

**SANTA CRUZ COUNTY
BOARD OF SUPERVISORS INDEX SHEET**

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INVENUM: 52178

Resolution(s): 22-2003

Ordinance(s): 4705

Contract(s):

Continue Date(s):

Index: --Letter of the Planning Director of January 17, 2003
--Board Resolution
--Ordinance
--CEQA Exemption
--Planning Commission Resolution
--Section 13.10.685 (strike-out/underline copy)

Item: 39. Public hearing held to consider Planning Commission recommendation to amend County Code Section 13.10.685 relating to conversion of transient occupancy recreational vehicle and travel trailer parks to permanent residency;
(1) closed public hearing;
(2) adopted RESOLUTION NO. 22-2003 regarding proposed amendment to County Code Section 13.10.685 regarding the conversion of transient occupancy recreational vehicle and travel trailer parks to permanent residency;
(3) determined that the proposed amendment is categorically exempt from further review under the California Environmental Quality Act and certified the Categorical Exemption



County of Santa Cruz

PLANNING DEPARTMENT

701 OCEAN STREET - 4TH FLOOR, SANTA CRUZ, CA 95060

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ALVIN D. JAMES, DIRECTOR

January 17, 2003

APPROVED AND FILED

BOARD OF SUPERVISORS Agenda: February 4, 2003, 2002

DATE: 2/4/2003

COUNTY OF SANTA CRUZ

Board of Supervisors
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

SUSAN A. MAURIELLO

EX-OFFICIO CLERK OF THE BOARD

BY Shaion Mitchell DEPUTY

SUBJECT: CONSIDERATION OF PLANNING COMMISSION RECOMMENDATION TO AMEND COUNTY CODE SECTION 13.10.685 REGARDING THE CONVERSION OF TRANSIENT OCCUPANCY RECREATIONAL VEHICLE AND TRAVEL TRAILER PARKS TO PERMANENT RESIDENCY

Members of the Board:

County Code Section 13.10.685 governs the conversion of transient occupancy recreational vehicle and travel trailer parks to permanent residency and applies specifically to Marmo's Pinto Lake Resort (Marmo's) at 324 Amesti Road in Watsonville and the Golden Torch Trailer Park (Golden Torch) at 6100 Freedom Boulevard in Aptos. This item concerns the Planning Commission's recommendation to make permanent certain interim ordinance amendments made by your Board early in 2002.

Background

On March 19, 2002, your Board adopted an interim ordinance that addressed an internal inconsistency within the current RV Conversion Ordinance. This inconsistency makes it unclear how to process applications for RV park conversions involving "multi-unit manufactured housing." In particular, while the Ordinance allows for permanent replacement dwelling units to take the form of "multi-unit manufactured housing," it was not clear how such units are treated in terms of building permits and other standards. The interim ordinance adopted by your Board clarified the Ordinance by adding language that permits these types of RV park conversions to be inspected by the County Building Department instead of by the State Department of Housing and Community Development. This allowed the application for conversion of Marmo's from transient occupancy to permanent occupancy to proceed. The conversion of the Golden Torch has not yet occurred.

On October 23, 2002, the Planning Commission considered the proposed amendment at a public hearing and voted unanimously to recommend to your Board approval of the proposed amendment.

Proposed Changes

The changes to the ordinance are listed below. New language is shown underlined. Deleted language is shown ~~struck through~~.

1. **13.10.685(a)1:** Add the following new language to clarify that permanently occupied manufactured housing in Marmo's and the Golden Torch is to be subject to County building permit processes and County building inspections:

In the case of permanent occupancy of manufactured housing, the requirements and standards of Title 24 of the California Code of Regulations shall be met.

Title 24 vests building permit and building inspection authority in local jurisdictions and applies to most structures but not to mobile homes in mobile home parks. Currently, 13.10.685(a)1 refers only to Title 25, which vests building permit and building inspection authority for mobile homes located in mobile home parks in the State Department of Housing and Community Development. Because some of the permanently occupied housing at Marmo's and the Golden Torch is or will be multi-unit manufactured housing, rather than standard mobile homes, it is necessary that the ordinance clarify that the appropriate building permit and building inspection entity for that type of housing is the County.

2. **13.10.685(c)** (definitions):

Add the following new language to the definition of "Permanent Occupancy" and "Permanent Occupancy Space":

"Permanent Occupancy" means occupancy for a period of nine consecutive months or longer of either (1) a space within an RV park by the same unit, ~~or~~ (2) a unit and space within an RV park by the same resident or residents, or (3) multi-unit manufactured housing.

"Permanent Occupancy Space" means a space in an RV park or manufactured housing that has been approved for long-term or permanent occupancy pursuant to this section.

Add the following reference to Title 24:

"Title 24" means Title 24 of the California Code of Regulations.

3. **13.10.685(g) Exceptions to Development Standards.** Modify 13.10.685(g)(4)(2)(B) as follows:

(B) Combined Rent for Dwelling Units and Spaces and multi-unit manufactured housing.
The combined rent that may be charged for non-owner occupied dwelling units and

spaces or multi-unit manufactured housing shall not exceed the maximum amounts that may be charged for Very Low Income rental units under the Affordable Housing Guidelines. ~~For the purposes of this section, the maximum rent allowed under the Affordable Housing Guidelines for zero bedroom or studio unit shall apply for recreational vehicles.~~

The proposed amendments apply only to Marmos and the Golden Torch and no recreational vehicles will be used for permanent occupancy housing at those two parks. This proposed change recognizes that.

Reason for making interim ordinance permanent

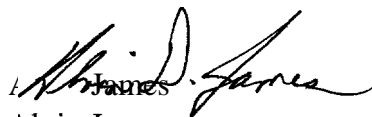
Pursuant to Government Code Section 65858, your Board may extend the expiration of an interim ordinance, following a public hearing, for a period of 10 months and 15 days to allow for the completion of the permanent ordinance. Your Board took that action on April 23, 2002, extending the Interim Ordinance until May 8, 2003. Prior to that date, your Board could extend the Interim Ordinance for a final 12 months after which no more extensions would be allowed pursuant to State law. However, it is unlikely that the urgency for extending the Interim Ordinance will exist by this coming May. Yet, the County needs to adopt a regular ordinance so that the processing of the application for the conversion of the Golden Torch travel trailer park to permanent residency may successfully occur.

Recommendation

Therefore, it is RECOMMENDED that your Board take the following actions:

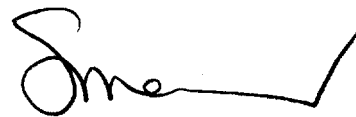
1. Approve the amendment to County Code Section 13.10.685 as shown in Attachment 1; and
2. Determine that the proposed amendment is categorically exempt from further review under the California Environmental Quality Act and certify the Categorical Exemption (Attachment 2).

Sincerely,



Michael D. James
Planning Director

RECOMMENDED



Susan Mauriello
County Administrative Officer

Attachments: 1. Resolution Approving Amendment to County Code Section 13.10.685
Exhibit A: Ordinance amending County Code Section 13.10.685

2. Ordinance amending County Code Section 13.10.685
3. CEQA Exemption
4. Planning Commission Resolution
5. Strike through, underline copy of Section 13.10.685

cc: County Counsel
Mobile Home Commission

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. 22-2003

On the motion of Supervisor Campos
duly seconded by Supervisor Almquist
the following Resolution is adopted:

BOARD OF SUPERVISORS RESOLUTION REGARDING PROPOSED
AMENDMENT TO COUNTY CODE SECTION 13.10.685 REGARDING THE
CONVERSION OF TRANSIENT OCCUPANCY RECREATIONAL VEHICLE
AND TRAVEL TRAILER PARKS TO PERMANENT RESIDENCY

WHEREAS, County Code Section 13.10.685 provides for the orderly conversion or permitted, transient occupancy recreation vehicle and travel trailer parks to permanent occupancy for the purpose of maintaining and/or establishing safe permanent housing for very low income households; and

WHEREAS, Section 13.10.685 allows for permanent replacement dwelling units to take the form of "multi-unit manufactured housing;" and

WHEREAS, Section 13.10.685 contains an internal inconsistency that makes it unclear how to process applications for transient occupancy recreational vehicle and travel trailer park conversions to permanent occupancy when multi-unit manufactured housing is involved; and

WHEREAS, on March 19, 2002, the Board of Supervisors adopted an interim ordinance to rectify the internal inconsistency so that two conversion projects then under review could proceed; and

WHEREAS, the provisions of the interim ordinance needs to be made permanent to permanently resolve the internal inconsistency; and

WHEREAS, on October 23, 2002, the Planning Commission held a duly noticed public hearing to consider the proposed amendment to Section 13.10.685 regarding conversion of transient occupancy recreational vehicle and travel trailer parks to permanent residency; and

WHEREAS, the Planning Commission found that the proposed amendment to County Code Section 13.10.685 is consistent with the policies of the General Plan; and

WHEREAS, on February 4, 2003, the Board of Supervisors held a duly noticed public hearing to consider the recommendation of the Planning Commission about the proposed amendment to County Code Section 13.10.685; and

WHEREAS, the proposed amendment to County Code Section 13.10.685 has been found to be categorically exempt from review under the California Environmental Quality Act pursuant to Sections 501 and 1805 of the County's CEQA Guidelines and Section 15305 of the State CEQA Guidelines.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that the Board of Supervisors hereby approves the amendment to County Code Section 13.10.685 as set forth in Exhibit A and the CEQA Categorical Exemption, incorporated herein by reference.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this 4th day of February, 2003 by the following vote:

AYES:	SUPERVISORS	Beautz, Wormhoudt, Campos, Almquist and Pirie
NOES:	SUPERVISORS	None
ABSENT:	SUPERVISORS	None
ABSTAIN:	SUPERVISORS	None

ELLEN PIRIE
Chairperson of the Board of Supervisors

ATTEST: GAIL T. BORKOWSKI
Clerk of the Board

APPROVED AS TO FORM:

David Kauder
COUNTY COUNSEL

cc: County Counsel
Planning Department

STATE OF CALIFORNIA)	ss
COUNTY OF SANTA CRUZ)	
I, SUSAN A. MAURIELLO, County Administrative Officer and ex-officio Clerk of the Board of Supervisors of the County of Santa Cruz, State of California do hereby certify that the foregoing is a true and correct copy of the resolution passed and adopted by and entered in the minutes of the said board. In witness whereof I have hereunto set my hand and affixed the seal of the said Board on <u>2/4</u> 20 <u>03</u>		
SUSAN A. MAURIELLO, County Administrative Officer		
By <u><i>Sharon Mitchell</i></u> Secretary		

ORDINANCE NO. _____

ORDINANCE AMENDING SECTION 13.10.685 OF THE SANTA CRUZ COUNTY
CODE RELATING TO THE CONVERSION OF TRANSIENT OCCUPANCY
RECREATIONAL VEHICLE AND TRAVEL TRAILER PARKS TO PERMANENT
RESIDENCY

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

The Board of Supervisors finds that the public convenience, necessity, and general welfare require the amendment of the County Zoning Ordinance Permit and Approval Procedures to implement the policies of the County General Plan relating to the conversion of transient occupancy recreational vehicle and travel trailer parks to permanent residency as listed below in Section III; finds that the proposed amendment herein is consistent with all elements of the Santa Cruz County General Plan; and finds and certifies that the proposed action is categorically exempt from review under the California Environmental quality Act pursuant to Sections 501 and 1805 of the County's CEQA Guidelines and Section 15305 of the State CEQA Guidelines.

SECTION II

The Board of Supervisors hereby adopts the recommendations of the Planning Commission for the amendment as described in Section 111, and adopts the Planning Commission's findings in support thereof without modification as set forth below:

1. County Code Section 13.10.685 provides for the orderly conversion of permitted, transient occupancy recreational vehicle and travel trailer parks to permanent occupancy for the purpose of maintaining and/or establishing safe permanent housing for very low income households.
2. Section 13.10.685 allows for permanent replacement dwelling units to take the form of "multi-unit manufactured housing."
3. Section 13.10.685 contains an internal inconsistency that makes it unclear how to process applications for transient occupancy recreational vehicle and travel trailer **park** conversions to permanent occupancy when multi-unit manufactured housing is involved.

