



DATE: December 14, 2005

TO: Honorable Mayor and City Councilmembers

FROM: Planning Department

SUBJECT: **INTRODUCTION OF AN ORDINANCE FOR ZONE AMENDMENT (ZA-12-05) AND LOCAL COASTAL PROGRAM AMENDMENT (LCPA-1-05) DESIGNATING A SENIOR OVERLAY DISTRICT TO ENCOMPASS EIGHT MOBILEHOME PARKS AND ESTABLISHMENT OF NEW SENIOR MOBILEHOME PARKS OVERLAYS WITHIN THE CITY OF OCEANSIDE. – APPLICANT: CITY OF OCEANSIDE**

SYNOPSIS

The item under consideration is an amendment to the Zoning Ordinance, Zoning Map and Local Coastal Program establishing new senior mobilehome park overlay criteria and placing eight existing mobilehome parks within the senior mobilehome park overlay district. Staff is recommending that the City Council introduce the ordinance related to the amendment.

BACKGROUND

On January 5, 2005, the City Council adopted an interim urgency ordinance placing a moratorium on the conversion of any mobilehome park currently existing in the City from a park occupied primarily or exclusively by residents over the age of 55 years to a mobilehome park allowing residents of all ages. This urgency moratorium was enacted to determine the impact on affordable senior housing stock if existing senior mobilehome parks were converted to all-age parks. At that time staff was aware of at least one park indicating a conversion.

Subsequently, on February 5, 2005, a ten-month-and-fifteen-day extension, was granted by the City Council to allow staff the necessary time to complete the study to determine the impact on affordable senior housing stock if existing senior mobilehome parks were converted to all-age parks.

Attached are both staff reports regarding the moratorium.

The proposed amendment to the Zoning Ordinance would create a new Article 29 Senior Mobilehome Park Overlay District. This ordinance amendment is intended to be consistent with, comply with and implement the federal Fair Housing Act as amended by the Housing for Older Persons Act and the California statutes providing senior housing exemptions from statutes prohibiting discrimination in housing based on age and familial status.

Staff is also recommending that the newly created overlay district be placed on eight existing mobilehome parks that currently exist within the City. These parks are currently being operated as senior mobilehome parks and are listed below:

1. Laguna Vista Mobilehome Estates, 276 North El Camino Real
2. Rancho San Luis Rey Mobilehome Park, 200 North El Camino Real
3. Mission View Manor East, 140 Douglas Drive
4. Mission View West, 141 Douglas Drive
5. Trico Mobile Estates, 221 North El Camino Real
6. Mira Mar Mobile Community, 900 North Cleveland Street
7. La Salina Mobile Village, 1550 South Coast Highway

In addition, Rancho Calavera Lake Mobilehome Park is a senior-only park that has been inadvertently omitted from the above list. Staff is currently processing a zone amendment and required environmental review to place the park within the Senior Mobilehome Park Overlay District. This effort including the required public hearing will be completed in the first quarter of 2006.

ANALYSIS

Approximately twenty percent (20%) of the population of the City of Oceanside is 55 years or older. As such, the City has created a Senior Commission to address the needs of its senior residents. One of those needs is affordable housing.

As mentioned, there are eight mobilehome parks in the City that have long operated as senior mobilehome parks, which have been an important source of affordable senior housing. Mobilehome parks afford seniors the ability to live in their own homes rather than in apartments and provide a senior living community in a low-rise setting that typically provides a clubhouse for community events and socializing as well as recreational facilities inside the park so that the residents can easily walk to these facilities and events.

Many of the seniors living in these senior mobilehome parks enjoy having their grandchildren visit them in the parks and love children, but they, like the seniors without grandchildren, purchased mobilehomes in a senior park in order to live in a quieter community with others in their own age group and purchased their homes in these parks because they were senior parks that accepted only prospective purchasers of homes in the park if at least one occupant of the mobilehome being purchased was 55 years or older.

The California Mobilehome Park Residency Law, the California Fair Employment and Housing Act, and the Federal Fair Housing Act each recognize the need for and value of senior housing by expressly exempting facilities in which eighty percent (80%) of the units are occupied by at least one person who is 55 years or older from the requirement to rent to families with children.

While senior housing complexes in the City, other than senior mobilehome parks, are generally restricted to senior occupancy by conditions, covenants and restrictions, that is not the case in senior mobilehome parks. The residents of those mobilehome parks relied upon the representations of the park management and park owners that only seniors could purchase homes in those parks and obtain tenancies in those parks. These representations were set forth in the leases or rental agreements they were required to sign upon purchasing a mobilehome in the parks and moving into the parks and in the rules of those parks, which the residents were also required to sign and acknowledge. Now some owners of senior mobilehome parks have indicated that they can, and are already attempting to, change their parks from senior parks to family parks, over the objections of their senior residents, simply by changing park rules using the procedure in Civil Code Section 798.25.

Seniors now living in senior mobilehome parks could remain in a park that changed to a family park, but those seniors would no longer enjoy the quiet and companionship of a senior community, and the limited supply of senior parks that now exists in the City could be greatly diminished or even eliminated. Since mobilehomes are not mobile in any practical sense due to the high cost of moving a home, the risk of damage to the home in moving, the loss of improvements such as porches, patios, carports and landscaping, which cannot be moved, and the lack of available rental spaces in senior parks, or in any mobilehome park in the City or surrounding areas that will accept re-locating homes, senior residents of a park that becomes a family park would have to sell the homes in which they have lived for many years and in which they have invested both financial and personal resources, in order to move to another senior facility. After selling their mobilehomes, these seniors may no longer have sufficient funds to purchase a mobilehome in another senior park or other senior facility. Further, as the number of senior mobilehome parks diminishes, it will become harder and harder to find a mobilehome to purchase in a senior park in the City or surrounding areas.

The City's General Plan (Land Use Element 1.16) and Housing Element provide that the City shall strive to maintain a reasonable balance between senior and family housing. This Ordinance assists the City in accomplishing and maintaining that balance and will help to ensure that an important source of senior housing is preserved.

For these reasons, staff finds it necessary to protect, enhance and encourage the preservation, enhancement and development of senior mobilehome parks through the adoption of this proposed amendment to the Zoning Ordinance which will create a new Senior Mobilehome Park Overlay District, as well as place eight existing senior mobilehome parks within the senior mobilehome park overlay district. Attached as Exhibit

“A” is the specific text language that staff is recommending and a map illustrating the senior parks.

ENVIRONMENTAL DETERMINATION

A Negative Declaration has been prepared stating that there will not be a significant adverse impact upon the environment. Under the provisions of the California Environmental Quality Act, the Planning Commission considered the Negative Declaration during its hearing on the project.

FISCAL IMPACT

None.

COMMISSION OR COMMITTEE REPORT

The Planning Commission reviewed and unanimously recommended the approval of the proposed amendments at their November 7, 2005, Planning Commission meeting.

CITY ATTORNEY’S ANALYSIS

Pursuant to Article 4506 of the Oceanside Zoning Ordinance, the City Council is required to hold a public hearing on the proposed text amendment. Consideration of the amendment should be based on the evidence presented at the public hearing. After conducting the public hearing, the City Council should approve, modify or reject the Planning Commission’s recommendation.

RECOMMENDATION

Staff recommends that the City Council introduce the ordinance as attached, which will create a new Senior Mobilehome Park Overlay District and place eight existing mobilehome parks within the City within the newly created Senior Mobilehome Park Overlay District.

PREPARED BY:



Gerald S. Gilbert
Planning Director

SUBMITTED BY:



Steven R. Jepsen
City Manager

GSG/vnm

REVIEWED BY:

Michelle Skaggs Lawrence, Assistant to the City Manager _____
Mike Blessing, Deputy City Manager _____

ATTACHMENTS/EXHIBITS

1. City Council Ordinance
2. Exhibit "A" Proposed Zoning Ordinance Text Changes
3. City Council Staff Report Dated January 5, 2005
4. City Council Staff Report Date February 2, 2005
5. Planning Commission Resolution No. 2005-P58
6. Planning Commission Staff Report dated November 7, 2005
7. Site Maps

1 WHEREAS, the California Mobilehome Park Residency Law, the California Fair
2 Employment and Housing Act, and the Federal Fair Housing Act each recognize the need for
3 and value of senior housing by expressly exempting facilities in which 80 percent of the units
4 are occupied by at least one person who is 55 years or older from the requirement to rent to
5 families with children;

6 WHEREAS, while senior housing complexes in the City, other than senior mobile home
7 parks, are generally restricted to senior occupancy by conditions, covenants and restrictions,
8 that is not the case in senior mobile home parks. The residents of those mobile home parks
9 relied upon the representations of the park management and park owners that only seniors
10 could purchase homes in those parks and obtain tenancies in those parks. These representations
11 were set forth in the leases or rental agreements they were required to sign upon purchasing a
12 mobile home in the parks and moving into the parks and in the rules of those parks, which the
13 residents were also required to sign and acknowledge. Now some owners of senior mobile
14 home parks have indicated that they can, and are already attempting to, change their parks from
15 senior parks to family parks, over the objections of their senior residents, simply by changing
16 park rules using the procedure in Civil Code Section 798.25;

17
18 WHEREAS, while the seniors now living in senior mobile home parks could remain in a
19 park that changed to a family park, those seniors would no longer enjoy the quiet and
20 companionship of a senior community and the limited supply of senior parks that now exists in
21 the City could be greatly diminished or even eliminated. Since mobile homes are not mobile in
22 any practical sense due to the high cost of moving a home, the risk of damage to the home in
23 moving, the loss of improvements such as porches, patios, carports and landscaping, which
24 cannot be moved, and the lack of available rental spaces in senior parks, or in any mobile home
25 park in the City or surrounding areas that will accept re-locating homes, senior residents of a
26 park that becomes a family park would have to sell the homes in which they have lived for
27 many years and in which they have invested both financial and personal resources in order to
28 move to another senior facility. After selling their mobile homes, these seniors may no longer

