



Sonoma County Board of Zoning Adjustments
STAFF REPORT

FILE: UPE20-0035(PLP20-0020)
DATE: June 25, 2020
TIME: 1:30 p.m.
STAFF: Eduardo Hernandez
Jane Riley, AICP

SUMMARY

Property Owner: Shashikant Singapuri
Applicant: Milestone Housing Group, LLC
Address: 171 Siesta Way, Sonoma
Supervisory District: First
APN: 056-511-029
Subject: Use Permit for Closure of the Oaks Mobile Home Park
Description: Application for Closure of a Mobile Home Park under Section 26-92-090 with conceptual site proposal for development of new senior affordable housing complex
CEQA Review: Exempt under CEQA Guidelines Sections 15061(b)(3) and 15194(b)-(d)
General Plan Land Use: Urban Residential 10 du/ac
Specific/ Area Plan: South Sonoma Valley Area 1
Zoning: R2 B6 10DU/AC (Medium Density Residential, 10 units per acre)
Code References: Sonoma County Code Section 26-92-090 & Government Code Section 65863.7



RECOMMENDATION:

Determine that the Mobile Home Park Closure Impact Report and Relocation Plan is sufficient under Government Code Section 65863.7 and the project is consistent with Zoning Code Sections 26-92-080 and 26-92-090, and approve the Use Permit, subject to conditions.

EXECUTIVE SUMMARY:

The requested Use Permit before the Board of Zoning Adjustments today is the first step in a project with two primary components: first, a Use Permit to close the existing Oaks Mobile Home Park located at 171 Siesta Way (also identified as APN 056-511-029), including permanent relocation of the site's residents; and second, approvals for and development of the Oaks site and the adjacent lot to the west at 18503 Highway 12 (also identified as APN 056-511-046) with a new 91 unit affordable senior housing project. Although conceptual development plans are included in the packet today, entitlements for the affordable senior housing project are not currently requested and are not before the BZA today. The subject of this hearing is the closure of the Mobile Home Park only.

Site Conditions

The Oaks Mobile Home Park, located at 171 Siesta Way in Boyes Hot Springs, consists of a state-permitted mobile home park containing 14 coach spaces, a single-family residence, and a laundry structure on an unpaved 1.25 acre site. The single-family residence is tenant-occupied, 11 of the 14 spaces have either an occupied mobile home or travel trailer on them, and three spaces/units are vacant. Three (3) of the mobile homes are owned by the individual residents; the other accommodations are owned by the park property owner and are rented by the occupants. Access to the mobile home park is via a deeded, unimproved access from Siesta Way. The site is generally level with no significant vegetation.

Surrounding Land Use and Zoning:

Adjoining properties to the north are zoned R1 (Single Family Residential, 5 dwelling units per acre) and are developed with single family residential uses. The adjoining lands to the south and east are zoned R2 (Medium Density Residential, 10 dwelling units per acre) and are developed with two- and three-storied multiple family residential. To the west is LC (Limited Commercial) zoning; including the currently-vacant APN 056-511-046, and the adjacent parcel to the west with frontage along Highway 12 which contains

the veterinary clinic.

Background:

A conditional use permit for closure of Oaks Mobile Home Park was previously granted about 12 years ago, in September 2008. That use permit is expired. The Sonoma Valley Citizen's Advisory Committee (SVCAC) reviewed the current proposal on June 17, 2020. The SVCAC's review and comments will be summarized by staff in today's BZA hearing. Minutes of the SVCAC meeting will also be available upon request.

Environmental Review:

While relocation of residents would have social and economic impacts to existing residents, these impacts are not physical changes to the environment subject to CEQA.

The proposed mobile home park closure is exempt from the California Environmental Quality Act (CEQA) under the CEQA Guidelines "common sense exemption" (Cal. Code Regs., tit. 14, § 15061(b)(3)), which provides that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and that where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The physical change to the environment which would occur due to the proposed closure of the mobile home park would consist of the removal or relocation of the existing mobile homes resulting in a vacant site for the contemplated new housing development, which would meet the criteria for exemption for affordable housing projects pursuant to Guidelines section 15194.

The applicant contemplates future development of the site, following park closure and tenant relocation, as a 3-storied affordable senior housing complex, which would be subject to Design Review Committee review and approval and which, as conceptually proposed, would qualify for exemption from CEQA under Guidelines Section 15194 (b)-(d) (affordable housing).

