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Local Government Mobilehome and Mobilehome Park Policies in California

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Local Government Mobilehome and Mobilehome Park Policies in California

State of California

**Department of Housing
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**Local Government Mobilehome
and Mobilehome Park Policies
in California**

**A Survey of City and County Planning Directors
Pursuant to SB 1802 (Leroy Greene;
Chapter 1443, Statutes of 1984)**

**State of California
Department of Housing and Community Development
June 1986**

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EXECUTIVE SUMMARY

Introduction

SB 1802 of 1984 (Leroy Greene; Chapter 1443) required the Department of Housing and Community Development to conduct a survey of local governments to study the implementation of Chapter 1142 of 1980 (SB 1960; Rains) and Chapter 974 of 1981 (SB 484; Speraw). Chapter 1142 relates to the installation of mobilehomes on single-family lots and permits designation by local governments of lots determined to be compatible with mobilehome use.

Chapter 974 relates to mobilehome park development. It includes a provision that mobilehome parks shall be deemed a permitted use on all land planned and zoned for residential use.

City and county planning directors were surveyed in April 1985. The questionnaire included questions required by SB 1802, as well as questions recommended by interested organizations.

Approximately 85% of cities and counties responded. The survey results are considered representative of all cities and counties.

Mobilehomes on Single-Family Lots

Almost all local governments are complying with the letter of the law in implementing Chapter 1142 of 1980. A small minority of cities continue to prohibit mobilehomes on all single-family lots.

There are a small minority of jurisdictions in which practices followed in reviewing mobilehome installation requests are of questionable legality. These practices include review of requests on a case-by-case basis or by a conditional use permit process.

Chapter 1142 allows local governments to permit mobilehomes on foundations only on lots designated as "compatible with mobilehome use." Most of the jurisdictions which have used this provision of the law have observed the spirit of the law. Some jurisdictions, however, have adopted designations which substantially, and in some cases totally, preclude the installation of mobilehomes on single-family lots.

A significant minority of jurisdictions apply subjective standards in architectural and aesthetic review of applications to install mobilehomes on single-family lots. Examples of subjective standards are "compatible with the neighborhood" and "the same as used on conventional single-

family homes." The questionnaire was not designed to determine the extent to which use of these standards unreasonably inhibits installation of mobilehomes on single-family lots.

Among the jurisdictions which applied objective standards in architectural reviews of mobilehomes on single-family lots, only a small minority appeared to be highly restrictive. An example of a highly restrictive objective architectural requirement is permitting only wood siding.

Mobilehome Parks

A majority of jurisdictions are not in full compliance with several provisions of state law pertaining to mobilehome park development. The major examples of this include:

1. Most jurisdictions do not permit mobilehome parks on all residentially zoned land; and
2. Most jurisdictions regulate lot, yard, park area, and landscaping in acting on park development requests.

Many jurisdictions, as authorized by state law, require mobilehome park developers to obtain a conditional use permit. The standards applied in reviewing conditional use permit applications are extremely varied. Many jurisdictions have no standards at all so the process is entirely discretionary. Other jurisdictions have a few minimal specific requirements. Still others have many specific restrictive requirements.

The negative effects of local regulation on mobilehome park development appear to occur largely prior to submission of formal park development requests, because the great preponderance of mobilehome park development requests are approved at the requested density. The major local regulation problems for mobilehome park developers appear to be:

1. Prohibition of use of much residential land for mobilehome parks;
2. Availability of land zoned at suitable densities;
3. Application of development standards which are not authorized by state law; and
4. Use of vague, unstated, or restrictive standards in review of conditional use permits.

Mobilehome park rent control laws are a deterrent to development requests in some communities.

The fact that a jurisdiction is not in compliance with state law regarding mobilehome parks does not necessarily mean that it is opposed to mobilehome parks. There are a number of jurisdictions which support mobilehome park development although they do not permit parks on all of their residential land. Some of these jurisdictions, for example, have mobilehome park zones which apply to substantial percentages of their vacant residential land.

Summary of Recommendations

Existing law, which is designed to allow mobilehomes on permanent foundations on single-family zoned lots, is ambiguous and has resulted in a variety of local implementation approaches and varying degrees of compliance.

The Legislature may wish to consider legislation to clarify the authority of local governments with respect to the location of mobilehomes on permanent foundations on lots zoned for single-family dwellings.

Existing law, which deems mobilehome parks to be a permitted land use on all residentially-zoned land, has been subject to varying interpretations among local agencies.

The Legislature may wish to consider legislation to clarify the requirements of this law.

INTRODUCTION

This report was prepared pursuant to the provisions of SB 1802 of 1984. It contains the results of a survey of city and county planning directors concerning local regulation of mobilehomes and mobilehome parks.

This is one of three reports on related subjects which the Department of Housing and Community Development will provide to the Legislature in early 1986. The other two reports are in response to SB 1835 of 1984. One of the SB 1835 reports is a study of ways to encourage the construction of more family mobilehome parks in California; while the other contains the results of a survey of mobilehome parks in California. The latter provides current and historical information on the number of mobilehome parks and spaces in California as well as information on the characteristics of mobilehome parks, such as their age, zoning, and tenant age restrictions.

Since 1981, in state law, most mobilehomes are called manufactured homes rather than mobilehomes. Because it is more widely used by the general public, the term mobilehome will be used throughout the report.

Survey Authority, Objectives, and Methodology

SB 1802 (Leroy Greene; Chapter 1443 of 1984) was enacted for the purpose of determining whether or not state laws are being implemented at the local level which would provide "the opportunity for Californians to live in mobilehomes on lots zoned for residential land use or for single-family housing."

SB 1802 required the Department to study the implementation by cities and counties of recent state laws pertaining to the development of new mobilehome parks and the siting of single mobilehomes outside of parks. The laws required to be reviewed were Chapter 1142 of 1980 (SB 1960, Rains) and Chapter 974 of 1981 (SB 484, Speraw).

Chapter 1142 relates to the installation of mobilehomes on permanent foundations on single-family lots and permits designation by local governments of lots determined to be compatible with mobilehome park use. The bill permitted local governments to apply the same development standards as a conventional home to a mobilehome on a single-family lot, including set backs, parking, architectural and aesthetic requirements, and minimum square footages. Architectural requirements imposed on the mobilehome structure itself were limited to roof overhang, roofing material, and siding material. (Government Code Section 65852.3)

Chapter 974 relates to mobilehome park development. It provides that a mobilehome park, including cooperative or condominium parks, shall be deemed a permitted land use on all land planned and zoned for residential use in a general plan. (Government Code Section 65852.7) Cities and counties are allowed to require a use permit for mobilehome park development.

Additionally, Chapter 974 made temporary changes in local authority to regulate mobilehome park development. The bill deleted, until January 1, 1988 (and then restores), local government authority to adopt rules and regulations prescribing standards for lots, yards, park area, landscaping, and park perimeter walls or enclosures other than on public street frontages (Health and Safety Code Section 18300(g)). Authority was retained for local regulation of perimeter walls or enclosures on public street frontages, signs, access, and vehicle parking.

Chapter 974 also provides that, until January 1, 1988, cities and counties shall not require the average density in a new mobilehome park to be less than that permitted by the applicable zoning ordinance for other housing. (Health and Safety Code Section 18300(h))

The Department surveyed city and county planning directors in April 1985. As required by SB 1802, the survey included questions to obtain the following information:

1. How many cities, counties, and cities and counties have designated lots zoned for single-family dwellings for mobilehomes?
2. What is the approximate amount of vacant land on which cities, counties, and cities and counties are permitting the installation of mobilehomes?
3. To what degree are cities, counties, and cities and counties changing zoning to multifamily lots to avoid implementation of Chapter 1142 of the Statutes of 1980?
4. To what degree are cities, counties, and cities and counties designating lots within zones to avoid implementation of Chapter 1142 of the Statutes of 1980?
5. To what degree have manufactured houses been located on single-family lots?
6. To what degree have proposals been denied for the construction of mobilehome parks on lands zoned for residential use? What is the reason for those denials?

7. To what degree have proposals for the construction of mobilehome parks on lands zoned for residential use been submitted to planning departments and at what density per acre? Approximately how many ultimately have received formal hearings by zoning agencies of cities, counties, and cities and counties?
8. To what degree have proposals for the construction of mobilehome parks been denied whereby the park would have been situated on land designated by the general plan as residential, but not currently zoned for residential use?

