

Westminster Municipal Code						
Up	Previous	Next	Main		Search	Print
Title 17 LAND USE Article 4 Standards for Specific Land Uses and Accessory Uses Chapter 17.400 Standards for Specific Land Uses and Accessory Uses						

17.400.090 Mobilehome Park Conversions

A. Purpose and Intent. The purpose of regulating mobilehome park conversions is to safeguard the health, safety, and general welfare of individuals and ensure compatibility with surrounding properties.

B. Conversion of Existing Mobilehome Park. Prior to the conversion of any property upon which a mobilehome park is situated on the effective date of the ordinance codified in this Title, an application for Conversion Permit shall be submitted in accordance with the provisions of Chapters [17.550, Administrative and Conditional Use Permits](#), and [17.555, Administrative Adjustments and Variances](#). No conversion shall be made until a Conversion Permit is approved, and all other applicable permits are issued by the City. Any application for a mobilehome park conversion shall be deemed an application for a “change of use” for the purposes of Section 798.56(f) of the [Civil Code](#) of the State of California or any successor provision thereto.

C. Notice of Conversion. Each home owner shall be given written notice of the submission of an application for a Conversion Permit no later than the date it is submitted for filing by the applicant with the City. The applicant shall furnish proof of service of such notice with the Conversion Permit application filed with the City.

If the applicant sends a written notice of intent to submit an application for partial or full conversion pursuant to subsection B or D to the home owners prior to filing an application for a Conversion Permit, the applicant shall file the application within 30 calendar days of sending such notice of intent.

With the exception of the notices required by this Title and correspondence directly related to the preparation of the Conversion Impact Report, the applicant shall not issue any arbitrary notices or letters to the residents concerning the intention to convert or close the park. Such actions shall be considered arbitrary if no application for conversion is filed with the City within 30 calendar days thereafter. In the case of such arbitrary action, the City shall notify the applicant that a fine of \$200.00 per day shall be imposed. Unless an application is filed or a withdrawal of the arbitrary notice is sent to the City and the home owners within the next 15 calendar days, the fine shall accrue for a maximum of 60 calendar days. The applicant can stop the fine from accruing at any time by either submitting the application for conversion or withdrawing the arbitrary notice as prescribed herein. Payment of such fines shall be due the City with the application for conversion, withdrawal of the notice, or upon demand of the City after the 60 calendar days have passed.

D. Conversion Impact Report

1. The City shall not be required to take any action to hold public hearings to consider a proposed mobile home conversion application until a Conversion Impact Report has been prepared, filed, and deemed complete in accordance with this Section.
2. Upon written notification by the City that the original application has been accepted as completed pending submission of a Conversion Impact Report, the applicant shall, within 120 calendar days from the date of such notification, file a Conversion Impact Report with the City, which contains all of the information required by this Section.
3. A Conversion Impact Report shall contain the following information:
 - a. *Mobilehome occupant information.*
 - i. The names and address of all persons owning or occupying mobilehomes within the park.
 - ii. The total number of mobilehome residents, categorized on a space by space basis identifying the following categories:
 - If the residents are owners or renters,
 - Residents under the age of 18 (school-age children),
 - Residents who are physically disabled, including the chronically ill,
 - Residents who use public transportation and the routes used.

b. *Converting park information.*

- i. A description of the amenities provided for the park resident;
- ii. A legal description of the property;
- iii. The age of the mobilehome park;
- iv. The proposed timetable for conversion, closure, or cessation of use of the land as a mobilehome park;
- v. The number of mobilehomes existing in the park, length of occupancy by the current occupant of each space, and the current lease rate for each space;
- vi. The age, including date of manufacture, of each mobilehome, an inventory of all accessory buildings or structures, and number identifying the mobilehome space being occupied.

The applicant shall be required to make a reasonable and good faith effort in obtaining the information required in this subsection. In the event that the residents of a park fail to cooperate with the applicant in providing the information specified in this subsection, the City may determine that such information is not required to complete the Conversion Impact Report.

c. *Comparable mobilehome park information.*

- i. The applicant shall provide information regarding the availability of adequate replacement housing in comparable parks within a 100-mile radius of the civic center. Each comparable park shall be identified by: (A) name and address; (B) age; (C) lease or rental rates; (D) terms, policies, and restrictions on the types of homes and residents accepted; and (E) an estimate of probable number of replacement spaces within each park as of the date of survey.
- ii. The applicant shall determine the availability and proximity of public transportation to each comparable park.
- iii. The applicant shall provide information on the availability and proximity to each comparable park of medical and dental services, senior services, personal service facilities, and public service facilities.

d. *Relocation impact information.* The applicant shall state how a relocation compensation plan will be implemented to comply with this Section. The plan shall include the park owner's or applicant's procedure to accommodate the home owners or unrelatable homes and the specific relocation compensation benefits and options available to each home owner. The specific relocation benefits and options proposed shall be provided to each home owner by certified or registered mail before filing the Conversion Impact Report.

