



# ***Agenda Report***

## ***Fullerton City Council***

**MEETING DATE:** DECEMBER 19, 2023

**TO:** CITY COUNCIL / SUCCESSOR AGENCY

**SUBMITTED BY:** ERIC LEVITT, CITY MANAGER

**PREPARED BY:** SUNAYANA THOMAS, DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT

**SUBJECT:** 45-DAY MORATORIUM ON CONVERSION AND / OR CHANGE OF EXISTING SENIOR RESTRICTED MOBILEHOME PARK

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### **SUMMARY**

Council Members Zahra and Charles requested City Council consider a 45-day Senior mobilehome park moratorium ordinance prohibiting the conversion of any mobile home park currently in the City of Fullerton from seniors-only mobile home park to accepting residents of all ages.

### **RECOMMENDATION**

1. Find request exempt from the California Environmental Quality Act (CEQA) review pursuant to CEQA Guidelines Section 15060(c)(2), 15060(c)(3).
2. Adopt Urgency Ordinance No. XXXX,

ORDINANCE NO. XXXX – AN URGENCY ORDINANCE OF THE CITY OF FULLERTON, CALIFORNIA, ESTABLISHING A MORATORIUM ON THE CONVERSION / CHANGE OF ANY MOBILE HOME PARK CURRENTLY EXISTING IN THE CITY OCCUPIED PRIMARILY OR EXCLUSIVELY BY RESIDENTS OVER THE AGE OF 55 YEARS (SENIOR RESIDENTS) TO A MOBILEHOME PARK ALLOWING RESIDENTS OF ALL AGES AND DECLARING THE URGENCY THEREOF TO TAKE EFFECT IMMEDIATELY

### **CITY MANAGER REMARKS**

Two members of the City Council requested an urgency ordinance to have a moratorium on eliminating age restrictions.

There are several considerations:

1. What is the purpose of urgency ordinance and specifically moratorium. The stated purpose is timing and to allow residents to be able to attend the Mobile home park meeting.
2. There could be some residents impacted in their rental assistance if the park changes its nature.
3. State law provides a mechanism for owners to change the nature of the park.
4. This mobile home park is unique in the fact that it crosses boundaries of two cities. Due to this specific fact and the fact that Fullerton has less than half of the population in the City of Fullerton, it is unclear whether a moratorium could occur due to the fact that the nature of the entire park would be voted on, not just the Fullerton side.

#### PRIORITY POLICY STATEMENT

This item matches the following Priority Policy Statements:

- Fiscal and Organizational Stability
- Public Safety.

#### FISCAL IMPACT

None.

#### DISCUSSION

The Senior Mobilehome Park homeowners of Rancho La Paz received a notice from the property owner, Star Mobilehome Park Management, on December 9, 2023, inviting the residents to a virtual meeting on Zoom to take place on December 26, 2023 at 10:00 am regarding Amending Park Rules and Regulations pursuant to the Mobilehome Residency Law Civil Code 798.25.

The residents are concerned that the property owners are considering converting the senior designated mobile home park to an all age mobile park and requested assistance from the City to communicate with the property owner to move the date of the meeting to a reasonable date, time and place.

The City Manager's office was able to contact the property owner. After talking with the property owner, the City received written confirmation that the meeting was moved to January 11<sup>th</sup> and would be in person. Council Member Zahra, supported by Council Member Charles, is requesting a 90 day moratorium (due to State law an Urgency Ordinance can impose up to a 45 day moratorium) to review the legal requirements of mobile home park noticing requirements, land use requirements and implications to convert to an all-age park for the City of Fullerton and time to coordinate with the City of Anaheim as necessary.

This ordinance would establish a temporary 45 day moratorium on changes in occupancy within mobile home parks, restricting them to senior residents only, to address urgent concerns and review the potential impact of a conversion of the park to an all-age park. Pursuant to Government Code 65858, the City can adopt an urgency ordinance immediately prohibiting a specified use up to 45 days without following the procedures

otherwise required for zoning changes. The moratorium requires no less than a 4/5<sup>th</sup> vote and a finding of a current and imminent threat to public health, safety, or welfare which necessitates the urgency ordinance and moratorium. The moratorium can thereafter be extended up to a maximum of 2 years. Each extension requires a 4/5<sup>th</sup> vote.

## BACKGROUND

The moratorium aims to provide the necessary time for a comprehensive review of the concerns raised and the formulation of effective strategies to address them. This includes an evaluation of local land use requirements, mobile home park laws, and the overall well-being of senior residents within these communities.

The Fullerton General Plan highlights the importance of providing accessible, affordable and desirable housing options for seniors. General Plan, Chapter 2, Policy Action 3.7 – Encourage Senior Housing, 3.13 – Affordable Housing Acquisition and Rehabilitation and 3.16 – Owner-Occupied Housing Rehabilitation. Seniors generally have limited resources and require more specialized housing needs and facilities that are not generally available in the marketplace.

The City of Fullerton has five mobile home parks at Rancho Fullerton Mobile Home Park, Fullerton Mobile Estates, Magnolia Lane Mobile Home Park, Cedarhill Estates and Rancho La Paz (*which is partially in Fullerton and Anaheim*). Rancho Fullerton Mobile Home Park and Rancho La Paz are the only two senior only mobile home parks in the City. Rancho La Paz has approximately 387 mobile homes of which approximately 135 units are in Fullerton.

In addition to land use and legal housing law considerations, the City will need to evaluate the financial impact to the residents if the mobile home park loses its senior designation and becomes an all-age community, such as the financial assistance the current residents receive from the City such as Tenant-Based Rental Assistance and other HUD CDBG and HOME loans and grants.

## Attachments:

- Attachment 1 – City Council Draft Ordinance No. XXXX
- Attachment 2 – Rancho La Paz Mobile Home Park Notice Image 1
- Attachment 3 - Rancho La Paz Mobile Home Park Notice Image 2
- Attachment 4 – Rancho La Paz Mobile Home Park Rules and Regulations Image 1 of 2
- Attachment 5 - Rancho La Paz Mobile Home Park Rules and Regulations Image 2 of 2
- Attachment 6 – 2023 CA Mobile home Residency Law

cc: City Manager Eric J. Levitt