SB 1802 required the Department to conduct the survey in consultation with representatives of local governments, mobilehome park owners and residents, financial institutions, and the Legislature. In response to those consultations, questions were asked on the following additional subjects:

1. Mobilehomes on single-family lots
 - a. Architectural and aesthetic requirements
 - b. Policies for allowing mobilehomes not on foundations on single-family lots
2. Mobilehome parks
 - a. Zoning
 - b. Development standards
 - c. Use permits
 - d. Development inquiries which do not result in development applications
 - e. Resident-owned parks
 - f. Rent control
 - g. Change of use

Response Rate and Validity of Data

All city and county planning directors were mailed questionnaires, and responses were received from 361 cities and 50 counties. The response rate for both cities and counties was approximately 85%. The responding counties were well distributed both by population size and by geographical area, and the county data is clearly representative of all counties in the state. The city data is also representative although the response rate was higher for cities with populations of 50,000 or more than for smaller cities.

In addition to percentages, tables in this report include the total number of jurisdictions which made various responses. The totals are included because, due to the high response rate, they are sufficiently close to the true state totals to be meaningful.

In some cases, low response rates to particular questions affect the meaningfulness of the data on particular subjects. This is indicated, as appropriate.

MOBILEHOMES ON PERMANENT FOUNDATIONS ON SINGLE-FAMILY ZONED LOTS

Permissibility of Mobilehomes on Single-Family Lots

All counties and most cities have enacted ordinances to implement Chapter 1142 of 1980. Only 21 cities (6%) prohibit all mobilehomes on single-family lots, and at least two of those are in the process of adopting ordinances to comply with the law. The 21 cities have 1% of the state's population.

Most cities and counties now permit mobilehomes on permanent foundations on all single-family zoned lots. The 256 cities and 35 counties in this category constitute 72% of responding local governments. (See Table 1) As discussed in later sections, in order to place a mobilehome on a single-family zoned lot, various requirements must be met. Once development requirements are met, a mobilehome is permitted to be installed on a permanent foundation on all single-family lots in these jurisdictions.

Chapter 1142 of 1980 provided localities with the option of designating lots as "compatible with mobilehome use" instead of permitting mobilehomes on all single-family lots. Sixty-seven cities and 12 counties (19% of the responding jurisdictions) indicated they have designated lots for use by mobilehomes.

There are a small minority of jurisdictions in which practices followed in reviewing mobilehome installation requests are of questionable legality. These practices include review of requests to install mobilehomes on foundations on a case-by-case basis or by a conditional use permit process. As shown in Table 1, instead of designating lots, nine cities and one county (3%) require a conditional use permit in order to place a mobilehome on a single-family lot. One percent of jurisdictions (three cities and one county) permit mobilehomes on single-family lots on a case-by-case basis when applications are received.

There is one city which has no regulations for the placement of mobilehomes on its single-family zoned lots. There is also one city which has no residential zoning and therefore no single-family zoned lots.

Designation of "Compatible" Lots

Most of the jurisdictions which have designated "compatible" lots have complied with the spirit of the law. Some jurisdictions, however, have adopted designations which substantially, and in some cases almost entirely, preclude the installation of mobilehomes on single-family lots.

Table 1

LOCAL ORDINANCES REGULATING INSTALLATION OF MOBILEHOMES
ON PERMANENT FOUNDATIONS ON SINGLE-FAMILY ZONED LOTS

Type of Regulations	All Jurisdictions		Cities		Counties	
	Number	%	Number	%	Number	%
Permitted on:						
All single-family lots	291	72	256	72	35	71
Designated lots only	79	19	67	19	12	25
Single-family lots with a conditional use permit	10	3	9	3	1	2
A case-by-case basis	4	1	3	1	1	2
Not permitted on single-family lots	21	5	21	6	0	0
No mobilehome regulations	1	--	1	--	0	0
No residential zoning	1	--	1	--	0	0
Total	407	100	358	101	49	100

As shown in Table 2, several approaches have been taken to designating "compatible" lots. By far the most common method has been to designate only some of the single-family zones as compatible with mobilehome use. This method of designation accounts for the great majority (70%) of the jurisdictions which designate and 13% of all responding jurisdictions.

Depending on which single-family zones are designated as compatible, this approach can range from very restrictive to hardly restrictive at all. For example, one approach is to designate as compatible all single-family lots except those in the Residential Estates Zone. This precludes mobilehome

Table 2

REQUIREMENTS IN JURISDICTIONS WHICH PERMIT
MOBILEHOMES ONLY ON DESIGNATED LOTS IN SINGLE-FAMILY ZONES

<u>Requirements</u>	<u>All Jurisdictions</u>		<u>Cities</u>		<u>Counties</u>	
	<u>Number</u>	<u>%</u>	<u>Number</u>	<u>%</u>	<u>Number</u>	<u>%</u>
Only in some residential zones	53	70	43	67	10	83
Only in mobilehome subdivision zone	2	3	2	3	0	0
Specific zoning for mobilehomes	3	4	3	5	0	0
Only in specified areas	16	21	14	22	2	17
All residential lots vacant in 1983	1	1	1	1	0	0
Not within 800 feet of another mobilehome	1	1	1	1	0	0
Total	76	100	64	100	12	100

use in the most expensive residential areas in the jurisdiction. If residential estates zoning is rare, this approach permits wide opportunities for mobilehome use in single-family areas.

Some jurisdictions, however, have designated as compatible only the residential zones with the smallest minimum square foot requirements. For example, several jurisdictions restrict placement of mobilehomes on single-family lots to lots in zones with 6,000 or less square foot minimum lot sizes. This is a very restrictive practice whenever such zones are applied to only a small proportion of single-family zoned land.

Only one other approach to designating compatible lots is at all common. Twenty percent of jurisdictions limit mobilehomes to a specific geographical section instead of

tying the designation to specific zones. About half of these jurisdictions allow mobilehomes on most single-family lots because the only areas excluded are historic districts or similar areas; however, a few cities virtually preclude mobilehomes on single-family lots in designating compatible areas. One city designated only 26 occupied lots as compatible.

All other approaches to designation of compatible lots are rare. None accounts for more than three localities (4% of jurisdictions which designate "compatible" lots). Three cities have adopted specific zones for mobilehome use on single-family lots. Two cities permit mobilehomes on single-family lots only in mobilehome subdivisions. One city permits mobilehomes only on residential lots which were vacant in 1983.

Percentage of Single-Family Lots Designated as "Compatible"

As discussed above, designating lots as compatible with mobilehome use can have practical effects which range from very minimal restrictions to almost totally precluding installation of mobilehomes on single-family lots. For this reason, localities were requested to indicate the percentage of vacant single-family lots which they have designated as compatible with mobilehome use. Three separate questions were asked:

1. The percentage for all vacant single-family lots.
2. The percentage for all vacant single-family lots in subdivisions.
3. The percentage for all vacant single-family lots outside of subdivisions.

Because of low response rates and inconsistent answers, the responses to these questions can only be interpreted in general terms.

In the jurisdictions which designate compatible lots, an average of about 45% of all vacant single-family lots have been designated as compatible with mobilehome use. The estimates for the two subtotals (inside and outside of subdivisions) were inconsistent with the overall estimate, because both were approximately 40%.

There is an extreme range in the percentage of lots designated as compatible. The answers to all three questions ranged from 0% to 99%. The primary reason for the differences is the type of zones or areas which have been designated as compatible. Some jurisdictions designate almost all residential zones or areas as compatible; a few designate only one little-used zone as compatible.

As shown in Table 3, counties tend to designate higher percentages of lots as compatible with mobilehome use than cities. All but one county designated more than half of their single-family lots as compatible. Among cities, only 41% designate at least half of their single-family lots as compatible. One-third of cities designated less than 10% of single-family lots as compatible.

Mobilehomes Not on Permanent Foundations

Chapter 1142 of 1980 only applies to mobilehomes installed on permanent foundations, and local governments are not required to permit mobilehomes on single-family lots if the mobilehome is not on a foundation. Most local governments do not allow this.

Localities were asked whether they permit mobilehomes not on permanent foundations on the same basis as ones installed on permanent foundations. The responses to this question are shown in Table 4.