- i. Upon filing of a conversion impact report, the City shall have a reasonable time, not to exceed 14 calendar days, within which to verify that the Conversion Impact Report is complete and contains all of the information required by this Section.
- ii. Within the 14 calendar-day period, the City shall notify the applicant in writing whether the Conversion Impact Report has been satisfactorily completed pending Commission review. If the City determines that the Conversion Impact Report does not contain all of the information required by this Section, it shall set forth in writing the specific deficiencies.

E. Availability of Conversion Impact Report. The person or entity proposing such conversion shall furnish a copy of the Conversion Impact Report to owners and residents of all mobilehomes within the mobilehome park at least 30 calendar days prior to any hearing on the report by the Commission. Applicant shall give notice with proof of service by United States mail to each park resident and mobilehome owner of the place and time of hearing of the matter.

F. Conversion Schedule Requirements. When any application for a Conversion Permit is received by the City, the following schedule requirements shall apply:

1. Within 14 calendar days after the receipt of an application or an amended application, the City shall notify the applicant in writing whether the application is complete or incomplete.
2. If any application or amended application cannot be determined to be complete by the City within 90 calendar days after the application was first submitted, that application shall be deemed to be withdrawn.
3. Within 120 calendar days after notification from the City that an application is complete, the applicant shall submit a Conversion Impact Report to the City.

4. During the Conversion Impact Report preparation period, the applicant may request extensions of time for specific cause. Such requests must be submitted in writing and approved by the Commission. The total of all approved extensions shall not exceed 90 calendar days.
5. If a Conversion Impact Report cannot be determined to be complete by the City within 100 calendar days, plus any approved extensions, after notice of the complete application, the application shall be deemed to be withdrawn.
6. Within 14 calendar days after an application is deemed to be withdrawn, the City shall give written notice to the applicant and to all owners of mobilehomes in the affected park that the application is deemed withdrawn and that another application for a Conversion Permit for that park will not be allowed to be submitted for a period of 1 year.

G. Relocation Compensation. Prior to the approval of any Conversion Permit, but only after the City has accepted the Conversion Permit application and a Conversion Impact Report as complete, the Commission shall conduct a duly noticed public hearing. Such public hearing shall be held within 30 calendar days of the submission or resubmission of the completed Conversion Impact Report. The hearing shall be conducted in accordance with the procedures set forth in Chapters [17.550](#), *Administrative and Conditional Use Permits*, and 17.555, *Administrative Adjustments and Variances*. During the public hearing, the Commission shall review the Conversion Impact Report and hear testimony and evidence relating to it.

The Commission shall require (as a condition of approval of the proposed conversion) that the park owner and/or applicant shall take all necessary measures to mitigate the adverse effects created by the change in use. These measures shall be based on the ability of the displaced homeowners to find adequate replacement space in another comparable mobilehome park.

The mitigation measures shall be limited to the payment of relocation compensation as established herein to a displaced homeowner by the park owner and/or applicant proposing such conversion. In addition, each homeowner shall reserve the right to be relocated to a choice of any one of the available mobilehome parks identified in the Conversion Impact Report as a comparable park. Compensation for relocation of mobilehomes shall include the following:

1. **Disassembly and reassembly.** The cost of disassembly and reassembly of the displaced home by a licensed, bonded contractor, shall include: reinstallation of awnings, skirting, porches, storage structures, leveling, and full replacement cost of any items damaged during the move.
2. **Transportation.** The cost of transporting the home (up to 50 miles) to a comparable park shall include physically moving the home and its associated fixtures by a licensed, bonded and insured mover, disconnecting and reconnecting all utilities, and obtaining all of the required permits.
3. **Improvements.** In order to meet the comparable park's lawful requirements for acceptance of the relocated home, the cost of improvements shall include new steel supporting piers and any necessary preparation including landscaping (comparable to the receiving park) of the new home space.
4. **Personal belongings.** All costs for moving and storage, including any packing and unpacking of the furniture, furnishings, and personal effects of the homeowner, to the reassembled home in the comparable park.
5. **Daily living allowance.** For each day a homeowner and cohabitants are without a home due to relocation, the park owner or applicant shall advance a daily living allowance for food and lodging, as specified in the Conversion Impact Report.

The allowance shall be \$100.00 for each single adult resident and \$145.00 for each married couple. An additional \$40.00 per day shall be paid for each person permanently residing in the home that is being relocated.

The daily living allowance is payable for a period of up to 20 consecutive days. The time starts from the date the movers begin to prepare the home for relocation and ends when the resident can resume living in their home. This time is evidenced by issuance of a certificate of occupancy or the connection of utility services for the relocated home, whichever occurs first.

