

TO: Andrew P. Powers, City Manager

FROM: Kelvin Parker, Community Development Director

DATE: September 12, 2023

SUBJECT: Report on Mobile Home Park and Options Affecting Seniors Including the Consideration of an Urgency Ordinance Establishing a Senior Mobile Home Park Overlay Zone

RECOMMENDATION:

Consider the following options:

1. Option 1:
 - a. Adopt an urgency ordinance of the City Council for the City of Thousand Oaks amending Sections 9-4.202, 9-4.309 and 9-4.2003 as well as adding Sections 9-4.2005, 9-4.2006, 9-4.2007, and 9-4.2008 of the municipal code of the City of Thousand Oaks regarding the establishment of a senior mobile home park overlay zone and related regulations including adding an overlay zone to the zoning map. The Senior Mobile Home Park Overlay Zone (Urgency Ordinance) will affect the five historically senior mobile home parks at Vallecito, Ventu Estates, Ventu Park Villa, Ranch, and Thunderbird Oaks (MCA-2023-70011) (requires four-fifths vote).
 - b. Adopt resolution initiating a Municipal Code Amendment (MCA) to establish a Senior Mobile Home Park Overlay Zone and regulations including a new zone change.
 - c. Find that this action is exempt from the State California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3 Section 15061(b)(3) which states that an activity is covered by the common sense exemption that CEQA only applies to projects that have the potential for causing a significant effect on the environment; because the overlay zone will not result in a direct or reasonably foreseeable indirect physical change in the environment as it is simply maintaining the status quo of existing uses of five properties, there is no possibility that the activity may significantly affect the environment.

2. Option 2:

- a. Adopt resolution initiating a Municipal Code Amendment to establish a Senior Mobile Home Park Overlay Zone, amendments to the zoning map, and related regulations.
- b. Find that this action is not a “project” as defined by CEQA.

3. Option 3:

- a. Receive report and give direction to staff.
- b. Find that this action is not a “project” as defined by CEQA.

FINANCIAL IMPACT:

No Additional Funding Requested. Minimal staff time required to prepare the report is included in the Adopted FY 2023-24 General Fund Budget.

BACKGROUND:

Mobile homes and manufactured homes are one of the country's largest sources of unsubsidized housing that historically have provided essential low-cost housing for coach owners and occupants. The residents of mobile home parks are uniquely vulnerable to the hardship of displacement. In most cases, residents own their units but not the underlying land, instead paying rent to the property owner of the park. If the space rent charged becomes unaffordable, moving to another mobile home park is often not a viable option, meaning that a resident could be forced to abandon their home. The City has a Rent Stabilization Ordinance to minimize the impact of increasing rents that could result in the displacement of residents. Therefore, the rent charged is historically more affordable than market-rate rental housing.

The City currently has eight Mobile Home Parks within its jurisdiction consisting of five Senior Mobile Home Parks and three Family Mobile Home Parks. One of the Family Mobile Home Parks is currently vacant.

Although most land use regulations are reserved for local jurisdictions to meet the needs of the community, the State has put in place a number of regulations concerning Mobile Home Parks that limit the decision-making authority of the City. This report will focus on opportunities that the State has afforded the City to regulate mobile home parks.

Recently, homeowners in the Ranch Mobile Home Park (Ranch) advised the City that the Park owner intended to start leasing spaces to families rather than continue limiting the rental of spaces to persons over 55 years old. The Park owner has filed a Notice of Intention with the California Department of Housing and Community Development (HCD) to no longer restrict residents to persons over 55 years old. Residents at Ranch object to allowing families to lease spaces in the park and have requested the City consider adopting a Senior Mobile Home Park Overlay Zone, similar to other jurisdictions such as Ventura County, City of Huntington Beach, and City of Yucaipa.