Table 3

PERCENT OF SINGLE-FAMILY ZONED LOTS
DESIGNATED FOR MOBILEHOMES

Percent Designated	All Jurisdictions		Cities		Counties	
	Number	%	Number	%	Number	%
0	3	6	3	8	0	0
1 - 9	10	20	10	26	0	0
10 - 19	2	4	1	2	1	9
20 - 29	6	12	6	15	0	0
30 - 49	3	6	3	8	0	0
50 - 69	8	16	5	13	3	27
70 - 89	9	18	3	8	6	55
90 - 99	9	18	8	20	1	9
Total	50	100	39	100	11	100

Table 4

REGULATION OF MOBILEHOMES NOT INSTALLED
ON PERMANENT FOUNDATIONS

<u>Regulations</u>	All Jurisdictions		Cities		Counties	
	<u>Number</u>	<u>%</u>	<u>Number</u>	<u>%</u>	<u>Number</u>	<u>%</u>
Same as on foundations (both are permitted)	87	22	73	21	14	29
Same, but both are prohibited	17	4	17	5	0	0
Different from on foundations:						
Prohibited in single-family zones	227	58	207	60	20	41
Permitted only in special zones	13	3	5	1	8	16
Variance or conditional use permit needed	6	2	4	1	2	4
No explanation	43	11	38	11	5	10
Total	393	100	344	99	49	100

Different standards apply in the great majority of jurisdictions. With some exceptions, these localities prohibit mobilehomes on single-family zoned lots unless they are installed on permanent foundations.

Based on Table 4, at least 62% of local governments prohibit mobilehomes without foundations on single-family lots. However, because of misinterpretation of the question, it is estimated that in fact well over 70% of jurisdictions do not permit mobilehomes without foundations on such lots. It appears that some jurisdictions which indicated they allow mobilehomes without foundations on single-family lots in fact do not. Additionally, it is believed that most of the 43 jurisdictions which did not explain the nature of the

differences in their regulations do not allow mobilehomes without foundations on single-family lots.

There were 19 jurisdictions (5%) which definitely do permit mobilehomes not on permanent foundations in single-family zones. As reflected in the table, these jurisdictions do so on a more limited basis than they permit mobilehomes on permanent foundations.

Counties are much more likely than cities to allow mobilehomes without foundations on single-family lots in special zones. Eight counties (16%) indicated they allow mobilehomes without foundations in some parts of their jurisdictions, generally in some rural communities. Only five cities (1%) allow mobilehomes without foundations on single-family lots in special zones.

The data in Table 4 relates only to installation of mobilehomes for permanent residential use. As was the case prior to the passage of Chapter 1142 of 1980, many jurisdictions permit the temporary use of mobilehomes not on permanent foundations in special situations, such as during construction of a home. No attempt has been made to compile data on this subject.

Number of Mobilehomes Installed on Single-Family Lots

Although formal compliance with Chapter 1142 is almost universal, it has not led to major expansion of the number of mobilehomes on single-family lots. While there has been a great increase in the number of jurisdictions which permit such installation, there has not been a great increase in the number of mobilehomes installed.

Localities were asked to estimate the total number of mobilehomes on single-family zoned lots in their jurisdictions and how many of the total are located in mobilehome subdivisions. It is clear from the responses that the placement of mobilehomes on single-family zoned land is an infrequent occurrence except in a few jurisdictions, and those are largely the jurisdictions which have long permitted mobilehome subdivisions.

A majority of responding jurisdictions (59%) reported that they have a total of four or fewer mobilehomes on single-family lots. (See Table 5) This figure includes the 40% which said they have none. Only 21% of jurisdictions reported that they have as many as 100 mobilehomes on single-family lots. There were 26 jurisdictions (7%) which reported having 1,000 or more mobilehomes installed on single-family lots, including three (all of which are counties) with more than 5,000.

Table 5

TOTAL MOBILEHOMES ON SINGLE-FAMILY LOTS

<u>Number in Jurisdiction</u>	<u>All Jurisdictions</u>		<u>Cities</u>		<u>Counties</u>	
	<u>Number</u>	<u>%</u>	<u>Number</u>	<u>%</u>	<u>Number</u>	<u>%</u>
0	150	40	150	44	0	0
1 - 4	73	19	71	21	2	5
5 - 24	57	15	52	15	5	13
25 - 49	16	4	14	4	2	5
50 - 99	9	2	8	2	1	3
100 - 249	17	5	15	5	2	5
250 - 499	15	4	11	3	4	10
500 - 999	14	4	7	2	7	18
1000 -4999	23	6	10	3	13	33
5000 or more	3	1	0	0	3	8
Total	377	100	338	100	39	100

Most of the jurisdictions with large numbers of mobilehomes on single-family lots are counties. Of the 26 jurisdictions which reported having more than 1,000 mobilehomes on single-family lots, 16 are counties (41% of counties); only 10 are cities (3 % of all cities).

The jurisdictions with no or very few mobilehomes on single-family lots are primarily cities. One hundred and fifty cities (40%), but no counties, reported having no mobilehomes on single-family lots.

The total number of mobilehomes on single-family lots reported by all jurisdictions is not an accurate figure because the estimates made by a number of jurisdictions did not include mobilehomes both inside and outside of mobilehome subdivisions. The statewide figure for mobilehomes in mobilehome subdivisions was about 102,000. Based on analysis of individual questionnaires, it is estimated that the statewide total for all mobilehomes on single-family lots is at least 120,000.

It is uncommon to have mobilehomes on single-family lots only in mobilehome subdivisions. Only 29 jurisdictions indicated that all of their mobilehomes on single-family lots are in mobilehome subdivisions. However, these include several of the jurisdictions with the largest numbers of mobilehomes on single-family lots, and most mobilehomes on single-family lots are in mobilehome subdivisions.

Architectural and Aesthetic Requirements

General questions were asked in order to determine how architectural and aesthetic standards for mobilehomes on single-family lots compare to standards for conventional single-family housing. Additionally, questions were asked about the specific architectural requirements applied to mobilehomes with regard to roof overhangs, roofing materials, siding materials, and other architectural requirements.

Architectural requirements are widespread both for single-family homes and for mobilehomes on single-family lots. As shown in Table 6, most localities (68%) have architectural requirements for mobilehomes on single-family lots. Over one-fourth of jurisdictions have architectural requirements for mobilehomes but not for conventional single-family units. Only 5% of local governments apply architectural standards to conventional single-family homes but not to mobilehomes on single-family lots.

Aesthetic requirements are much less common than architectural requirements, but almost half (46%) do apply aesthetic requirements to mobilehomes on single-family lots. (See Table 7) Aesthetic requirements are more commonly applied to mobilehomes on single-family lots than to conventional single-family homes. In 14% of jurisdictions, aesthetic requirements are applied to requests for placement of mobilehomes on single-family lots but not to conventional single-family homes. The reverse is true in only 4% of localities.

Aesthetic requirements are significantly less common among counties (38%) than among cities (52%).

Specific Architectural Requirements for Mobilehomes on Single-Family Lots

The Government Code permits localities to apply architectural standards to requests to install mobilehomes on permanent foundations; however, there are some restrictions. Architectural requirements imposed on the mobilehome structure itself are limited to roof overhangs, roofing materials, and siding materials. Localities may impose the same requirements as for conventional single-family homes with regard to such matters as "building setback standards, side and rear yard requirements, standards for enclosures,

Table 6

ARCHITECTURAL REQUIREMENTS FOR SINGLE-FAMILY HOMES
AND MOBILEHOMES ON SINGLE-FAMILY LOTS

Have Architec- tural Require- ments For	All Jurisdictions		Cities		Counties	
	Number	%	Number	%	Number	%
Both single-family and mobilehomes	165	41	148	42	17	34
Only single-family homes	20	5	19	5	1	2
Only mobilehomes	110	27.5	95	27	15	30
Neither	106	26.5	89	25	17	34
Total	401	100	351	100	50	100

Table 7

AESTHETIC REQUIREMENTS FOR SINGLE-FAMILY HOMES
AND MOBILEHOMES ON SINGLE-FAMILY LOTS

Have Aesthetic Requirements For	All Jurisdictions		Cities		Counties	
	Number	%	Number	%	Number	%
Both single-family and mobilehomes	125	32	115	33	10	21
Only single-family	16	4	16	5	0	0
Only mobilehomes	56	14	48	14	8	17
Neither	193	50	164	48	29	62
Total	390	100	343	100	47	100

access, and vehicle parking and architectural, aesthetic requirements, and minimum square footage requirements." (Government Code Section 65852.3)

Data was collected on specific architectural requirements and was reviewed in order to assess whether the limitations in the Government Code have been observed, as well as to assess how onerous are the requirements applied to mobilehomes. Some jurisdictions indicated they have detailed, precise requirements which require no discretion to interpret and apply. (An example is a one-foot roof overhang requirement.) Other jurisdictions have adopted general requirements which necessitate subjective judgment to apply to mobilehome installations. Examples of subjective standards are "compatible with the neighborhood" and "the same as used on conventional single-family homes."