SECTION III

0304

Section 13.10.685 of the Santa Cruz County Code is hereby amended to read as follows:

13.10.685. Conversion of transient occupancy recreational vehicle and travel trailer parks to permanent occupancy.

(a) Purpose. To provide for the orderly conversion of permitted, transient occupancy recreational vehicle and travel trailer parks to permanent occupancy for the purpose of maintaining and/or establishing safe permanent housing for very low income households.

(b) Applicability. This section applies to those recreational vehicles (RV) and travel trailer parks which, as of January 1, 2000 (i.e., the Marmos Pinto Lake Resort located at 324 Amesti Street in Watsonville and the Golden Torch Trailer Park located at 6100 Freedom Boulevard in Aptos), were the subject of court proceedings brought by the county to resolve health, safety and use permit violations at the park and which are located outside of both the Urban Services Line and the Coastal Zone.

1. Except where modified by the requirements of this section, all requirements of the "Mobilehome Parks Act," Division 13, Part 2.1 of the California Health and Safety Code, commencing with Section 18200, and Chapter 2 of Division I of Title 25 of the California Code of Regulations shall apply for all permanent occupancy spaces approved pursuant to this section. In the case of permanent occupancy manufactured housing, the requirements and standards of Title 24 of the California Code of Regulations shall be met.
2. The requirements of Title 16 of the County Code and the Visual Resources policies of the County General Plan/Local Coastal Plan shall apply for all permanent occupancy spaces approved pursuant to this section.

(c) Definitions. The definitions listed below and those contained within Chapter 2 of Division I of Title 25 of the California Code of Regulations and Sections 18200-18700 of the California Health and Safety Code shall apply to this section. In the event that the following definitions conflict with those contained within the cited Code of Regulations and/or Health and Safety Codes, the following definitions shall supercede:

"Affordable Housing Guidelines" means the guidelines that are adopted from time to time by the Santa Cruz County Board of Supervisors pursuant to Chapter 17.10 of the County Code.

"Approving Body" means the Santa Cruz County Board of Supervisors.

"Capital Improvements" means improvements to the real property that must be newly constructed or replaced as a condition of approval to convert spaces within an RV park to permanent occupancy pursuant to this section. "Capital Improvements" does not include routine maintenance or repairs.

"HCD" means the Department of Housing and Community Development of the State of California.

"Permanent Dwelling Unit" means a unit, as defined below, that is located on permanent occupancy space as defined herein.

"Permanent Occupancy" means occupancy for a period of nine consecutive months or longer of either (1) a space within an RV park by the same unit, (2) a unit and space within an RV park by the same resident or residents, or (3) multi-unit manufactured housing.

"Permanent Occupancy Space" means a space in an RV park that has been approved for long-term or permanent occupancy pursuant to this section.

"Resident" means a person or household who resides in an RV park. For the purposes of this section, the terms "occupant," "tenant" and "resident" are used interchangeably to mean a "Resident" as defined herein and do not have the specific meanings defined in either the Recreational Vehicle Park Occupancy Law (Section 799.20, et seq., of the California Civil Code) or the Mobile Home Residency Law (Section 798, et seq., of the California Civil Code).

"RV park" means a trailer park as defined in Section 13.10.700 of the Santa Cruz County Code and regulated in the Santa Cruz County Code. The status of a property as an RV park shall be based on the County use permit and land use designation(s) irrespective of the designation given to the park by HCD or the nature of the permit to operate issued by HCD.

"Title 24" means Title 24 of the California Code of Regulations.

"Title 25" means Chapter 2 of Division I of Title 25 of the California Code of Regulations.

"Unit" means any of the following:

- (1) A "recreational vehicle" as defined in Section 18010(a) of the California Health and Safety Code;
- (2) A "park trailer" as defined in Section 18010(b) of the California Health and Safety Code;
- (3) A "manufactured home" as defined in Section 18007 of the Health and Safety Code;
- (4) A "mobile home" as defined in Section 18008 of the Health and Safety Code; or
- (5) A "multi-unit manufactured housing" as defined in Section 18008.7. of the Health and Safety Code.

"Very Low Income Household" means a household whose annual income is less than fifty (50) percent of the Area Median Income as adjusted for household size and updated from time to time by HCD.

0306

(d) Procedures. A conversion of a permitted transient occupancy recreational vehicle and travel trailer park to permanent occupancy may be authorized as a discretionary land use approval granted at Approval Level VII pursuant to Chapter 18.10 of the County Code. All procedures for application, review, required findings, approval, amendments and appeals shall be in accordance with Chapter 18.10.

(e) Development Standards.

(1) Density.

- (A) The number of permanent occupancy spaces shall not exceed the number of recreational vehicle and/or travel trailer spaces authorized under the current Use Permit for the recreational vehicle and/or travel trailer park issued by the County. Spaces designated for tent camping in the Use Permit may not be converted to permanent occupancy. Continued use of spaces for transient occupancy may be allowed, if such use, including any required amenities and conditions of operation, are clearly incorporated into the conversion permit.
- (B) The maximum number of permanent occupancy spaces shall be established based on compliance with the following: the sewage disposal standards and requirements established by Environmental Health Services for permanent occupancy, the water supply standards and requirements established by Environmental Health Services, the California Department of Health Services or the applicable water purveyor required for permanent occupancy and the Development Standards established in this section.

(2) Yard Requirements.

- (A) The front yard setback for the park shall be forty (40) feet. The side and rear yard setbacks shall be twenty (20) feet.
- (B) A six-foot separation, as specified by Title 25, or approved fire wall as defined in Section 504.6.2 of the California Fire Code or as specifically approved by HCD shall be maintained between all permanent dwelling units.

(3) Community Areas.

- (A) Open Space and Required Amenities. A minimum of two hundred (200) square feet of open space per permanent occupancy space shall be provided, as follows:
- (i) At least fifty (50) percent of the required open space area shall be provided as community open space, located in areas convenient for the benefit and use of all of the residents. Community open space areas shall have no dimension less than twenty (20) feet. Parking and roadways shall not be counted as a part of the community open space. The park shall have recreation facilities and playground(s) of sufficient size and in suitable locations to meet the needs of the park residents. The area of recreation facilities and playgrounds may be included as community open space.

- (ii) Each permanent occupancy space shall have at least one hundred (100) square feet of usable open space, defined as any side or rear yard or combination of yards with minimum dimensions of eight feet.
 - (B) Restrooms>Showers. Restrooms and showers shall be provided for the use of the residents. The number of restrooms and showers is dependent upon the number of permanent dwelling units, as well as the number of permanent dwelling units which have toilet and shower facilities. At a minimum, one toilet, one sink and one shower shall be provided for each gender. An additional toilet, sink and shower shall be provided for every five permanent dwelling units that do not have toilet and/or shower facilities. Lighting which meets or exceeds the minimum requirements of Title 25 of the California Code of Regulations shall be installed in these facilities. Restroomshower buildings shall have adequate heating facilities to maintain a temperature of sixty-five (65) degrees (F) during cold weather and to provide at least three gallons of continuous hot water per hour per unit during the times of peak demand.
 - (C) Optional Amenities. The Approving Body may approve other amenities to serve the residents of the park, such as convenience stores and laundries, if all requirements for their installation can be met.
- (4) Parking. A Parking Management Plan shall be submitted for review by the County and approval by the Approving Body. The Parking Management Plan shall specify how the park will comply with the following parking standards and detail the procedures for insuring long-term compliance with these standards. One off-street parking space shall be provided and located near each permanent unit. Guest parking of an additional twenty (20) percent over the residential requirement shall be provided at various locations in the park. All required parking shall be provided within the park boundaries. Dimensions of all parking spaces shall comply with the requirements of County Code Section 13.10.550 et seq. Because parking is limited, no inoperable vehicle shall be kept within the park for a period of longer than ten (10) business days.
- (5) Roads and Access.
- (A) All access roads and driveways shall meet the fire agency requirements for turning radii, overhead clearance and surfacing. The minimum widths of roadways shall conform to the requirements of Title 25, including that two-way roadways shall be no narrower than eighteen (18) feet in width, and one-way roads shall be no narrower than twelve (12) feet in width and shall be clearly marked as one-way.
 - (B) All permanent occupancy spaces shall be served from internal private roads or walk ways within the park. There shall be no direct vehicular access between an individual space and a public or private street or alley. Internal streets shall have a clear and unobstructed access to a public thoroughfare.

- (C) Pedestrian access shall be provided throughout the park to provide safe and convenient access to amenities, open space areas, and public roadways.
- (6) Fencing. A six-foot high solid wood fence or masonry wall shall be provided along the side and rear property lines of the park to insure security and separation from adjacent properties. Fences and/or gates in the front yard shall be allowed only if they are compatible with the character of the neighborhood, and shall not exceed three feet in height unless it can be demonstrated that it will not adversely affect sight distance, as determined by the Department of Public Works and the applicable fire district.
- (7) Landscaping. A plan for the development and permanent maintenance of landscaping for the park shall be submitted for review and approval by the Planning Department. Landscaping shall be installed to provide screening between adjacent development and the permanent units, and to enhance the open space areas, as appropriate.
- (8) Garbage and Refuse Disposal. The park owner shall specify how garbage and recyclable materials will be stored, collected and disposed of. The park owner shall, at a minimum, provide for weekly collection of garbage and recyclable materials from the park. More frequent collection may be required, if determined to be necessary by the Approving Body.
- (9) Sewage Disposal. All sewage and/or gray water shall be disposed of in a disposal system approved by County Environmental Health Services pursuant to Chapter 7.38 of the County Code.
- (10) Water. An accessible, adequate, safe and potable supply of water shall be provided to each permanent unit in the park. Water service may be provided either through community water system that is approved by County Environmental Health Services pursuant to Chapter 7.71 of the County Code, or a system approved by the California Department of Health Services or by connection to a public water system.
- (11) Drainage. A drainage plan, prepared by a Registered Professional Engineer, shall be submitted for review by the Planning Department and the Department of Public Works and approval by the Approving Body. Ponding underneath RVs is prohibited.
- (12) Fire Protection. All requirements of the applicable fire protection agency shall be met, except for those road width and unit separation standards of the fire district that exceed the standards of Title 25 or this section.
- (13) Lighting. Site lighting shall be provided that meets or exceeds the minimum illumination standards of Title 25.

(f) Development Standards--Permanent Dwelling Units.

- (1) A compacted level pad shall be provided for each permanent dwelling unit. Each unit shall be anchored to the pad through an anchoring system approved by the County, HCD or HUD.
- (2) Each permanent dwelling unit shall be permanently connected to electrical, gas, water, and sewer systems by approved connections, per the requirements of Title 25.
- (3) Skirting shall be installed on all permanent dwelling units to prevent access underneath the unit and to provide an aesthetic appearance of the unit.
- (4) All replacement permanent dwelling units installed after the issuance of the conversion permit shall comply with Health and Safety Code Section 18604, which requires that units meet minimum construction standards. Allowable replacement dwelling units include:
 - (A) A "recreational vehicle" as defined in Section 18010(a) of the California Health and Safety Code except that neither truck campers nor tent trailers shall be allowed,
 - (B) A "park trailer" as defined in Section 18010(b) of the California Health and Safety Code;
 - (C) A "manufactured home" as defined in Section 18007 of the Health and Safety Code;
 - (D) A "mobile home" as defined in Section 18008 of the Health and Safety Code; or
 - (E) A "multi-unit manufactured housing" as defined in Section 18008.7 of the Health and Safety Code.
- (5) Any accessory structure on a permanent occupancy space shall comply with the development standards of this section and applicable building codes, shall be specifically authorized by both park management and the enforcement agency, and shall be constructed in accordance with appropriate permit(s).

