

ATTACHMENT 2

ORDINANCE NO. _____

**ORDINANCE AMENDING CHAPTER 13.10
OF THE SANTA CRUZ COUNTY CODE RELATING TO THE
CONVERSION OF TRANSIENT OCCUPANCY RECREATIONAL VEHICLE AND
TRAVEL TRAILER PARKS TO PERMANENT OCCUPANCY**

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

SECTION I

The following new Section is hereby added to Chapter 13.10 of the Santa Cruz County Code:

**13.10.685 CONVERSION OF TRANSIENT OCCUPANCY RECREATIONAL
VEHICLE AND TRAVEL TRAILER PARKS TO PERMANENT OCCUPANCY PARKS**

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

(b) Applicability. This section applies to those recreational vehicle and travel trailer parks which have been issued use permits by the County of Santa Cruz prior to the adoption of this ordinance and which are located outside the Urban Services Line.

(c) Definitions.

The definitions contained within Title 25 California Code of Regulations and Sections 18200-18700 of the Health and Safety Code shall apply to this ordinance, in addition to the following:

1. "Low Income" or "Lower Income" shall be defined as having an annual income less than 80 percent of Median Income, adjusted for household size.
2. "Median Income" shall be as defined in the County's Affordable Housing Guidelines, adjusted for household size.
3. "Very Low Income" shall be defined as having an annual income less than 50 percent of Median Income, adjusted for household size.
4. "Very, Very Low Income" shall be defined as having an annual income less than 35 percent of Median Income, adjusted for household size.

(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. All procedures for application, review, approval, amendments and appeals shall be in accordance with Chapter 18.10.

(e) Development Standards - Park.

1. Density.

i) The maximum number of permanently occupied units shall be established based on compliance with the following:

- the sewage disposal standards of Environmental Health Services required for permanent occupancy,
- the water supply standards of Environmental Health Services or the applicable water district required for permanent occupancy, and
- the park and unit standards included in this ordinance.

ii) The number of permanently occupied units 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 conditions of operation, are clearly incorporated into the conversion permit.

2. Yard Requirements - Park.

i) The front yard setback for the park shall be 40 feet. The side and rear yard setbacks shall be 20-feet.

ii) A 6-foot separation shall be maintained between all permanently occupied units.

3. Community Areas - Park

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

- At least fifty percent of required open space area shall be provided as community open space, located in areas convenient for the benefit and use of the residents. Open space areas shall have no dimension less than 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.

- Each permanent unit shall have at least 100 square feet of usable open space, as defined by County Code Section 13.10.324(f).

ii) 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 units, as well as the number of permanent units which have toilet and shower facilities. One restroom and one shower for each sex is required for every 5 units that do not have toilet and shower facilities. All permanent units without toilet and shower facilities shall be located within 100-feet of a restroom and/or shower facility. Lighting shall be installed in these facilities which meets or exceeds the minimum requirements of Title 25. Restroom/show& buildings shall have adequate heating facilities to maintain a temperature of 65 degrees (F) during cold weather and to provide at least 3 gallons of continuous hot water per hour per unit during the times of peak demand.

iii) Optional Amenities. Other amenities, such as convenience stores, laundries, etc., to serve the residents of the park may be approved by the Approving Body if all requirements for their installation can be met.

4. Parking - Park. A Parking Management Plan shall be submitted for review and approval. 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 adjacent to the permanent unit. Guest parking, an additional 20% over the residential requirement, shall be provided at various locations in the park. All parking must be provided within the park boundaries. Dimensions of all parking spaces shall comply with County Code requirements. Because parking is limited, inoperable vehicles are not permitted to be stored within the park (storage is defined as longer than 10 business days).

5. Roads and Access - Park.

i) All access roads and driveways shall meet the fire agency requirements for turning radii, overhead clearance and surfacing. The minimum paved width of all two-way roadways shall be no narrower than 18-feet in width. One-way roads shall be no narrower than 12-feet in width, and shall be clearly marked as One Way.

ii) All permanent units shall be served from internal private roads within the park. There shall be no direct vehicular access to a public or private street or alley. Internal streets shall have a clear and unobstructed access to a public thoroughfare.

iii) Pedestrian access shall be provided throughout the park to provide safe and convenient access to amenities, open space area, and public roadways.

6. Fencing - Park. A 6-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 only be allowed if they are

compatible with the character of the neighborhood, and shall not exceed 3-feet in height unless it can be demonstrated that it will not adversely affect sight distance.

7. Landscaping - Park. 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 - Park. 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 - Park. All sewage and/or gray water shall be disposed of in a community sewage disposal system, approved by Environmental Health Services, or by connection to the County Sanitation District facilities.

IO. Water - Park. 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 a community water system, approved by Environmental Health Services, or by connection to a municipal water system.