Among the jurisdictions which applied objective standards in architectural reviews of mobilehomes on single-family lots, only a small minority appeared to be highly restrictive. An example of a highly restrictive architectural requirement is permitting wood siding only. The questionnaire was not designed to determine the extent to which use of these standards unreasonably inhibits installation of mobilehomes on single-family lots.

Mobilehome Roof Overhangs

Most jurisdictions (66%) have roof overhang requirements for mobilehomes on single-family lots. Detailed requirements predominate over subjective standards.

As shown in Table 8, 27% of all jurisdictions had detailed overhang requirements which require no interpretation. A one-foot minimum overhang was the most common of these requirements, since it accounted for 20% of all localities. An 18-inch minimum overhang, at 5%, was next most common; while 2% indicated a two-foot minimum.

"Compatible with the neighborhood" was the only subjective standard commonly applied to mobilehome roof overhangs. It is used by 14% of jurisdictions.

Only 5% of jurisdictions indicated miscellaneous other requirements, while 20% indicated that they have roof overhang requirements but did not provide information on the nature of the requirements.

Mobilehome Roof Materials

Sixty-five percent of responding jurisdictions have requirements for mobilehome roof materials. (See Table 9) Most of the requirements need interpretation to implement.

Table 8

REQUIREMENTS FOR MOBILEHOME ROOF OVERHANGS
(ON SINGLE-FAMILY LOTS)

Requirements	All Jurisdictions		Cities		Counties	
	Number	%	Number	%	Number	%
Have requirements:						
One-foot minimum	73	20	61	19	12	29
18-inch minimum	19	5	18	6	1	2
Two-foot minimum	6	2	6	2	0	0
Compatible with the neighborhood	51	14	48	15	3	7
Not explained	71	20	64	20	7	17
Other	18	5	18	6	0	0
No requirements	124	34	106	33	18	44
Total	362	100	321	101	41	100

There were two types of subjective mobilehome roof materials standards. Eighteen percent of jurisdictions require roof materials to be "compatible with the neighborhood" while 12% permit only "the same materials as are used on conventional homes."

The jurisdictions with objective standards vary considerably in the extent of restrictiveness of their requirements. Among jurisdictions which specify lists of acceptable materials, a few are very restrictive, such as wood only, while others accept most materials. Nine percent require only that the roof material be nonmetal or nonreflective.

Mobilehome Siding Materials

In many respects, mobilehome siding materials requirements are similar to mobilehome roof material requirements. (See Table 10) The same percentage of jurisdictions, 65%, have them. Likewise, the subjective standards "compatible with the neighborhood" (17%) and "same as used on conventional homes" (11%) are the most common requirements. The 8% of

Table 9

REQUIREMENTS FOR MOBILEHOME ROOF MATERIALS
(ON SINGLE-FAMILY LOTS)

<u>Requirements</u>	<u>All Jurisdictions</u>		<u>Cities</u>		<u>Counties</u>	
	<u>Number</u>	<u>%</u>	<u>Number</u>	<u>%</u>	<u>Number</u>	<u>%</u>
Have requirements:						
Compatible with the neighborhood	64	18	59	19	5	12
Same as used on conventional homes	44	12	40	13	4	10
Wood or shingles	7	2	6	2	1	2
Nonmetal	14	4	14	4	0	0
Not reflective	18	5	14	4	4	10
Not explained	55	15	48	15	7	17
Other	30	9	28	9	2	5
No requirements	125	35	107	34	18	44
Total	357	100	316	100	41	100

miscellaneous responses include mostly jurisdictions which have lists of acceptable materials. Many of these lists were not particularly restrictive, although a few were.

Six percent of jurisdictions require only that the siding material not be reflective.

Other Architectural Requirements

One-third of jurisdictions have architectural requirements other than roof overhang or roof or siding materials requirements. The most common of these are related to roof pitch, minimum size, and overall compatibility with the neighborhood.

A roof pitch requirement was mentioned by 7% of all jurisdictions. A 3-inch in 12-inch pitch was the most common and a 2-inch in 12-inch requirement was the second most common.

Table 10

REQUIREMENTS FOR MOBILEHOME SIDING MATERIALS
(ON SINGLE-FAMILY LOTS)

<u>Requirements</u>	<u>All Jurisdictions</u>		<u>Cities</u>		<u>Counties</u>	
	<u>Number</u>	<u>%</u>	<u>Number</u>	<u>%</u>	<u>Number</u>	<u>%</u>
Have requirements:						
Compatible with the neighborhood	63	17	58	18	5	11
Same as used on conventional homes	40	11	36	11	4	9
Wood; or wood or stucco	4	1	3	1	1	2
Nonmetal	17	5	16	5	1	2
Not reflective	21	6	16	5	5	11
Not explained	63	17	55	17	8	18
Other	30	8	28	9	2	5
No requirements	125	35	107	34	18	41
Total	363	100	319	100	44	99

Other requirements, mentioned infrequently, included one-inch in 12-inch, "like others in the neighborhood", and "must be pitched, but no slope requirements."

A requirement that the overall mobilehome design must be "compatible with the neighborhood" was mentioned by about 6% of all jurisdictions.

About 8% of all jurisdictions have minimum size requirements for the mobilehome. Commonly, the minimum was between 800 and 1,000 square feet or was expressed in terms of the width of the street frontage, such as 20 feet, or 32 feet including garage.

Siding material extending to the ground, or to a concrete foundation, is another relatively common requirement.

Rezoning of Single-Family Land to Multifamily

SB 1802 called for the survey to request information about rezoning single-family land to multifamily zoning since July 1, 1981, in order to determine whether rezoning has taken place to avoid the requirement to allow mobilehomes on permanent foundations on single-family zoned land. There was no evidence that rezoning for that reason has occurred.

None of the jurisdictions which have rezoned single-family land to multifamily indicated that the reason had anything to do with mobilehomes. The common reasons indicated for rezoning to multifamily were "for apartments", "at the request of the owner", "to reflect the general plan (or a specific plan)", and "to make housing affordable." Other reasons included "for condominiums" and "for higher density housing."

MOBILEHOME PARKS

The objectives of the survey with regard to local mobilehome park regulation fell primarily into three categories. These were:

1. The type and nature of provisions used to regulate mobilehome park development;
2. The extent of mobilehome park development applications and the nature of local government actions on them; and
3. The type and extent of zoning available for mobilehome park development.

A majority of jurisdictions are not in full compliance with several provisions of state law pertaining to mobilehome park development. The major examples of this include:

1. Most jurisdictions do not permit mobilehome parks on all residentially zoned land, and
2. Most jurisdictions regulate lot, yard, park area, and landscaping in acting on park development requests.

Although the great preponderance of mobilehome park development applications are approved at the requested density, local regulations are having significant negative effects on mobilehome park development. Most development inquiries do not result in applications, and the negative effects of local regulations appear to occur largely prior to submission of formal park development requests.

The major inhibiting factors for mobilehome development resulting from local government regulations appear to be:

1. Prohibition of use of much residential land for mobilehome parks;
2. Availability of land zoned at suitable densities;
3. Application of development standards which are not authorized by state law; and
4. Use of vague, unstated, or restrictive standards in review of conditional use permits.

Mobilehome park rent control laws are a deterrent to development requests in some communities.

Permissibility of Mobilehome Parks on All Residentially Zoned Land

Government Code Section 65852.7 makes mobilehome parks a permitted land use on all residentially zoned land. The survey indicates that most local governments are not complying with this law. Only 106 jurisdictions (26%) indicated that they permit parks on all residentially zoned land. As shown in Table 11, the findings for cities and counties are similar.

It should be noted that the fact that mobilehome parks are a permitted land use does not mean that parks are feasible to develop in that locality. The law only requires that the zoning density available in that residential zone be equally available for mobilehome parks as for other permitted uses. If the zoning is for one-acre lots, for example, mobilehome park development would not be economically feasible even if it were permitted. Additionally, local government development procedures and requirements can make park development infeasible even if it is a permitted use.

The fact that jurisdictions are not in compliance with state law regarding mobilehome parks does not necessarily mean that a jurisdiction is opposed to mobilehome parks. There are a number of jurisdictions which support mobilehome park development although they do not permit parks on all of their residential land. Some of these jurisdictions, for example, have mobilehome park zones which apply to substantial percentages of their vacant residential land.