The homeowner shall receive an initial payment for the first 10 days of daily living allowance on the day the movers are scheduled to begin preparing the home for removal.

Additional payment for the daily living allowance will be provided upon reasonable request of the home owner. Any refund due the park owner shall be refunded within 7 calendar days of the date the homeowners move into their relocated home.

The daily living allowance shall be adjusted annually using 1994 as the base year, to reflect the Consumer Price Index for the Los Angeles-Anaheim-Long Beach areas as provided by the United States government, Bureau of

Statistics or any equivalent standard if the Consumer Price Index is not available.

6. If requested by any low income mobilehome park resident (defined as having an annual household income of less than 80 percent of the County's median income, adjusted for household size) the applicant shall provide the services of a consultant to assist in the selection of a relocation park or suitable alternative housing.

7. Homeowners and park owners may agree to a mutually satisfactory relocation assistance package. To be valid, such an agreement shall be in writing (at least 12 point, Courier typeface), shall include a provision stating that the homeowner is aware of the provisions of this Section, and shall be drafted in form and content as required by applicable State law.

8. Each mobilehome owner, aged 62 or older and having an annual household income of 80 percent or less of the County's median income (adjusted for household size), relocatable to another park or determined to be unrelocatable, as defined in Article 7, shall receive a rent differential, if the monthly rental rate in the comparable mobilehome park or alternative living situation is greater than the current rental rate. The applicant and/or park owner shall pay the displaced mobilehome owner the difference between the current rental rate and the rental rate of the new mobilehome park or alternative living situation, up to \$100.00 per month for the first 12 months of occupancy. The monthly rent differential payment shall be paid no less than 5 calendar days prior to the date in which the displaced mobilehome owner's rent is due. In addition, the total payment, as described in this Section, shall not exceed \$1,200.00 for any 1 home.

9. Nonresident mobilehome owners, relocatable to a comparable park, shall not receive the relocation compensation, as specified in this Section, with the exception that the applicant and/or park owner shall pay for all moving costs as described in subsections G, H and I.

H. Comparable Relocation Unavailable

1. If the Commission finds, based on the Conversion Impact Report and information presented at the public hearing, that a mobilehome is unrelocatable, the applicant shall pay the homeowner a lump sum payment determined by the "appraised value" of the mobilehome unit, as defined in Article 7, upon which the park owner shall have the option to assume title of the mobilehome.

2. The following terms/guidelines shall be followed when comparable relocation is unavailable:

- a. The appraised value shall be determined by a certified member of a nationally recognized appraisal association(s) who is qualified to appraise mobilehomes, accessory structures, and appurtenances as herein noted.
- b. The appraisal shall be conducted no more than 60 calendar days prior to the submittal of the appraisal.
- c. Nothing herein shall preclude the parties from entering into a good faith agreement as to the value of the home at any time.

I. Relocation to a Specific Park Not Required. A mobilehome owner shall not be required to locate to a specific park or location as a condition of payment of relocation compensation. The compensation payable to any mobilehome owner shall be as specified herein regardless of the location or park to which the mobilehome is actually removed or the availability of any such relocation space, except that the park owner's obligation to pay cost of transportation shall be limited to the cost of transportation for 50 miles.

J. Findings of Fact Required for Approval of a Conditional Use Permit for a Mobilehome Park Conversion.

Prior to approval of a mobilehome park conversion pursuant to the provisions of this Section, the Commission shall make a finding of fact that the evidence presented at the public hearing establishes that the conversion will not have an adverse effect upon the goals and policies for preservation of housing within the City, as set forth in the Housing element of the City's General Plan, and that one or more of the following facts are present:

1. That the conversion is necessitated by the underlying site conditions, which pose a threat to the life, health, safety, or general welfare of the mobilehome park residents; or
2. That the proposed conversion is necessitated by circumstances beyond the reasonable control of the owner of the property; or
3. That denial of said conversion would deprive the owner of reasonable or economically viable use of the property; or
4. That said conversion is required by public necessity and convenience and general welfare.

K. Notice of Effect. All park owners in the City shall notify in writing all mobilehome owners residing in their parks (present and future) of the rights and obligations of the park owners and mobilehome owners under this Chapter. Delivery of a copy of this Section shall be deemed sufficient notification in lieu of any other notice required pursuant hereto. Each notice shall be signed by the park owner and the affected mobilehome owner, as having been delivered and received by each park owner and any mobilehome owner. The notice may include, at the park owner's option, additional information related to the procedures and effects of a change of use. Existing households shall be notified within 90 days of the effective date of the ordinance codified in this Title. New households shall be notified on or before the date of commencement of occupancy. If the new household commenced occupancy without first notifying the mobilehome park owner and without signing the mobilehome park's rental documents, then notice may be given to such household within 90 days of the date of execution and delivery to the mobilehome park of such rental documents. (Ord. 2456 § 2, 2010)

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