Project Description:

In total, the proposal would consist of the following: closure of the Mobile Home Park and relocation of its tenants; demolition of the existing cottage on the site and removal of the existing mobile homes; and construction of a 92 unit affordable senior housing project across two 2 c sites. In compliance with state law, in closing the park, the owner/applicant would provide a minimum of 6 months' notice to vacate and



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relocation assistance to all tenants currently living in the park, including those tenants who are renting mobile homes from the park owner. The closure impact report required by state law is provided as an attachment to this staff report.

The only approval requested from the BZA today is a use permit for closure of the Mobile Home Park. In determining whether or not the use permit should be granted, the BZA must make the following findings for closure as required by Zoning Code section 26-92-090:

- a) That adequate notice has been provided;
- b) That either (1) adequate replacement space in other mobile home parks is available for displaced mobile home park tenants and that any adverse impacts of the closure on the ability of displaced mobile home park tenants to find adequate space in a mobile home park have been mitigated, or (2) that there is adequate land zoned and approved for development that will allow replacement housing for the displaced mobile home park tenants;
- c) That a relocation plan has been submitted that mitigates the adverse impacts of the displacement of low- and moderate-income households for a reasonable transition period and also mitigates the adverse impacts of long-term displacement;
- d) That an adequate park closure impact report has been prepared and filed as required by California Government Code sections 65863.7 and 66427.4 and Civil Code section 798 et seq.

In addition, the BZA must find that the closure is consistent with the General Plan, and that the use applied for (closure of the Mobile Home Park) will not be detrimental to the health, safety, peace, comfort or general welfare of persons residing or working in the neighborhood or to the general welfare of the area.

ANALYSIS

Park Closure Impact Report and Relocation Plan

State law for closure of mobile home parks requires that relocation assistance be provided to residents and that resident owners be provided with options for selling or moving their mobile homes. The law also requires that rental assistance be provided for a “reasonable” period of time. Because the Developer, Milestone Housing, proposes an affordable project using federal and state funds, they are required to extend the “reasonable” time period of rental assistance to 3.5 years and to extend these provision to all site residents, not just the resident owners.



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The Closure Impact Report and Relocation Plan (“Closure Report and Relocation Plan,”) submitted by the applicant, dated May 2020, identifies that upon park closure, there will be 12 resident households to be relocated that may be eligible for relocation assistance. Three of the existing accommodations on the site are owner-occupied mobile homes, and nine are various types of tenant-occupied accommodations including a stick-built single family residence, five travel trailers, and three mobile homes. The owner-occupied mobile homes range in age from 17 to 40 years old. Several have site-built improvements, such as porches, sheds and carports.

According to the Closure Report and Relocation Plan, twelve adults and 11 children currently live in the park in one- and two-bedroom accommodations. Space rents for the three owner-occupied mobile homes in this unimproved park are less than \$200 per month; these rents are regulated under the Mobile Home Park Rent Stabilization Program (park space rent control). Reported tenant incomes range from extremely-low to low income. One household has a senior head of household and a household member with a disability. Half of the households prefer to communicate in Spanish. All households expressed a desire to remain in the Sonoma/Santa Rosa area, close to jobs, schools, and services.

The most immediate impact of a Park closure is the effect on the three mobile home resident owners, who own their own mobile homes and who may have resided in the Park for significant periods of time. These residents face the issue of the disposition of their mobile homes and relocation to replacement dwellings. Because of the age of the mobile homes, physical relocation to another mobile home park, while physically possible, may not be a practical option. Even if they were able to relocate to another nearby park, the park space rents would not be protected by rent control and their housing costs would likely increase. Other options include selling their existing mobile homes and purchasing another mobile in an existing park, or selling and moving to conventional housing. The Closure Report and Relocation Plan identifies the costs and the subsidies offered by the applicants for each of these options.

The Park’s resident tenants (living in accommodations that they do not own, but rent from the property owner) will also need to relocate upon closure of the Park. For these tenants, a minimum of 6 months’ notice to vacate, relocation costs, and up to 3.5 years of rental assistance will be provided as outlined in the Report.



DISCUSSION OF ISSUES

Issue #1: Consistency with Government Code

As noted above, state Government Code Section 65863.7 applies to this project. An analysis of the proposal's compliance with its requirements is outlined below.