General Plan Designation of Land for Mobilehome Parks

State law makes mobilehome parks a permitted land use on all residentially zoned land, and local governments are not

Table 11

PERMISSIBILITY OF MOBILEHOME PARKS
ON ALL RESIDENTIALLY ZONED LAND

<u>Permissible</u>	<u>All Jurisdictions</u>		<u>Cities</u>		<u>Counties</u>	
	<u>Number</u>	<u>%</u>	<u>Number</u>	<u>%</u>	<u>Number</u>	<u>%</u>
Yes	106	26	92	26	14	29
No	295	74	260	74	35	71
Total	401	100	352	100	49	100

required to designate specific land for mobilehome park use. However, a significant minority (21%) do so.

Almost all jurisdictions which designate land for mobilehome parks are jurisdictions which do not permit them on all residentially zoned land. Some of these jurisdictions have a substantial percentage of their vacant land zoned for mobilehome park use.

Mobilehome Park Development Standards

Local governments were asked whether they have development standards with regard to lots, yards, park area, landscaping, walls, and enclosures. All of these types of standards were permitted until the passage of Chapter 974 of 1981. That law repealed the permissibility of lot, yard, park area, and landscaping standards on a temporary basis until January 1, 1988.

Despite the deletion of this statutory authorization, most jurisdictions (between 69% and 79%) continue to apply standards to these factors. (See Table 12)

State law continues to authorize local standards for walls and enclosures on the perimeters of mobilehome parks. However, these are far less common subjects for local requirements. Only between 31% and 34% of the jurisdictions indicated they currently have standards for these subjects.

Nine localities (2%) stated specifically that they prohibit all mobilehome parks; therefore they have no development standards for any of the six subjects. Since these statements were written-in comments (no direct question was asked), it can be assumed that there probably are other jurisdictions which prohibit all mobilehome parks.

Other Types of Mobilehome Park Regulations

Information was requested about several other types of mobilehome park regulations, including whether the locality considers community needs for certain types of parks in reviewing development requests. Questions were also asked about whether the locality has: 1) an ordinance regulating conversion of existing parks; and 2) a rent control ordinance.

Consideration of Types of Need

Few localities indicated that they consider the need for different types of parks, such as for seniors or families, in reviewing mobilehome park development applications. Similarly, few localities apply different standards to reviewing applications for different types of parks. As shown in Table 13, 348 jurisdictions (91%) indicated they do

Table 13

DIFFERENCES IN STANDARDS APPLIED TO MOBILEHOME PARK
DEVELOPMENT APPLICATIONS BY TYPE OF PARK

Different Standards Applied	All Jurisdictions		Cities		Counties	
	Number	%	Number	%	Number	%
Yes:						
Consider community need	1	--	1	--	0	0
Consider suitability of location	2	1	2	1	0	0
Only for facilities requirements	9	2	9	3	0	0
Differences unexplained	13	3	11	3	2	4
No	348	91	303	91	45	92
No; prohibit mobilehome parks	9	2	7	2	2	4
Other responses	1	--	1	--	0	0
Total	383	99	334	100	49	100

not apply different standards. Of those which do apply different standards, only half explained the differences. They primarily indicated they consider the suitability of the location or have different facilities requirements for different types of parks.

Resident-Owned Parks

Only 17% of local governments currently have ordinances which regulate conversion of existing mobilehome parks to resident-owned parks. As shown in Table 14, most of these localities (11%) have a separate ordinance for park conversions while the remainder (6%) use their general condominium or cooperative conversion ordinance. Among the localities which do not currently have a park conversion ordinance are 23 (6%) which are considering adopting one.

Table 14

ORDINANCES REGULATING CONVERSION TO
RESIDENT-OWNED MOBILEHOME PARKS

Jurisdiction Has Ordinance	All Jurisdictions		Cities		Counties	
	Number	%	Number	%	Number	%
Yes	46	11	42	12	4	8
Yes, condominium or cooperative ordinance applies	23	6	16	4	7	14
No, but consider- ing adopting one	23	6	20	6	3	6
No	311	77	275	78	26	72
Total	403	100	353	100	50	100

Table 15

RESIDENT-OWNED MOBILEHOME PARKS

Jurisdiction Has Resident- Owned Parks	All Jurisdictions		Cities		Counties	
	Number	%	Number	%	Number	%
Yes	36	9	32	9	4	8
No	300	75	269	77	31	62
Don't know	63	16	48	14	15	30
Total	399	100	349	100	50	100

The responses to the planning director survey indicate there are still relatively few resident-owned parks in California. (See Table 15) Thirty-two city planning directors and four county planning directors indicated there is at least one resident-owned park in their jurisdiction.

Rent Control

At the time of the survey, there were 47 jurisdictions (12%) which had ordinances which control rents in mobilehome parks. (See Table 16) Nine other jurisdictions have had mobilehome park rent control in the past. Twelve (3%) of the "no rent control" jurisdictions are considering adopting a mobilehome park rent control ordinance. According to a survey of mobilehome park operators, also conducted in April 1985, the jurisdictions with rent control have 33% of the mobilehome park spaces in the state.

Seven jurisdictions (2%) indicated they have arbitration or mediation ordinances rather than rent control ordinances.

Mobilehome Park Development Inquiries

Because the volume of mobilehome park development applications has been low for the last several years, it is significant to know whether this reflects low developer interest or other factors. The volume of developer applications is only a small fraction of the level of development inquiries. According to the planning directors, local regulations are a relatively minor factor in this occurrence.

Table 16

MOBILEHOME PARK RENT CONTROL

<u>Have Rent Control</u>	<u>All Jurisdictions</u>		<u>Cities</u>		<u>Counties</u>	
	<u>Number</u>	<u>%</u>	<u>Number</u>	<u>%</u>	<u>Number</u>	<u>%</u>
Yes	47	12	40	11	7	14
No, but con- sidering it	12	3	9	3	3	6
No, had it in past	9	2	8	2	1	2
No, never had it	326	81	288	82	38	76
Have arbitration	2	1	1	--	1	2
Have mediation	5	1	5	1	0	0
Total	401	100	351	99	50	100

It is common for local governments to receive at least occasional inquiries about mobilehome park development which do not result in development applications. (See Table 17) Half of the jurisdictions which provided information indicated they do receive inquiries which do not result in development applications. One-fourth of the jurisdictions did not answer this question. A great majority of counties (84%) receive inquiries which do not result in applications; among cities, less than half (44%) do so.

Most of the jurisdictions which receive inquiries receive very few--only one every few months or even less. Among the jurisdictions which do receive inquiries, 88% receive one or less per month. There are, however, as shown in Table 18, a few jurisdictions which receive a significant number of inquiries per month. One city and three counties receive four or more inquiries per month which do not result in development applications.

Among the jurisdictions which receive inquiries which do not result in applications, almost half (46%) did not give a reason. As shown in Table 19, the most common type of reason given had to do with economics. A fourth of the localities indicated inquiries do not result in applications due to high land costs, high interest rates, high development costs, or a lack of demand for spaces. The next most common reason given, at 8%, was lack of suitable land. Lack of sewers or other infrastructure accounted for 6% of the reasons given, frequently related to development in remote areas or at a significant distance from a developed area.

Only 11 jurisdictions mentioned local government regulations as the reason that inquiries do not result in applications. Of these, nine indicated incompatibility of the potential

Table 17

RECEIPT OF MOBILEHOME PARK DEVELOPMENT INQUIRIES
WHICH DO NOT RESULT IN DEVELOPMENT APPLICATIONS

Receive Inquiries Not Resulting In Applications	All Jurisdictions		Cities		Counties	
	Number	%	Number	%	Number	%
Yes	152	50	115	44	37	84
No	154	50	147	56	7	16
Total	306	100	262	100	44	100

Table 18

NUMBER OF MOBILEHOME PARK DEVELOPMENT INQUIRIES
WHICH DO NOT RESULT IN DEVELOPMENT APPLICATIONS

Number Received Per Month	All Jurisdictions		Cities		Counties	
	Number	%	Number	%	Number	%
None	154	50	137	56	7	16
1 or less	117	38	88	34	29	66
2	11	4	9	3	2	5
3	2	1	2	1	0	0
4 or more	5	2	1	--	4	9
Unspecified number	17	6	15	6	2	5
Total	306	100	262	100	44	101

site or sites with the general plan and zoning. The other two said their rent control ordinances caused inquirers to drop their interest in park development.

Change of Use of Mobilehome Parks

Only a small minority of localities (10%) have ordinances which regulate change of use of existing mobilehome parks. One city indicated it prohibits all mobilehome park conversions.