11. Drainage - Park. A drainage plan, prepared by a Registered Professional Engineer, shall be submitted for review and approval by the Department of Public Works. All rainwater shall be directed off of the site, and on-site detention may be required depending upon downstream conditions. Ponding underneath trailers is not allowed.

12. Fire Protection - Park. 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 this ordinance.

13. Lighting - ~~Stack~~ lighting shall be provided that meets or exceeds the minimum illumination standards of Title 25.

f) Development Standards - Permanent Units

1. Each unit shall be provided with a compacted, level pad. Each unit shall be anchored to the pad through an anchoring system approved by the County.
2. Each unit shall be permanently connected to the electrical, gas, water, and sewer systems by approved connections.

3. Skirting shall be installed on all units to prevent access underneath the trailer and to provide an aesthetic appearance of the unit.

4. All replacement units installed after the issuance of the conversion permit shall comply with Health and Safety Code Section 18604.

5. No habitable accessory structures are allowed in conjunction with the permanent unit, except for one non-habitable storage cabinet measuring no more than 100 square feet and 10 feet in height. One light fixture and one outlet (2 plug, 1 IO volt) may be installed in the storage cabinet. Plumbing is not allowed.

g) Exceptions. Exceptions and conditional exceptions to the park or unit development standards established pursuant to subsection 13.10.685 e) and f) may be authorized provided that the following findings are made:

1. That there are special circumstances or conditions affecting the property; and

2. That the exception is necessary for either the proper design or function of the permanently occupied recreational/travel trailer park or to minimize the displacement of residents; and

3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which the property is situated; and

4. That the granting of the exception is in accordance with the objectives of the General Plan and elements thereof.

h) Conversion Conditions. The conversion of a permitted transient occupancy recreational vehicle and/or travel trailer park to permanent occupancy may be approved by the Approving Body, subject to the development standards in (e) and (f) above and the following conditions:

1. Income Eligibility of Residents. Except as provided in sub-section 3 below, spaces in the park shall be restricted for the life of the park to rental by Very, Very Low Income households, to the maximum extent determined feasible by the Approving Body. In no event shall such restricted spaces be subject to rent by a household exceeding Very Low Income.

2. Maximum Rents and Other Charges. The affordability restrictions and maximum space rents for the permanent occupancy park, including any and all sub-leases, shall be as follows:

a. Space Only Rent: The rental charge for occupancy of a space, exclusive of any

charges for utilities and storage, shall be the lesser of the following:

- i. 15 percent of the maximum income for a 3-person Very, Very Low Income household, or _
- ii. the rent as calculated through the County's Mobile Home Rent Control Ordinance.

b. Unit Rent In Addition to Space Rent: The rental charge for a recreational vehicle or travel trailer unit shall not exceed 15 percent of the maximum income for a 3-person Very, Very Low Income household. In the event that the tenant is purchasing the recreational vehicle or travel trailer from the park owner, the monthly mortgage payment shall not exceed 15 percent of the maximum income for a 3-person Very, Very Low Income household.

c. If one or more utility services are paid by the park management, management may charge the tenant, on a monthly basis, the actual amount paid by the park management on behalf of the tenant.

d. Where disputes arise regarding rent levels or utility charges, they will be resolved, where appropriate, through the provisions of the County Code Chapter 13.32 - Rental Adjustment Procedures for Mobile Home Parks.

3. Income Eligibility Exceptions. Exceptions to the household income limits specified in sub-section 1 above shall be as follows:

- a. For one required on-site manager; and
- b. For existing tenants at the time application for conversion is filed, but only to the extent determined by the Approving Body to be necessary to minimize the relocation of Lower Income tenants.

4. 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.

5. Management and Implementation Plan. Prior to approval of a conversion permit an owner must prepare and the County must approve a Park Improvements Implementation Plan, a Management Plan, and a Maintenance and Operations Plan as follows:

- a. Park Improvements Implementation Plans. This plan must address both the timing and financing plan for bringing the park into compliance within 5 years, in accordance with the standards of this ordinance 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 with the time allowed for conversion by the Approving Body. Proof of financing shall take the form of front-end financing (cash on hand or loan) and/or financing over time. Front-end financing must be supported by evidence of a loan commitment or the existence of funds on hand. 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. Whatever the form of financing, funds for park conversion must be deposited in a Capital Improvement Fund independently administered by the Property Manager, as described in Section 6 below.

- 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.