1 have sufficient funds to purchase a mobile home in another senior park or other senior facility.
2 Further, as the number of senior mobile home parks diminishes, it will become harder and
3 harder to find a mobile home to purchase in a senior park in the City or surrounding areas;

4 WHEREAS, for the reasons set forth in the preceding Paragraphs, the City Council finds
5 it necessary to protect, enhance and encourage the preservation, enhancement and development
6 of senior mobile home parks through the adoption of this Ordinance;

7
8 WHEREAS, the City's General Plan (Land Use Element 1.16) and Housing Element
9 provide that the City shall strive to maintain a reasonable balance between senior and family
10 housing and this Ordinance assists the City in accomplishing and maintaining that balance and
11 will help to ensure that an important source of senior housing is preserved;

12
13 WHEREAS, the Housing for Older Persons Act amendments to the federal Fair Housing
14 Act, 47 U.S.C. §3607(b), and the provisions of the implementing regulations set forth in the
15 Code of Federal Regulations (24 CFR §100.304(b)(4)) and the Appendix thereto (64 Fed.Reg.
16 16331 provide that a senior housing facility or community includes a municipally zoned area
17 and that an area zoned by a unit of local government as 'senior housing' satisfies the intent
18 requirement of the senior housing exemption from the provisions of the Fair Housing Act
19 prohibiting discrimination based on familial status;

20 WHEREAS, The City intends that this Ordinance be consistent with, comply with and
21 implement the federal Fair Housing Act as amended by the Housing for Older Persons Act and
22 the California statutes providing senior housing exemptions from statutes prohibiting
23 discrimination in housing based on age and familial status;

24
25 WHEREAS, on November 7, 2005, the Oceanside Planning Commission held a duly
26 noticed public hearing to consider the provisions of this Ordinance. Following the receipt of
27 public comments and any written materials, the Planning Commission closed the hearing,
28 reviewed and considered all the evidence presented and adopted Resolution No. 2005-P58

1 recommending adoption of the Negative Declaration and approval of this Ordinance;

2 WHEREAS, on December 14, 2005, the Oceanside City Council held a duly noticed
3 public hearing to consider the provisions of this Ordinance. Following receipt of all written
4 and oral public comments, the City Council closed the hearing, considered the evidence
5 presented and deliberated;

6
7 NOW, THEREFORE, the City Council hereby amends the Municipal Code as follows:

8
9 Section 1. Paragraph C (Establishment of Overlay Zoning Districts) of Section 230
10 (Applicability of Land Use and Development Regulations) of Article 2 (Organization,
11 Applicability, and Interpretation) of Part I (General Provisions) of the Oceanside Zoning
12 Ordinance is hereby amended to add the following text at the end of the chart that is included in
13 that paragraph C:

14 “SMH Senior Mobile Home Park Overlay District 29”

15
16 Section 2. Part III (Overlay Zoning Districts) of the Oceanside Zoning Ordinance is
17 hereby amended to add a new Article 29 to read as follows:

18 **“Article 29 Senior Mobile Home Park Overlay District**

19
20 **Sections:**

21 2901 Specific Purposes

22 2902 Definitions

23 2903 Zoning Map Designator

24 2904 Qualification for Inclusion of Properties within the Senior Mobile Home
25 Overlay District

26 2905 Land Use Regulations

27 2906 Development Regulations and Incentives

28 2907 Project Review

1 2908 Limitations on Rentals

2 2909 Violations

3 2910 Severability

4 **2901 Specific Purposes**

5 The specific purposes of the Senior Mobile Home Park Overlay District are to:

6
7 A. Provide various development and preservation incentives to make the
8 development and maintenance of senior mobile home parks attractive to mobile home park
9 owners and developers while, at the same time, providing assurances that existing senior
10 mobile home parks within the overlay district remain available to seniors.

11
12 B. Provide for land use, development, and regulatory standards for mobile home
13 parks that are designed or operated for occupancy by seniors.

14 **2902 Definitions**

15
16 “Mobile Home” is a structure designed for human habitation and for being moved on a
17 street or highway under permit pursuant to Vehicle Code Section 35790. Mobile Home does
18 not include a recreational vehicle, as defined in Civil Code Section 799.4, or a commercial
19 coach, as defined in Health and Safety Code Section 18218. For the purposes of this
20 Ordinance, the term “Mobile Home” includes “Manufactured Home.”

21
22 “Mobile Home Park” is an area of land where two or more mobile home or
23 manufactured home sites are located to accommodate mobile homes used for human habitation.
24 This definition shall include rental mobile home parks where mobile home spaces are rented or
25 held out for rent. Mobile Home Park shall also include a mobile home subdivision,
26 condominium or stock cooperative in which specific ownership rights are acquired by the space
27 occupants within the mobile home park.

28 ///

1 “Senior Mobile Home Park” is a mobile home park in which at least 80 percent of the
2 spaces are occupied by or intended for occupancy by at least one person who is 55 years of age
3 or older or in which 100% of the spaces are occupied or intended for occupancy by persons 62
4 years of age older.

5 **2903 Zoning Map Designator**

6
7 Adoption of a Senior Mobile Home Park Overlay District shall be by amendment of the
8 Zoning Map. The Senior Mobile Home Park Overlay District may be combined with the RM -
9 A Medium-Density Residential District, the RM - AH Medium Density Residential District,
10 Historic Overlay, the RH - U High-Density Residential District, the Downtown Mixed Use
11 District, and the MHP Mobile Home Park District. The Senior Mobile Home Park Overlay
12 District shall be shown on the Zoning Map by adding the designator “SMH” to the base map
13 designation.

14 **2904 Qualification for Inclusion of Properties within the Senior Mobile Home**
15 **Park Overlay District**

16
17 Properties that are designated to be within the Senior Mobile Home Park Overlay
18 District shall be those properties operated as or developed or proposed to be developed as a
19 senior mobile home park in which at least one occupant of each mobile home is 55 years or
20 older.

21 **2905 Land Use Regulations**

22
23 At least 80 percent of the spaces in mobile home parks in the Senior Mobile Home Park
24 Overlay District shall be occupied by at least one person 55 years or older. If an existing
25 mobile home park met this qualification on January 5, 2005 and fell below the 80 percent
26 requirement between that date and the effective date of this Ordinance, the Senior Mobile
27 Home Park Overlay District shall be applied to that mobile home park and that park shall be
28 required to operate as a senior mobile home park by renting spaces and mobile homes only

1 when at least one occupant of the mobile home is 55 years or older. The signage, advertising,
2 park rules and regulations, and leases for spaces in mobile home parks in the Senior Mobile
3 Home Park Overlay District shall state the park is a senior park. Mobile home parks in the
4 Senior Mobile Home Park Overlay District constructed after the adoption of this Ordinance
5 shall also be subject to the following standards and requirements:

6
7 A. Senior Mobile Home Park Development Plan (SMHP Development
8 Plan) shall be required for the development or expansion of a mobile home park in the senior
9 mobile home park (SMHP) overlay district. The following development regulations shall apply.

10 1. Minimum Area. The minimum area of a MHP district shall be
11 2 acres. A SMHP district may be subdivided into lots smaller than 2 acres, provided a Tentative
12 Map is approved concurrent with a MHP Development Plan and the minimum lot size is in
13 accordance with the requirements of this section.

14 2. Density. The total number of mobile home units in a SMHP
15 Development Plan shall not exceed the maximum permitted by the General Plan density for the
16 total area of parcels designated for residential use and open space; provided however that a density
17 bonus may be available pursuant to Section 2906 B of this Article.

18 3. Compatibility with Adjacent Land Uses. The mobile home
19 park shall be designed and developed in a manner compatible with and complimentary to existing
20 and potential residential development in the immediate vicinity of the project site. Site planning
21 on the perimeter shall give consideration to protection of the property and the residents from
22 adverse surrounding influences, as well as the protection of the surrounding area from potentially
23 adverse influences within the development. A mobile home park shall relate harmoniously to the
24 topography of the site, make suitable provisions for the preservation of water course and wooded
25 areas, and shall otherwise be so designed as to use such natural features and amenities to the best
26 advantage.

27 4. Setbacks: Perimeter. Mobile home units and buildings
28 within the mobile home park shall maintain the following setbacks:

1 (a) A setback of at least 20 feet from the nearest edge
2 of the street right-of-way of any street along the exterior boundary of the mobile home park.

3 (b) A side-yard and rear-yard of at least 15 feet from
4 the exterior boundary of the mobile home park.

5 5. Setbacks: Recreational Use Area. A recreational use area or
6 facility shall be centrally located within the park. Where permanent intervening open space, a
7 minimum of 100 feet in width, exists on adjacent property, this restriction may be modified on
8 approval of the Planning Commission through the SMHP Development Plan.

9 6. Common Usable Open Space and Recreation Facilities. A
10 minimum of one substantial area of common usable open space shall be provided that meets the
11 following standards:

12 (a) A minimum of 250 square feet of common usable
13 open space or recreational facility per dwelling unit shall be provided.

14 (b) The common usable open space and recreational
15 facility shall be designed, so that a horizontal rectangle inscribed within it has no dimension
16 less than 50 feet, shall be open to the sky, and shall not include driveways or parking areas, or
17 area required for front or street side-yards. The common usable open space shall be
18 landscaped, improved and maintained.

19 (c) The common usable open space areas and
20 recreational facilities shall be designed to be accessible and suitable for persons 55 years and
21 older. The facilities provided shall reflect the occupants needs within the park.

22 (d) Completely enclosed indoor recreation facilities
23 may be provided and shall consist of not less than 10 square feet for each dwelling unit and
24 may be included as part of the 250 square feet per dwelling unit required for the common
25 usable open space.

26 7. Building Height. The maximum height of any structure within
27 the mobile home park (excluding the mobile home unit) shall be limited to 30 feet.