Only 30 requests have been received to convert mobilehome parks to another use since January 1, 1984. Sixteen of these are still pending, including five requests to convert to mobilehome subdivisions, one to convert to conventional residential use, nine for commercial or industrial use, and one for mixed residential-commercial use. The requests to convert to mobilehome subdivisions involve primarily large parks and 1,349 spaces are involved. There are 600 spaces at issue in the other eleven pending requests.

Only eleven requests, involving 1,599 spaces, were approved. Most of the spaces were approved for conversion to mobilehome subdivisions (5 parks; 1,417 spaces). Also approved were requests to convert two parks (118 spaces) to conventional residential use and four parks (74 spaces) to commercial or industrial use.

Table 19

REASON MOBILEHOME PARK DEVELOPMENT INQUIRIES
DO NOT RESULT IN DEVELOPMENT APPLICATIONS

<u>Reason</u>	<u>All Jurisdictions</u>		<u>Cities</u>		<u>Counties</u>	
	<u>Number</u>	<u>%</u>	<u>Number</u>	<u>%</u>	<u>Number</u>	<u>%</u>
Economics; costs; no demand	38	25	35	30	3	8
Lack of suitable land	12	8	11	10	1	3
Incompatible with general plan and zoning	9	6	4	3	5	14
Lack of sewer availability	6	4	3	3	3	8
Lack of infra- structure	3	2	1	1	2	5
Have rent control	2	1	2	2	0	0
Other reasons	12	8	9	8	3	8
Reason not given	70	46	50	43	20	54
Total	152	100	115	100	37	100

Three requests were denied. These requests, which involved 311 spaces, were to convert to mobilehome subdivisions.

Replacement Parks

The cities and counties reported that only 17 park development applications, for a total of 1,871 spaces, have been received to replace existing parks. The largest park application was for 484 spaces.

New Mobilehome Parks

Information was sought on all requests to develop new mobilehome parks since January 1, 1982. Only 240 mobilehome park development requests were reported.

Localities were asked to provide information on the number of parks, the average density requested, action taken, current status, and reasons for any denials. All of this information was provided in three categories:

- 1) Requests which did not require a zone change;
- 2) Requests which involved a zone change only; and
- 3) Requests which involved a general plan amendment.

Requests Involving No Zone Change

Requests were received since January 1, 1982 to develop 211 parks on land which was already zoned for mobilehome park use at the requested density. Sixty of these requests were in a single jurisdiction. Most jurisdictions received no requests. The average density requested was 8 spaces per acre.

Information was provided on the status of only 153 of the 211 applications. Actions taken were as follows: 122 were approved (115 at the density requested and 7 at less than the density requested), 13 were denied, and 18 were pending.

One hundred and thirty requests were reported as having received planning commission approval. Only 85 were reported as having received city council or board of supervisors approval. Since 122 applications received final approval, this indicates that many jurisdictions do not require approval by the legislative body when no zoning change is involved.

Requests Involving a Zone Change

Requests were received to develop 29 parks since January 1, 1982 on land which required a zone change; of these, 21 required only a zone change while 8 required both a zone change and a general plan amendment.

Most jurisdictions received no requests requiring zone changes. The highest number of requests received by a single jurisdiction was 8, and the average requested density was 13 units per acre. This was five units per acre higher than the requested density of park development requests which did not require a zone change.

Information was provided on the status of the 21 requests which required only a zone change, as follows: 15 were approved (all at the requested density); 0 were denied; and 6 were pending.

Some jurisdictions do not require planning commission approval, and some do not require legislative body approval. Of the 15 development approvals noted above, there were 10 planning commission and 11 legislative body approvals.

Requests Involving a Zone Change and a General Plan Amendment

Of the eight park requests involving a general plan amendment, six received final approval of the legislative body at the requested density. The other two requests were still pending. There were no denials.

Reasons for Denials of Mobilehome Park Development Requests

The only reported denials of mobilehome park development requests since January 1, 1982 were the 13 denials to develop on land which was already zoned for mobilehome park use. Information was provided on the reasons for seven of these denials, as follows:

1. Four were denied because they did not conform to the general plan. (The nature of the nonconformance was not stated.)
2. One request was incomplete and was withdrawn.
3. One request was part of a larger project and was denied because of opposition to the overall project.
4. One request was denied because the developer was unwilling to pay California Environmental Quality Act costs.

Development of Resident-Owned Mobilehome Parks

A separate set of questions was asked concerning development of resident-owned parks since January 1, 1982. Thirty jurisdictions reported receiving a total of 45 requests. One jurisdiction received nine requests and all others received three requests or less, including 24 which received only one request each.

Nineteen of the jurisdictions reported approval of a total of 27 of the requests. The jurisdiction with nine requests approved six of them. No information is available on the current status of any of the requests which were not reported as approved.

Mobilehome Park Use Permits

Most jurisdictions, as authorized by state law, require mobilehome park developers to obtain a conditional use permit to develop a mobilehome park. (See Table 20) Almost two-thirds (64%) require use permits, while one-third said they do not. A few jurisdictions gave qualified answers, while 9 (2%) said mobilehome parks are prohibited.

Table 20

USE PERMIT REQUIREMENTS TO DEVELOP MOBILEHOME PARKS

Use Permit Required	All Jurisdictions		Cities		Counties	
	Number	%	Number	%	Number	%
Yes	252	65	213	62	39	81
No	126	32	119	35	7	15
No, rezoning is required	1	--	1	--	0	0
No, must apply for PUD	2	1	2	1	0	0
Mobilehome parks are prohibited	9	2	7	2	2	4
No residential zoning	1	--	1	--	0	0
Total	391	99	343	100	48	100

The standards applied in reviewing conditional use permit applications are extremely varied. Many jurisdictions have no standards at all, so the process is discretionary. Other jurisdictions have a few minimal specific requirements. Still others have many specific restrictive requirements.

ZONING FOR MOBILEHOME USE

Little accurate summary data was obtained from the planning director responses to the question concerning vacant acreage by zoning category. Many jurisdictions did not provide any zoning data. Some provided total vacant acreage but not the subtotals for acres zoned for mobilehomes on single-family lots and mobilehomes in mobilehome parks. Some did the opposite by providing subtotals only. In addition, some jurisdictions provided information on various zoning categories, such as industrial, but not on others, such as residential.

While summary totals are not valid, observations can be made based on the vacant acres data. It is clear that there is a great range in the availability of vacant acreage in localities in California. Some cities are virtually built

out and have no, or virtually no, vacant acreage in all zoning categories. A few cities and many counties have more than 10,000 vacant residential acres. Several counties have more than 100,000 vacant residential acres.

Many jurisdictions provided zoning data that was in conflict with their answers concerning permissibility of mobilehomes on single-family lots. Jurisdictions which reported that mobilehomes on permanent foundations are permitted on all single-family lots should have indicated that their vacant residentially zoned land includes vacant acres for mobilehomes on single-family lots. Many such jurisdictions, however, indicated zero vacant residential acres for mobilehomes on single-family lots. They may have misunderstood the question on zoning, but, if so, their answers may reflect a pattern of not perceiving mobilehomes as a use for single-family lots even though the local ordinances permit it. Among the half of jurisdictions which provided usable information, 26% indicated that all of their vacant single-family land is available for mobilehomes, while 29% indicated that none is.

Another significant fact emerging from the responses is that many jurisdictions indicate none of their vacant residential acres are available for mobilehome park use. Among the 55% of the jurisdictions which provided usable information, two-thirds (68%) indicated that none of their vacant residential land is available for mobilehome park use. Only 3% said all vacant residential land may be used for parks. State law requires that mobilehome parks be a permitted use on all residentially zoned land. Again, it is not clear all jurisdictions fully understood the zoning question, but it is also clear that a substantial number of jurisdictions are not complying with Government Code Section 65852.7.

The data also indicates that considerable numbers of jurisdictions permit mobilehome parks on industrially and/or commercially zoned land. Many others do not permit this.

FACTORY-BUILT HOUSING

Another type of housing which is built in factories are units built under the Factory-Built Housing Law. These units are constructed to the same standards as conventional housing built under the State Housing Law. The Factory-Built Housing Law, however, has been little used; planning directors reported only 7,848 units on single-family lots which were built under this law.

PLANNING DIRECTOR RECOMMENDATIONS

The planning directors were requested to provide recommendations for new and revised laws relating to mobilehomes and mobilehome parks, as well as recommendations for ways to promote the development of new family parks. Most jurisdictions did not provide any recommendations. Among those who did, many indicated general support for mobilehomes and mobilehome parks without making any specific recommendations for actions to be taken. A few expressed general opposition to mobilehomes and mobilehome parks.