(g) Exceptions to Development Standards. Exceptions to the development standards set forth in this section may be granted in order to facilitate the conversion of existing transient occupancy recreational vehicle and/or travel trailer parks to permanent occupancy parks with minimal displacement of existing residents. As part of consideration of an application by the park owner, a tenant or a tenant's organization may request exceptions and conditional exceptions to the park or unit development standards established pursuant to subsections 13.10.685(e) and (f) and the Approving Body may authorize such exceptions, other than exceptions to the requirements for minimum septic and water systems, provided that the following findings can be made:

- (1) That the exception is necessary for either the proper design or function of the permanently occupied park or space, or to minimize the displacement of park residents; and

- (2) That the granting of the exception will not be detrimental to the public health, safety and welfare or injurious to other property in the area in which the property is situated; and
- (3) That the granting of the exception is in accordance with the objectives of the County General Plan/Local Coastal Plan.
- (4) Conversion Conditions. The conversion of an RV park to permanent occupancy may be approved in whole or in part by the Approving Body, subject to the development standards in subsections (e) and (f) of this section, the exceptions allowed under subsection (g) of this section and the following conditions:
 - (1) Income Eligibility of Residents. The occupancy of permanent occupancy spaces shall be restricted to Very Low Income Households for the life of the park. The Affordable Housing Guidelines shall be followed to establish the income and eligibility of residents. For the purposes of this section, if the park receives state or federal financial assistance the average income shall not exceed the Very Low Limits. The Approving Body may authorize the Property Manager to verify the eligibility of residents. Notwithstanding the above, the following residents shall be excluded from these income eligibility requirements:
 - (A) One required on-site management representative plus any other park employee(s) identified in the Management Plan; and
 - (B) Existing residents of the park at the time the conversion to permanent occupancy is approved, but only to the extent the Approving Body determines it is necessary to minimize the displacement and relocation of existing tenants.
 - (2) Maximum Rents and Other Charges. The rents charged for permanent occupancy spaces and non-owner occupied dwelling units that occupy permanent occupancy spaces shall be restricted for the life of the park as specified below. These restrictions shall be included in the Use Permit, a recorded regulatory agreement and the individual leases with residents.
 - (A) Space Rent. The rent and rent increases that may be charged for permanent occupancy spaces shall not exceed the amounts that are allowed under the Mobile Home Rent Adjustment Ordinance, Chapter 13.32 of the Santa Cruz County Code, regardless of the length of occupancy of the individual residents of these spaces.
 - (B) Combined Rent for Dwelling Units and Spaces and multi-unit manufactured housing. The combined rent that may be charged for non-owner occupied dwelling units and spaces or multi-unit manufactured housing shall not exceed the maximum amounts that may be charged for Very Low Income rental units under the Affordable Housing Guidelines.
 - (C) Alternative Standards for Assisted Projects. Notwithstanding subsection (h)(2)(B) of this section, the Approving Body may

approve alternative affordability standards and/or a range of maximum combined rents for non-owner occupied dwelling units and spaces if the park receives state or federal financial assistance and the average combined rent charged for these dwelling units and spaces will not exceed the maximum rent allowed for Lower Income rental units under the Affordable Housing Guidelines.

- (3) Relocation Assistance. Relocation of tenants temporarily or permanently dislocated from the park as a result of the conversion shall be subject to relocation assistance, as provided under Chapter 8.45 of the County Code.
- (4) Management, Operation and Implementation Plans. Prior to approval of a conversion permit for a park that requires capital improvements and/or is the subject of a current code enforcement action by the County, State of California or a local fire protection district, the park owner must submit a Park Improvements Implementation Plan, a Management Plan, and a Maintenance and Operations Plan as follows:
 - (A) Park Improvements Implementation Plan, This plan must address both the timing and financing plan for bringing the park into compliance within five years, in accordance with the standards of this section and related permit conditions. The Plan is subject to approval by the Approving Body and shall contain the following provisions:
 - (i) Improvements. The plan must include a reasonable and orderly plan for converting the physical facilities of the park and complying with the conditions of approval of the conversion permit, while minimizing the impact on park tenants and adjacent property owners/residents.
 - (ii) Improvement Financing. The plan must include a detailed estimate of all costs related to conversion of the park to permanent occupancy, including physical improvements and temporary and permanent tenant relocation costs. In addition, the plan must include a method for financing these costs. The financing method shall indicate a realistic plan for financing the costs consistent within the time allowed for conversion by the Approving Body. Financing may take the form of front-end financing (cash on hand or loan) and/or financing over time. Financing over time may be approved through the creation of a formal set-aside of part of the rent proceeds. The amount of the set-aside shall be established by the Approving Body, based upon a review of the proposed financing plan. Final approval of the park conversion may be conditioned upon evidence of a loan commitment or the existence of funds on hand. Whatever the form of financing, funds for the park conversion must be deposited in a Capital Improvement Fund independently

- administered by the Property Manager, as described in subsection (h)(4)(b)(i) of this section, or other independent party approved by the County.
- (iii) Extensions. If, after the park owner has demonstrated to the satisfaction of the County that additional time is needed to complete the Implementation Plan, the Approving Body may grant an extension to the completion date as specified in the approved Implementation Plan. In considering whether to approve an extension to the Implementation Plan, the Approving Body shall make a determination that the park owner has proceeded in a diligent manner to complete the Plan and to comply with the conditions of the conversion permit. This determination shall be based on the financial data submitted by the park owner as well as a review of the quarterly reports required as a condition of this permit. Upon granting additional time for the park owner to complete the Implementation Plan, the Approving Body may require the park owner to provide additional funding for the Capital Improvement Fund to cover expenses not identified by the park owner as a part of the approved Implementation Plan.
 - (iv) Waiver. The Approving Body shall waive or reduce the requirements for this Plan if (1) neither capital improvements nor the correction of code violations are conditions of approval for the conversion permit or (2) the park will receive state or federal financial assistance that includes conditions that are comparable to those for which a waiver is requested.
- (B) Management Plan. The Management Plan shall provide for long term property management and maintenance of all facilities and improvements. The Management Plan shall address all applicable conditions of the conversion permit including detailed information concerning any planned displacement and/or relocation of existing residents and the replacement of substandard units within the park. The Management Plan shall provide for both a Property Manager and an On-Site Manager, and shall include proposed lease agreements, the proposed Park Rules, and the Parking Management Plan required per subsection (e)(4) of this section, subject to the following provisions:
- (i) The Property Manager shall be an experienced management agent, with demonstrated ability to operate residential facilities similar to the Project in a manner that will provide decent, safe, and sanitary housing. The Property Manager shall be responsible for overseeing the Capital Improvement Fund, hiring and managing the on-

site manager, and providing regular reports to the County. The park owner shall submit for the County's approval the initial and all subsequent Property Managers until the conversion is completed and the project has been in compliance with the conditions of the conversion permit for three years. The owner shall also submit additional information to the County relevant to the background, experience and financial condition of any proposed Property Manager as is reasonably necessary for the County to determine whether the proposed Property Manager meets the qualifications standards as set forth above. If the proposed Property Manager meets the standard set forth above, the County shall indicate its approval by notifying the owner in writing. Unless the proposed Property Manager is disapproved by the County within thirty (30) days, which disapproval shall state with reasonable specificity the basis for disapproval, it shall be deemed approved. The Property Manager shall be responsible for ensuring that all units that are moved into the park meet all standards set forth in this section and in compliance with all applicable state and local laws and regulations.

- (ii) The On-Site Manager shall be an employee of the Property Manager and shall demonstrate adequate experience and qualifications for the position. While the County is not required to approve the On-Site Manager, the Property Manager must notify the County within thirty (30) days of appointing the initial and subsequent On-Site Managers of their names, responsibilities, assigned work hours and qualifications. In addition to other duties assigned by the Property Manager, the On-Site Manager shall be responsible for enforcing park rules, including monitoring of parking and abandoned vehicles consistent with this subsection and the permit requirements.
- (iii) All lease agreements shall contain appropriate language pertaining to the rights and responsibilities of the owner(s) of the unit and the occupant(s) under the conditions of the conversion permit, including but not limited to:
 - I. A provision requiring compliance with the Parking Management Plan;
 - 11. A requirement that no inoperable vehicles be stored within the park;
 - 111. A provision that subletting is either not allowed, or that units may only be sublet to Very Low Income Households as required by subsection (h)(1) of this

- section, and that the maximum combined rent for the home and space is restricted pursuant to subsection (h)(2)(B) of this section;
- IV. Notice of the unit owner's responsibility to bring the unit into compliance with the standards within certain time limits, as set forth in subsection (f) of this section, and notice that if the unit is replaced at any time, the replacement unit must meet the standards as set forth in subsection (f)(4) of this section;
 - V. Notice that the storage of hazardous materials is not allowed; and
 - VI. Notice that the unit owner and/or unit occupant is responsible for compliance with the requirements of Section 13.10.685 of the Santa Cruz County Code as they apply to the unit and/or space.
- (iv) Owner Operator. Notwithstanding any language in this subsection (h)(4)(B) which may indicate otherwise, the County may approve a qualified park owner or park owners to act as the Property Manager and/or On-Site Manager described in this subsection (h)(4)(B).
 - (v) Waiver. The Approving Body shall waive or reduce the requirements for this Management Plan if (1) the park is not the subject of a code enforcement action by the County, State of California or a local fire protection district or (2) the park will receive state or federal financial assistance that includes conditions that are comparable to those for which a waiver is requested.
- (C) Maintenance and Operations Plan. The owner shall submit a plan for financing the ongoing operations and maintenance of the park within the budget for the park. That plan, which must be approved by the County, must include an annual operating budget which provides for maintenance at a level which guarantees that the park will be maintained in a safe and sanitary condition. That plan must also provide for either (i) an annual set-aside of three percent of the annual operating budget for a maintenance reserve plus a minimum annual contribution of two percent of the annual operating budget to a capital replacement reserve for the purpose of financing future capital replacement of fixtures, equipment and improvements or (ii) the maintenance of a fully funded replacement reserve account using the methods, procedures and standards laid out for common interest developments in California Civil Code Sections 1365(a) and 1365.5(e). The Approving Body shall waive or reduce the requirements for this Plan if (1) the park is not the subject of a code enforcement action by the County, State of California or a local fire protection district and neither

capital improvements nor the correction of code violations are conditions of approval for the conversion permit or (2) the park will receive state or federal financial assistance that includes conditions that are comparable to those for which a waiver is requested.

- (5) **Capital Improvement Fund.** As a condition of permit approval, the owner shall be required to establish a Capital Improvement Fund within thirty (30) days of approval of a conversion permit for the purpose of financing the improvements and other costs related to the conversion as described in the Park Improvements Implementation Plan, and for any relocation assistance required under Chapter 8.45. The owner shall deposit all fi-ont-end contributions, proceeds from loans and rent or other set-asides into this fund, equivalent to the amount needed to meet the requirements of the approved Park Improvements Implementation Plan, as established in subsection (h)(4)(A) of this section and as approved by the Approving Body. This fund shall be administered by the Property Manager, who shall be accountable for monitoring all contributions to and expenditures from the Fund, and periodically providing a report to the owner and County on Fund activity and balance. In order to insure that all proceeds are directed to the required site improvements and related costs, all disbursements from the Capital Improvement Fund shall be subject to advance approval by the County. The Approving Body shall waive or reduce the requirements for this Fund if (1) neither capital improvements nor the correction of code violations are conditions of approval for the conversion permit or (2) the park receives state or federal financial assistance that includes conditions that are comparable to those for which a waiver is requested.
- (6) **Securities.** The Approving Body may require securities, such as insurance, a performance bid, letter of credit or similar method, to guarantee the completion of all required park improvements and compliance with the Plans required under subsections (h)(4)(A), (h)(4)(B) and (h)(4)(C) of this section, and related relocation costs.
- (i) **Monitoring and Compliance.**
- (1) **Status Reports.** The park owner shall submit to the County periodic status reports detailing compliance with the conditions of the conversion permit. Such reports shall be submitted quarterly until issuance of a certificate of completion for the conversion, and annually thereafter. During the conversion period, the report shall include a status report on the Capital Improvement Fund and the capital improvement activities, prepared by the Property Manager. All status reports shall include a listing of unit occupancy and eligibility and indicate all subleases.
- (2) **Completion Report.** At the time that the owner believes that the conversion is completed, the owner shall submit a formal report, for review and approval by the County, that summarizes

all improvements made, the total cost for those improvements, the final disposition of the Capital Improvement Fund, and any relocation payments made. Upon review of that document and a field review of the site, if the County finds that the project has met all of the permit requirements, it shall issue the owner a letter acknowledging completion of the requirements for conversion. Failure to complete the conversion within the time limits established in the use permit may result in the revocation of the use permit pursuant to Chapter 18.10 of the County Code.