DISCUSSION/ANALYSIS

Mobile Home Park Terminology

The following key terms are used throughout this staff report:

Mobile Home: A transportable structure designed to be used as a dwelling unit, the definition of which includes a manufactured home, but not a recreational vehicle, unless the recreational vehicle has occupied a mobile home site for nine or more consecutive months. “Mobile home” is defined in State Law, Civil Code, § 798.3; Health and Safety Code, § 18008.

Manufactured Home: A structure constructed on or after June 15, 1976, which is transportable, designed to be used as a single-family dwelling, includes utility systems, and meets the standards established under federal law for such structures. “Manufactured Homes” is defined in State Law, Health and Safety Code, § 18007.

Mobile Home Park: An area or land where two or more spaces are rented or leased for mobile homes or manufactured homes to be used as dwellings. The dwellings may be either owned or rented by the occupants. A mobile home park is defined in State Law, Civil Code, § 798.4, and does not include residences provided by employers for farmworkers or other employees, nor does it include campgrounds or other sites for temporary lodging.

Senior Mobile Home Park: A mobile home park as defined in Section 798.4 of the California Civil Code where the occupancy of a mobile home space is restricted such that at least one person occupying the mobile home as a permanent resident must be age 55 or older and that person must own or be a part-owner of that mobile home or the direct beneficiary of a trust or estate that owns that mobile home. To comply with federal law, a senior park may permit up to 20 percent of the coach owners under the age of 55.

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Existing Thousand Oaks Mobile Home Parks

The following table (Table 1 – Existing Mobile Home Parks) displays a list of the eight Mobile Home Parks within the City’s jurisdiction, their location, existing type (Senior or Family), the year they were approved for Mobile Home Park use, the total number of coach spaces, and the total number of available spaces. In Attachment #1, Exhibit A shows the Existing Trailer Park Development Zone Map and Exhibit B shows a Trailer Park Development Zone Map with a Senior Overlay if the City Council chooses to adopt an ordinance establishing such an overlay zone.

Table 1 – Existing Mobile Home Parks (MHP)

	Park Name (Address)	Type	Approval Date	Total Spaces*	Available Spaces*
1	Vallecito Mobile Home Estates (1251 Old Conejo Rd)	Senior	1970	303	0
2	Ventu Estates Mobile Home Park (26 S Ventu Park Rd)	Senior	1969	156	0
3	Ventu Park Villa Mobile Home Park (50 S Ventu Park Rd)	Senior	1969	171	0
4	Ranch Mobile Home Park (2133 Los Feliz Dr)	Senior	1974	74	0
5	Thunderbird Oaks Mobile Home Club (200 S Conejo School Rd)	Senior	1974	161	0
Sub-Total Historically Senior MHPs				865	0
6	Elms Plaza Mobile Home Park (1262 Newbury Rd)	Family	1959	34	0
7	53 Conejo Living – Vacant (53 N Conejo School Rd)	Family	1948	28	28
8	Twin Palms Mobile Home Park (198 N Skyline Dr)	Family	1957	81	0
Sub-Total Historically Family MHPs				143	28
The Combined Total of All MHPs				1,008	28

*Number of spaces as of October 31, 2022 (Completion of most recent Mobile Home Park Summary Report)

2010 Mobile Home Park Survey

The following sections provide more detail about each existing Mobile Home Park within the City. This information was collected from the City's Mobile Home Park Survey completed in 2010.

Vallecito Mobile Home Estates (1251 Old Conejo Rd)

Vallecito Mobile Home Estates is located on 80.18 acres and is a senior park with 303 double-wide coaches. The park is surrounded by Conejo Open Space and is abutted by a single-family neighborhood to the southeast. The park is the City's only gated mobile home park and has the largest community building measuring approximately 14,000 square feet.

Ventu Estates Mobile Home Park (26 S Ventu Park Rd)

Ventu Estates Mobile Home Park is located on 13.88 acres and is a senior park with 156 double-wide coaches and a pool. This park is bounded to the south by its "sister park" Ventu Park Villa under a common park ownership and management, to the north and east by residential development, and across the street to the east is the historical Stagecoach Inn Park. Ventu Estates Mobile Home Park and Ventu Park Villa Mobile Home Park share a maintenance yard, RV storage facility, and emergency food supply.