There were no specific recommendations which were mentioned by more than a very few jurisdictions each.

RECOMMENDATIONS

Mobilehomes on Single-Family Lots

Local governments generally are complying with Chapter 1142 of 1980. Legislative action may be desirable to improve compliance in some instances. A few cities prohibit mobilehomes on all single-family lots, but no legislative action is necessary because this noncompliance with the law is clear-cut and adequate legal remedies are available.

Some jurisdictions, without designating compatible lots, deny applications to place mobilehomes on permanent foundations on single-family lots. In addition, a few jurisdictions have used the statutory provisions authorizing designation of compatible lots to virtually preclude installation on single-family lots.

The Legislature may wish to consider legislation to clarify the authority of local governments with respect to the location of mobilehomes on permanent foundations on lots zoned for single-family dwellings.

Mobilehome Parks

Most jurisdictions do not allow mobilehome parks on all residential land as required by state law. Among the reasons for noncompliance are lack of understanding of the statutory provisions on the part of local governments and reluctance of mobilehome park developers to sue in order to secure their rights under the law.

The Legislature may wish to consider legislation to clarify the requirements of the law.

Other Policies

<u>Policy</u>	<u>City</u>	<u>County</u>
Only in MH subdivisions	Barstow Galt	
Specific zoning for MHs: R-1-MH MH Residential	King City Porterville Point Arena	
All lots vacant in 1983	Weed	
Not within 800 feet of another mobilehome	Norco	
Permitted on a case- by-case basis	Carpinteria Clovis Richmond	Amador
Permitted on all lots with a CUP	Davis Imperial Beach Irvine Jackson Los Angeles Palmdale Rocklin Reedley Sand City	Monterey
No mobilehome regulations	Foster City	
No residential zones	Industry	
Mobilehomes not permitted on single-family zoned land	Belvedere Carmel Coronado Cudahy Del Mar Del Rey Oaks Dinuba Gonzales Guadalupe Hidden Hills Kerman La Canada Flintridge La Habra Heights La Palma McFarland Pismo Beach Pittsburg Redondo Beach Selma South Gate Villa Park	

APPENDIX 1

Copies of:

SB 1802 (L. Greene), Chapter 1443,
Statutes of 1984.

SB 1960 (Rains), Chapter 1142,
Statutes of 1980.

SB 484 (Speraw), Chapter 974,
Statutes of 1981.



Senate Bill No. 1802

CHAPTER 1443

An act to add and repeal Section 65852.8 of the Government Code, relating to zoning, and making an appropriation therefor.

[Approved by Governor September 25, 1984. Filed with Secretary of State September 26, 1984.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1802, L. Greene. Zoning for mobilehomes.

The existing provisions of Chapter 1142 of the Statutes of 1980 and of Chapter 974 of the Statutes of 1981, among other things, provide for the zoning which shall be applicable to mobilehomes.

This bill would require the Department of Housing and Community Development to conduct a study on the implementation of the above-cited chapters, including specified areas to be covered. The department would be required to report its findings and recommendations to the Legislature by December 31, 1985. The provision requiring the study would be made inoperative on July 1, 1986, and would be repealed on January 1, 1987.

The bill would appropriate \$50,000 from the Mobilehome-Manufactured Home Revolving Fund to the department for the purposes of the bill.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares that manufactured housing offers Californians the opportunity to own and live in decent, safe, and affordable housing on a permanent basis. The Legislature further finds that the enactment of Chapter 1142 of the Statutes of 1980 and Chapter 974 of the Statutes of 1981 made significant changes relating to the zoning of property for mobilehomes, and that any failure of local communities to implement the provisions of those statutes limits the opportunity for Californians to live in mobilehomes on lots zoned for residential land use or for single-family housing.

SEC. 2. Section 65852.8 is added to the Government Code, to read:

65852.8. (a) The Department of Housing and Community Development shall conduct a study on the implementation of Chapter 1142 of the Statutes of 1980 and Chapter 974 of the Statutes of 1981 by cities, counties, and cities and counties, and report its findings and recommendations to the Legislature by December 31, 1985. In developing the scope and methodology for the study, the Department of Housing and Community Development shall consult

with representatives of the mobilehome industry, local government, financial institutions, and the Legislature.

(b) The study shall provide information which addresses, but is not limited to, the following questions:

(1) How many cities, counties, and cities and counties have designated lots zoned for single-family dwellings for mobilehomes?

(2) What is the approximate amount of vacant land on which cities, counties, and cities and counties are permitting the installation of mobilehomes?

(3) To what degree are cities, counties, and cities and counties changing zoning to multifamily lots to avoid implementation of Chapter 1142 of the Statutes of 1980?

(4) To what degree are cities, counties, and cities and counties designating lots within zones to avoid implementation of Chapter 1142 of the Statutes of 1980?

(5) To what degree have manufactured houses been located on single-family lots?

(6) To what degree have proposals been denied for the construction of mobilehome parks on lands zoned for residential use? What is the reason for those denials?

(7) To what degree have proposals for the construction of mobilehome parks on lands zoned for residential use been submitted to planning departments and at what density per acre? Approximately how many ultimately have received formal hearings by zoning agencies of cities, counties, and cities and counties?

(8) To what degree have proposals for the construction of mobilehome parks been denied whereby the park would have been situated on land designated by the general plan as residential, but not currently zoned for residential use?

(c) Based on the findings of the study conducted pursuant to this section, the Department of Housing and Community Development shall make recommendations to the Legislature for changes in the provisions of Chapter 1142 of the Statutes of 1980 and Chapter 974 of the Statutes of 1981.

(d) This section shall become inoperative on July 1, 1986, and as of January 1, 1987, is repealed, unless a later enacted statute, which becomes effective on or before January 1, 1987, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 3. The sum of fifty thousand dollars (\$50,000) is hereby appropriated from the Mobilehome-Manufactured Home Revolving Fund to the Department of Housing and Community Development for the purposes of Section 65852.8 of the Government Code.

Senate Bill No. 1960

CHAPTER 1142

An act to add Section 65852.3 to the Government Code, and to amend Section 18300 of the Health and Safety Code, relating to zoning.

[Approved by Governor September 26, 1980. Filed with Secretary of State September 26, 1980.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1960, Rains. Zoning: mobilehomes.

Existing law does not preclude a city, including a charter city, county, or city and county from prohibiting the installation of certain mobilehomes on foundation systems on lots zoned for single-family dwellings.

This bill would make such a prohibition, but would specify that such installation may be subject to certain other requirements applicable to conventionally constructed single-family residential dwellings. However, any architectural requirements imposed on the mobilehome structure itself would be limited to roof overhang, roofing material, and siding material. It would permit the designation of lots for such use within single-family zones in a prescribed manner. It would make a specified finding and declaration.

This bill would become operative July 1, 1981.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares that manufactured housing, which includes mobilehomes, offers Californians an additional opportunity to own and live in decent, safe, and affordable housing on a permanent basis.

SEC. 1.5. Section 65852.3 is added to the Government Code, to read:

65852.3. A city, including a charter city, county, or city and county shall not prohibit the installation of mobilehomes certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401, et seq.) on a foundation system, pursuant to Section 18551 of the Health and Safety Code, on lots zoned for single-family dwellings. However, a city, including a charter city, county, or city and county may designate lots zoned for single-family dwellings for mobilehomes as described in this section, which lots are determined to be compatible for such mobilehome use. A city, including a charter city, county, or city and county may subject any such mobilehome and the lot on which it is placed to any or all of the same development standards to which a conventional

single-family residential dwelling on the same lot would be subject, including, but not limited to, building setback standards, side and rear yard requirements, standards for enclosures, access, and vehicle parking and architectural, aesthetic requirements, and minimum square footage requirements. However, any architectural requirements imposed on the mobilehome structure itself, exclusive of any requirement for any and all additional enclosures, shall be limited to its roof overhang, roofing material, and siding material. In no case may a city, including a charter city, county, or city and county apply any development standards which will have the effect of totally precluding mobilehomes from being installed as permanent residences.

SEC. 2. Section 18300 of the Health and Safety Code is amended to read:

18300. (a) The provisions of this part apply to all parts of the state and supersede any ordinance enacted by any city, county, or city and county, whether general law or chartered, applicable to the provisions of this part. Except as provided in Section 18930, the commission may adopt regulations to interpret and make specific the provisions of this part and when adopted such regulations shall apply to all parts of the state.