- (3) Inspections and Enforcement. County staff shall conduct inspections of a park receiving approval for conversion immediately following receipt of a status report and at other times, as warranted. All deficiencies shall be reported to the park owner in writing within ten (10) business days of their discovery. The park owner shall correct all reported deficiencies within fifteen (15) business days following receipt of the report from the County, unless a longer time period has been agreed to in advance by the County. Continued failure to comply with the conditions of approval of the conversion permit shall subject the property owner to the provisions of Chapter 19.01 of the County Code.
- (4) Fees. The owner shall pay such fees as may be deemed necessary for the County to monitor and enforce the conditions for the conversion permit. (Ord. 4587 § 1, 6/13/2000)

SECTION IV

This ordinance shall take effect 31 days after adoption by the Board of Supervisors.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz this _____ day of _____, 2003, by the following vote:

AYES: SUPERVISORS
 NOES: SUPERVISORS
 ABSENT: SUPERVISORS
 ABSTAIN: SUPERVISORS

CHAIRPERSON, BOARD OF SUPERVISORS

ATTEST: _____
Clerk of the Board

APPROVED AS TO FORM:


County Counsel

Copies to: Planning
County Counsel

ORDINANCE NO. _____

ORDINANCE AMENDING SECTION 13.10.685 OF THE SANTA CRUZ COUNTY
CODE RELATING TO THE CONVERSION OF TRANSIENT OCCUPANCY
RECREATIONAL VEHICLE AND TRAVEL TRAILER PARKS TO PERMANENT
RESIDENCY

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

The Board of Supervisors finds that the public convenience, necessity, and general welfare require the amendment of the County Zoning Ordinance Permit and Approval Procedures to implement the policies of the County General Plan relating to the conversion of transient occupancy recreational vehicle and travel trailer parks to permanent residency as listed below in Section III; finds that the proposed amendment herein is consistent with all elements of the Santa Cruz County General Plan; and finds and certifies that the proposed action is categorically exempt from review under the California Environmental Quality Act pursuant to Sections 501 and 1805 of the County's CEQA Guidelines and Section 15305 of the State CEQA Guidelines.

SECTION II

The Board of Supervisors hereby adopts the recommendations of the Planning Commission for the amendment as described in Section III, and adopts the Planning Commission's findings in support thereof without modification as set forth below:

1. County Code Section 13.10.685 provides for the orderly conversion of permitted, transient occupancy recreational vehicle and travel trailer parks to permanent occupancy for the purpose of maintaining and or establishing safe permanent housing for very low income households.
2. Section 13.10.685 allows for permanent replacement dwelling units to take the form of "multi-unit manufactured housing."
3. Section 13.10.685 contains an internal inconsistency that makes it unclear how to process applications for transient occupancy recreational vehicle and travel trailer park conversions to permanent occupancy when multi-unit manufactured housing is involved.

SECTION III

0319

Section 13.10.685 of the Santa Cruz County Code is hereby amended to read as follows:

13.10.685. Conversion of transient occupancy recreational vehicle and travel trailer parks to permanent occupancy.

(a) Purpose. To provide for the orderly conversion of permitted, transient occupancy recreational vehicle and travel trailer parks to permanent occupancy for the purpose of maintaining and/or establishing safe permanent housing for very low income households.

(b) Applicability. This section applies to those recreational vehicles (RV) and travel trailer parks which, as of January 1, 2000 (i.e., the Marmos Pinto Lake Resort located at 324 Amesti Street in Watsonville and the Golden Torch Trailer Park located at 6100 Freedom Boulevard in Aptos), were the subject of court proceedings brought by the county to resolve health, safety and use permit violations at the park and which are located outside of both the Urban Services Line and the Coastal Zone.

1. Except where modified by the requirements of this section, all requirements of the "Mobilehome Parks Act," Division 13, Part 2.1 of the California Health and Safety Code, commencing with Section 18200, and Chapter 2 of Division I of Title 25 of the California Code of Regulations shall apply for all permanent occupancy spaces approved pursuant to this section. In the case of permanent occupancy manufactured housing, the requirements and standards of Title 24 of the California Code of Regulations shall be met.
2. The requirements of Title 16 of the County Code and the Visual Resources policies of the County General Plan/Local Coastal Plan shall apply for all permanent occupancy spaces approved pursuant to this section.

(c) Definitions. The definitions listed below and those contained within Chapter 2 of Division I of Title 25 of the California Code of Regulations and Sections 18200-18700 of the California Health and Safety Code shall apply to this section. In the event that the following definitions conflict with those contained within the cited Code of Regulations and/or Health and Safety Codes, the following definitions shall supercede:

"Affordable Housing Guidelines" means the guidelines that are adopted from time to time by the Santa Cruz County Board of Supervisors pursuant to Chapter 17.10 of the County Code.

"Approving Body" means the Santa Cruz County Board of Supervisors.

"Capital Improvements" means improvements to the real property that must be newly constructed or replaced as a condition of approval to convert spaces within an RV park to permanent occupancy pursuant to this section. "Capital Improvements" does not include routine maintenance or repairs.

"HCD" means the Department of Housing and Community Development of the State of California.

"Permanent Dwelling Unit" means a unit, as defined below, that is located on permanent occupancy space as defined herein.

"Permanent Occupancy" means occupancy for a period of nine consecutive months or longer of either (1) a space within an RV park by the same unit, (2) a unit and space within an RV park by the same resident or residents, or (3) multi-unit manufactured housing.

"Permanent Occupancy Space" means a space in an RV park or manufactured housing that has been approved for long-term or permanent occupancy pursuant to this section.

"Resident" means a person or household who resides in an RV park. For the purposes of this section, the terms "occupant," "tenant" and "resident" are used interchangeably to mean a "Resident" as defined herein and do not have the specific meanings defined in either the Recreational Vehicle Park Occupancy Law (Section 799.20, et seq., of the California Civil Code) or the Mobile Home Residency Law (Section 798, et seq., of the California Civil Code).

"RV park" means a trailer park as defined in Section 13.10.700 of the Santa Cruz County Code and regulated in the Santa Cruz County Code. The status of a property as an RV park shall be based on the County use permit and land use designation(s) irrespective of the designation given to the park by HCD or the nature of the permit to operate issued by HCD.

"Title 24" means Title 24 of the California Code of Regulations.

"Title 25" means Chapter 2 of Division I of Title 25 of the California Code of Regulations.

"Unit" means any of the following:

- (1) A "recreational vehicle" as defined in Section 18010(a) of the California Health and Safety Code;
- (2) A "park trailer" as defined in Section 18010(b) of the California Health and Safety Code;
- (3) A "manufactured home" as defined in Section 18007 of the Health and Safety Code;
- (4) A "mobile home" as defined in Section 18008 of the Health and Safety Code; or
- (5) A "multi-unit manufactured housing" as defined in Section 18008.7. of the Health and Safety Code.

"Very Low Income Household" means a household whose annual income is less than fifty (50) percent of the Area Median Income as adjusted for household size and updated from time to time by HCD.

(d) Procedures. A conversion of a permitted transient occupancy recreational vehicle and travel trailer park to permanent occupancy may be authorized as a discretionary land use approval granted at Approval Level VII pursuant to Chapter 18.10 of the County Code. All procedures for application, review, required findings, approval, amendments and appeals shall be in accordance with Chapter 18.10.

(e) Development Standards.

- (1) Density.
 - (A) The number of permanent occupancy spaces shall not exceed the number of recreational vehicle and/or travel trailer spaces authorized under the current Use Permit for the recreational vehicle and/or travel trailer park issued by the County. Spaces designated for tent camping in the Use Permit may not be converted to permanent occupancy. Continued use of spaces for transient occupancy may be allowed, if such use, including any required amenities and conditions of operation, are clearly incorporated into the conversion permit.
 - (B) The maximum number of permanent occupancy spaces shall be established based on compliance with the following: the sewage disposal standards and requirements established by Environmental Health Services for permanent occupancy, the water supply standards and requirements established by Environmental Health Services, the California Department of Health Services or the applicable water purveyor required for permanent occupancy and the Development Standards established in this section.
- (2) Yard Requirements.
 - (A) The front yard setback for the park shall be forty (40) feet. The side and rear yard setbacks shall be twenty (20) feet.
 - (B) A six-foot separation, as specified by Title 25, or approved fire wall as defined in Section 504.6.2 of the California Fire Code or as specifically approved by HCD shall be maintained between all permanent dwelling units.
- (3) Community Areas.
 - (A) Open Space and Required Amenities. A minimum of two hundred (200) square feet of open space per permanent occupancy space shall be provided, as follows:
 - (i) At least fifty (50) percent of the required open space area shall be provided as community open space, located in areas convenient for the benefit and use of all of the residents. Community open space areas shall have no dimension less than twenty (20) feet. Parking and roadways shall not be counted as a part of the community open space. The park shall have recreation facilities and playground(s) of sufficient size and in suitable locations to meet the needs of the park residents. The area of recreation facilities and playgrounds may be included as community open space.

- (ii) Each permanent occupancy space shall have at least one hundred (100) square feet of usable open space, defined as any side or rear yard or combination of yards with minimum dimensions of eight feet.
 - (B) Restrooms/Showers. Restrooms and showers shall be provided for the use of the residents. The number of restrooms and showers is dependent upon the number of permanent dwelling units, as well as the number of permanent dwelling units which have toilet and shower facilities. At a minimum, one toilet, one sink and one shower shall be provided for each gender. An additional toilet, sink and shower shall be provided for every five permanent dwelling units that do not have toilet and/or shower facilities. Lighting which meets or exceeds the minimum requirements of Title 25 of the California Code of Regulations shall be installed in these facilities. Restroom/shower buildings shall have adequate heating facilities to maintain a temperature of sixty-five (65) degrees (F) during cold weather and to provide at least three gallons of continuous hot water per hour per unit during the times of peak demand.
 - (C) Optional Amenities. The Approving Body may approve other amenities to serve the residents of the park, such as convenience stores and laundries, if all requirements for their installation can be met.
- (4) **Parking.** A Parking Management Plan shall be submitted for review by the County and approval by the Approving Body. The Parking Management Plan shall specify how the park will comply with the following parking standards and detail the procedures for insuring long-term compliance with these standards. One off-street parking space shall be provided and located near each permanent unit. Guest parking of an additional twenty (20) percent over the residential requirement shall be provided at various locations in the park. All required parking shall be provided within the park boundaries. Dimensions of all parking spaces shall comply with the requirements of County Code Section 13.10.550 et seq. Because parking is limited, no inoperable vehicle shall be kept within the park for a period of longer than ten (10) business days.
- (5) **Roads and Access.**
- (A) All access roads and driveways shall meet the fire agency requirements for turning radii, overhead clearance and surfacing. The minimum widths of roadways shall conform to the requirements of Title 25, including that two-way roadways shall be no narrower than eighteen (18) feet in width, and one-way roads shall be no narrower than twelve (12) feet in width and shall be clearly marked as one-way.
 - (B) All permanent occupancy spaces shall be served from internal private roads or walk ways within the park. There shall be no direct vehicular access between an individual space and a public or private street or alley. Internal streets shall have a clear and unobstructed access to a public thoroughfare.

