



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

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 ALVIN JAMES, DIRECTOR

April 17, 2002

Agenda: April 23, 2002

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

EXTENDING THE INTERIM ORDINANCE REGARDING AMENDMENTS TO THE RV CONVERSION ORDINANCE

Members of the Board:

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 is 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.

The interim ordinance was justified on a number of grounds. First, the two projects currently under review (Marmo’s and Golden Torch) require these amendments to proceed. These sites are under court order to address a variety of health and safety issues. The approval of these projects is required to fully implement a plan for addressing the full range of health and safety concerns. Second, in order for the project to be constructed, it will require a significant infusion of Tax Credit financing, constituting about 30% of total project financing. The application deadline to compete for those funds is in July, thereby requiring final action on the permit application by the Board in June and the Planning Commission in May. And third, both projects are housing projects that will be 100% affordable to lower or very low income households and, as such are entitled to priority processing of the discretionary permits required for the development in accord with 17.10.040 County Code. The urgency to amend the RV Conversion Ordinance will facilitate processing this project.

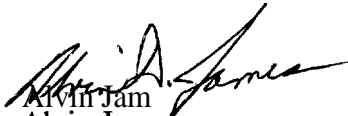
Pursuant to Government Code Section 65858, your Board may extend the expiration of the Interim Ordinance, following a public hearing, for a period of 10 months and 15 days to allow for the completion of the permanent ordinance. Planning staff has just begun the work necessary to process the permanent ordinance amendment and additional time is needed.

It is therefore RECOMMENDED that your Board take the following actions:

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1. Conduct a public hearing to consider extending the Interim Ordinance Amending Section 13.10.685 of the Santa Cruz County Code clarifying standards for consideration of multi-unit manufactured housing
2. Adopt the attached Ordinance Extending Interim Ordinance Amending Section 13.10.685 of the Santa Cruz County Code clarifying standards for consideration of multi-unit manufactured housing; and
3. Direct the Planning Department to complete the processing of the permanent ordinance within the term of the Interim Ordinance extension.

Sincerely,


Alvin James
Alvin James
Planning Director

RECOMMENDED: _____


Susan A. Mauriello
County Administrative Officer

- Attachment:
1. Ordinance Extending an Interim Ordinance Amending RV Conversion Ordinance
 2. Interim Ordinance 4657

ORDINANCE NO. _____

ORDINANCE EXTENDING AN INTERIM 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

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 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:

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“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 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 13.10.550et 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 0398 excepted 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 0399

(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. ~~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.

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(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

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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.

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(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.

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(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.

(5) 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 11

This ordinance shall take effect immediately based on the findings by the Board of Supervisors that this ordinance is adopted consistent with Government Code Section 65858, and is necessary for the protection of the public health, safety, and general welfare. The facts constituting the need for this ordinance are that there are two parks that are now being considered for conversion to permanent occupancy, and these projects represent a crucial affordable housing resource within the County. Both parks have critical health and safety needs that must be addressed. One of the projects is seeking tax credit funding which requires consideration and action on the project by the County within the next sixty (60) days. Processing of the applications cannot take place without clarifying the standards to be applied to the type of conversion being proposed.

Pursuant to Government Code Section 65858, this ordinance shall be in full force and effect

for 10 months and 15 days from the date of its adoption by the Board of Supervisors, unless, following a public hearing noticed pursuant to Government Code Section 65090 and four-fifths vote of its members, the Board of Supervisors extends the interim ordinance in accordance with the provisions of Government Code Section 65858.

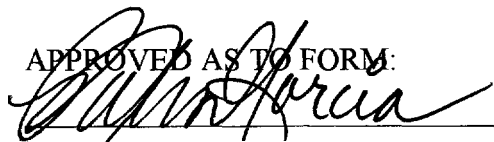
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PASSED AND ADOPTED this ____ day of _____, 2002, by the Board of Supervisors of the County of Santa Cruz by the following vote:

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

Chairperson of the
Board of Supervisors

Attest: _____
Clerk of the Board

APPROVED AS TO FORM:


Assistant County Counsel

ORDINANCE NO. 4657

0405

**INTERIM 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

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 25” means Chapter 2 of Division I of Title 25 of the California Code of Regulations or Title 24 of the California Code of Regulations in the case of multi-unit manufactured housing.

“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.

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(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 excepted 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;

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.

(5) 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 II

This ordinance shall take effect immediately based on the findings by the Board of Supervisors that this ordinance is adopted consistent with Government Code Section 65858, and is necessary for the protection of the public health, safety, and general welfare. The facts constituting the need for this ordinance are that there are two parks that are now being considered for conversion to permanent occupancy, and these projects represent a crucial affordable housing resource within the County. Both parks have critical health and safety needs that must be addressed. One of the projects is seeking tax credit funding which requires consideration and action on the project by the County within the next sixty (60) days. Processing of the applications cannot take place without clarifying the standards to be applied to the type of conversion being proposed.

Pursuant to Government Code Section 65858, this ordinance shall be in full force and effect for 45 days from the date of its adoption by the Board of Supervisors, unless, following a public hearing noticed pursuant to Government Code Section 65090 and four-fifths vote of its members, the Board of Supervisors extends the interim ordinance in accordance with the provisions of Government Code Section 65858.

PASSED AND ADOPTED this 19th day of March, 2002, by the Board of Supervisors of the County of Santa Cruz by the following vote:

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

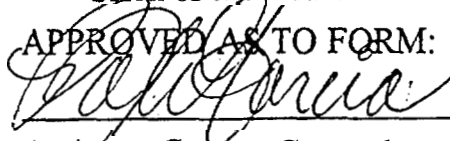
JANET K. BEAUTZ

Chairperson of the Board of Supervisors

Attest: **GAIL T. BORKOWSKI**

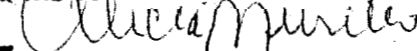
Clerk of the Board

APPROVED AS TO FORM:



Assistant County Counsel

I HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THE OFFICE ATTEST BY I SIGNED AND SEAL THIS 19th DAY OF March 2002
SUSAN A MAURIELLO, COUNTY ADMINISTRATIVE OFFICER AND EX-OFFICIO CLERK OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CRUZ, CALIFORNIA.

BY  DEPUTY