Ventu Park Villa Mobile Home Park (50 S Ventu Park Rd)

Ventu Park Villa Mobile Home Park is located on 18.16 acres and is a senior park with 118 double-wide and 53 triple-wide coaches. The park is abutted to the south by Lynn Road, to the north by sister park Ventu Estates Mobile Home Park, to the east by a residential neighborhood, and across the street to the west by the historical Stagecoach Inn Park. The park has a community building of approximately 860 square feet that contains a library, kitchen, pool table, and laundry facilities.

Ranch Mobile Home Park (2133 Los Feliz Dr)

Ranch Mobile Home Park is located on 4.79 acres and is a senior park approved for 74 coaches, mainly single-wide. This park is located within a high-density residential neighborhood and is bounded on the west and east by apartment developments. Across the street to the south are townhomes and a senior living facility. The park has a community building of approximately 1,200 square feet that contains a library, kitchen, and sitting room, and an adjacent small picnic area.

Thunderbird Oaks Mobile Home Club (200 S Conejo School Rd)

Thunderbird Oaks Mobile Home Club is located on 22.23 acres and is a senior park with 161 coaches—four single-wide, 153 double-wide, and four triple-wide coaches. This park is abutted by the 101 freeway to the southwest, the Lakes Shopping Center to the northwest, a 4.73-acre public park (El Parque de La Paz), Conejo Valley Unified School District's Early Childhood Program Preschool, and residential uses to the northeast and east. The park has a community building of approximately 5,000 square feet which houses a library, kitchen, and pool table. A separate building next to the community building houses a laundry facility. The park has a pool adjacent to the community building and an on-site RV storage area.

Elms Plaza Mobile Home Park (1262 Newbury Rd)

The Elms Plaza Mobile Home Park is located on 3.82 acres and is a family park with 24 single-wide and 10 double-wide coaches.

The park sits along the 101-freeway corridor to the north and is bound by commercial uses to the west, and townhomes to the south and east. The only common amenity is a laundry facility.

53 Conejo Living (53 N Conejo School Rd)

This park, located on 0.87 acres, is listed as a family park but is currently vacant. The park is bounded on the south and west by a variety of commercial uses, the north by residential uses, and to the east across Conejo School Road by commercial uses.

Twin Palms Mobile Home Park (198 N Skyline Dr)

The Twin Palms Mobile Home Park is located on 5.26 acres and is a family park with 15 single-wide, 65 double-wide coaches, and one non-residential space. This park is bounded by commercial and light-industrial uses on the south, west, and east and by commercial and industrial uses across Los Feliz Drive to the north. This park has a small community building of approximately 500 square feet, and a community pool adjacent to the community building. There are two laundry facilities on-site.

Public Correspondence and Outreach with Stakeholders

The current owner at Ranch Mobile Home Park is in the process of converting the existing Senior Mobile Home Park to a Family Mobile Home Park through HCD

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and prepared a notice of their intention to convert. Significantly, whether a mobile home park is considered to be a family park or a senior park, all the parks will remain subject to the City's Rent Stabilization Ordinance and the tenants cannot be evicted solely because of a conversion.

On July 11, 2023, City Council heard from numerous mobile home residents about the need to preserve senior housing. These speakers indicated that mobile home parks provide some of the best housing opportunities for persons over 55, who often live on fixed incomes. Speakers advised that when mobile home communities convert to all ages, units occupied by seniors are often acquired by younger people and families as the seniors' leases end.

On July 18, 2023, the City Council heard comments from residents of Ranch Mobile Home Park and other parks expressing their concerns related to the proposed Ranch conversion. The speakers asked City Council to protect existing senior housing stock within the City's jurisdiction. City Council asked City staff to provide information on Mobile Home Parks and the residents' concerns, including the evaluation of an overlay zone among other options.