- (C) Pedestrian access shall be provided throughout the park to provide safe and convenient access to amenities, open space areas, and public roadways.
- (6) Fencing. A six-foot high solid wood fence or masonry wall shall be provided along the side and rear property lines of the park to insure security and separation from adjacent properties. Fences and/or gates in the front yard shall be allowed only if they are compatible with the character of the neighborhood, and shall not exceed three feet in height unless it can be demonstrated that it will not adversely affect sight distance, as determined by the Department of Public Works and the applicable fire district.
- (7) Landscaping. A plan for the development and permanent maintenance of landscaping for the park shall be submitted for review and approval by the Planning Department. Landscaping shall be installed to provide screening between adjacent development and the permanent units, and to enhance the open space areas, as appropriate.
- (8) Garbage and Refuse Disposal. The park owner shall specify how garbage and recyclable materials will be stored, collected and disposed of. The park owner shall, at a minimum, provide for weekly collection of garbage and recyclable materials from the park. More frequent collection may be required, if determined to be necessary by the Approving Body.
- (9) Sewage Disposal. All sewage and/or gray water shall be disposed of in a disposal system approved by County Environmental Health Services pursuant to Chapter 7.38 of the County Code.
- (10) Water. **An** accessible, adequate, safe and potable supply of water shall be provided to each permanent unit in the park. Water service may be provided either through community water system that is approved by County Environmental Health Services pursuant to Chapter 7.71 of the County Code, or a system approved by the California Department of Health Services or by connection to a public water system.
- (11) Drainage. A drainage plan, prepared by a Registered Professional Engineer, shall be submitted for review by the Planning Department and the Department of Public Works and approval by the Approving Body. Ponding underneath RVs is prohibited.
- (12) Fire Protection. All requirements of the applicable fire protection agency shall be met, except for those road width and unit separation standards of the fire district that exceed the standards of Title 25 or this section.
- (13) Lighting. Site lighting shall be provided that meets or exceeds the minimum illumination standards of Title 25.

(f) Development Standards--Permanent Dwelling Units.

- (1) A compacted level pad shall be provided for each permanent dwelling unit. Each unit shall be anchored to the pad through an anchoring system approved by the County, HCD or HUD.
- (2) Each permanent dwelling unit shall be permanently connected to electrical, gas, water, and sewer systems by approved connections, per the requirements of Title 25.
- (3) Skirting shall be installed on all permanent dwelling units to prevent access underneath the unit and to provide an aesthetic appearance of the unit.
- (4) All replacement permanent dwelling units installed after the issuance of the conversion permit shall comply with Health and Safety Code Section 18604, which requires that units meet minimum construction standards. Allowable replacement dwelling units include:
 - (A) A "recreational vehicle" as defined in Section 18010(a) of the California Health and Safety Code except that neither truck campers nor tent trailers shall be allowed,
 - (B) A "park trailer" as defined in Section 18010(b) of the California Health and Safety Code;
 - (C) A "manufactured home" as defined in Section 18007 of the Health and Safety Code;
 - (D) A "mobile home" as defined in Section 18008 of the Health and Safety Code; or
 - (E) A "multi-unit manufactured housing" as defined in Section 18008.7 of the Health and Safety Code.
- (5) Any accessory structure on a permanent occupancy space shall comply with the development standards of this section and applicable building codes, shall be specifically authorized by both park management and the enforcement agency, and shall be constructed in accordance with appropriate permit(s).

(g) Exceptions to Development Standards. Exceptions to the development standards set forth in this section may be granted in order to facilitate the conversion of existing transient occupancy recreational vehicle and/or travel trailer parks to permanent occupancy parks with minimal displacement of existing residents. As part of consideration of an application by the park owner, a tenant or a tenant's organization may request exceptions and conditional exceptions to the park or unit development standards established pursuant to subsections 13.10.685(e) and (f) and the Approving Body may authorize such exceptions, other than exceptions to the requirements for minimum septic and water systems, provided that the following findings can be made:

- (1) That the exception is necessary for either the proper design or function of the permanently occupied park or space, or to minimize the displacement of park residents; and

- (2) That the granting of the exception will not be detrimental to the public health, safety and welfare or injurious to other property in the area in which the property is situated; and
- (3) That the granting of the exception is in accordance with the objectives of the County General Plan/Local Coastal Plan.
- (4) Conversion Conditions. The conversion of an RV park to permanent occupancy may be approved in whole or in part by the Approving Body, subject to the development standards in subsections (e) and (f) of this section, the exceptions allowed under subsection (g) of this section and the following conditions:
 - (1) Income Eligibility of Residents. The occupancy of permanent occupancy spaces shall be restricted to Very Low Income Households for the life of the park. The Affordable Housing Guidelines shall be followed to establish the income and eligibility of residents. For the purposes of this section, if the park receives state or federal financial assistance the average income shall not exceed the Very Low Limits. The Approving Body may authorize the Property Manager to verify the eligibility of residents. Notwithstanding the above, the following residents shall be excluded from these income eligibility requirements:
 - (A) One required on-site management representative plus any other park employee(s) identified in the Management Plan; and
 - (B) Existing residents of the park at the time the conversion to permanent occupancy is approved, but only to the extent the Approving Body determines it is necessary to minimize the displacement and relocation of existing tenants.
 - (2) Maximum Rents and Other Charges. The rents charged for permanent occupancy spaces and non-owner occupied dwelling units that occupy permanent occupancy spaces shall be restricted for the life of the park as specified below. These restrictions shall be included in the Use Permit, a recorded regulatory agreement and the individual leases with residents.
 - (A) Space Rent. The rent and rent increases that may be charged for permanent occupancy spaces shall not exceed the amounts that are allowed under the Mobile Home Rent Adjustment Ordinance, Chapter 13.32 of the Santa Cruz County Code, regardless of the length of occupancy of the individual residents of these spaces.
 - (B) Combined Rent for Dwelling Units and Spaces and multi-unit manufactured housing. The combined rent that may be charged for non-owner occupied dwelling units and spaces or multi-unit manufactured housing shall not exceed the maximum amounts that may be charged for Very Low Income rental units under the Affordable Housing Guidelines.
 - (C) Alternative Standards for Assisted Projects. Notwithstanding subsection (h)(2)(B) of this section, the Approving Body may

approve alternative affordability standards and/or a range of maximum combined rents for non-owner occupied dwelling units and spaces if the park receives state or federal financial assistance and the average combined rent charged for these dwelling units and spaces will not exceed the maximum rent allowed for Lower Income rental units under the Affordable Housing Guidelines.

- (3) Relocation Assistance. Relocation of tenants temporarily or permanently dislocated from the park as a result of the conversion shall be subject to relocation assistance, as provided under Chapter **8.45** of the County Code.
- (4) Management, Operation and Implementation Plans. Prior to approval of a conversion permit for a park that requires capital improvements and/or is the subject of a current code enforcement action by the County, State of California or a local fire protection district, the park owner must submit a Park Improvements Implementation Plan, a Management Plan, and a Maintenance and Operations Plan as follows:
 - (A) Park Improvements Implementation Plan. This plan must address both the timing and financing plan for bringing the park into compliance within five years, in accordance with the standards of this section and related permit conditions. The Plan is subject to approval by the Approving Body and shall contain the following provisions:
 - (i) Improvements. The plan must include a reasonable and orderly plan for converting the physical facilities of the park and complying with the conditions of approval of the conversion permit, while minimizing the impact on park tenants and adjacent property owners/residents.
 - (ii) Improvement Financing. The plan must include a detailed estimate of all costs related to conversion of the park to permanent occupancy, including physical improvements and temporary and permanent tenant relocation costs. In addition, the plan must include a method for financing these costs. The financing method shall indicate a realistic plan for financing the costs consistent within the time allowed for conversion by the Approving Body. Financing may take the form of fi-ont-end financing (cash on hand or loan) and/or financing over time. Financing over time may be approved through the creation of a formal set-aside of part of the rent proceeds. The amount of the set-aside shall be established by the Approving Body, based upon a review of the proposed financing plan. Final approval of the park conversion may be conditioned upon evidence of a loan commitment or the existence of funds on hand. Whatever the form of financing, funds for the park conversion must be deposited in a Capital Improvement Fund independently

- administered by the Property Manager, as described in subsection (h)(4)(b)(i) of this section, or other independent party approved by the County.
- (iii) Extensions. If, after the park owner has demonstrated to the satisfaction of the County that additional time is needed to complete the Implementation Plan, the Approving Body may grant an extension to the completion date as specified in the approved Implementation Plan. In considering whether to approve an extension to the Implementation Plan, the Approving Body shall make a determination that the park owner has proceeded in a diligent manner to complete the Plan and to comply with the conditions of the conversion permit. This determination shall be based on the financial data submitted by the park owner as well as a review of the quarterly reports required as a condition of this permit. Upon granting additional time for the park owner to complete the Implementation Plan, the Approving Body may require the park owner to provide additional funding for the Capital Improvement Fund to cover expenses not identified by the park owner as a part of the approved Implementation Plan.
 - (iv) Waiver. The Approving Body shall waive or reduce the requirements for this Plan if (1) neither capital improvements nor the correction of code violations are conditions of approval for the conversion permit or (2) the park will receive state or federal financial assistance that includes conditions that are comparable to those for which a waiver is requested.
- (B) Management Plan. The Management Plan shall provide for long term property management and maintenance of all facilities and improvements. The Management Plan shall address all applicable conditions of the conversion permit including detailed information concerning any planned displacement and/or relocation of existing residents and the replacement of substandard units within the park. The Management Plan shall provide for both a Property Manager and an On-Site Manager, and shall include proposed lease agreements, the proposed Park Rules, and the Parking Management Plan required per subsection (e)(4) of this section, subject to the following provisions:
- (i) The Property Manager shall be an experienced management agent, with demonstrated ability to operate residential facilities similar to the Project in a manner that will provide decent, safe, and sanitary housing. The Property Manager shall be responsible for overseeing the Capital Improvement Fund, hiring and managing the on-

site manager, and providing regular reports to the County. The park owner shall submit for the County's approval the initial and all subsequent Property Managers until the conversion is completed and the project has been in compliance with the conditions of the conversion permit for three years. The owner shall also submit additional information to the County relevant to the background, experience and financial condition of any proposed Property Manager as is reasonably necessary for the County to determine whether the proposed Property Manager meets the qualifications standards as set forth above. If the proposed Property Manager meets the standard set forth above, the County shall indicate its approval by notifying the owner in writing. Unless the proposed Property Manager is disapproved by the County within thirty (30) days, which disapproval shall state with reasonable specificity the basis for disapproval, it shall be deemed approved. The Property Manager shall be responsible for ensuring that all units that are moved into the park meet all standards set forth in this section and in compliance with all applicable state and local laws and regulations.

- (ii) The On-Site Manager shall be an employee of the Property Manager and shall demonstrate adequate experience and qualifications for the position. While the County is not required to approve the On-Site Manager, the Property Manager must notify the County within thirty (30) days of appointing the initial and subsequent On-Site Managers of their names, responsibilities, assigned work hours and qualifications. In addition to other duties assigned by the Property Manager, the On-Site Manager shall be responsible for enforcing park rules, including monitoring of parking and abandoned vehicles consistent with this subsection and the permit requirements.
- (iii) All lease agreements shall contain appropriate language pertaining to the rights and responsibilities of the owner(s) of the unit and the occupant(s) under the conditions of the conversion permit, including but not limited to:
 - I. A provision requiring compliance with the Parking Management Plan;
 - II. A requirement that no inoperable vehicles be stored within the park;
 - III. A provision that subletting is either not allowed, or that units may only be sublet to Very Low Income Households as required by subsection (h)(1) of this

- section, and that the maximum combined rent for the home and space is restricted pursuant to subsection (h)(2)(B) of this section;
- IV. Notice of the unit owner's responsibility to bring the unit into compliance with the standards within certain time limits, as set forth in subsection (f) of this section, and notice that if the unit is replaced at any time, the replacement unit must meet the standards as set forth in subsection (f)(4) of this section;
 - V. Notice that the storage of hazardous materials is not allowed; and
 - VI. Notice that the unit owner and/or unit occupant is responsible for compliance with the requirements of Section 13.10.685 of the Santa Cruz County Code as they apply to the unit and/or space.
- (iv) Owner Operator. Notwithstanding any language in this subsection (h)(4)(B) which may indicate otherwise, the County may approve a qualified park owner or park owners to act as the Property Manager and/or On-Site Manager described in this subsection (h)(4)(B).
 - (v) Waiver. The Approving Body shall waive or reduce the requirements for this Management Plan if (1) the park is not the subject of a code enforcement action by the County, State of California or a local fire protection district or (2) the park will receive state or federal financial assistance that includes conditions that are comparable to those for which a waiver is requested.
- (C) Maintenance and Operations Plan. The owner shall submit a plan for financing the ongoing operations and maintenance of the park within the budget for the park. That plan, which must be approved by the County, must include an annual operating budget which provides for maintenance at a level which guarantees that the park will be maintained in a safe and sanitary condition. That plan must also provide for either (i) an annual set-aside of three percent of the annual operating budget for a maintenance reserve plus a minimum annual contribution of two percent of the annual operating budget to a capital replacement reserve for the purpose of financing future capital replacement of fixtures, equipment and improvements or (ii) the maintenance of a fully funded replacement reserve account using the methods, procedures and standards laid out for common interest developments in California Civil Code Sections 1365(a) and 1365.5(e). The Approving Body shall waive or reduce the requirements for this Plan if (1) the park is not the subject of a code enforcement action by the County, State of California or a local fire protection district and neither

capital improvements nor the correction of code violations are conditions of approval for the conversion permit or (2) the park will receive state or federal financial assistance that includes conditions that are comparable to those for which a waiver is requested.