28 8. Access Drives and Streets. A mobile home park shall have

1 direct vehicular access from a publicly maintained street. This requirement does not apply to the
2 expansion of an existing mobile home park when adequate access is obtained through an existing
3 portion of the mobile home park. All mobile home spaces/lots and recreation facilities shall have
4 access only from an interior access drive or street. Interior private access drives and streets shall
5 meet the requirements of Article 31 of this ordinance and the standards within the Engineering
6 Manual for driveways and private streets.

7 9. Sewer and Water. Each mobile home space/lot in a mobile
8 home park shall have water and sewer connections in accordance with Title 25 of the California
9 Code of Regulations and with applicable City codes, ordinances and standards.

10 10. Refuse Storage Areas. Refuse storage areas shall comply with
11 Section 3022 of this ordinance.

12 11. Undergrounding of Utilities. The undergrounding of utilities
13 shall be in accordance with Section 3023 of this ordinance.

14 12. Fire Protection. On- and off-site fire hydrants and other fire
15 protection facilities shall be installed as specified by the MHP Development Plan for the project
16 and shall be in accordance with Title 25 of the California Code of Regulations and with applicable
17 City codes, ordinances and standards.

18 13. Night Lighting. Lighting shall be provided and maintained for
19 all walks, driveways, parking areas, common areas and other facilities as specified by Title 25 of
20 the California Code of Regulations, and in accordance with Section 3117 of this Ordinance to
21 assure safe and convenient nighttime use. Street lighting shall be provided on all interior access
22 drives and streets and shall be designed to meet public street design standards as specified in the
23 City's Standard Engineering Specifications.

24 14. Signs. All signs shall be in conformance with Article 33 of
25 this ordinance.

26 15. Guest Parking. The amount of visitor or guest parking shall
27 not be less than one parking space for each six mobile home spaces in the senior mobile home
28 park, with any fraction of spaces rounded down to the nearest whole number.

1 16. Handicapped Parking. Handicapped parking shall be provided
2 in accordance with Section 3107 of this ordinance.

3 B. For the Individual Mobile Home Spaces/Lots

4 1. Space or Lot Size. A minimum size of 3,500 square feet
5 (excluding interior access drives) shall be provided for each space/lot. Smaller lot sizes may be
6 approved under a Planned Block Development Plan (PBD) in accordance with Article 24 of this
7 Ordinance; provided however that in the event of any conflict with the Mobilehome Parks Act,
8 California Health and Safety Code Section 18200, *et seq.*, the Mobilehome Parks Act shall
9 control.

10 2. Space or Lot Width. Every space/lot shall have a minimum
11 width of forty (40) feet. Smaller lot dimensions may be approved under a Planned Block
12 Development Plan (PBD) in accordance with Article 24 of this Ordinance; provided however that
13 in the event of any conflict with the Mobilehome Parks Act, California Health & Safety Code
14 Section 18200, *et seq.* the Mobilehome Parks Act shall control.

15 3. Space or Lot Coverage. Not more than seventy-five (75)
16 percent of the area of a mobile home space/lot shall be covered by the mobile home and its
17 accessory structures.

18 4. Setbacks and Separation Requirements: Each mobile home
19 space/lot shall maintain the following minimum setbacks and separations for mobile homes;
20 provided however that in the event of any conflict with the Mobilehome Parks Act, Health and
21 Safety Code Section 18200, *et seq.*, the Mobilehome Parks Act shall control.

22 (a) Front-Yard Setback: Each mobile home space/lot shall
23 have a front yard setback of not less than five (5) feet extending the entire width of the mobile
24 home space/lot. A front-yard shall be measured from the nearest element of the mobile home,
25 garage, carport or any mobile home accessory structure to the property line, back of sidewalk, or
26 back of curb, whichever is the most restrictive.

27 (b) Side-Yard Setback: Each mobile home space/lot shall
28 have a side-yard setback of not less than three (3) feet in width along the entire length of the

1 mobile home space/lot.

2 (c) Corner Side-Yard: A corner side-yard setback shall be
3 not less than five (5) feet.

4 (d) Rear-Yard Setback: Each mobile home space/lot shall
5 have a rear-yard setback of not less than three (3) feet in width across the entire length of the
6 mobile home space/lot.

7 (e) Accessory Structures: Setbacks for any accessory
8 structure shall be in accordance with Title 25 of the California Code of Regulations.

9 (f) Separation of Structures: The minimum separation
10 between mobile homes or between mobile homes and buildings or accessory structures shall be in
11 accordance with Title 25 of the California Code of Regulations.

12 5. Mobile Home Design. All mobile home units shall comply
13 with the following design standards unless an alternate design is approved by the Planning
14 Commission under a SMHP Development Plan:

15 (a) Each mobile home shall be at least 16 feet wide;

16 (b) It shall be built on a foundation as required by Title 25
17 of the California Code of Regulations and approved by the Building Official;

18 (c) It shall have been constructed after June 15, 1976, and
19 shall be certified under the National Manufactured Home Construction and Safety Standards Act
20 of 1974;

21 (d) The unit's skirting shall extend to the finished grade;

22 (e) Exterior siding and materials shall be compatible with
23 adjacent residential projects;

24 (f) The roof shall have a pitch of not fewer than 3 inches
25 vertical rise per 12 inches horizontal distance;

26 (g) The roof covering shall be clay or concrete tile,
27 composition shingle, wood shake or shingle complying with the most recent edition of the
28 Uniform Building Code as amended by local ordinances;

1 (h) The roof shall have eaves or overhangs of not less
2 than 1 foot; and

3 (i) Required covered parking shall be compatible with
4 the mobile home design.

5 6. Building Height. Building height of individual mobile home
6 units shall be limited to 1 story or 18 feet, whichever is less, unless additional height is approved
7 through a SMHP Development Plan.

8 7. Parking. Two parking spaces shall be provided for each
9 mobile home unit. At least one of the spaces shall be provided within a garage or a carport.
10 Tandem parking is allowed provided that any required parking space shall not be located within
11 any required setback area.

12 C. Development Restrictions

13 1. Any commercial operation within a mobile home must
14 conform to Section 3007 of this ordinance.

15 2. No public oriented recreational activities for profit shall be
16 permitted within the park.

17 3. No permanent buildings other than recreational buildings,
18 laundry facilities and manager's quarters shall be constructed within the park except those
19 approved by the Planning Commission within the context of a SMHP Development Plan.

20 **2906 Development Regulations and Incentives**

21 Notwithstanding any other provisions of the Oceanside Zoning Ordinance, the following
22 regulations and incentives shall apply in the Senior Mobile Home Park Overlay District:
23

24 A. Guest Parking. The amount of visitor or guest parking shall not be less than one
25 parking space for each six mobile home spaces in the senior mobile home park, with any
26 fraction of spaces rounded down to the nearest whole number.

27 B. Dwelling Unit Density Bonus. In order to maximize net yield per acre, the City
28

1 will consider increasing the allowable project density by granting a density bonus to the project
2 site's existing density category pursuant to Government Code Section 65915 provided the
3 minimum pad and setback requirements imposed by the Mobilehome Parks Act (Health and
4 Safety Code Section 18200, *et seq.*) are maintained. Development incentives granted by the
5 City pursuant to Government Code Section 65915 shall be contained in a Density Bonus
6 Agreement to ensure that the mobile home park remains a senior mobile home park.

7
8 C. Exemption from Abatement of Nonconforming Uses. Notwithstanding the
9 provisions of Article 35 of the Oceanside Zoning Ordinance, senior mobile home parks that
10 have become non-conforming as to the underlying zoning shall be deemed to be legal and
11 conforming uses.

12 D. Expansion of Existing Senior Mobile Home Parks. Notwithstanding the
13 provisions of Section 3509 of the Oceanside Zoning Ordinance, the expansion of an existing
14 senior mobile home park shall not terminate the legal and conforming status of any previously
15 existing structures or uses in the mobile home park.

16 **2907 Project Review**

17
18 All development projects within the Senior Mobile Home Park Overlay District
19 requiring approval of the Planning Director or the Planning Commission shall be reviewed for
20 compliance with the land use and development regulations of this Article. Prior to the issuance
21 of a building permit for any use or structure within the Senior Mobile Home Park Overlay
22 District, the Planning Director shall determine whether the use or structure conforms to the
23 requirements of this Article.

24 **2908 Limitations on Rentals**

25
26 Spaces and mobile homes in a mobile home park in the Senior Mobile Home Overlay
27 District shall be rented only to occupants who meet the age requirement set forth in Section
28 2905, provided, however, that if the occupants of a space or mobile home who do not meet this

1 requirement rented the space or mobile home before the adoption of this Article, they shall be
2 allowed to remain, and provided further that when such occupants cease to occupy a space or
3 mobile home, the home and space cannot thereafter be rented except to occupants who meet
4 that age requirement.

5
6 **2909 Violations**

7 Any violation of this Article is a misdemeanor and the City shall have the right to use all
8 generally available legal remedies to enforce this Article.

9
10 **2910 Severability**

11 If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this
12 Ordinance or any part hereof is for any reason held to be invalid, such invalidity shall not affect
13 the validity of the remaining portions of this Ordinance or any part hereof. The City Council of
14 the City of Oceanside hereby declares that it would have passed each section, subsection,
15 subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one
16 or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be
17 declared invalid.”

18
19 Section 3. The Zoning Map of the City of Oceanside is hereby amended to designate
20 the properties legally described in Exhibit A and depicted on Exhibit B to be within the Senior
21 Mobile Home Park Overlay District.

22 Section 4. If any section, subsection, subdivision, paragraph, sentence, clause or
23 phrase of this Ordinance or any part hereof is for any reason held to be invalid, such invalidity
24 shall not affect the validity of the remaining portions of this Ordinance or any part hereof. The
25 City Council of the City of Oceanside hereby declares that it would have passed each section,
26 subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact
27 that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or
28 phrases be declared invalid.

