures and property. If the consultant determines that the mobilehome cannot be relocated to another mobilehome park, it must state the basis for this determination, which may include the opinion of one or more mobilehome movers solicited to bid on the cost for such contemplated relocation, and any other information germane to the consultant's determination.
- ~~12. An estimate of the fair market value of each mobilehome and all associated fixed property that cannot be relocated to a comparable mobilehome park. In determining fair market value, the consultant shall consider the mobilehomes in their current locations assuming the continuation of the mobilehome park in a safe, sanitary and well-maintained condition with competitive lease rates. The consultant shall specify the basis for a conclusion that any mobilehome cannot be relocated to a mobilehome park and the basis for determining the value of the mobilehome.~~
13. The availability and cost of rental housing of comparable size and quality in the city of Sonoma for each mobilehome park tenant.
14. A relocation plan that will include a timetable for physically relocating the mobilehomes, or payment of relocation assistance.
15. A description of applicant's Proposed measures to mitigate the adverse impacts of the conversion upon each park resident based on as required and identified in SMC 9.82.055. Additionally, if the mitigation measures required under state law exceed that provided by this ordinance at the time applicant submits its application to close or convert

the subject mobilehome park, then applicant shall also be required to identify and describe its proposal for satisfying those requirements.

16. A list of persons, firms and organizations with proven expertise in the fields of housing and relocation of persons displaced from housing. This list shall include the names, addresses, telephone numbers, and fee schedules of persons who are qualified as mobilehome movers and appraisers of mobilehomes. The information shall include an explanation of the services that the housing specialists can provide.

17. Any information which the city manager determines is necessary to address the specific issues raised by the application or the impact study and any information that may be necessary to implement provisions of this chapter. (Ord. 05-2004 § 1, 2004).

9.82.035 Notice and distribution of relocation impact report.

Not less than ~~45-60~~ days prior to a scheduled hearing before the city council, the park owner shall transmit to the owner or occupant of each mobilehome occupying a site within the mobilehome park and to all other persons described in SMC 9.82.030(C)(3), a copy of the ~~relocation impact report~~RIR, a copy of this chapter, and notices of the dates, times and places of the public hearings or any informational meetings. The copies provided shall be free of charge. Proof of service of distribution of the ~~impact report~~RIR to each resident must be filed by the applicant with the city manager seven days prior to the hearing and shall be signed under penalty of perjury. (Ord. 05-2004 § 1, 2004).

9.82.040 Notice to new residents.

When an application for a change of use and/or closure of a mobilehome park has been filed with the city, the park owner shall advise each prospective new resident who proposes to occupy a mobilehome within such park after the filing of such application, in writing, prior to the execution of a rental agreement or commencement of such occupancy whichever occurs first, that such application has been filed. (Ord. 05-2004 § 1, 2004).

9.82.045 Hearing on relocation impact report.

A. When an application has been filed for a general plan amendment, rezoning, or conditional use permit for the proposed change of use and/or closure of a mobilehome park, the city manager shall schedule a public hearing on the ~~relocation impact report~~RIR before the city council within 30 days of receiving the ~~relocation impact report~~RIR, but not sooner than 60 days after applicant provides each impacted resident with the disclosures, notices and documents required under the Ordinance, including but not limited to Sections 9.82.025, 9.82.035 and 9.82.045. The city council, in considering the ~~relocation impact report~~RIR, shall make written findings based on evidence regarding the factors outlined in SMC 9.82.050.

B. At the public hearing, all interested parties will be allowed to present evidence to the city council on any aspect of the application. The evidence may include, but is not limited to, justification for the payment of relocation costs, including the fair market value of any mobilehome, evidence why a mobilehome cannot be relocated to a comparable mobilehome park, and similar information.

C. If the city council is unable to make findings consistent with SMC 9.82.050 and is unable to impose reasonable measures as provided in SMC 9.82.055 to mitigate the adverse impact(s) of relocation, the city council shall deny the application for the proposed conversion, closure or

cessation of use. No other permit or approval shall be granted in furtherance of the proposed conversion, and no change of use, including cessation or closure, shall occur unless a ~~relocation impact report~~RIR has been approved. (Ord. 05-2004 § 1, 2004).

9.82.050 Findings.

The city council, in considering the ~~relocation impact report~~RIR, shall accept and hear evidence, shall consider such evidence, and shall make written findings based on such evidence regarding each of the following factors and any other factors as it deems appropriate:

A. That the ~~relocation impact report~~RIR provides the information required by state law and this chapter and that it provides the city council with adequate information on the impacts of the park conversion in terms of disruption to affected residents and the methods available for addressing relocation needs.

B. That there will exist, at the time of conversion, closure or cessation of use available mobilehome lots within Sonoma County to accommodate the mobilehomes to be displaced.

C. That adequate options are available for residents who would be disrupted by the conversion.

D. That the relocation plan provides for reasonable costs of relocation based on the findings of the ~~relocation impact report~~RIR.