- (5) Capital Improvement Fund. As a condition of permit approval, the owner shall be required to establish a Capital Improvement Fund within thirty (30) days of approval of a conversion permit for the purpose of financing the improvements and other costs related to the conversion as described in the Park Improvements Implementation Plan, and for any relocation assistance required under Chapter 8.45. The owner shall deposit all front-end contributions, proceeds from loans and rent or other set-asides into this fund, equivalent to the amount needed to meet the requirements of the approved Park Improvements Implementation Plan, as established in subsection (h)(4)(A) of this section and as approved by the Approving Body. This fund shall be administered by the Property Manager, who shall be accountable for monitoring all contributions to and expenditures from the Fund, and periodically providing a report to the owner and County on Fund activity and balance. In order to insure that all proceeds are directed to the required site improvements and related costs, all disbursements from the Capital Improvement Fund shall be subject to advance approval by the County. The Approving Body shall waive or reduce the requirements for this Fund if (1) neither capital improvements nor the correction of code violations are conditions of approval for the conversion permit or (2) the park receives state or federal financial assistance that includes conditions that are comparable to those for which a waiver is requested.
- (6) Securities. The Approving Body may require securities, such as insurance, a performance bid, letter of credit or similar method, to guarantee the completion of all required park improvements and compliance with the Plans required under subsections (h)(4)(A), (h)(4)(B) and (h)(4)(C) of this section, and related relocation costs.
- (i) Monitoring and Compliance.
- (1) Status Reports. The park owner shall submit to the County periodic status reports detailing compliance with the conditions of the conversion permit. Such reports shall be submitted quarterly until issuance of a certificate of completion for the conversion, and annually thereafter. During the conversion period, the report shall include a status report on the Capital Improvement Fund and the capital improvement activities, prepared by the Property Manager. All status reports shall include a listing of unit occupancy and eligibility and indicate all subleases.
- (2) Completion Report. At the time that the owner believes that the conversion is completed, the owner shall submit a formal report, for review and approval by the County, that summarizes

all improvements made, the total cost for those improvements, the final disposition of the Capital Improvement Fund, and any relocation payments made. Upon review of that document and a field review of the site, if the County finds that the project has met all of the permit requirements, it shall issue the owner a letter acknowledging completion of the requirements for Conversion. Failure to complete the conversion within the time limits established in the use permit may result in the revocation of the use permit pursuant to Chapter 18.10 of the County Code.

- (3) Inspections and Enforcement. County staff shall conduct inspections of a park receiving approval for conversion immediately following receipt of a status report and at other times, as warranted. All deficiencies shall be reported to the park owner in writing within ten (10) business days of their discovery. The park owner shall correct all reported deficiencies within fifteen (15) business days following receipt of the report from the County, unless a longer time period has been agreed to in advance by the County. Continued failure to comply with the conditions of approval of the conversion permit shall subject the property owner to the provisions of Chapter 19.01 of the County Code.
- (4) Fees. The owner shall pay such fees as may be deemed necessary for the County to monitor and enforce the conditions for the conversion permit. (Ord. 4587 § 1, 6/13/2000)

SECTION IV

This ordinance shall take effect 31 days after adoption by the Board of Supervisors.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz this _____ day of _____, 2003, by the following vote:

AYES: SUPERVISORS
 NOES: SUPERVISORS
 ABSENT: SUPERVISORS
 ABSTAIN: SUPERVISORS

CHAIRPERSON, BOARD OF SUPERVISORS

ATTEST: _____
Clerk of the Board

APPROVED AS TO FORM: _____
County Counsel

Copies to: Planning
County Counsel

NOTICE OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

The County of Santa Cruz has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15329 of CEQA for the reason(s) which have been checked on this document.

APPLICATION NO.: N/A
ASSESSOR PARCEL NO.: N/A
PROJECT LOCATION: County-wide
PROJECT DESCRIPTION: Amend Section 13.10.685 of the County Code relating to the conversion of transient occupancy recreational vehicle and travel trailer parks to permanent residency.
APPLICANT: County of Santa Cruz

- A. The proposed activity is not a project under County CEQA Guidelines, Sections 1928 and 501; and State CEQA Guidelines, Section 15377(a).
B. Ministerial Project involving only the use of fixed standards or objective measurements without personal judgment.
C. Statutory Exemption other than a Ministerial Project. Specify type:

D. Categorical Exemption

- 1. Existing Facility
2. Replacement or Reconstruction
3. New Construction of Small Structure
4. Minor Alterations to Land
XX 5. Alterations in Land Use Limitations
6. Information Collection
7. Actions by Regulatory Agencies for Protection of the Environment
8. Actions by Regulatory Agencies for Protection of Nat. Resources
9. Inspection
10. Loans
11. Accessory Structures
12. Surplus Govt. Property Sales
13. Acquisition of Land for Wild-Life Conservation Purposes
14. Minor Additions to Schools
15. Minor Land Divisions
16. Transfer of Ownership of Land to Create Parks
17. Open Space Contracts or Easements
18. Designation of Wilderness Areas
19. Annexation of Existing Facilities/Lots for Exempt Facilities
20. Changes in Organization of Local Agencies
21. Enforcement Actions by Regulatory Agencies
22. Educational Programs
23. Normal Operations of Facilities for Public Gatherings
24. Regulation of Working Conditions
25. Transfers of Ownership of Interests in Land to Preserve Open Space
26. Acquisition of Housing for Housing Assistance Programs
27. Leasing New Facilities
28. Small Hydroelectric Projects at Existing Facilities
29. Cogeneration Projects at Existing Facilities

E. Lead Agency Other Than County:

STAFF PLANNER: Steve Guinec

DATE: 10-03-02

BEFORE THE PLANNING COMMISSION
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. 16-02

On the motion of Commissioner Quintanilla
duly seconded by Commissioner Bremner
the following Resolution is adopted:

PLANNING COMMISSION RESOLUTION REGARDING PROPOSED
AMENDMENT TO COUNTY CODE SECTION 13.10.685 RELATING TO THE
CONVERSION OF TRANSIENT OCCUPANCY RECREATIONAL VEHICLE
AND TRAVEL TRAILER PARKS TO PERMANENT RESIDENCY

WHEREAS, County Code Section 13.10.685 provides for the orderly conversion of permitted, transient occupancy recreational vehicle and travel trailer parks to permanent occupancy for the purpose of maintaining and or establishing safe permanent housing for very low income households; and

WHEREAS, Section 13.10.685 allows for permanent replacement dwelling units to take the form of "multi-unit manufactured housing;" and

WHEREAS, Section 13.10.685 contains an internal inconsistency that makes it unclear how to process applications for transient occupancy recreational vehicle and travel trailer park conversions to permanent occupancy when multi-unit manufactured housing is involved; and

WHEREAS, on March 19,2002, the Board of Supervisors adopted an interim ordinance to rectify the internal inconsistency so that two conversion projects then under review could proceed; and

WHEREAS, the interim ordinance needs to be made permanent to permanently resolve the internal inconsistency; and

WHEREAS, the Planning Commission finds that the proposed amendments to County Code Section 13.10.685 are consistent with the policies of the General Plan and Local Coastal Program; and

WHEREAS, the proposed amendments to County Code Section 13.10.685 have been found to be categorically exempt from review under the California Environmental Quality Act pursuant to Sections 501 and 1805 of the County's CEQA Guidelines and Section 15305 of the State CEQA Guidelines; and

WHEREAS, the Planning Commission finds that the proposed amendment is consistent with the California Coastal Act.


NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission recommends that the amendments to County Code Section 13.10.685 as shown in Attachment 1 be approved by the Board of Supervisors and submitted to the Coastal Commission as part of the Local Coastal Program Update.

PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, State of California, this 23rd day of October, 2002 by the following vote:

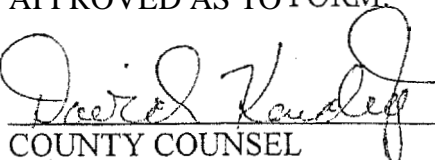
- AYES: COMMISSIONERS Bremner, Durkee, Hummel, Quintanilla & Shepherd
- NOES: COMMISSIONERS
- ABSENT: COMMISSIONERS Holbert and Osmer
- ABSTAIN: COMMISSIONERS



 Chairperson

ATTEST: 

 Cathy Graves, Secretary

APPROVED AS TO FORM:


 COUNTY COUNSEL

cc: County Counsel
Planning Department

Strike through, underline copy of Section 13.10.685

Language proposed to be deleted is shown ~~struck through~~;
proposed new language is shown underlined

13.10.685. Conversion of transient occupancy recreational vehicle and travel trailer parks to permanent occupancy parks.

(a) Purpose. To provide for the orderly conversion of permitted, transient occupancy recreational vehicle and travel trailer parks to permanent occupancy for the purpose of maintaining and/or establishing safe permanent housing for very low income households.

(b) Applicability. This section applies to those recreational vehicles (RV) and travel trailer parks which, as of January 1, 2000 (i.e., the Marmos Pinto Lake Resort located at 324 Amesti Street in Watsonville and the Golden Torch Trailer Park located at 6100 Freedom Boulevard in Aptos), were the subject of court proceedings brought by the county to resolve health, safety and use permit violations at the park and which are located outside of both the Urban Services Line and the Coastal Zone.

1. Except where modified by the requirements of this section, all requirements of the "Mobilehome Parks Act," Division 13, Part 2.1 of the California Health and Safety Code, commencing with Section 18200, and Chapter 2 of Division I of Title 25 of the California Code of Regulations shall apply for all permanent occupancy spaces approved pursuant to this section. In the case of permanent occupancy manufactured housing, the requirements and standards of Title 24 of the California Code of Regulations shall be met.
2. The requirements of Title 16 of the County Code and the Visual Resources policies of the County General Plan/Local Coastal Plan shall apply for all permanent occupancy spaces approved pursuant to this section.

(c) Definitions. The definitions listed below and those contained within Chapter 2 of Division I of Title 25 of the California Code of Regulations and Sections 18200-18700 of the California Health and Safety Code shall apply to this section. In the event that the following definitions conflict with those contained within the cited Code of Regulations and/or Health and Safety Codes, the following definitions shall supercede:

"Affordable Housing Guidelines" means the guidelines that are adopted from time to time by the Santa Cruz County Board of Supervisors pursuant to Chapter 17.10 of the County Code.

"Approving Body" means the Santa Cruz County Board of Supervisors.

"Capital Improvements" means improvements to the real property that must be newly constructed or replaced as a condition of approval to convert spaces within an RV park to

permanent occupancy pursuant to this section. "Capital Improvements" does not include routine maintenance or repairs.

"HCD" means the Department of Housing and Community Development of the State of California.

"Permanent Dwelling Unit" means a unit, as defined below, that is located on permanent occupancy space as defined herein.

"Permanent Occupancy" means occupancy for a period of nine consecutive months or longer of either (1) a space within an RV park by the same unit, ~~or~~ (2) a unit and space within an RV park by the same resident or residents, or (3) multi-unit manufactured housing.

"Permanent Occupancy Space" means a space in an RV park or manufactured housing that has been approved for long-term or permanent occupancy pursuant to this section.