1 Section 5. The custodian of records of all the materials which constitute the record of
2 proceedings upon which the City Council's decision to adopt the Ordinance is based, is City
3 Clerk for the City of Oceanside. Those documents are available for public review in the City
4 Clerk Department of the City of Oceanside located at Oceanside City Hall, 300 North Coast
5 Highway, Oceanside, California 92054, telephone (760) 435-3000.

6 Section 6. The City Clerk shall certify to the adoption of this Ordinance.

7
8 INTRODUCED at a regular meeting of the City Council of the City of Oceanside,
9 California, held on the 14th day of December, 2005, and, thereafter,

10 PASSED AND ADOPTED by the City Council of the City of Oceanside, California,
11 this _____ the day of _____, 2005 by the following vote:

12 AYES:

13 NAYS:

14 ABSENT:

15 ABSTAIN:

18
19 _____
Mayor of the City of Oceanside

20
21 ATTEST:

APPROVED AS TO FORM:

22
23 _____
24 City Clerk

25
26
27
28

City Attorney

1 **Exhibit A**

2 **[Provide Legal Descriptions of the listed Senior Mobile Home Parks]**

3 1. Laguna Vista Mobile Estates
4 276 North El Camino Real
5 Oceanside, California 92054

6 2. Rancho San Luis Rey Mobile Home Park
7 200 North El Camino Real
8 Oceanside, California 92054

9 3. Mission View Manor East
10 140 Douglas Drive
11 Oceanside, California 92054

12 4. Mission View West
13 141 Douglas Drive
14 Oceanside, California 92054

15 5. Trico Mobile Estates
16 221 North El Camino Real
17 Oceanside, California 92054

18 6. Mira Mar Mobile Community
19 900 North Cleveland Street
20 Oceanside, California 92054

21 7. La Salina Mobile Village
22 1550 South Hill Street
23 Oceanside, California 92054

1. Laguna Vista Mobile Estates
276 North El Camino Real
Oceanside, CA 92054
APN 158-051-02
Legal Description:

THAT PORTION OF THE WEST HALF OF THE SOUTHWEST CORNER OF SECTION 8, TOWNSHIP 11 SOUTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY, APPROVED DECEMBER 27, 1870.

2. Rancho San Luis Rey Mobile Home Park
200 North El Camino Real
Oceanside, CA 92054
APN 158-020-35
Legal Description:

THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 11 SOUTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN, ACCORDING TO UNITED STATES GOVERNMENT SURVEY APPROVED DECEMBER 27, 1870

3. Mission View Manor East
140 Douglas Drive
Oceanside, CA 92054
APN 158-052-08
Legal Description:

THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 11 SOUTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN, ACCORDING TO UNITED STATES GOVERNMENT SURVEY APPROVED DECEMBER 27, 1870

4. Mission View West
141 Douglas Drive
Oceanside, CA 92054
APN 158-052-11
Legal Description:

THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 11 SOUTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN, ACCORDING TO UNITED STATES GOVERNMENT SURVEY APPROVED DECEMBER 27, 1870

5. Trico Mobile Estates
221 North El Camino Real
Oceanside, CA 92054
APN 158-052-04
Legal Description:

THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 11 SOUTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN, ACCORDING TO UNITED STATES GOVERNMENT SURVEY APPROVED DECEMBER 27, 1870

6. Mira Mar Mobile Community
900 North Cleveland Street
Oceanside, CA 92054
APN 143-040-32
Legal Description:

THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 11 SOUTH, RANGE 5 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO UNITED STATES GOVERNMENT SURVEY APPROVED APRIL 5, 1881.

7. La Playa Vista Trailer Court
~~1011 South Tremont Street~~
Oceanside, CA 92054
APN 152-012-03
Legal Description:

~~LOTS 1 THROUGH 7 INCLUSIVE IN BLOCK 2 OF JARVIS ADDITION, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 163, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO, FEBRUARY 26, 1887.~~

8. ~~Ocean View Trailer Park~~
~~1046 South Cleveland Street~~
Oceanside, CA 92054
APN 152-012-05
Legal Description:

~~LOTS 8 THROUGH 12 INCLUSIVE IN BLOCK 2 OF JARVIS ADDITION, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 163, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO, FEBRUARY 26, 1887.~~

7
8. La Salina Mobile Village
1550 South Coast Highway
Oceanside, CA 92054
APN 152-200-15
Legal Description:

SOUTH OCEANSIDE REFILED IN 1890, BLOCK 14, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 622, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO, FEBRUARY 7, 1890.

Exhibit "A"

Article 29 Senior Mobile Home Park Overlay District

Sections:

- 2901 SpecificPurposes
- 2902 Definitions
- 2903 ZoningMapDesignator
- 2904 Qualification for Inclusion of Properties within the Senior MobileHomeOverlayDistrict
- 2905 LandUseRegulations
- 2906 Development Regulations and Incentives
- 2907 Project Review
- 2908 Limitations on Rentals
- 2909 Violations
- 2910 Severability

2901 Specific Purposes

The specific purposes of the Senior Mobile Home Park Overlay District are to:

A. Provide various development and preservation incentives to make the development and maintenance of senior mobile home parks attractive to mobile home park owners and developers while, at the same time, providing assurances that existing senior mobile home parks within the overlay district remain available to seniors.

B. Provide for land use, development, and regulatory standards for mobile home parks that are designed or operated for occupancy by seniors.

2902 Definitions

"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 799.4, or a commercial coach, as defined in Health and Safety Code Section 18218. For the purposes of this Ordinance, the term "Mobile Home" includes "Manufactured Home."

"Mobile Home Park" is an area of land where two or more mobile home or manufactured 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. Mobile Home Park shall also include a mobile

home subdivision, condominium or stock cooperative in which specific ownership rights are acquired by the space occupants within the mobile home park.

“Senior Mobile Home Park” is a mobile home park in which at least 80% of the spaces are occupied by or intended for occupancy by at least one person who is 55 years of age or older or in which 100% of the spaces are occupied or intended for occupancy by persons 62 years of age or older.

2903 Zoning Map Designator

Adoption of a Senior Mobile Home Park Overlay District shall be by amendment of the Zoning Map. The Senior Mobile Home Park Overlay District may be combined with the RM - A Medium-Density Residential District, the RM - AH Medium Density Residential District, Historic Overlay, the RH - U High-Density Residential District, the Downtown Mixed Use District, and the MHP Mobile Home Park District. The Senior Mobile Home Park Overlay District shall be shown on the Zoning Map by adding the designator “SMH” to the base map designation.

2904 Qualification for Inclusion of Properties within the Senior Mobile Home Park Overlay District

Properties that are designated to be within the Senior Mobile Home Park Overlay District shall be those properties operated as or developed or proposed to be developed as a senior mobile home park in which at least one occupant of each mobile home is 55 years of age or older.

2905 Land Use Regulations

At least 80% of the spaces and mobile homes in mobile home parks in the Senior Mobile Home Park Overlay District shall be occupied by at least one person 55 years of age or older. If an existing mobile home park met this qualification on January 5, 2005 and fell below the 80% percent requirement between that date and the effective date of this Ordinance, the Senior Mobile Home Park Overlay District shall be applied to that mobile home park and that park shall be required to operate as a senior mobile home park by renting, leasing and selling spaces and mobile homes only when at least one occupant of the mobile home is 55 years of age or older and shall not allow occupancy of a mobile home in the park unless at least one occupant of the mobile home is 55 years of age or older. The signage, advertising, park rules and regulations, rental agreements and leases for spaces and mobile homes in mobile home parks in the Senior Mobile Home Park Overlay District shall state the park is a senior park and that at least one occupant of the mobile home must be 55 years of age or older and the park shall not allow persons to occupy a mobile home unless at least one occupant is at least 55 years of age or older. Mobile home parks in the Senior Mobile Home Park Overlay District constructed after the adoption of this Ordinance shall also be subject to the following standards and requirements:

A. Senior Mobile Home Park Development Plan (SMHP Development Plan) shall be required for the development or expansion of a mobile home park in the

senior mobile home park (SMHP) overlay district. The following development regulations shall apply.

1. Minimum Area. The minimum area of a MHP district shall be 2 acres. A SMHP district may be subdivided into lots smaller than 2 acres, provided a Tentative Map is approved concurrent with a MHP Development Plan and the minimum lot size is in accordance with the requirements of this section.
2. Density. The total number of mobile home units in a SMHP Development Plan shall not exceed the maximum permitted by the General Plan density for the total area of parcels designated for residential use and open space; provided however that a density bonus may be available pursuant to Section 2906 B of this Article.
3. Compatibility with Adjacent Land Uses. The mobile home park shall be designed and developed in a manner compatible with and complimentary to existing and potential residential development in the immediate vicinity of the project site. Site planning on the perimeter shall give consideration to protection of the property and the residents from adverse surrounding influences, as well as the protection of the surrounding area from potentially adverse influences within the development. A mobile home park shall relate harmoniously to the topography of the site, make suitable provisions for the preservation of water course and wooded areas, and shall otherwise be so designed as to use such natural features and amenities to the best advantage.
4. Setbacks: Perimeter. Mobile home units and buildings within the mobile home park shall maintain the following setbacks:
 - (a) A setback of at least 20 feet from the nearest edge of the street right-of-way of any street along the exterior boundary of the mobile home park.
 - (b) A side-yard and rear-yard of at least 15 feet from the exterior boundary of the mobile home park.
5. Setbacks: Recreational Use Area. A recreational use area or facility shall be centrally located within the park. Where permanent intervening open space, a minimum of 100 feet in width, exists on adjacent property, this restriction may be modified on approval of the Planning Commission through the SMHP Development Plan.
6. Common Usable Open Space and Recreation Facilities. A minimum of one substantial area of common usable open space shall be provided that meets the following standards:

(a) A minimum of 250 square feet of common usable open space or recreational facility per dwelling unit shall be provided.