- 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. The 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 Section (e)4., 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 will be responsible, among other duties, 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 3 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 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 laws and regulations.

ii. The On-Site Manager shall be a full-time 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 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 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:

- a. a provision requiring compliance with the Parking Management Plan;
- b. a requirement that no inoperable vehicles be stored within the park;
- c. a provision that subletting is allowed only if the total rent charged to the occupant(s) of the unit does not exceed the sum of the maximum amount allowed for Space Only Rent plus the maximum amount allowed for Unit Rent In Addition to Space Rent, as provided in paragraphs g) 2. a. and g) 2. b. above;
- d. notice of the unit owner's responsibility to bring the unit into

compliance with habitability standards within certain time limits, as set forth in Section f) 4. above, and notice that if the unit is replaced at any time, the replacement unit must meet habitability standards as set forth in paragraph f) 5. above

- c. Finance. Maintenance and Operations Plan. The owner shall provide 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 an annual set-aside of 3% of the annual operating budget for a maintenance reserve. Additionally, the plan must include a minimum annual contribution of 2% of the annual operating budget to a capital replacement reserve for the purpose of financing future capital replacement of fixtures, equipment and improvements.
6. Capital Improvement Fund. As a condition of permit approval, the owner shall be required to establish a Capital Improvement Fund within 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 5a(ii) 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.
7. Securities. The Approving Body may require securities to guarantee the completion of all required park improvements and compliance with the Plans required under subsections 5 a. through c. above, 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 indicate all subleases.

2. Certificate of Completion. 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 certificate of completion for the conversion.

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 10 business days of their discovery. The park owner shall correct all reported deficiencies within 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 19.0 1 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.

SECTION II

This ordinance shall take effect on the 31st day after the date of final passage outside the Coastal Zone, and upon certification by the California Coastal Commission within the Coastal Zone.

PASSED AND ADOPTED this ____ day of _____ 1999, by the Board of Supervisors of the County of Santa Cruz by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Chairperson of the Board of Supervisors

ATTESTED: _____
Clerk of the Board

APPROVED AS TO FORM: *Dwight L. Kern*
County Counsel

DISTRIBUTION: County Counsel
Redevelopment Agency
Planning
CAO -

Recreational Park Conversion Ordinance Overview

684

Qualifying Parks:

1. Must have existing use permit for temporary occupancy
2. Park must be outside of Urban Services Area

Intensity of Development Allowed:

1. Cannot exceed number allowed by current temporary occupancy permit
2. Actual number based upon ability to conform to site and unit standards

Site Standards:

1. Typical park side, rear and front yard setbacks
2. Space layout such that there is minimum 6 ft. unit separation
3. Minimum open space requirements (200 sq. ft./unit; ½ common & ½ private)
4. Minimum standards for community restrooms and showers
5. Minimum parking (1 space/ unit + 20% guest)
6. Minimum road widths (18 foot — two way; 12 foot — one way)
7. Meet other fire district requirements
8. Required side and rear 6 foot high fencing
9. Required landscape plan
10. Minimal garbage storage and collection
- 11. Must meet Environmental Health sewage system requirements**
- 12. Must meet Environmental Health water system requirements**
13. Storm water drainage plan
14. Plan for adequate park lighting

Individual Unit Requirements:

1. Must be on compact and level pad
2. Permanent utility connections
- 3. Program for upgrading coaches over time to meet basic code requirements**
4. Allow 100 sq.ft. non-habitable accessory structure/unit (for storage)

Variance from Site or Unit Requirements:

1. Standard variance findings
2. Provision for taking into account minimizing tenant relocation

Other Conversion Restrictions:

- 1. Income limits for residents — very, very low or very low income**
2. Also subject to mobile home rent control restrictions
3. Rent set at level that provides 50% to space rent and 50% to unit rent/mortgage (total of 30% of income)
4. Allow only pass-through of utility charges
- 5. Owner liable for relocation assistance (per CC 8.45)**

6. Subject to Management and Implementation Plan requirements (see below)
7. Subject to Monitoring and Permit Compliance requirements (see below)

implementation Plan (to be submitted with development application):

1. Must include list of proposed improvements, timing, and financing (implementation cannot exceed 5 years)
2. Financing plan must show sources & evidence of financial commitments
3. Financing can be met through rent set-aside (amount to be approved as part of permit)
4. All funds designated for capital improvements must be deposited in Capital Improvement Fund (see below)
5. Once implementation underway, may apply for additional time to complete conversion

Management Plan (to be submitted with development application):

1. Must provide for experienced property manager (to be approved by County)
2. Property manager to hire qualified on-site manager

Maintenance & Operations Plan (to be submitted with development application):

1. Owner must submit initial O&M budget
2. Budget to include set-asides for maintenance reserve and capital replacement reserve

Capital Improvement Fund:

1. All funds for improvements deposited in this fund
2. Managed by Property Manager
- 3. County must approve release of funds**
4. Periodic reports on account status to owner and county

Monitoring and Permit Compliance:

1. Quarterly status reports during conversion period; yearly thereafter
2. Regular and special county inspections
3. Reimbursement for all county costs for compliance review