"Resident" means a person or household who resides in an RV park. For the purposes of this section, the terms "occupant," "tenant" and "resident" are used interchangeably to mean a "Resident" as defined herein and do not have the specific meanings defined in either the Recreational Vehicle Park Occupancy Law (Section 799.20, et seq., of the California Civil Code) or the Mobile Home Residency Law (Section 798, et seq., of the California Civil Code).

"RV park" means a trailer park as defined in Section 13.10.700 of the Santa Cruz County Code and regulated in the Santa Cruz County Code. The status of a property as an RV park shall be based on the County use permit and land use designation(s) irrespective of the designation given to the park by HCD or the nature of the permit to operate issued by HCD.

"Title 24" means Title 24 of the California Code of Regulations.

"Title 25" means Chapter 2 of Division I of Title 25 of the California Code of Regulations.

"Unit" means any of the following:

- (1) A "recreational vehicle" as defined in Section 18010(a) of the California Health and Safety Code;
- (2) A "park trailer" as defined in Section 18010(b) of the California Health and Safety Code;
- (3) A "manufactured home" as defined in Section 18007 of the Health and Safety Code;
- (4) A "mobile home" as defined in Section 18008 of the Health and Safety Code; or
- (5) A "multi-unit manufactured housing" as defined in Section 18008.7. of the Health and Safety Code.

"Very Low Income Household" means a household whose annual income is less than fifty (50) percent of the Area Median Income as adjusted for household size and updated from time to time by HCD.

(d) Procedures. A conversion of a pennitted transient occupancy recreational vehicle and travel trailer park to permanent occupancy may be authorized as a discretionary land use approval granted at Approval Level VII pursuant to Chapter 18.10 of the County Code. All procedures for application, review, required findings, approval, amendments and appeals shall be in accordance with Chapter 18.10.

(e) Development Standards.

(1) Density.

(A) The number of permanent occupancy spaces shall not exceed the number of recreational vehicle and/or travel trailer spaces authorized under the current Use Permit for the recreational vehicle and/or travel trailer park issued by the County. Spaces designated for tent camping in the Use Permit may not be converted to permanent occupancy. Continued use of spaces for transient occupancy may be allowed, if such use, including any required amenities and conditions of operation, are clearly incorporated into the conversion permit.

(B) The maximum number of permanent occupancy spaces shall be established based on compliance with the following: the sewage disposal standards and requirements established by Environmental Health Services for permanent occupancy, the water supply standards and requirements established by Environmental Health Services, the California Department of Health Services or the applicable water purveyor required for permanent occupancy and the Development Standards established in this section.

(2) Yard Requirements.

(A) The front yard setback for the park shall be forty (40) feet. The side and rear yard setbacks shall be twenty (20) feet.

(B) A six-foot separation, as specified by Title 25, or approved fire wall as defined in Section 504.6.2 of the California Fire Code or as specifically approved by HCD shall be maintained between all permanent dwelling units.

(3) Community Areas.

(A) Open Space and Required Amenities. A minimum of two hundred (200) square feet of open space per permanent occupancy space shall be provided, as follows:

(i) At least fifty (50) percent of the required open space area shall be provided as community open space, located in areas convenient for the benefit and use of all of the residents. Community open space areas shall have no dimension less than twenty (20) feet. Parking

and roadways shall not be counted as a part of the community open space. The park shall have recreation facilities and playground(s) of sufficient size and in suitable locations to meet the needs of the park residents. The area of recreation facilities and playgrounds may be included as community open space.

- (ii) Each permanent occupancy space shall have at least one hundred (100) square feet of usable open space, defined as any side or rear yard or combination of yards with minimum dimensions of eight feet.
 - (B) **Restrooms/Showers.** Restrooms and showers shall be provided for the use of the residents. The number of restrooms and showers is dependent upon the number of permanent dwelling units, as well as the number of permanent dwelling units which have toilet and shower facilities. At a minimum, one toilet, one sink and one shower shall be provided for each gender. An additional toilet, sink and shower shall be provided for every five permanent dwelling units that do not have toilet and/or shower facilities. Lighting which meets or exceeds the minimum requirements of Title 25 of the California Code of Regulations shall be installed in these facilities. Restroom/shower buildings shall have adequate heating facilities to maintain a temperature of sixty-five (65) degrees (F) during cold weather and to provide at least three gallons of continuous hot water per hour per unit during the times of peak demand.
 - (C) **Optional Amenities.** The Approving Body may approve other amenities to serve the residents of the park, such as convenience stores and laundries, if all requirements for their installation can be met.
- (4) **Parking.** A Parking Management Plan shall be submitted for review by the County and approval by the Approving Body. The Parking Management Plan shall specify how the park will comply with the following parking standards and detail the procedures for insuring long-term compliance with these standards. One off-street parking space shall be provided and located near each permanent unit. Guest parking of an additional twenty (20) percent over the residential requirement shall be provided at various locations in the park. All required parking shall be provided within the park boundaries. Dimensions of all parking spaces shall comply with the requirements of County Code Section 13.10.550 et seq. Because parking is limited, no inoperable vehicle shall be kept within the park for a period of longer than ten (10) business days.
- (5) **Roads and Access.**
- (A) All access roads and driveways shall meet the fire agency requirements for turning radii, overhead clearance and surfacing. The minimum widths of roadways shall conform to the requirements of Title 25, including that two-way roadways shall be no narrower than eighteen (18) feet in width, and one-way roads shall be no narrower than twelve (12) feet in width and shall be clearly marked as one-way.

- (B) All permanent occupancy spaces shall be served from internal private roads or walk ways within the park. There shall be no direct vehicular access between an individual space and a public or private street or alley. Internal streets shall have a clear and unobstructed access to a public thoroughfare.
- (C) Pedestrian access shall be provided throughout the park to provide safe and convenient access to amenities, open space areas, and public roadways.
- (6) Fencing. A six-foot high solid wood fence or masonry wall shall be provided along the side and rear property lines of the park to insure security and separation from adjacent properties. Fences and/or gates in the front yard shall be allowed only if they are compatible with the character of the neighborhood, and shall not exceed three feet in height unless it can be demonstrated that it will not adversely affect sight distance, as determined by the Department of Public Works and the applicable fire district.
- (7) Landscaping. A plan for the development and permanent maintenance of landscaping for the park shall be submitted for review and approval by the Planning Department. Landscaping shall be installed to provide screening between adjacent development and the permanent units, and to enhance the open space areas, as appropriate.
- (8) Garbage and Refuse Disposal. The park owner shall specify how garbage and recyclable materials will be stored, collected and disposed of. The park owner shall, at a minimum, provide for weekly collection of garbage and recyclable materials from the park. More frequent collection may be required, if determined to be necessary by the Approving Body.
- (9) Sewage Disposal. All sewage and/or gray water shall be disposed of in a disposal system approved by County Environmental Health Services pursuant to Chapter 7.38 of the County Code.
- (10) Water. An accessible, adequate, safe and potable supply of water shall be provided to each permanent unit in the park. Water service may be provided either through community water system that is approved by County Environmental Health Services pursuant to Chapter 7.71 of the County Code, or a system approved by the California Department of Health Services or by connection to a public water system.
- (11) Drainage. A drainage plan, prepared by a Registered Professional Engineer, shall be submitted for review by the Planning Department and the Department of Public Works and approval by the Approving Body. Ponding underneath RVs is prohibited.

- (12) Fire Protection. All requirements of the applicable fire protection agency shall be met, except for those road width and unit separation standards of the fire district that exceed the standards of Title 25 or this section.
- (13) Lighting. Site lighting shall be provided that meets or exceeds the minimum illumination standards of Title 25.

(f) Development Standards--Permanent Dwelling Units.

- (1) A compacted level pad shall be provided for each permanent dwelling unit. Each unit shall be anchored to the pad through an anchoring system approved by the County, HCD or HUD.
- (2) Each permanent dwelling unit shall be permanently connected to electrical, gas, water, and sewer systems by approved connections, per the requirements of Title 25.
- (3) Skirting shall be installed on all permanent dwelling units to prevent access underneath the unit and to provide an aesthetic appearance of the unit.
- (4) All replacement permanent dwelling units installed after the issuance of the conversion permit shall comply with Health and Safety Code Section 18604, which requires that units meet minimum construction standards. Allowable replacement dwelling units include:
 - (A) A "recreational vehicle" as defined in Section 18010(a) of the California Health and Safety Code except that neither truck campers nor tent trailers shall be allowed,
 - (B) A "park trailer" as defined in Section 18010(b) of the California Health and Safety Code;
 - (C) A "manufactured home" as defined in Section 18007 of the Health and Safety Code;
 - (D) A "mobile home" as defined in Section 18008 of the Health and Safety Code; or
 - (E) A "multi-unit manufactured housing" as defined in Section 18008.7 of the Health and Safety Code.
- (5) Any accessory structure on a permanent occupancy space shall comply with the development standards of this section and applicable building codes, shall be specifically authorized by both park management and the enforcement agency, and shall be constructed in accordance with appropriate permit(s).

(g) Exceptions to Development Standards, Exceptions to the development standards set forth in this section may be granted in order to facilitate the conversion of existing transient occupancy recreational vehicle and/or travel trailer parks to permanent occupancy parks with minimal displacement of existing residents. As part of consideration of an application by the park owner, a tenant or a tenant's organization may

request exceptions and conditional exceptions to the park or unit development standards established pursuant to subsections 13.10.685(e) and (f) and the Approving Body may authorize such exceptions, other than exceptions to the requirements for minimum septic and water systems, provided that the following findings can be made:

- (1) That the exception is necessary for either the proper design or function of the permanently occupied park or space, or to minimize the displacement of park residents; and
- (2) That the granting of the exception will not be detrimental to the public health, safety and welfare or injurious to other property in the area in which the property is situated; and
- (3) That the granting of the exception is in accordance with the objectives of the County General Plan/Local Coastal Plan.
- (4) Conversion Conditions. The conversion of an RV park to permanent occupancy may be approved in whole or in part by the Approving Body, subject to the development standards in subsections (e) and (f) of this section, the exceptions allowed under subsection (g) of this section and the following conditions:
 - (1) Income Eligibility of Residents. The occupancy of permanent occupancy spaces shall be restricted to Very Low Income Households for the life of the park. The Affordable Housing Guidelines shall be followed to establish the income and eligibility of residents. For the purposes of this section, if the park receives state or federal financial assistance the average income shall not exceed the Very Low Limits. The Approving Body may authorize the Property Manager to verify the eligibility of residents. Notwithstanding the above, the following residents shall be excluded from these income eligibility requirements:
 - (A) One required on-site management representative plus any other park employee(s) identified in the Management Plan; and
 - (B) Existing residents of the park at the time the conversion to permanent occupancy is approved, but only to the extent the Approving Body determines it is necessary to minimize the displacement and relocation of existing tenants.
 - (2) Maximum Rents and Other Charges. The rents charged for permanent occupancy spaces and non-owner occupied dwelling units that occupy permanent occupancy spaces shall be restricted for the life of the park as specified below. These restrictions shall be included in the Use Permit, a recorded regulatory agreement and the individual leases with residents.
 - (A) Space Rent. The rent and rent increases that may be charged for permanent occupancy spaces shall not exceed the amounts that are allowed under the Mobile Home Rent Adjustment Ordinance, Chapter 13.32 of the Santa Cmz County Code,

regardless of the length of occupancy of the individual residents of these spaces.

- (B) Combined Rent for Dwelling Units and Spaces and multi-unit manufactured housing. The combined rent that may be charged for non-owner occupied dwelling units and spaces or multi-unit manufactured housing shall not exceed the maximum amounts that may be charged for Very Low Income rental units under the Affordable Housing Guidelines. ~~For the purposes of this section, the maximum rent allowed under the Affordable Housing Guidelines, for a zero bedroom or studio unit shall apply for recreational vehicles.~~
- (C) Alternative Standards for Assisted Projects. Notwithstanding subsection (h)(2)(B) of this section, the Approving Body may

approve alternative affordability standards and/or a range of maximum combined rents for non-owner occupied dwelling units and spaces if the park receives state or federal financial assistance and the average combined rent charged for these dwelling units and spaces will not exceed the maximum rent allowed for Lower Income rental units under the Affordable Housing Guidelines.