(b) The common usable open space and recreational facility shall be designed, so that a horizontal rectangle inscribed within it has no dimension less than 50 feet, shall be open to the sky, and shall not include driveways or parking areas, or area required for front or street side-yards. The common usable open space shall be landscaped, improved and maintained.

(c) The common usable open space areas and recreational facilities shall be designed to be accessible and suitable for persons 55 years and older. The facilities provided shall reflect the occupants needs within the park.

(d) Completely enclosed indoor recreation facilities may be provided and shall consist of not less than 10 square feet for each dwelling unit and may be included as part of the 250 square feet per dwelling unit required for the common usable open space.

7. Building Height. The maximum height of any structure within the mobile home park (excluding the mobile home unit) shall be limited to 30 feet.

8. Access Drives and Streets. A mobile home park shall have direct vehicular access from a publicly maintained street. This requirement does not apply to the expansion of an existing mobile home park when adequate access is obtained through an existing portion of the mobile home park.

All mobile home spaces/lots and recreation facilities shall have access only from an interior access drive or street. Interior private access drives and streets shall meet the requirements of Article 31 of this ordinance and the standards within the Engineering Manual for driveways and private streets.

9. Sewer and Water. Each mobile home space/lot in a mobile home park shall have water and sewer connections in accordance with Title 25 of the California Code of Regulations and with applicable City codes, ordinances and standards.

10. Refuse Storage Areas. Refuse storage areas shall comply with Section 3022 of this ordinance.

11. Undergrounding of Utilities. The undergrounding of utilities shall be in accordance with Section 3023 of this ordinance.

12. Fire Protection. On- and off-site fire hydrants and other fire protection facilities shall be installed as specified by the MHP Development

Plan for the project and shall be in accordance with Title 25 of the California Code of Regulations and with applicable City codes, ordinances and standards.

13. Night Lighting. Lighting shall be provided and maintained for all walks, driveways, parking areas, common areas and other facilities as specified by Title 25 of the California Code of Regulations, and in accordance with Section 3117 of this Ordinance to assure safe and convenient nighttime use. Street lighting shall be provided on all interior access drives and streets and shall be designed to meet public street design standards as specified in the City's Standard Engineering Specifications.

14. Signs. All signs shall be in conformance with Article 33 of this ordinance.

15. Guest Parking. The amount of visitor or guest parking shall not be less than one parking space for each six mobile home spaces in the senior mobilehome park, with any fraction of spaces rounded down to the nearest whole number.

16. Handicapped Parking. Handicapped parking shall be provided in accordance with Section 3107 of this ordinance.

B. For the Individual Mobile Home Spaces/Lots

1. Space or Lot Size. A minimum size of 3,500 square feet (excluding interior access drives) shall be provided for each space/lot. Smaller lot sizes may be approved under a Planned Block Development Plan (PBD) in accordance with Article 24 of this Ordinance; provided however that in the event of any conflict with the Mobilehome Parks Act, California Health and Safety Code Section 18200, *et seq.*, the Mobilehome Parks Act shall control.

2. Space or Lot Width. Every space/lot shall have a minimum width of forty (40) feet. Smaller lot dimensions may be approved under a Planned Block Development Plan (PBD) in accordance with Article 24 of this Ordinance; provided however that in the event of any conflict with the Mobilehome Parks Act, California Health & Safety Code Section 18200, *et seq.* the Mobilehome Parks Act shall control.

3. Space or Lot Coverage. Not more than seventy-five (75) percent of the area of a mobile home space/lot shall be covered by the mobile home and its accessory structures.

4. Setbacks and Separation Requirements: Each mobile home space/lot shall maintain the following minimum setbacks and separations for mobile homes; provided however that in the event of any conflict with the Mobilehome Parks Act, Health and Safety Code Section 18200, *et seq.*, the Mobilehome Parks Act shall control.

(a) Front-Yard Setback: Each mobile home space/lot shall have a front yard setback of not less than five (5) feet extending the entire width of the mobile home space/lot. A front-yard shall be measured from the nearest element of the mobile home, garage, carport or any mobile home accessory structure to the property line, back of sidewalk, or back of curb, whichever is the most restrictive.

(b) Side-Yard Setback: Each mobile home space/lot shall have a side-yard setback of not less than three (3) feet in width along the entire length of the mobile home space/lot.

(c) Corner Side-Yard: A corner side-yard setback shall be not less than five (5) feet.

(d) Rear-Yard Setback: Each mobile home space/lot shall have a rear-yard setback of not less than three (3) feet in width across the entire length of the mobile home space/lot.

(e) Accessory Structures: Setbacks for any accessory structure shall be in accordance with Title 25 of the California Code of Regulations.

(f) Separation of Structures: The minimum separation between mobile homes or between mobile homes and buildings or accessory structures shall be in accordance with Title 25 of the California Code of Regulations.

5. Mobile Home Design. All mobile home units shall comply with the following design standards unless an alternate design is approved by the Planning Commission under a SMHP Development Plan:

(a) Each mobile home shall be at least 16 feet wide;

(b) It shall be built on a foundation as required by Title 25 of the California Code of Regulations and approved by the Building Official;

(c) It shall have been constructed after June 15, 1976, and shall be certified under the National Manufactured Home Construction and Safety Standards Act of 1974;

(d) The unit's skirting shall extend to the finished grade;

(e) Exterior siding and materials shall be compatible with adjacent residential projects;

(f) The roof shall have a pitch of not fewer than 3 inches vertical rise per 12 inches horizontal distance;

(g) The roof covering shall be clay or concrete tile, composition shingle, wood shake or shingle complying with the most recent edition of the Uniform Building Code as amended by local ordinances;

(h) The roof shall have eaves or overhangs of not less than 1 foot; and

(i) Required covered parking shall be compatible with the mobile home design.

6. Building Height. Building height of individual mobile home units shall be limited to 1 story or 18 feet, whichever is less, unless additional height is approved through a SMHP Development Plan.

7. Parking. Two parking spaces shall be provided for each mobile home unit. At least one of the spaces shall be provided within a garage or a carport. Tandem parking is allowed provided that any required parking space shall not be located within any required setback area.

C. Development Restrictions

1. Any commercial operation within a mobile home must conform to Section 3007 of this ordinance.

2. No public oriented recreational activities for profit shall be permitted within the park.

3. No permanent buildings other than recreational buildings, laundry facilities and manager's quarters shall be constructed within the park except those approved by the Planning Commission within the context of a SMHP Development Plan.

2906 Development Regulations and Incentives

Notwithstanding any other provisions of the Oceanside Zoning Ordinance, the following regulations and incentives shall apply in the Senior Mobile Home Park Overlay District:

A. Guest Parking. The amount of visitor or guest parking shall not be less than one parking space for each six mobile home spaces in the senior mobile home park, with any fraction of spaces rounded down to the nearest whole number.

B. Dwelling Unit Density Bonus. In order to maximize net yield per acre, the City will consider increasing the allowable project density by granting a density bonus to the project site's existing density category pursuant to Government Code Section 65915 provided the minimum pad and setback requirements imposed by the Mobilehome Parks Act (Health and Safety Code Section 18200, *et seq.*) are maintained. Development incentives granted by the City pursuant to Government Code Section 65915 shall be contained in a Density Bonus Agreement to ensure that the mobile home park remains a senior mobile home park.

C. Exemption from Abatement of Nonconforming Uses. Notwithstanding the provisions of Article 35 of the Oceanside Zoning Ordinance, senior mobile home parks that have become non-conforming as to the underlying zoning shall be deemed to be legal and conforming uses.

D. Expansion of Existing Senior Mobile Home Parks. Notwithstanding the provisions of Section 3509 of the Oceanside Zoning Ordinance, the expansion of an existing senior mobile home park shall not terminate the legal and conforming status of any previously existing structures or uses in the mobile home park.

2907 Project Review

All development projects within the Senior Mobile Home Park Overlay District requiring approval of the Planning Director or the Planning Commission shall be reviewed for compliance with the land use and development regulations of this Article. Prior to the issuance of a building permit for any use or structure within the Senior Mobile Home Park Overlay District, the Planning Director shall determine whether the use or structure conforms to the requirements of this Article.

2908 Limitations on Rentals, Leases, Sales and Occupancy

Spaces and mobile homes in a mobile home park in the Senior Mobile Home Park Overlay District shall be rented, leased and sold only to persons, and occupied only by persons, who meet the age requirement set forth in Section 2905, provided, however, that if the occupants of a space or mobile home who do not meet this requirement rented the space or mobile home before the adoption of this Article, they shall be allowed to remain, and provided further that when such occupants cease to occupy a space or mobile home, the home and space shall thereafter only be rented, leased or sold to and occupied by persons who meet that age requirement.

2909 Violations

Any violation of this Article is a misdemeanor and the City shall have the right to use all generally available legal remedies to enforce this Article.

2910 Severability

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or any part hereof is for any reason held to be invalid, such

invalidity shall not affect the validity of the remaining portions of this Ordinance or any part hereof. The City Council of the City of Oceanside hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared invalid.”

The Zoning Map of the City of Oceanside is hereby amended to designate the properties legally described in Exhibit A and depicted on Exhibit B to be within the Senior Mobile Home Park Overlay District.

////////

STAFF REPORT



ITEM NO. 28
CITY OF OCEANSIDE

DATE: January 5, 2005

TO: Honorable Mayor and City Councilmembers

FROM: Housing and Neighborhood Services Department

SUBJECT: **ADOPTION OF AN INTERIM URGENCY ORDINANCE PLACING A MORATORIUM ON THE CONVERSION OF ANY MOBILE HOME PARK CURRENTLY EXISTING IN THE CITY FROM A SENIOR DESIGNATED PARK TO AN ALL AGE PARK**

SYNOPSIS

Staff recommends that the City Council adopt an interim urgency ordinance placing a moratorium on the conversion of any mobile home park currently existing in the City from a park occupied primarily or exclusively by residents over the age of 55 years to a mobile home park allowing residents of all ages.

