

ORDINANCE NO. 17-\_\_\_

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, EXTENDING A MORATORIUM ON THE CONVERSION/CHANGE OF ANY MOBILEHOME PARK CURRENTLY EXISTING IN THE CITY FROM A PARK OCCUPIED PRIMARILY OR EXCLUSIVELY BY RESIDENTS OVER THE AGE OF 55 YEARS (SENIOR RESIDENTS) TO A MOBILEHOME PARK ALLOWING RESIDENTS OF ALL AGES, FOR AN ADDITIONAL PERIOD OF 12 MONTHS

WHEREAS, as set forth in the Housing Element of the City's General Plan, an important goal for the City of Santa Clarita (City) is to preserve the existing senior housing stock, which is represented in part by affordable mobilehome housing; and

WHEREAS, there is a current and immediate threat to the public health, safety, and welfare arising from the lack of senior housing options for citizens 55 years of age and older, in and around the City; and

WHEREAS, mobilehome parks represent one of a few affordable housing options left to senior citizens that permit exclusive residence in a detached dwelling by those individuals over the age of 55 years; and

WHEREAS, mobilehome parks represent less than 3% of the City's housing stock. "Converting" mobilehome parks from "senior-only" to "all-age" parks would reduce the number of senior housing units available to those persons 55 years of age and older; and

WHEREAS, change from a "senior-only" to an "all-age" mobilehome park will unduly burden and irreparably harm senior citizens within the community; and

WHEREAS, on January 26, 2016, the City Council adopted Ordinance No. 16-01 as an Urgency Ordinance and adopted its findings of fact; and

WHEREAS, pursuant to Government Code Section 65858, the City Council adopted Urgency Ordinance No. 16-04, extending Urgency Ordinance 16-01, and adopted its findings of fact for an additional 10 months and 15 days; and

WHEREAS, City staff has conducted research on the current demographics of senior mobilehome parks using residents surveys, and are continuing to investigate the alternatives for the preservation of senior mobilehome parks; and

WHEREAS, Ordinance No. 16-04, by law, is effective for only 10 months and 15 days and expires on January 26, 2017; and

WHEREAS, additional time is needed to complete the research and investigation; and

WHEREAS, pursuant to Government Code Section 65858, the City may, after notice and a public hearing, extend the moratorium for an additional 12 months; and

WHEREAS, the City Council continues to find that there is a current and immediate threat to the public health, safety, and welfare based on the above findings and the findings contained in Ordinance No. 16-01 and Ordinance No. 16-04, and upon that basis has determined that an extension of the moratorium enacted under Ordinance No. 17-\_\_\_ is warranted.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Findings of Fact. The City Council finds as follows:

- A. The recitals above are true and correct, and incorporated as part of the City's findings.
- B. The factual basis for extending the moratorium also includes the findings set forth in Section 1 of Ordinance No. 16-04, which is adopted herein by reference.
- C. Pursuant to Government Code Section 65858(d), the City has issued a report relative to the steps taken to alleviate the conditions that necessitated the adoption of Ordinance No. 17-\_\_\_, which is attached and incorporated by reference.
- D. The City requires more time to study and decide:
  - a. If an ordinance is necessary to protect the public health, safety, and welfare and provide adequate local senior housing for the community's aging population.
  - b. If such an ordinance would have any adverse effects upon the general housing market and particularly the senior and low-income housing market in the City. Further, whether any potential effects from the removal of a senior housing resource in the City constitute a current and immediate threat to the public health, safety, and welfare.
  - c. The extent the City may regulate internal operations of mobilehome parks.
  - d. The age status of the residents of the mobilehome parks in the City, and the buying and selling activities of mobilehomes at those parks.
- E. Given the harm to the community by the removal of "senior-only" mobilehome parks, this moratorium should be extended to preserve the status quo, to provide time to seek clarification of the law, and permit City staff to develop appropriate regulations consistent with the requirements of the law.

SECTION 2. Environmental Review. The City Council finds that this Urgency Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment), Section 15060(c)(3) (the activity is not a project as defined in Section 15378), and Section 15061(b)(3) (the activity will not have a significant effect on the environment) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3. These findings are premised on the fact that the adoption of this Urgency Ordinance will maintain existing environmental conditions arising from the City's current land use regulations without significant change or alteration.

SECTION 3. Extension of Moratorium on the Conversion of Mobilehome Parks. The City Council orders as follows:

- A. The findings and determinations in Section 1 are true and correct.
- B. Based on the foregoing, the City Council finds and declares there is a current and immediate threat to the public health, safety, or welfare, and upon that basis has determined that an Urgency Ordinance pursuant to Government Code Sections 65858 and 36937 is warranted, and shall take effect immediately upon adoption by a four-fifths vote of the City Council.