- (3) Relocation Assistance. Relocation of tenants temporarily or permanently dislocated from the park as a result of the conversion shall be subject to relocation assistance, as provided under Chapter 8.45 of the County Code.
- (4) Management, Operation and Implementation Plans. Prior to approval of a conversion permit for a park that requires capital improvements and/or is the subject of a current code enforcement action by the County, State of California or a local fire protection district, the park owner must submit a Park Improvements Implementation Plan, a Management Plan, and a Maintenance and Operations Plan as follows:
- (A) Park Improvements Implementation Plan. This plan must address both the timing and financing plan for bringing the park into compliance within five years, in accordance with the standards of this section and related permit conditions. The Plan is subject to approval by the Approving Body and shall contain the following provisions:
- (i) Improvements. The plan must include a reasonable and orderly plan for converting the physical facilities of the park and complying with the conditions of approval of the conversion permit, while minimizing the impact on park tenants and adjacent property owners/residents.
- (ii) Improvement Financing. The plan must include a detailed estimate of all costs related to conversion of the park to permanent occupancy, including physical improvements and temporary and permanent tenant relocation costs. In addition, the plan must include a method for financing

these costs. The financing method shall indicate a realistic plan for financing the costs consistent within the time allowed for conversion by the Approving Body.

Financing may take the form of front-end financing (cash on hand or loan) and/or financing over time. Financing over time may be approved through the creation of a formal set-aside of part of the rent proceeds. The amount of the set-aside shall be established by the Approving Body, based upon a review of the proposed financing plan. Final approval of the park conversion may be conditioned upon evidence of a loan commitment or the existence of funds on hand. Whatever the form of financing, funds for the park conversion must be deposited in a Capital Improvement Fund independently administered by the Property Manager, as described in subsection (h)(4)(b)(i) of this section, or other independent party approved by the County.

(iii) Extensions. If, after the park owner has demonstrated to the satisfaction of the County that additional time is needed to complete the Implementation Plan, the Approving Body may grant an extension to the completion date as specified in the approved Implementation Plan. In considering whether to approve an extension to the Implementation Plan, the Approving Body shall make a determination that the park owner has proceeded in a diligent manner to complete the Plan and to comply with the conditions of the conversion permit. This determination shall be based on the financial data submitted by the park owner as well as a review of the quarterly reports required as a condition of this permit. Upon granting additional time for the park owner to complete the Implementation Plan, the Approving Body may require the park owner to provide additional funding for the Capital Improvement Fund to cover expenses not identified by the park owner as a part of the approved Implementation Plan.

(iv) Waiver. The Approving Body shall waive or reduce the requirements for this Plan if (1) neither capital improvements nor the correction of code violations are conditions of approval for the conversion permit or (2) the park will receive state or federal financial assistance that includes conditions that are comparable to those for which a waiver is requested.

(B) Management Plan. The Management Plan shall provide for long term property management and maintenance of all facilities and improvements. The Management Plan shall address all applicable conditions of the conversion permit

including detailed information concerning any planned displacement and/or relocation of existing residents and the replacement of substandard units within the park. The Management Plan shall provide for both a Property Manager and an On-Site Manager, and shall include proposed lease agreements, the proposed Park Rules, and the Parking Management Plan required per subsection (e)(4) of this section, subject to the following provisions:

- (i) The Property Manager shall be an experienced management agent, with demonstrated ability to operate residential facilities similar to the Project in a manner that will provide decent, safe, and sanitary housing. The Property Manager shall be responsible for overseeing the Capital Improvement Fund, hiring and managing the on-site manager, and providing regular reports to the County. The park owner shall submit for the County's approval the initial and all subsequent Property Managers until the conversion is completed and the project has been in compliance with the conditions of the conversion permit for three years. The owner shall also submit additional information to the County relevant to the background, experience and financial condition of any proposed Property Manager as is reasonably necessary for the County to determine whether the proposed Property Manager meets the qualifications standards as set forth above. If the proposed Property Manager meets the standard set forth above, the County shall indicate its approval by notifying the owner in writing. Unless the proposed Property Manager is disapproved by the County within thirty (30) days, which disapproval shall state with reasonable specificity the basis for disapproval, it shall be deemed approved. The Property Manager shall be responsible for ensuring that all units that are moved into the park meet all standards set forth in this section and in compliance with all applicable state and local laws and regulations.
- (ii) The On-Site Manager shall be an employee of the Property Manager and shall demonstrate adequate experience and qualifications for the position. While the County is not required to approve the On-Site Manager, the Property Manager must notify the County within thirty (30) days of appointing the initial and subsequent On-Site Managers of their names, responsibilities, assigned work hours and qualifications. In addition to other duties assigned by the Property Manager, the On-Site Manager shall be responsible for enforcing park rules, including monitoring of parking and abandoned

vehicles consistent with this subsection and the permit requirements.

- (iii) All lease agreements shall contain appropriate language pertaining to the rights and responsibilities of the owner(s) of the unit and the occupant(s) under the conditions of the conversion permit, including but not Limited to:
 - I. A provision requiring compliance with the Parking Management Plan;
 - II. A requirement that no inoperable vehicles be stored within the park;
 - III. A provision that subletting is either not allowed, or that units may only be sublet to Very Low Income Households as required by subsection (h)(1) of this section, and that the maximum combined rent for the home and/or space is restricted pursuant to subsection (h)(2)(B) of this section;
 - IV. Notice of the unit owner's responsibility to bring the unit into compliance with the standards within certain time limits, as set forth in subsection (f) of this section, and notice that if the unit is replaced at any time, the replacement unit must meet the standards as set forth in subsection (f)(4) of this section;
 - V. Notice that the storage of hazardous materials is not allowed; and
 - VI. Notice that the unit owner and/or unit occupant is responsible for compliance with the requirements of Section.13.10.685 of the Santa Cruz County Code as they apply to the unit and/or space.
- (iv) Owner Operator. Notwithstanding any language in this subsection (h)(4)(B) which may indicate otherwise, the County may approve a qualified park owner or park owners to act as the Property Manager and/or On-Site Manager described in this subsection (h)(4)(B).
- (v) Waiver. The Approving Body shall waive or reduce the requirements for this Management Plan if (1) the park is not the subject of a code enforcement action by the County, State of California or a local fire protection district or (2) the park will receive state or federal financial assistance that includes conditions that are comparable to those for which a waiver is requested.
- (C) Maintenance and Operations Plan. The owner shall submit a plan for financing the ongoing operations and maintenance of the park within the budget for the park. That plan, which must be approved by the County, must include an annual operating budget which provides for maintenance at a level which

guarantees that the park will be maintained in a safe and sanitary condition. That plan must also provide for either (i) an annual set-aside of three percent of the annual operating budget for a maintenance reserve plus a minimum annual contribution of two percent of the annual operating budget to a capital replacement reserve for the purpose of financing future capital replacement of fixtures, equipment and improvements or (ii) the maintenance of a fully funded replacement reserve account using the methods, procedures and standards laid out for common interest developments in California Civil Code Sections 1365(a) and 1365.5(e). The Approving Body shall waive or reduce the requirements for this Plan if (1) the park is not the subject of a code enforcement action by the County, State of California or a local fire protection district and neither capital improvements nor the correction of code violations are conditions of approval for the conversion permit or (2) the park will receive state or federal financial assistance that includes conditions that are comparable to those for which a waiver is requested.

- (5) Capital Improvement Fund. As a condition of permit approval, the owner shall be required to establish a Capital Improvement Fund within thirty (30) days of approval of a conversion permit for the purpose of financing the improvements and other costs related to the conversion as described in the Park Improvements Implementation Plan, **and** for any relocation assistance required under Chapter 8.45. The owner shall deposit all front-end contributions, proceeds from loans and rent or other set-asides into this fund, equivalent to the amount needed to meet the requirements of the approved Park Improvements Implementation Plan, as established in subsection (h)(4)(A) of this section and as approved by the Approving Body. This fund shall be administered by the Property Manager, who shall be accountable for monitoring all contributions to and expenditures from the Fund, and periodically providing a report to the owner and County on Fund activity and balance. In order to insure that all proceeds are directed to the required site improvements and related costs, all disbursements from the Capital Improvement Fund shall be subject to advance approval by the County. The Approving Body shall waive or reduce the requirements for this Fund if (1) neither capital improvements nor the correction of code violations are conditions of approval for the conversion permit or (2) the park receives state or federal financial assistance that includes conditions that are comparable to those for which a waiver is requested.
- (6) Securities. The Approving Body may require securities, such as insurance, a performance bid, letter of credit or similar method, to guarantee the completion of all required park improvements and compliance with the Plans required under subsections (h)(4)(A), (h)(4)(B) and (h)(4)(C) of this section, and related relocation costs.

- (i) Monitoring and Compliance.
- (1) Status Reports. The park owner shall submit to the County periodic status reports detailing compliance with the conditions of the conversion permit. Such reports shall be submitted quarterly until issuance of a certificate of completion for the conversion, and annually thereafter. During the conversion period, the report shall include a status report on the Capital Improvement Fund and the capital improvement activities, prepared by the Property Manager. All status reports shall include a listing of unit occupancy and eligibility and indicate all subleases.
 - (2) Completion Report. At the time that the owner believes that the conversion is completed, the owner shall submit a formal report, for review and approval by the County, that summarizes all improvements made, the total cost for those improvements, the final disposition of the Capital Improvement Fund, and any relocation payments made. Upon review of that document and a field review of the site, if the County finds that the project has met all of the permit requirements, it shall issue the owner a letter acknowledging completion of the requirements for conversion. Failure to complete the conversion within the time limits established in the use permit may result in the revocation of the use permit pursuant to Chapter 18.10 of the County Code.
 - (3) Inspections and Enforcement. County staff shall conduct inspections of a park receiving approval for conversion immediately following receipt of a status report and at other times, as warranted. All deficiencies shall be reported to the park owner in writing within ten (10) business days of their discovery. The park owner shall correct all reported deficiencies within fifteen (15) business days following receipt of the report from the County, unless a longer time period has been agreed to in advance by the County. Continued failure to comply with the conditions of approval of the conversion permit shall subject the property owner to the provisions of Chapter 19.01 of the County Code.
 - (4) Fees. The owner shall pay such fees as may be deemed necessary for the County to monitor and enforce the conditions for the conversion permit. (Ord. 4587 § 1, 6/13/2000)



County of Santa Cruz

PLANNING DEPARTMENT

701 OCEAN STREET - 4TH FLOOR, SANTA CRUZ, CA 95060
 (831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

ALVIN D. JAMES, DIRECTOR

December 17, 2002

Board of Supervisors
 County of Santa Cruz
 701 Ocean Street
 Santa Cruz CA 95060

APPROVED AND FILED
BOARD OF SUPERVISORS AGENDA: January 7, 2002
 DATE: 1/7/03
 COUNTY OF SANTA CRUZ
 SUSAN A. MAURIELLO
 EX-OFFICIO CLERK OF THE BOARD
 BY Susan Mauriello DEPUTY

**SCHEDULE A PUBLIC HEARING TO CONSIDER PLANNING COMMISSION
 RECOMMENDATION TO AMEND COUNTY CODE SECTION 13.10.685 RELATING
 TO CONVERSION OF TRANSIENT OCCUPANCY RECREATIONAL VEHICLE
 AND TRAVEL TRAILER PARKS TO PERMANENT RESIDENCY**

Members of the Board:

On April 23, 2002 your Board extended an interim ordinance that addressed an internal inconsistency within the current RV Conversion Ordinance and directed the Planning Department to complete processing of a permanent ordinance within the term of the interim ordinance. The interim ordinance will expire on May 8, 2003. On October 23, 2002, the Planning Commission considered the permanent ordinance and recommended its approval to your Board.

RECOMMENDATION

It is, therefore, RECOMMENDED that your Board:

1. Schedule a public hearing on this matter on the morning of February 4, 2003 to consider the recommendation of the Planning Commission; and
2. Direct the Clerk of the Board to provide the appropriate public notice of the hearing.

Sincerely,

Alvin D. James
 Planning Director

RECOMMENDED:

SUSAN A. MAURIELLO
 County Administrative Officer

2/4/03 #39

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