BACKGROUND

There are 19 mobile home parks in the City of Oceanside of which nine are designated as senior mobile home parks for persons 55 years of age and older. This represents approximately 1,718 or 65 percent of the 2,643 spaces. These parks have been operated as senior parks either by application and approval through a Conditional Use Permit process or by common practice of the park. This represents a significant amount of housing that has been designated specifically for seniors within the City.

ANALYSIS

In order to determine what the impact on the affordable senior housing stock would be if mobile home parks converted from senior parks to all-age parks, staff requires time to conduct a study. The study is necessary to protect the public, health, safety and welfare and provide adequate affordable local housing for senior citizens and also to determine if such an ordinance would have any adverse effects upon the general housing market and particularly the general low-income housing market within the City.

Staff is aware that at least one senior park has indicated that it is converting to an all-age park and others may follow. Mobile home parks have been a significant source of affordable senior housing. The City currently does not have a "senior only" mobile home park zoning ordinance in place, but such a zoning ordinance may be needed in the immediate future to preserve the affordable housing options available to our senior residents. By adopting this ordinance, it will give staff the time necessary to study the

possible adoption of a zoning ordinance amendment regulating mobile home parks, including establishing senior mobile home parks and/or development standards in connection with all-age parks.

The California Legislature has authorized cities to provide zoning for "senior only" mobile home parks and the California Attorney General has recently opined that such senior only zoning is not in conflict with the general prohibition against discrimination based upon age.

FISCAL IMPACT

Adoption of this urgency interim ordinance will not have a direct fiscal impact; however, there will be some expense associated with conducting the required study.

COMMISSION OR COMMITTEE REPORT

As this ordinance is being presented as an urgency interim ordinance, it has not been reviewed by the Planning Commission or the Housing Commission. It is anticipated that both of these commissions will study this issue and make a recommendation to the City Council based on the outcome of the study once it is completed.

CITY ATTORNEY'S ANALYSIS

The interim urgency ordinance has been prepared by the City Attorney's Office pursuant to Government Code section 65858. Government Code section 65858 authorizes cities to adopt interim urgency ordinances to protect the public health, safety and welfare and to prohibit any use that may be in conflict with a contemplated zoning proposal that the legislative body, planning commission or planning department is considering or studying or intends to study within a reasonable time. The urgency ordinance requires a four-fifths vote for adoption. Since one council seat is vacant, the unanimous approval of the council would therefore be required.

The interim urgency ordinance continues in force and effect for forty-five days after its adoption and may be extended for ten months and fifteen days and may subsequently be extended for an additional one year period, after public notice and a public hearing is provided. Such extensions would also require a four-fifths vote of the City Council.

The interim urgency ordinance is needed to address the current and immediate threat to public health, safety and welfare arising from the lack of affordable housing for senior citizens aged 55 and older in and around the City. Mobile home parks that have been primarily or exclusively occupied by seniors, and a source of affordable housing within the City, are threatening to convert to family-oriented parks. An interim urgency ordinance is further needed to consider and study the possible adoption of a zoning ordinance amendment regulating mobile home parks, including establishing senior mobile home parks and/or development standards in connection with family-oriented mobile home parks, in accordance with the recently published Attorney General Opinion authorizing municipalities to impose such restrictions. (87 Ops.Atty.Gen. 148 (2004).)

RECOMMENDATION

Staff recommends that the City Council adopt an interim urgency ordinance placing a moratorium on the conversion of any mobile home park currently existing in the City from a park occupied primarily or exclusively by residents over the age of 55 years to a mobile home park allowing residents of all ages.

PREPARED BY:

SUBMITTED BY:

Margery M. Pierce
Margery M. Pierce
Director of Housing & Neighborhood
Services

Steven R. Jepsen by M.P.
Steven R. Jepsen
City Manager

Reviewed by Michelle Skaggs Lawrence, Assistant to the City Manager

R.S.L. by M.P.



a. There is a current and immediate threat to the public health, safety and welfare arising from the lack of affordable housing options for senior citizens aged 55 and older in and around the City.

b. Article XI, Section 7 of the California Constitution authorizes cities to adopt local police, sanitary, and other ordinances not in conflict with general laws.

c. The California Legislature has authorized cities to provide zoning for "senior only" mobile home parks pursuant to Health and Safety Code section 18300.

d. The California Attorney General has recently opined that such senior only zoning does not conflict with the general prohibition against discrimination based upon age contained in California Government Code section 65008. *87 Cal. Ops. Atty. Gen.* 148 (Oct. 20, 2004).

e. The City of Oceanside currently does not have a "senior only" mobile home park zoning ordinance in place, but such a zoning ordinance may be needed in the immediate future to preserve the few affordable housing options left to our senior citizens.

f. The City of Oceanside requires time to study and decide:

1. If such an ordinance is necessary to protect the public, health, safety and welfare and provide adequate affordable local housing for senior citizens.

2. If such an ordinance would have any adverse effects upon the general housing market and particularly the general low-income housing market in the City of Oceanside.

SECTION 3. Exceptions. This ordinance shall not apply to any undeveloped parcels of land or to any mobile home parks currently operating within the city wherein the number of full-time residents younger than 55 years of age comprise twenty-one percent (21%) or more of the total number of residents in the mobile home park.

SECTION 4. Housing and Neighborhood Services Department. The Director of Housing and Neighborhood Services is directed to provide a written report to the City Council at least ten days prior to the expiration of this ordinance, describing the study conducted of the local housing conditions that led to the adoption of this ordinance.

SECTION 5. Effective Date. This ordinance shall become effective immediately upon

1 the date of its adoption pursuant to Government Code Section 65858.

2 SECTION 6. Expiration. This moratorium shall be of no further force or effect upon the
3 expiration of forty-five (45) days from the date of adoption, unless extended in accordance with
4 Government Code Section 65858.

5 SECTION 7. Severability. If any section, sentence, clause or phrase of this Ordinance is
6 for any reason held to be invalid or unconstitutional by a decision of any court of competent
7 jurisdiction, such decision shall not affect the validity of the remaining portions of this
8 Ordinance. The City Council hereby declares that it would have passed this ordinance and
9 adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the
10 fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid
11 or unconstitutional.

12 INTRODUCED, PASSED AND ADOPTED at a regular meeting of the City Council of
13 the City of Oceanside California, held on the ____ day of _____, 2005, by the
14 following vote:

- 15 AYES:
- 16 NAYS:
- 17 ABSENT:
- 18 ABSTAIN:

19
20 MAYOR OF THE CITY OF OCEANSIDE

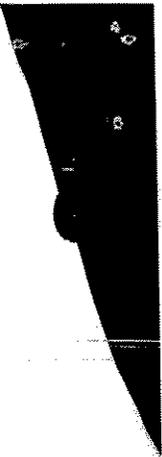
21 ATTEST:

APPROVED AS TO FORM:

22
23 _____
CITY CLERK

24
25 
26 _____
CITY ATTORNEY

27 AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE PLACING A MORATORIUM
28 ON THE CONVERSION OF ANY MOBILE HOME PARK CURRENTLY EXISTING IN THE CITY FROM A PARK OCCUPIED
PRIMARILY OR EXCLUSIVELY BY RESIDENTS OVER THE AGE OF 55 YEARS (SENIOR RESIDENTS) TO A MOBILE HOME
PARK ALLOWING RESIDENTS OF ALL AGES



STAFF REPORT



ITEM NO. 18
CITY OF OCEANSIDE

DATE: February 2, 2005

TO: Honorable Mayor and City Councilmembers

FROM: Housing and Neighborhood Services Department

SUBJECT: **APPROVAL OF A TEN MONTH AND FIFTEEN DAY EXTENTION, PURSUANT TO GOVERNMENT CODE SECTION 65658(a) OF INTERIM ORDINANCE ADOPTED JANUARY 5, 2005, WHICH PLACED A MORATORIUM ON THE CONVERSION OF ANY MOBILE HOME PARK CURRENTLY EXISTING IN THE CITY FROM A SENIOR DESIGNATED PARK TO AN ALL AGE PARK**

SYNOPSIS

Staff recommends that the City Council approve a ten-month and fifteen-day extension, pursuant to Government Code section 65658(a), of interim ordinance adopted January 5, 2005, which placed a moratorium on the conversion of any mobile home park currently existing in the City from a senior designated park to an all age park.

BACKGROUND

There are 19 mobile home parks in the City of Oceanside of which nine are designated as senior mobile home parks for persons 55 years of age and older. This represents approximately 1,718 or 65 percent of the 2,643 spaces. These parks have been operated as senior parks either by application and approval through a Conditional Use Permit process or by common practice of the park. This represents a significant amount of housing that has been designated specifically for seniors within the City.

On January 5, 2005, the City Council adopted an interim urgency ordinance prohibiting park owners from converting a park that had been designated for older persons to an all age park. The urgency ordinance expires after 45 days unless the time is extended. The Government Code requires the City to conduct a public hearing in conjunction with extending the interim ordinance. An extension is necessary to allow staff to complete a study on what the impact on the affordable senior housing stock would be if mobile home parks converted to family parks.

ANALYSIS

In order to determine what the impact on the affordable senior housing stock would be if mobile home parks converted from senior parks to all-age parks, staff requires time to conduct a study. The study is necessary to determine if the ordinance is necessary to protect the public, health, safety and welfare and provide adequate affordable local housing for senior citizens and also to determine if such an ordinance would have any

adverse effects upon the general housing market and particularly the general low-income housing market within the City.

Staff is aware that at least one senior park has indicated that it is converting to an all-age park and others may follow. Mobile home parks have been a significant source of affordable senior housing. The City currently does not have a "senior only" mobile home park zoning ordinance in place, but such a zoning ordinance may be needed in the immediate future to preserve the affordable housing options available to our senior residents. By approving the extension of this ordinance, it will give staff the time necessary to study the possible adoption of a zoning ordinance amendment regulating mobile home parks, including establishing senior mobile home parks and/or development standards in connection with all-age parks.

