



Legislation Details (With Text)

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| File #: | 21-295 | Version: | 1 | Name: | Mobile Home Park Policies |
| Type: | Staff Report | Status: | | Status: | Agenda Ready |
| | | In control: | | In control: | Rules Committee |
| On agenda: | 5/26/2021 | Final action: | | Final action: | |
| Enactment date: | | Enactment #: | | Enactment #: | |
| Title: | Discussion of Proposed Mobile Home Park Policy Amendments Related to Anti-Displacement Protections for Park Residents | | | | |
| Indexes: | | | | | |
| Code sections: | | | | | |
| Attachments: | 1. Attachment 1 - Draft Mobile Home Park Zoning Amendments, 2. Attachment 2 - Proposed MH Overlay Zone Sites, 3. Presentation Mobile Home Parks Rules Committee_5.26.2021 | | | | |

| Date | Ver. | Action By | Action | Result |
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Discussion of Proposed Mobile Home Park Policy Amendments Related to Anti-Displacement Protections for Park Residents

SUMMARY AND RECOMMENDATIONS

Staff recommends that the City Council Rules Committee review the recommended mobile home park policy amendments involving adoption of a new Mobile Home Park Overlay Zone and amendments to the existing Mobile Home Park Conversion Ordinance in the Zoning Code, receive public comments and provide direction to staff.

BACKGROUND

On December 7, 2020, the City Council directed staff to report to the City Council Rules Committee in six to eight months to discuss supplemental mobile home park protections city-wide in response to concerns about displacement within the City’s transit-oriented development (TOD) growth areas including the Bay Fair TOD Plan, which the City adopted in 2018.

Mobile homes are an important and common form of affordable housing not only in San Leandro, but nationwide; and, an important affordable housing resource, particularly for the senior population.

Per the City Council’s direction, Staff worked with the City Attorney’s Office to draft recommended amendments to the Zoning Map and Zoning Code to provide enhanced anti-displacement protections for mobile home park residents. The proposed policy amendments are included in redlined format as Attachment 1 and are summarized below.

ANALYSIS

Existing Mobile Home Park Protections

In 2001, the City established a Mobile Home Park Conversion Ordinance (Zoning Code Ch. 5.28), which requires City Council approval prior to the closure or conversion of a mobile home park. Chapter 5.28 requires

the following:

- *Relocation Plan* - The park owner must provide for relocation assistance to full-time, low- and moderate-income residents of the park for at least 12 months;
 - *Special Cases* - must guarantee no rent increase for all residents 62 years old or older and all permanently disabled tenants for two years following relocation;
 - *Moving Expenses* - must provide for moving expenses equal to the actual cost of moving (up to 10 miles from the park); and
 - *No Increase in Rent* - a tenant's rent may not be increased in the two months prior to filing a conversion application or two years after filing an application or until relocation occurs.
- *Findings* - the City Council must make certain findings in order to approve the closure or conversion of a mobile home park, including that:
 - Residents have been adequately notified;
 - Sufficient replacement housing or space in other mobile home parks is available;
 - No displacement of low-income mobile home residents who cannot afford rents in other mobile home parks within San Leandro or its general vicinity will occur;
 - Available relocation space for displaced mobile homes exists in other parks within San Leandro or its general vicinity;
 - First right of refusal for displaced residents to move into any new residential housing constructed on site will be provided;
 - All reasonable costs incurred by residents as a result of relocation will be compensated by the applicant; and
 - The relocation plan mitigates the impacts of the displacement for a reasonable transition period and mitigates the impacts of any long-term displacement.

While many mobile home park residents purchase individual units, the land that homes sit on is typically rented. Once a home is positioned on a given lot, it is very costly, if not impossible to move to a new location. As such, mobile home park residents are often vulnerable to space rent increases, having already invested significant resources into the purchase of a home that is now tied to a site they do not own. To further provide protections for mobile home park residents, the City Council adopted a Mobilehome Space Rent Stabilization Ordinance (Municipal Code Title 4, Chapter 4-39) in 2019. The Ordinance caps annual mobile home space rents at four percent (4%) or the annual percent change in the CPI, whichever is less.

Proposed Mobile Home Park Policy Amendments

To further provide protections for mobile home park residents, staff recommends the following:

1. *Adopt a Zoning Overlay* - Establish a mobile home park zoning overlay that prohibits all uses other than a mobile home park use. The overlay will be applied to all existing mobile home parks citywide. Proposed conversions would require removal of the zoning overlay in addition to obtaining approval for a conversion per Chapter 5.28 prior to establishment of a new use.
2. *Expand Scope of Conversion Ordinance* - Amend the Mobile Home Park Conversion Ordinance to clarify that the protections in Chapter 5.28 apply to all residents of a mobile home park, regardless of what type of structure/vehicle they reside in. This will be accomplished by broadening the definition of mobile home in the Ordinance to include any structure used for human habitation in a mobile home park, including RVs or other similar vehicles.
3. *Require Relocation Assistance for Waivers* - In cases of extreme economic hardship, Section 5.28.124 allows the City to waive or modify any of the required findings and related conditions of approval as necessary to alleviate a hardship. This may leave park residents vulnerable if the City Council waives certain requirements of the conversion ordinance without any alternative protection for residents. Staff recommends amending the ordinance to require a park owner to provide certain minimum relocation

payments even if a waiver is granted. The proposed minimum relocation payments are consistent with the City's existing Tenant Relocation Assistance Ordinance.

The proposed amendments in Attachment 1 would strengthen existing protections for Mobile Home Park residents, as requested by the City Council. Staff will take direction from the Rules Committee prior to finalizing the amendments for review by the Planning Commission (tentatively scheduled for July) and full Council (tentatively scheduled for September).

Previous Actions

- 2001 Mobile Home Park Conversion Ordinance
- 2019 Mobilehome Space Rent Stabilization Ordinance

Board/Commission Review and Actions

Amending the Zoning Code and Zoning Map will require the Planning Commission's review and recommendation to the City Council.

Summary of Public Outreach Efforts

Notices were sent to all mobile home park property owners and residents for which mailing information was available.

Fiscal Impacts

There are no fiscal impacts anticipated from adopting the recommended policy amendments.

ATTACHMENT(S)

Attachment(s) to Staff Report

1. Draft Zoning Code Amendments (redlined)
2. List of Proposed Zoning Map Amendments

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