A. Government Code Section 65863.7 (a) requires the entity proposing a mobile home park closure to file a report on the impact of the closure on displaced residents, which shall address the availability of adequate replacement housing in mobilehome parks and relocation costs.

As discussed above, the Closure Report and Relocation Plan was filed.

Subdivision (b) of this Section requires the applicant to provide a copy of the Closure Report and Relocation Plan to the mobile home park residents at least 15 days prior to the hearing on the report. Subdivision (c) of this Section requires the entity proposing the change to provide a copy of the report to residents at the same time (15 days prior to hearing) as the notice is provided pursuant to paragraph (2) of subdivision (g) of Section 798.56 of the Civil Code (see below). Subdivision (d) of this Section provides when an impact report is filed prior to the closure of a park, the entity filing the report or park resident may request, and has the right to, a hearing before the legislative body on the sufficiency of the report.

Staff verified that the applicant provided a copy of the Closure Impact Report and Relocation Plan, and notice of the hearing on the proposed park closure, to the residents on June 8, 2020. A copy of the notice is attached to this staff report. In addition, the County provided notice of the hearing on June 10, 2020, to the residents, property owners within 300 feet, and other interested parties.

Subdivision (e) of this Section requires that the legislative body or delegated advisory agency review the Closure Report and Relocation Plan prior to any park closure or change in use. The legislative body or advisory agency may require, as a condition of approval of the use permit for closure, that the park owner mitigate the adverse impact of the closure on the ability of displaced mobile home park residents to find adequate replacement housing in another mobile home park. The steps required to mitigate shall not exceed the reasonable costs of relocation.

The BZA is the advisory agency for the Board of Supervisors, and accordingly may require that the



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owner mitigate the adverse impact of the park closure on the ability of residents to find adequate replacement housing.

State Civil Code section 798.56 (g) paragraph (2) requires that the park owner give homeowners 15 days' written notice prior to a hearing on the park closure and six months or more written notice of termination of tenancy after all permits requesting a change in use have been approved.

As noted above, staff verified that the applicant provided adequate notice of the closure hearing. All residents will receive a minimum of six months' notice of termination of tenancy following the effective date of approval of the Park closure, and the Developer's award of project financing.

Issue #2: General Plan Consistency, including Housing Element

Goal HE-1.1 is to sustain existing affordable housing programs and affordable units. Goal HE-3 is to promote the production of affordable housing units. The approval of a Use Permit to close the Oaks Mobile Home Park would result in the loss of 7 occupied de facto affordable housing units and an additional 5 travel trailers. Pursuant to state and local laws, the short and long term impacts to displaced residents are required to be adequately mitigated. Assuming that the short and long term impacts of the park's closure are mitigated, replacement of these housing units with 91 units of deeded affordable senior housing is consistent with the General Plan including its Housing Element.

Issue #3: Zoning Code Consistency

Sec. 26-92-090. Mobile home park conversion, closure or cessation of use.

In order to grant a use permit to allow the conversion of a mobile home park to an alternate land use, closure or cessation of use of the land as a mobile home park, the following findings shall be made by the Board of Zoning Adjustments:

- (a) *Notice required by Section 26-92-050(a), including public hearing posting and mail out to all resident households and property owners within 300 feet of the mobile home park.*

Notice of this public hearing has been provided by mail out to all residents of the mobile home park and all property owners within 300 feet of the mobile home park. Additionally, notices were



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posted on the project site and surrounding neighborhood, and published in the Press Democrat.

- (b) (1) *Adequate replacement space in other mobile home parks is available for displaced mobile home park tenants and any adverse impacts of the conversion, closure or cessation of use on the ability of displaced mobile home park tenants to find adequate space in a mobile home park have been mitigated, or*
- (2) *There exists land which is presently zoned and approved for development which will allow replacement housing for displaced mobile home park tenants;*

Based on the listing of for-sale mobile homes included in the Closure Report and Relocation Plan, it appears that there are mobile homes available for purchase in Sonoma County. The Closure Report and Relocation Plan includes an offer to either move the mobile homes to another park, or to purchase the mobile homes from the owner and offer down payment assistance to allow them to purchase another mobile home already located within a park.