The California Legislature has authorized cities to provide zoning for "senior only" mobile home parks and the California Attorney General has recently opined that such senior only zoning is not in conflict with the general prohibition against discrimination based upon age.

FISCAL IMPACT

It will cost approximately \$28,000 to conduct the survey. If this extension is approved, staff will prepare a budget resolution to transfer \$28,000 from the general fund to cover the cost of completing the survey.

COMMISSION OR COMMITTEE REPORT

As this ordinance was presented as an urgency interim ordinance, it has not been reviewed by the Planning Commission or the Housing Commission. It is anticipated that both of these commissions will study this issue and make a recommendation to the City Council based on the outcome of the study once it is completed.

CITY ATTORNEY'S ANALYSIS

The interim urgency ordinance was prepared by the City Attorney's Office pursuant to Government Code section 65858. Government Code section 65658 authorizes cities to adopt interim urgency ordinances to protect the public health, safety and welfare and to prohibit any use that may be in conflict with a contemplated zoning proposal that the legislative body, planning commission or planning department is considering or studying or intends to study within a reasonable time. The urgency ordinance was passed unanimously on January 5, 2005. Unless this interim ordinance is extended pursuant to Government Code section 65858(a), it will expire on February 19, 2005.

An interim ordinance adopted pursuant to Government Code section 65858 may be extended beyond the 45-day period for an additional ten months and fifteen days after a properly noticed public hearing and opportunity for comment. An extension would require at least four affirmative votes.

The extension of the interim urgency ordinance is needed to complete the comprehensive study begun during the initial 45-day urgency ordinance period addressing the current and immediate threat to public health, safety and welfare arising from the stated intention of some mobile home parks currently occupied by seniors, and a source of affordable housing within the City, to convert to family-oriented parks. An extension of the interim ordinance is further needed to complete the study of the possible adoption of a zoning ordinance amendment regulating mobile home parks, including establishing senior mobile home parks and/or development standards in connection with family-oriented mobile home parks, in accordance with the recently published Attorney General Opinion authorizing municipalities to impose such restrictions. (87 Ops. Atty. Gen. 148 (2004).) It will not impact any parks that do not meet the above federal standard.

RECOMMENDATION

Staff recommends that the City Council approve an extension of ten months and fifteen days of interim ordinance, adopted January 5, 2005, placing a moratorium on the conversion of any mobile home park currently existing in the City from a senior designated park to an all age park.

PREPARED BY:



Margery M. Pierce
Director of Housing & Neighborhood
Services

SUBMITTED BY:

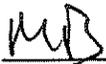


Steven R. Jepsen
City Manager

REVIEWED BY:

Michelle Skaggs Lawrence, Assistant to the City Manager

Michael J. Blessing, Deputy City Manager





ORDINANCE NO. _____

AN INTERIM ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE EXTENDING FOR TEN MONTHS AND FIFTEEN DAYS THE MORATORIUM ON THE CONVERSION OF ANY MOBILE HOME PARK CURRENTLY EXISTING IN THE CITY FROM A PARK OCCUPIED PRIMARILY OR EXCLUSIVELY BY RESIDENTS OVER THE AGE OF 55 YEARS (SENIOR RESIDENTS) TO A MOBILE HOME PARK ALLOWING RESIDENTS OF ALL AGES

WHEREAS, ORDINANCE NO. 05-OR0014-1, enacted by the City Council of the City of Oceanside on January 5, 2005, placed a forty-five (45) day moratorium on the conversion of any mobile home park existing in the City of Oceanside on that date in order to conduct a study on the ramifications of a "seniors only" zoning ordinance for mobile home parks in the City;

WHEREAS, Government Code section 65658(a) allows an urgency ordinance enacted under Section 65658 to be extended for ten months and fifteen days past the original 45-day urgency period where such ordinance is subject to the notice and hearing requirements of Government Code section 65090, in order to complete and further study the immediate health and safety problems identified in the ordinance;

WHEREAS, a public hearing was properly noticed within the 45-day moratorium period and such public comment and hearing was conducted on February 2, 2005, at the regular City Council meeting;

WHEREAS, during that public comment and hearing, evidence was presented of a diligent, but nascent, study on the status of seniors, including those seniors with qualifying disabilities as defined by the Americans with Disabilities Act and/or the Unruh Civil Rights Act, on the lack of affordable housing for them in and around Oceanside, California, and such evidence warrants further study to address all aspects of whether a seniors-only mobilehome zoning ordinance will create the low-income housing options necessary for senior citizens without unduly impacting the housing options for other low-income residents, including families with children;

WHEREAS, such comprehensive study reasonably cannot be completed within the 45-day window of the original Interim Urgency Ordinance above

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

2 SECTION 1. Moratorium. The initial forty-five (45) day moratorium on mobilehome
3 park conversion enacted by Ordinance No. 05-OR0014-1 is hereby extended for an additional
4 ten months and fifteen days, through and including January 2, 2006.

5 INTRODUCED, PASSED AND ADOPTED at a regular meeting of the City Council of
6 the City of Oceanside California, held on the ____ day of _____, 2005, by the
7 following vote:

8 AYES:

9 NAYS:

10 ABSENT:

11 ABSTAIN:

12 MAYOR OF THE CITY OF OCEANSIDE

13
14 ATTEST:

APPROVED AS TO FORM:

15
16 _____
17 CITY CLERK

18
19 *[Handwritten Signature]*
20 _____
21 CITY ATTORNEY

1 PLANNING COMMISSION
2 RESOLUTION NO. 2005-P58

3 A RESOLUTION OF THE PLANNING COMMISSION OF THE
4 CITY OF OCEANSIDE, CALIFORNIA RECOMMENDING
THE APPROVAL OF A ZONE AMENDMENT AND LOCAL
COASTAL PROGRAM AMENDMENT

5 APPLICATION NO: ZA-12-05, LCPA-1-05
6 APPLICANT: City of Oceanside
7 LOCATION: Citywide

8 THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA DOES
RESOLVE AS FOLLOWS:

9 WHEREAS, there was filed with this Commission a verified petition on the forms
10 prescribed by the Commission requesting a Zone Amendment and Local Coastal Program
11 Amendment under the provisions of Article 45 of the Zoning Ordinance of the City of Oceanside
12 to permit the following:

13 Zoning Ordinance text amendment as shown in the attached Exhibit "A";

14 WHEREAS, the Planning Commission, after giving the required notice, did on the 7th day
15 of November, 2005, conduct a duly advertised public hearing as prescribed by law to consider said
application; and

16 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
17 Guidelines thereto; a Mitigated Negative Declaration has been prepared stating that there will
18 not be an adverse impact upon the environment; and

19 WHEREAS, studies and investigations made by this Commission and in its behalf reveal
the following facts:

20 For the Zone Amendment and Local Coastal Program Amendment:

- 21 1. The Zone Text Amendment, as proposed, conform to the General Plan of the City.
22 2. That the granting of the Zoning Amendment is consistent with the purposes of the
Zoning Ordinance.
23 3. The Zone Amendment conforms to the Local Coastal Plan, including the policies of the
24 plan.
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

4. The Zone Amendment conforms to the California Coastal Act of 1976.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby recommend approval of Zone Amendment (ZA-12-05) and Local Coastal Program Amendment (LCPA-1-05) as represented in the attached Exhibit "A".

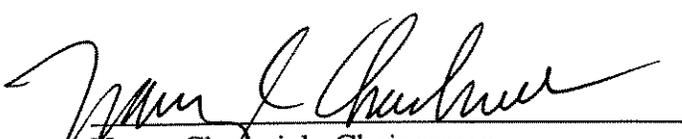
PASSED AND ADOPTED Resolution No. 2005-P58 on November 7, 2005 by the following vote, to wit:

AYES: Chadwick, Neal, Schaffer, Parker and Horton

NAYS: None

ABSENT: Todd, Nack

ABSTAIN: None



Nancy Chadwick, Chairperson
Oceanside Planning Commission

ATTEST:



Jerry Hittleman, Secretary

I, Jerry Hittleman, Secretary of the Oceanside Planning Commission, hereby certify that this is a true and correct copy of Resolution No. 2005-P58.

Dated: November 7, 2005



DATE: November 7, 2005

TO: Chairperson and Members of the Planning Commission

FROM: Planning Department

SUBJECT: **ZONE AMENDMENT (ZA-12-05) AND LOCAL COASTAL PLAN AMENDMENT (LCPA-1-05) DESIGNATING A SENIOR OVERLAY DISTRICT TO ENCOMPASS 9 MOBILEHOME PARKS AND ESTABLISHMENT OF NEW SENIOR MOBILHOME PARKS OVERLAYS WITHIN THE CITY OF OCEANSIDE. – APPLICANT: CITY OF OCEANSIDE**

RECOMMENDATION

The Planning Commission recommends approval to the City Council and Community Development Commission Zone Amendment (ZA-012-05) and adopt Planning Commission Resolution No. 2005-P58 as attached. The City Council/Community Development Commission is scheduled to hear this zone text amendment on December 14, 2005.

PROJECT DESCRIPTION AND BACKGROUND

Background: On January 5, 2005 the City Council adopted an interim urgency ordinance placing a moratorium on the conversion of any mobilehome park currently existing in the City from a park occupied primarily or exclusively by residents over the age of 55 years to a mobilehome park allowing residential of all ages. This urgency moratorium was enacted to determine the impact on affordable senior housing stock if existing senior mobilehome parks were converted to all age parks. At that time staff was aware of at least one park indicating a conversion.

Subsequently, on February 5, 2005 a ten-month and fifteen day extension, was granted by the City Council to allow staff the necessary time to complete the study to determine the impact on affordable senior housing stock if existing senior mobilehome parks were converted to all age parks.

