Article 34 Mobile Home Park Conversions

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3401 Specific Purpose

The specific purpose of the Mobile Home Park Conversion procedure is to ensure that any conversion of these parks to other uses is preceded by adequate notice, and that relocation and other assistance is provided park residents, consistent with the provisions of the California Government Code, Section 65863.7.

3402 Definitions

For purposes of the article, the following definitions shall apply:

A. "Mobile home" is a structure designed for human habitation and for being moved on a street or highway under permit pursuant to Vehicle Code Section 35790. Mobile home does not include a recreational vehicle, as defined in Civil Code Section 799.24, or a commercial coach, as defined in Health and Safety Code Section 18218.

B. "Mobile home park" is an area of land where two or more mobile home sites are located to accommodate mobile homes used for human habitation. This definition shall include rental mobile home parks where mobile home spaces are rented or held out for rent. A mobile home park shall also include a mobile home subdivision, condominium or stock cooperative in which specific ownership rights are acquired by the unit occupants within the mobile home park.

C. "Conversion" means a 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. Such a conversion may affect an entire mobile home park or any portion thereof. A conversion shall include, but is

not limited to, a change of the rental mobile home park or any portion thereof to a mobile home subdivision, condominium, stock cooperative, or any form of ownership wherein spaces within the mobile home park are to be sold.

3403 Permit Required

The conversion of an existing rental mobile home park to another use or to a mobile home subdivision, condominium or stock cooperative shall require a use permit reviewed by the Planning Commission and approved by the City Council pursuant to Article 41. An application for such permit shall include the following:

A. A general description of the proposed use to which the mobile home park is to be converted.

B. The proposed timetable for implementation of the conversion.

C. Total mobile home spaces within the mobile home park.

1. Number of mobile home spaces occupied.

2. Length of time each space has been occupied by the present resident(s) thereof.

3. Age, size, and type of mobile home occupying each space.

4. Monthly rent currently charged for each space.

5. Name and mailing address of the residents of each mobile home within the mobile home park.

D. A disposition/relocation plan for existing tenants of the mobile home park. Upon filing an application for conversion, the Planning Director shall inform the applicant of the requirements of Civil Code Section 798.56 and Government Code 65863.8 regarding notification of the mobile home park residents concerning the conversion proposal.

3404 Relocation Plan

The relocation plan for tenants of a mobile home park shall be submitted to the City Council for approval as part of the application for conversion of a rental mobile home park to another use or to a mobile home subdivision, condominium or stock cooperative. The plan shall provide specifically for relocation

assistance to full-time, low- and moderate-income residents of the park for a minimum period of 12 months following approval of a use permit for the conversion. Information on sites available in mobile home parks in the city and adjacent communities shall be provided to all tenants.

A relocation plan shall include, but not be limited to, consideration of the availability of medical and dental services and shopping facilities, the age of the mobile home park and the mobile homes, and the economic impact on the relocated tenants.

A. Special Cases. The relocation plan shall specifically provide guarantees that all tenants 62 years old or older and all tenants who are medically proven to be permanently disabled shall not have to pay an increase in rent over the amount currently paid for a period of two years following relocation.

B. Moving Expenses. The relocation plan shall provide for moving expenses equal to the actual cost of moving up to but not exceeding the cost of moving to a location within a 250 mile radius of the park to any tenant who relocates from the park after City approval of the use permit authorizing conversion of the park. In the event a tenant has given notice of his intent to move prior to the park owner submitting an application for conversion to the City, eligibility to receive moving expenses shall be forfeited. Moving expenses and relocation assistance shall be provided in conformance with Federal, State and Local Ordinances.

C. No Increase in Rent. A tenant's rent shall not be increased within two months prior to filing an application for conversion of a mobile home park, nor shall the rent be increased for two years from the date of filing of the conversion application or until relocation takes place.

3405 Findings for Conversion

The City Council may approve a permit for a rental mobile home park conversion if it finds that the proposed conversion meets the following requirements in addition to the requirements of Section 4106:

A. That the proposed use of the property is consistent with the General Plan or any specific plan, and all applicable provisions of this ordinance are met.

B. That there exists land zoned for replacement housing or adequate space in other mobile home parks for the residents who will be displaced.

C. That the conversion will not result in the displacement of low-income mobile home residents who cannot afford rents charged in other mobile home parks within the City of Oceanside.

D. That the age, type, size, and style of mobile homes to be displaced as a result of the conversion will be able to be relocated into other mobile home parks within the City of Oceanside.

E. That if the rental mobile home park is to be converted to another residential use, the mobile home residents to be displaced shall be provided the right of first refusal to purchase, lease, rent or otherwise obtain residency in the replacement dwelling units, and the construction schedule for such replacement dwelling units shall not result in a displacement of unreasonable length for those mobile home residents electing to relocate in these replacement units.

F. That any mobile home residents displaced as a result of the conversion shall be compensated by the applicant for all reasonable costs incurred as a result of their relocation.

G. That the relocation plan mitigates the impacts of the displacement of individuals or households for a reasonable transition period and mitigates the impacts of any long-term displacement.

3406 Conditions of Approval

Consistent with Section 4107, the City Council shall impose the following conditions of approval of a permit for a rental mobile home park conversion. In addition to any other conditions:

A. The applicant shall submit a relocation plan that shall make adequate provisions for the relocation of all mobile homes and mobile home residents to be displaced as a result of the conversion. Such plan shall include provisions to relocate such mobile homes and mobile home residents in comparable mobile home parks within the City of Oceanside. A replacement mobile home park

shall be deemed comparable if it provides substantially equivalent park facilities and amenities, space rental and fees, and location, i.e., proximity to public transportation, medical and dental centers, shopping facilities, recreation facilities, religious and social facilities, etc.

B. The applicant shall bear all reasonable costs of relocating mobile homes and mobile home residents displaced by the conversion. Such costs shall include but not be limited to: the cost of moving the mobile home to its new location; the cost of necessary permits, installations, landscaping, site preparation at the mobile home's new location; the cost of moving personal property; and the cost of temporary housing, if any. Such costs may also include the cost of purchasing replacement mobile homes for those residents owning mobile homes that are not acceptable in other mobile home parks as a result of its size, age or style, or establishing a new mobile home park for the relocation of displaced mobile homes.

C. In addition, the City Council may establish the date on which the permit for conversion will become effective. Such date shall not be more than two years from the decision of the City Council, provided that conversion at an earlier date may be approved if the City Council receives a written petition requesting an earlier date signed by a majority of those persons residing in the subject mobile home park at the time of the City Council public hearing to consider the conversion application. The effective date of the approval in such a case shall be the date set forth in the petition. Conversion at the earlier date may be approved only if the applicant has complied with all the provisions of an approved relocation plan and submitted evidence of such compliance to the Planning Director.

3407 Waiver

The City Council may find that there is substantial evidence to support a finding by the Council that the imposition of conditions as provided for in Section 3406 would result in an extreme economic hardship for the applicant. An extreme economic hardship does not exist where the cost of implementing the relocation conditions would merely deny the applicant the maximum profits that could be realized from the conversion of the mobile home park.

If the City Council determines that the conditions would result in extreme economic hardship for the applicant, the City Council may waiver or modify any conditions that would otherwise be necessary to enable the Council to make the findings required by Section 3405. Such conditions may be waived or modified only to the extent minimally necessary to alleviate such extreme economic hardship.