As directed by City Council on July 18, 2023, City staff reached out to the owners or their representatives of the senior parks to inform them of residents' concerns about protecting senior housing, the staff plan to bring a report on mobile home parks to City Council on September 12, 2023, and the potential for City Council action on establishing a Senior Mobile Home Park Overlay Zone (SMHP). Staff also inquired if they intended to change the park status from a senior to a family MHP. Four out of the five owners/representatives of historically senior MHPs confirmed they are a senior MHP and indicated that at this time they have no plans to change their status (Vallecito MH Estates, Ventu Estates MHP, Ventu Park Villa MHP, and Thunderbird Oaks MH Club). The person representing the owners at Ranch MHP, informed City staff of the need for mobile home parks to provide housing for all ages and confirmed he would relay the City's information staff provided to the various ownership groups of parks within the City's jurisdiction.

Research on the Creation of a Non-Profit Cooperative or Creation of a Subdivision

One additional concept City Council requested staff research is the concept of the individual mobile home park coach owners banding together and either forming a non-profit cooperative or purchasing the underlying property, including the common areas and improvements for the purpose of creating a legal subdivision. Staff's research on such a concept is still ongoing, however, at this stage, there are several factors that would dictate whether a group of individuals would be able to create a cooperative or subdivision, including but not limited to the following:

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- A MHP owner who is willing to sell the park and land to a potential buyer;
- Financing necessary to purchase the land and improvements;
- Willingness and cooperation of all coach owners to participate in the process as any individual owner who does not wish to move forward or cannot finance such a purchase may be left out and forced to relocate;
- Whether a group of individuals would qualify for State financial assistance through State-funded programs such as the Manufactured Housing Opportunity and Revitalization Program (MORE);
- Purchase opportunity laws that may give a group of coach owners who band together a right to negotiate with a willing seller or possibly have the first right to negotiate a purchase if various requirements are met.

Individuals or non-profit organizations who may want to consider creating a cooperative would need to expend time and resources to organize, and finance the hiring of consultants and land purchase, as well as negotiate with a willing seller. At this time, however, staff has not received any indication from tenants or MHP owners that any sale of property, the creation of a non-profit cooperative, or a desire to process a subdivision is being considered. The City has adopted regulations for the subdivision of a mobile home park that are set forth in its Municipal Code in accordance with State law. It is important to note that if a subdivision occurs, those residents who do not or cannot exercise the option to purchase their space will no longer be protected under the Rent Stabilization Ordinance. Therefore, for purposes of this report, staff has focused on the three options set forth in the Recommendation section above. Staff can continue to evaluate these concepts if directed by City Council.

Option 1: Urgency Ordinance

One option for City Council to consider would be to adopt an urgency ordinance establishing a Senior Mobile Home Park Overlay Zone (SMHP). According to the Code of Federal Regulations (24 CFR Section 100.305), for a housing facility or community, such as a mobile home park, to qualify as housing for older persons, at least 80 percent of its occupied units must be occupied by at least one person 55 years of age or older. Therefore, if City Council were to consider an urgency ordinance to create a senior overlay zone, the zone would only apply to the five mobile home parks where the owners can demonstrate they have been historically rented to seniors (Vallecito MH Estates, Ventu Estates MHP, Ventu Park Villa MHP, Ranch MHP, and Thunderbird Oaks MH Club). The other three parks (Elms Plaza MHP, 53 Conejo Living, and Twin Palms MHP Trailer Park) would remain “all-age” mobile home parks.

If City Council decided to consider Option One (1) and move to adopt an urgency ordinance as permitted under Government Code Sections 36934 and 36937, City Council would need to find that the adoption is necessary for the immediate

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preservation of the public peace, health, or safety. In addition, an urgency ordinance requires a four-fifths affirmative vote to pass and becomes effective immediately.