Attached are both staff reports regarding the moratorium.

Project Description: A proposed amendment to the Zoning Ordinance creating a new Article 29 Senior Mobile Home Park Overlay District. This ordinance amendment is intended to be consistent with, comply with and implement the federal Fair Housing Act as amended by the Housing for Older Persons Act and the California statutes providing senior housing exemptions from statues prohibiting discrimination in housing based on age and familial status.

ANALYSIS

DISCUSSION

Approximately twenty percent (20%) of the population of the City of Oceanside is 55 years or older. As such, the City has created a Senior Commission to address the needs of its senior residents. One of those needs is affordable housing.

Currently, there are nine mobilehome parks in the City that have long operated as senior mobilehome parks, which has been an important source of affordable senior housing. Mobilehome parks afford seniors the ability to live in their own homes rather than in apartments and provide a senior living community in a low-rise setting that typically provides a clubhouse for community events and socializing as well as recreational facilities inside the park so that the residents can easily walk to these facilities and events.

Many of the seniors living in these senior mobilehome parks enjoy having their grandchildren visit them in the parks and love children, but they, like the seniors without grandchildren, purchased mobilehomes in a senior park in order to live in a quieter community with others in their own age group and purchased their homes in these parks because they were senior parks that only accepted prospective purchasers of homes in the park if at least one occupant of the mobile home being purchased was 55 years or older.

The California Mobilehome Park Residency Law, the California Fair Employment and Housing Act, and the Federal Fair Housing Act each recognize the need for and value of senior housing by expressly exempting facilities in which eighty percent (80%) of the units are occupied by at least one person who is 55 years or older from the requirement to rent to families with children.

While senior housing complexes in the City, other than senior mobilehome parks are generally restricted to senior occupancy by conditions, covenants and restrictions, that is not the case in senior mobilehome parks. The residents of those mobilehome parks relied upon the representations of the park management and park owners that only seniors could purchase homes in those parks and obtain tenancies in those parks. These representations were set forth in the leases or rental agreements they were required to sign upon purchasing a mobilehome in the parks and moving into the parks and in the rules of those parks, which the residents were also required to sign and

acknowledge. Now some owners of senior mobilehome parks have indicated that they can, and are already attempting to, change their parks from senior parks to family parks, over the objections of their senior residents, simply by changing park rules using the procedure in Civil Code Section 798.25;

Seniors now living in senior mobilehome parks could remain in a park that changed to a family park, those seniors would no longer enjoy the quiet and companionship of a senior community and the limited supply of senior parks that now exists in the City could be greatly diminished or even eliminated. Since mobilehomes are not mobile in any practical sense due to the high cost of moving a home, the risk of damage to the home in moving, the loss of improvements such as porches, patios, carports and landscaping, which cannot be moved, and the lack of available rental spaces in senior parks, or in any mobilehome park in the City or surrounding areas that will accept re-locating homes, senior residents of a park that becomes a family park would have to sell the homes in which they have lived for many years and in which they have invested both financial and personal resources in order to move to another senior facility. After selling their mobilehomes, these seniors may no longer have sufficient funds to purchase a mobilehome in another senior park or other senior facility. Further, as the number of senior mobilehome parks diminishes, it will become harder and harder to find a mobilehome to purchase in a senior park in the City or surrounding areas;

The City's General Plan (Land Use Element 1.16) and Housing Element provide that the City shall strive to maintain a reasonable balance between senior and family housing and this Ordinance assists the City in accomplishing and maintaining that balance and will help to ensure that an important source of senior housing is preserved.

For these reasons, the staff finds it necessary to protect, enhance and encourage the preservation, enhancement and development of senior mobilehome parks through the adoption of this proposed amendment to the Zoning Ordinance. Attached as Exhibit "A" is the specific text language that staff is recommending.

ENVIRONMENTAL DETERMINATION

A Negative Declaration has been prepared stating that there will not be a significant adverse impact upon the environment. Under the provisions of the California Environmental Quality Act, the Planning Commission will consider the Negative Declaration during its hearing on the project.

SUMMARY

The City's General Plan (Land Use Element 1.16) and Housing Element provide that the City shall strive to maintain a reasonable balance between senior and family housing and this Ordinance assists the City in accomplishing and maintaining that balance and will help to ensure that an important source of senior housing is preserved. As such, staff recommends that the Planning Commission recommend approval to the City Council and Community Development Commission of Zone Amendment (ZA-12-05) and Local Coastal Plan Amendment (LCPA-1-05) and adopt Planning Commission Resolution No. 2005-P58 as attached.

PREPARED AND
SUBMITTED BY:

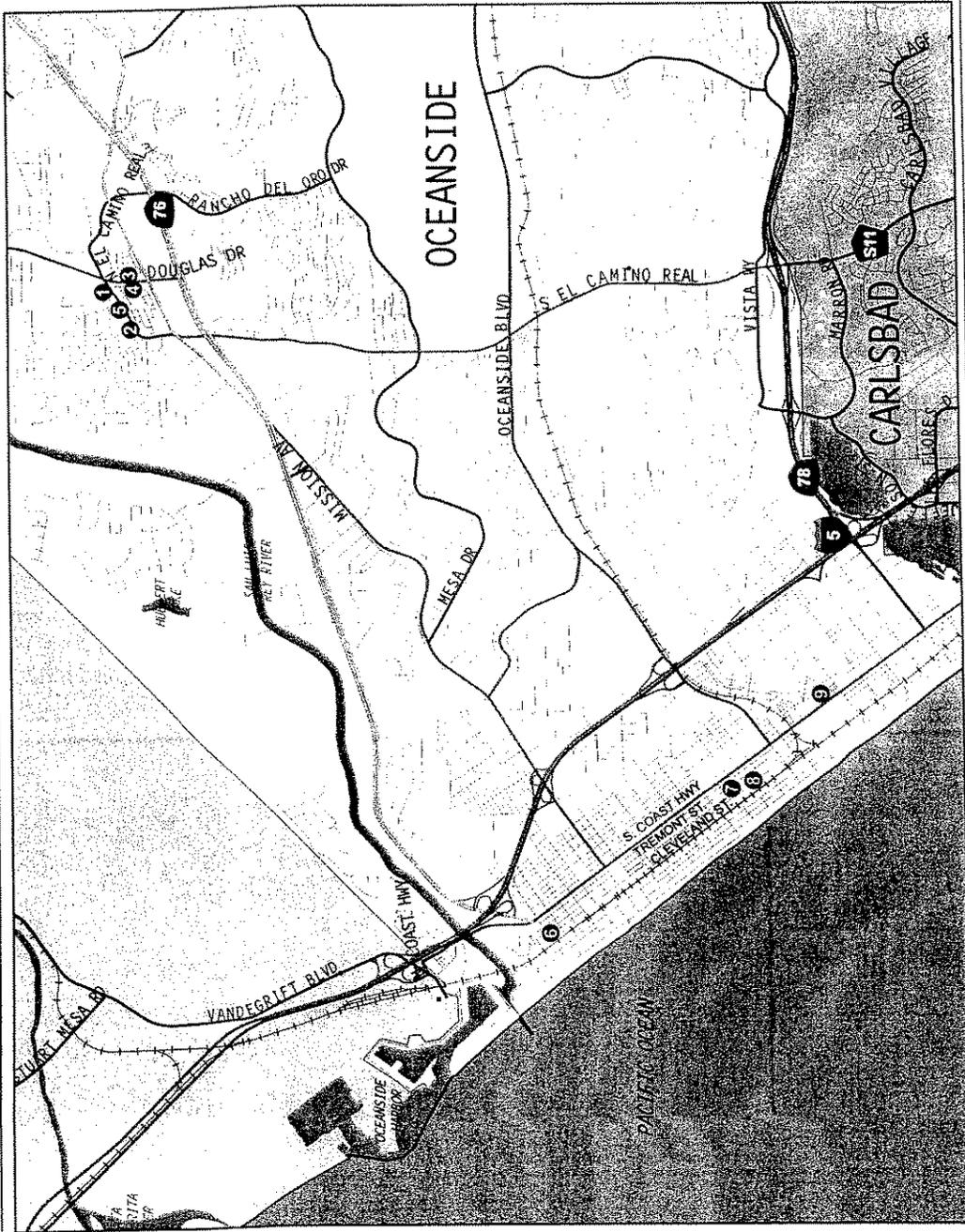


Gerald S. Gilbert
Planning Director

GSG/fil

Attachments:

1. Exhibit "A" Proposed Zoning Ordinance Text Changes
2. City Council Staff Report Dated January 5, 2005
3. City Council Staff Report Date February 2, 2005
4. Planning Commission Resolution No. 2005-P58
5. Site Maps



- 1 LAGUNA VISTA MOBILE ESTATES
278 N. EL CAMINO REAL
- 2 RANCHO SAN LUIS REY MOBILE HOME PARK
200 N. EL CAMINO REAL
- 3 MISSION VIEW MANOR EAST
140 DOUGLAS DRIVE
- 4 MISSION VIEW WEST
141 DOUGLAS DRIVE
- 5 TRICO MOBILE ESTATES
221 N. EL CAMINO REAL
- 6 MIRA MAR MOBILE COMMUNITY
800 N. CLEVELAND STREET
- 7 LA PALMA VISTA TRAILER COURT
1011 S. TREMONT STREET
- 8 OCEAN VIEW TRAILER PARK
1046 S. CLEVELAND STREET
- 9 LA SALINA MOBILE VILLAGE
1550 S. COAST HIGHWAY

Figure 2
Existing Oceanside Mobilehome Parks
Proposed for Senior Overlay District

Source: Thomas Bros. 2004



NO SCALE

Oceanside Senior Overlay
P:\000\0506001 Oceanside Senior Overlay\GIS\graphics\figures\figsenioroverlay.pptx 0/11 (modified 8/1/2005)