E. If the proposed conversion is to another residential use, whether the residents of the mobilehome park will have an opportunity to purchase, if for sale, or rent the new units, and whether the construction schedule will result in unreasonably long-term displacements.

F. That the proposed conversion will not be detrimental to the public health, safety and general welfare.

G. That all reports and notices required by law have been properly prepared and properly served. (Ord. 05-2004 § 1, 2004).

H. The applicant has satisfied the provisions of Government Code section 65863.7, as may be amended from time to time.

I. Whether or not the approval of the park closure and the park's conversion into its intended new use, taking into consideration both the RIR as a whole and the overall housing availability within the City of Sonoma will result in or materially contribute to a shortage of housing opportunities and choices for low – and moderate – income households with the City of Sonoma.

9.82.055 Relocation assistance.

In approving a ~~relocation impact report~~RIR the city council may attach reasonable conditions in order to mitigate the impacts associated with the conversion, closure or cessation of use. The specific conditions of approval of a particular application shall be determined on an application-by-application basis with regard to the acts and circumstances of the application, ~~but shall not exceed the reasonable cost of relocation, as documented in the relocation impact report.~~ The city council shall require the applicant to enter into a written agreement with the city to ensure

compliance with and fulfillment of the conditions of approval, which may include but are not limited to the following matters:

A. Payment of relocation assistance to each resident who resided in the mobilehome park as of and after the date the application is filed or the date a closure, conversion or cessation of use is deemed by the city council to have commenced.

B. Payment of the cost of physically moving the mobilehome to a new site, including teardown and setup of movable improvements such as patios, carports and porches; packing, moving and unpacking all personal property; and in-transit costs for meals, lodging and gas.

C. Payment of a lump sum to compensate for payment of the first and last month rent and any security deposit at the new mobilehome park.

D. Payment of a lump sum to compensate for any differential between rental rates at the closing mobilehome park and the new mobilehome park during the first year of the new tenancy.

E. For tenants the costs may include all reasonable expenses incurred in moving to a new location, up to a maximum distance of 50 miles.

F. Unless otherwise exempt under provisions of this Ordinance or state law, for homeowners who are unable to reasonably relocate their mobilehome to another comparable mobilehome park, payment to the mobilehome owner equivalent to the "in-place market value" of the mobilehome. The "in-place market value" of the mobilehome shall be determined by a state-certified appraiser with experience establishing the value of mobilehomes. The appraisal shall be based upon the current in-place location of the mobilehome and shall assume the continuation of the mobilehome park. The applicant is responsible for payment of each appraisal required under this Chapter and shall include a copy of each appraisal as part of an addendum to the RIR. payment of fair market value for their mobilehome, based on information contained in the approved relocation impact report.

G. Setting aside a certain number of affordable units for the residents of the park, if the park is to be converted to another residential use; or providing a certain number of affordable units on-site or off-site, if the park is to be converted to a use other than residential.

H. In order to facilitate a proposed conversion, closure, or cessation of use of a mobilehome park the residents and applicant may agree to mutually satisfactory conditions. To be valid, such an agreement shall be in writing, shall include a provision stating that the resident is aware of the provisions of this chapter, shall include a copy of this chapter as an attachment, shall include a provision in at least ten-point type which clearly informs the resident of the right to seek advice of an attorney prior to signing the agreement with regard to the resident's rights under such agreement, and shall be drafted in the form and content otherwise required by applicable state law. (Ord. 05-2004 § 1, 2004).

9.82.060 Bankruptcy exemption.

The provisions of this chapter shall not apply if it is determined that the closure of a mobilehome park or cessation of use of the land as a mobilehome park results from an adjudication of bankruptcy. The applicant shall have the burden to produce substantial evidence that a court of competent jurisdiction has determined in connection with a proceeding in bankruptcy that the closure or cessation of use of the affected park as a mobilehome park is necessary. The

documentation shall include the title, case number and court in which the bankruptcy proceedings were held and certified copies of all pertinent judgments, orders and decrees of the court. (Ord. 05-2004 § 1, 2004).

9.82.065 Exemption for closure, conversion, or change of use arising from damage or destruction by a disaster.

If it is determined that the closure, cessation or change of use is related to damage or destruction resulting from disaster the provisions of this Chapter shall not apply. Applicant shall, however, be required to satisfy the standards imposed by Government Code section 65863.7. As used herein, "disaster" means a natural or manmade emergency resulting from an earthquake, flood, fire, riot, storm, drought, plant or animal infestation or disease, pandemic or epidemic disease outbreak, or other natural or manmade disaster.

9.82.07065 Administration fee.

The city council may establish by resolution reasonable fees to cover any costs incurred by the city in implementing this chapter. Such fees shall be paid by the park owner or applicant subject to the provisions of this chapter, in accordance with the limitations of Section 65863.7(g) of the Government Code. (Ord. 05-2004 § 1, 2004).

The Sonoma Municipal Code is current through Ordinance 11-2025, passed August 6, 2025.
Disclaimer: The city clerk's office has the official version of the Sonoma Municipal Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.sonomacity.org

Hosted by General Code.