The City, like most cities within Ventura County, has a growing population of seniors aging in place. The City adopted 2021-2029 Housing Element update indicates that seniors are gradually becoming a more substantial segment of a community's population. Approximately 35 percent of the households in the City have a member over the age of 65 and 10 percent of all households are seniors living alone. Between 2010 and 2015-2019, the proportion of elderly residents over 65 years old increased notably. In 2010, seniors represented approximately 15 percent of the City's population compared to 19 percent in 2015-2019. Senior mobile home parks provide seniors the ability to live in their own units rather than multi-story apartments and provide amenities such as a clubhouse to hold community events and socialize while living a quieter life.

Additionally, residents of senior mobile home parks have expressed their comments during public meetings that they relied upon the representation of the park management and park owners that only seniors could purchase homes in those parks and obtain tenancies. They expressed concerns that the owner of at least one senior mobile home park (Ranch MHP), plans to convert the park to a family park. While the rent stabilization ordinance would remain in place, a conversion would potentially remove units traditionally restricted for seniors from the available pool of rent-controlled units.

An ordinance creating a senior mobile home park overlay zone would also be consistent with the City's adopted Housing Element and proposed General Plan. The senior overlay zone would maintain a residential use that embraces a welcoming community that includes the factor of age (Guiding Principles No. 2). A senior overlay zone promotes diversity of housing types for City residents through all stages of life as well as preserves housing types that support opportunities to age in place (Goal LU-3, Action 3.3). A senior overlay zone also secures a vital type of housing opportunities for persons of all income levels (Goal HE-1). Adopting an urgency ordinance also maintains and improves the existing housing stock of the City by reducing housing deterioration through Mobile Home Rehabilitation (Goal HE-3, Program 12).

Based on the numerous concerns expressed by residents about protecting senior housing, the action of a park owner to change a senior park to an all-age/family park and the stated City goals and policies to preserve housing for seniors, adopting an urgency ordinance would preserve the public peace, health and safety. The ordinance would create an overlay zone that prohibits the unregulated reduction of senior residential units in five specific areas of the City.

Additionally, if City Council were to adopt an urgency ordinance with the findings required under the State Government Code, staff recommends that City Council also initiate an ordinance amendment through the City's standard process. Upon initiation, staff would begin to process a new MCA concurrently with a new zone change with the Planning Commission to review an MCA for a Senior Mobile Home Park Overlay Zone (SMHP). Thereafter, staff would present the Planning Commission recommendation to City Council for consideration. A resolution initiating such a MCA is provided as Attachment #2 (Resolution Initiating MCA and Related Regulations).

City Council Authority for Senior Overlay Zoning Ordinance

If an Urgency Ordinance is adopted by City Council for the Senior Mobile Home Park Overlay Zone, the affected mobile home communities would need 80 percent of their units to be occupied by persons aged 55 or over. "All ages" or family mobile home parks are those in which more than 20 percent of the units are occupied by persons younger than 55.

The ordinance would amend sections 9-4.202, 9-4.309, and 9-4.2003 as well as add sections 9-4.2005 through 9-4.2008 under Title 9 of the TOMC which would require that the five historically operated senior mobile home parks remain as parks where at least 80 percent of at least one occupant of a coach is 55 years old or older.

If City Council moves to adopt an urgency ordinance, a draft is attached (Attachment #1). The draft urgency ordinance is consistent with the following goals of the draft General Plan published on June 2, 2023, including the 2021-2029 Housing Element adopted by City Council on January 25, 2022:

- An inclusive and welcoming community that embraces ethnic, racial, age, gender, disabled and special needs, sexual orientation, religion, and economic diversity (Guiding Principles No. 2);
- Promote diversity of housing types for Thousand Oaks residents through all stages of life and promote the development of housing types that support opportunities to age in place (Goal LU-3, Action 3.3);
- Provide a wide range of housing opportunities for persons of all income levels (Goal HE-1);
- Maintain and improve the existing housing stock of the City by reducing housing deterioration through Mobile Home Rehabilitation (Goal HE-3, Program 12);

- Affirmatively further fair housing (Goal HE-5);
- Create a more equitable, accessible, safe, welcoming, and inclusive government and community regardless of race, color, ethnicity, religion, gender, physical or mental ability, sexual orientation, gender identity and expression, age, language, education and/or socioeconomic status (Goal G-2).