- (c) *A Closure Report and Relocation Plan has been submitted which mitigates the adverse impacts of the displacement of low- and moderate-income individuals or households for a reasonable transition period and mitigates the adverse impacts of long-term displacement.*

The main parts of the Closure Report and Relocation Plan are summarized below. Please see the report, attached, for dollar amounts:

Resident Owners:

- Relocate their trailer to another park with the cost paid for by the Developer **or** sell the trailer to the Developer at its appraised value
- Moving costs paid by the Owner/Developer
- Owners will also receive 42 months (3 ½ years) of rental assistance at their new place of residence, or can choose down payment assistance for the purchase of a replacement dwelling

Rental Residents:

- Rental assistance payments will be made over 42 months (3 ½ years) to cover increased housing costs at their replacement unit, or can choose down payment assistance for the purchase of a replacement dwelling
- Moving costs paid by the Owner/Developer



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(d) *An adequate impact report has been prepared and filed pursuant to Government Code, Sections 65863.7 and 66427.4 and Civil Code Section 798 et seq. See discussion of the report's adequacy in Issue #4 below.*

Issue #4: Adequacy of Closure Report and Relocation Plan

1. Assessment of Needs

The Closure Impact Report includes the results of a personal needs survey conducted by the applicant. Most households agreed to participate in the survey. The report seems to adequately disclose existing tenant conditions (such as current rents, household income, size of family or number of tenants per mobile home, and number of bedrooms) and locational needs (such as proximity to public transportation and services) and other special needs (such as disabled access) as provided by the residents.

2. Housing Resources/Description of Impacts/Relocation Costs

The Closure Report and Relocation Plan appropriately identifies potential housing resource options for displaced residents, including apartment rental, purchasing or renting a comparable mobile home, and the possible relocation of mobile homes to another park. It is disclosed that the most likely housing option for resident/owners is to sell their mobile home and purchase or rent a comparable mobile home in another park.

3. Relocation Assistance

Relocation assistance will be provided as selected by each household. All households will have relocation costs paid. Owner residents may relocate to another park at the expense of the Developer, or may sell their home to the Developer at the appraised value. They may also select between receiving down payment assistance to purchase another dwelling, or receiving 3.5 years of rental assistance. Rental tenants will receive 3.5 years of rental assistance.



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STAFF RECOMMENDATION

Determine that the Mobile Home Park Closure Impact Report and Relocation Plan is sufficient under Government Code Section 65863.7 and the project is consistent with Zoning Code Sections 26-92-080 and 26-92-090, and approve the Use Permit, subject to conditions, and making the following findings:

FINDINGS FOR APPROVAL

1. Notice of this public hearing has been provided by mail to all residents of the mobile home park and all property owners within 300 feet of the mobile home park. In addition, staff verified that the applicant provided the notice of hearing to park residents required by Civil Code § 798.56.
2. Based on the listing of for-sale mobile homes included in the revised Closure Report and Relocation Plan dated May 2020, there are mobile homes available for purchase in Sonoma County. The park owner has offered to pay fair market value for all mobile homes, based on independent appraisals; together with the required minimum of six months' notice to vacate, this would allow sufficient time for the mobile home owners to locate and potentially purchase comparable replacement mobile homes. Relocation benefits including moving costs and 3.5 years of rental assistance will be extended to all residents, including rental tenants.
3. As conditioned, the Use Permit is consistent with the Zoning Ordinance and General Plan, as well as state law, in that the long and short term impacts to displaced residents would be mitigated.
4. The Use Permit is consistent with Government Code 65863.7 in that the relocation assistance plan covers the reasonable cost of relocation.
5. The Use Permit for closure of the Oaks Mobile Home Park will not, under the circumstances of this particular case, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such use, nor be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the area in that, as conditioned, residents will be provided relocation assistance which addresses the reasonable costs of relocation and addresses the longer term impacts of increased rents for a minimum of 3.5 years.



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LIST OF ATTACHMENTS

- EXHIBIT A: Draft Conditions of Approval**
- EXHIBIT B: Application**
- EXHIBIT C: Relocation Plan Summary**
- EXHIBIT D: Mobile Home Park Closure Impact Report and Relocation Plan**
- EXHIBIT E: Applicant’s 15-day Notice of Hearing to Residents**
- EXHIBIT F: Public Comment**
- EXHIBIT G: Draft Resolution**



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