- C. The conversion of any mobilehome park currently in existence in the City from a park where at least 80% of the full-time residents are individuals 55 years of age and older (a “senior-only” mobilehome park) to a mobilehome park accepting residents of all ages is prohibited for an additional period of 12 months from the expiration date of Ordinance No. 16-04.

SECTION 4. Report. Staff is directed to provide a written report to the City Council at least 10 days prior to the expiration of this ordinance, describing the local housing conditions that led to the adoption of this ordinance and any measures taken to alleviate such conditions, in accordance with State law.

SECTION 5. Effective Date and Duration. This ordinance is an Urgency Ordinance enacted under California Government Code Section 65858(a). This Urgency Ordinance is enacted immediately upon adoption by a four-fifths vote of the City Council, and shall take effect on January 24, 2017, and will extend for a period of 12 months from the expiration date of January 26, 2017, to January 26, 2018, at which time it will automatically expire unless extended by the City Council in accordance with California Government Code Section 65858.

SECTION 6. Severability. If any section, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and adopted this ordinance and each section, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional. Further, the City Council hereby declares that this ordinance neither is intended to nor shall it impair the obligation of existing contracts.

SECTION 7. Publication. The City Clerk shall certify to the passage of this Urgency Ordinance and shall cause the same to be published as required by law.

PASSED, APPROVED, AND ADOPTED this \_\_\_\_\_ 2017.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

DATE: \_\_\_\_\_

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES       ) ss.  
CITY OF SANTA CLARITA         )

I, Mary Cusick, City Clerk of the City of Santa Clarita, do hereby certify that the foregoing Ordinance No. 17-\_\_\_\_\_ was duly passed and adopted at a regular meeting of the City Council held on January 24, 2017, by the following vote:

AYES:            COUNCILMEMBERS:

NOES:            COUNCILMEMBERS:

ABSENT:         COUNCILMEMBERS:

AND I FURTHER CERTIFY that the foregoing is the original of Ordinance 17- \_\_\_\_\_ and was published in The Signal newspaper in accordance with State Law (G.C. 40806).

\_\_\_\_\_  
CITY CLERK

**10-DAY REPORT ON THE CITY OF SANTA CLARITA'S 10 MONTH AND 15 DAY  
URGENCY ORDINANCE EXTENSION OF THE MORATORIUM PROHIBITING  
CHANGES IN USE TO ANY SENIOR MOBILEHOME PARK TO AN ALL-AGE PARK,  
AS REQUIRED BY GOVERNMENT CODE SECTION 65858(d)**

**BACKGROUND:**

On January 26, 2016, pursuant to *Government Code* Sections 65858 and 36937, the City Council adopted a 45-day Urgency Ordinance, establishing a 45-day moratorium on senior mobilehome park conversions to all-age parks. On March 8, 2016, the City of Santa Clarita Council adopted an ordinance extending the Urgency Ordinance for an additional 10 months and 15 days. The ordinance and its extension were adopted in response to serious concerns from residents living in senior mobilehome parks regarding actions by park owners to change their parks from senior housing parks to all-age parks. Under *Government Code* Section 65858(d), 10 days prior to the expiration of the ordinance extension, the City is to issue a written report describing the measures taken to alleviate the conditions which led to the adoption of the moratorium.

**MEASURES TAKEN TO ALLEVIATE THE CONDITIONS THAT LED TO THE ADOPTION  
OF THE URGENCY ORDINANCE**

1. City staff notified all park owners in the City, as well as all residents residing in parks that the City believes to be senior housing parks, of the City Council's adoption of the Urgency Ordinance.
2. City staff notified park residents in parks that are considered to be senior housing parks to contact the City to report any changes or actions that may be occurring which violate the moratorium. A dedicated eService alert has been developed to accept those complaints.
3. City staff is contacting cities throughout the state to discuss with them the actions and steps taken in their consideration and eventual implementation of Senior Mobilehome Park Overlay Zone.
4. The City Attorney is researching the legal parameters associated with various aspects of the drafting, adoption, and implementation of a possible Senior Mobilehome Park Overlay Zone Ordinance.
5. City staff conducted a survey of the residents of the senior housing parks to determine the percentage of spaces within the park which were occupied by at least one individual over 55 years of age.
6. City staff conducted a survey of the park owners requesting them to provide information on which spaces within their parks were occupied by at least one individual over 55 years of age.
7. The results of the survey were not conclusive due to inadequate response to-date. Responses to the survey continue to be received by City staff.
8. City staff received a number of complaints of park spaces being rented to households in which there was not an individual over 55 years of age. City staff continues to monitor the status of the senior parks and to investigate complaints from individuals believing that the moratorium has been violated.

CONTINUED NEED FOR MORATORIUM EXISTS

Many of the above actions are still on-going, and additional actions, surveys, and research are required to fully study a possible adoption of Senior Mobilehome Park Overlay Zone Ordinance. Therefore, the need for the moratorium still exists, and City staff recommends the City Council adopt an ordinance extending the current moratorium for a period of 12 months.