Additional Materials and Findings Supporting an Urgency Ordinance

The Urgency Ordinance (Attachment #1) contains the following maps:

- Existing Trailer Park Development Zone Map (Exhibit A);
- Proposed Trailer Park Development Zone Map with Senior Overlay (Exhibit B);
- West End Mobile Home Park Location Map (Exhibit C);
- Central Mobile Home Parks Location Map (Exhibit D);
- East End Mobile Home Parks Location Map (Exhibit E).

The Urgency Ordinance also contains the following findings:

- Currently all eight MHP in the City are zoned Trailer Park Development (T-P-D) and the General Plan Land Use designation is Mobile Home Park Exclusive;
- Creates a new zoning category Senior Mobile Home Park Overlay for the five historically seniors MHPs at Vallecito MH Estates, Ventu Estates MHP, Ventu Park Villa MHP, Ranch MHP, and Thunderbird Oaks MH Club and removes the T-P-D zoning for these specific MHPs;
- Immediately preserves the public peace, health, or safety by preserving unsubsidized senior housing for individuals 55 years or older and unique residential units that permit coach ownership and controlled rent adjustments for the underlying land;
- Assists a growing population of seniors aging in place by preserving a highly utilized form of senior housing. Many mobile home park residents stated moving a coach would be both physically and financially challenging if not impossible;
- The Senior Mobile Home Park Overlay does not conflict with the State “Mobile Home Parks Act”, California Fair Employment and Housing Act, California Mobile Home Park Residency law, and California Unruh Civil Rights Act (CA Civil Code §51 et seq.);

- The Senior Mobile Home Park Overlay qualifies as housing for older persons under the federal Fair Housing Act 42 U.S.C. § 3607(b), 24 CFR §100.304(b)(4), 24 CFR §100.305, and the Appendix (64 Fed. Reg. 16331). Under the requirements, at least 80 percent of a park's occupied units must be occupied by at least one person 55 years of age or older.

Option 2: Initiate a Municipal Code Amendment

A second option for City Council to consider would be to process a MCA through a standard noticing process. Adding a "Senior Overlay" to preserve the existing Senior Mobile Home Parks would require staff to process a zone change within the existing Trailer Park Development Zone and a MCA process to add the appropriate sections within Title 9, Chapter 4, Article 20 of the Thousand Oaks Municipal Code (TOMC).

Option 3: Receive Report and Provide Direction to Staff

A third option for City Council to consider is to receive the staff report and give direction to staff, if appropriate.

California Environmental Quality Act (CEQA) Findings

In accordance with CEQA, an evaluation of the potential environmental impacts was performed. This evaluation determined that adopting an Urgency Ordinance in Option 1 is exempt from CEQA pursuant to Section 15061(b)(3) of California Code of Regulations, Title 14, Chapter 3 which states that an activity is covered by the common sense exemption that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Since the senior overlay zone will not result in a direct or reasonably foreseeable indirect physical change in the environment as it is simply maintaining the existing use of a property then CEQA does not apply. As to the initiation of a MCA or receiving staff's report and providing direction, neither action is considered a project as defined under CEQA and neither action would cause a direct or indirect physical change in the environment.

COUNCIL GOAL COMPLIANCE:

Meets the following City Council goal:

A. Create a more equitable, accessible, safe, welcoming, and inclusive government and community regardless of race, color, ethnicity, religion, sex, physical or mental ability, sexual orientation, gender identity and expression, age, language, education, and/or socio-economic status.

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Attachments:

- Attachment #1 – Senior Mobile Home Park Overlay Urgency Ordinance
- Attachment #2 – Resolution Initiating MCA and Related Regulations

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