(b) Upon 30 days' written notice from the governing body to the department, any city, county, or city and county may assume the responsibility for the enforcement of this part, the building standards published in the State Building Standards Code relating to mobilehome parks, travel trailer parks, recreational trailer parks, temporary trailer parks, incidental camping areas, and tent camps, and the regulations adopted pursuant to the provisions of this part following approval by the department for such assumption.

(c) The commission shall adopt regulations which set forth the conditions for assumption and may include required qualifications of local enforcement agencies. The conditions set forth and the qualifications required in the regulations which set forth the conditions for assumption shall relate solely to the ability of local agencies to enforce properly the building standards published in the State Building Standards Code relating to mobilehome parks, travel trailer parks, recreational trailer parks, temporary trailer parks, incidental camping areas, and tent camps, and the other regulations relating to mobilehome parks promulgated pursuant to this part. The regulations which set forth the conditions for assumption shall not set requirements for local agencies different than those which the state maintains for its own enforcement program. When assumption is approved, the department shall transfer the responsibility for enforcement to the city, county, or city and county, together with all records of mobilehome parks within the jurisdiction of the city, county, or city and county.

(d) (1) In the event of nonenforcement of the provisions of this part, the building standards published in the State Building

Standards Code relating to mobilehome parks, travel trailer parks, recreational trailer parks, temporary trailer parks, incidental camping areas, and tent camps, or the other regulations adopted pursuant to the provisions of this part by a city, county, or city and county, the department shall enforce the provisions of this part, the building standards published in the State Building Standards Code relating to mobilehome parks, travel trailer parks, recreational trailer parks, temporary trailer parks, incidental camping areas, and tent camps, and the other regulations adopted pursuant to the provisions of this part in any such city, county, or city and county after the department has given written notice to the governing body of such city, county, or city and county setting forth in what respects the city, county, or city and county has failed to discharge its responsibility, and the city, county, or city and county has failed to initiate corrective measures to carry out its responsibility within 30 days of such notice.

(2) Where the department determines that the local enforcement agency is not properly enforcing this part, the local enforcement agency shall have the right to appeal such a decision to the commission.

(e) Any city, city and county, or county, upon written notice from the governing body to the department, may cancel its assumption of responsibility for the enforcement of this part. The department, upon receipt of such notice, shall assume such responsibility within 30 days.

(f) Every city, county, or city and county, within its jurisdiction, shall enforce all of the provisions of this part, the building standards published in the State Building Standards Code relating to mobilehome parks, travel trailer parks, recreational trailer parks, temporary trailer parks, incidental camping areas, and tent camps, and the other regulations adopted pursuant to the provisions of this part, as they relate to mobilehomes and to mobilehome accessory buildings or structures located outside of mobilehome parks.

(g) The provisions of this part shall not prevent local authorities of any city, county, or city and county, within the reasonable exercise of their police powers:

(1) From establishing, subject to the requirements of Section 65852.3 of the Government Code, certain zones for mobilehomes or mobilehome parks, travel trailers, travel trailer parks, recreational trailer parks, temporary trailer parks, or tent camps within such city, county, or city and county, or establishing types of uses and locations, including family mobilehome parks, adult mobilehome parks, mobilehome condominiums, mobilehome subdivisions, or mobilehome planned unit developments within such city, county, or city and county, as defined in the zoning ordinance, or from adopting rules and regulations by ordinance or resolution prescribing standards of lot, yards, or park area, landscaping, walls or enclosures, signs, access, and vehicle parking or from prescribing the prohibition

of certain uses for mobilehome parks, travel trailer parks, recreational trailer parks, temporary trailer parks, or tent camps.

(2) From regulating the construction and use of equipment and facilities located outside of a mobilehome or camp car used to supply gas, water, or electricity thereto, except facilities owned, operated, and maintained by a public utility, or to dispose of sewage or other waste therefrom when such facilities are located outside a mobilehome park, travel trailer park, recreational trailer park, or temporary trailer park for which a permit is required by this part, or the regulations adopted pursuant thereto.

(3) From requiring a permit to use a mobilehome or camp car outside a mobilehome park, travel trailer park, recreational trailer park, or temporary trailer park for which a permit is required by this part or by regulations adopted pursuant thereto, and require a fee therefor by local ordinance commensurate with the cost of enforcing this part and local ordinance with reference to the use of mobilehomes and camp cars, which permit may be refused or revoked if such use violates any provisions of this part or Part 2 (commencing with Section 18000) of this division, any regulations adopted pursuant thereto, or any local ordinance applicable to such use.

(4) From requiring a local building permit to construct an accessory structure for a mobilehome when such mobilehome is located outside a mobilehome park, travel trailer park, recreational trailer park or temporary trailer park, under circumstances which the provisions of this part or Part 2 (commencing with Section 18000) of this division and the regulation adopted pursuant thereto do not require the issuance of a permit therefor by the department.

SEC. 3. This act shall become operative July 1, 1981.

Senate Bill No. 484

CHAPTER 974

An act to add Section 65852.7 to the Government Code, to amend, add, and repeal Section 18300 of, and to add Section 18551.1 to, the Health and Safety Code, relating to mobilehome parks.

[Approved by Governor September 29, 1981. Filed with Secretary of State September 29, 1981.]

LEGISLATIVE COUNSEL'S DIGEST

SB 484, Speraw. Mobilehome parks: local regulation.

(1) Existing state law relating to mobilehome parks does not preclude a city, county, or city and county from exercising its police powers to establish certain zones or types of uses and locations for mobilehome parks.

This bill would prohibit a city, including a charter city, a county, or city and county, from requiring (a) that the average density of a new mobilehome park be less than that permitted by the zoning ordinance for other affordable housing forms, or (b) that a new mobilehome park include a clubhouse, and would permit a recreational facility, recreational area, accessory structure, or improvement to be required in a mobilehome park only to the extent that such requirement is imposed on other types of residential developments containing a like number of residential dwelling units. The bill would specifically permit cities and counties to regulate perimeter walls or enclosures of a mobilehome park fronting on a public street, and would delete the specific authority granted a city or county to prescribe standards of lot, yards, park area, and landscaping.

(2) In the exercise of its zoning power, a city or county may require a use permit as a condition to the use of land in the city or county for a mobilehome park.

This bill would, with certain limitations, declare a mobilehome park, as defined, to be a permitted use, subject to the requirements of a use permit, on land planned and zoned for residential land use. The bill would also permit any mobilehome park completed on or after January 1, 1982, to be constructed in a manner to allow mobilehomes sited in the park to be placed on foundation systems, and would allow mobilehomes in such park to be placed upon foundation systems.

(3) Article XIII B of the California Constitution and Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for

reimbursement.

This bill would provide that no appropriation is made by this act for the purpose of making reimbursement pursuant to the constitutional mandate or Section 2231 or 2234, but would recognize that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

(4) This bill, in compliance with Section 2231.5 of the Revenue and Taxation Code, would also repeal, as of January 1, 1988, the provisions contained in the bill for which state reimbursement is required.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares that an intensifying shortage of mobilehome park spaces in many areas of the state degrades the quality of life of many Californians now living in mobilehome parks, and narrows the housing options open to many other Californians who cannot afford conventional single-family homes. The Legislature further finds and declares that there is a need to eliminate the distinctions between mobilehome park developments and conventional forms of residential land use.

SEC. 2. Section 65852.7 is added to the Government Code, to read:

65852.7. A mobilehome park, as defined in Section 18214 of the Health and Safety Code, shall be deemed a permitted land use on all land planned and zoned for residential land use as designated by the applicable general plan; provided, however, that a city, county, or a city and county may require a use permit. For purposes of this section, "mobilehome park" also means a mobilehome development constructed according to the requirements of Part 2.1 (commencing with Section 18200) of Division 13 of the Health and Safety Code, and intended for use and sale as a mobilehome condominium or cooperative park, or as a mobilehome planned unit development. The provisions of this section shall apply to a city, including a charter city, a county, or a city and county.

SEC. 3. Section 18300 of the Health and Safety Code is amended to read:

18300. (a) The provisions of this part apply to all parts of the state and supersede any ordinance enacted by any city, county, or city and county, whether general law or chartered, applicable to the provisions of this part. Except as provided in Section 18930, the commission may adopt regulations to interpret and make specific the provisions of this part and when adopted such regulations shall apply to all parts of the state.

(b) Upon 30 days' written notice from the governing body to the department, any city, county, or city and county may assume the responsibility for the enforcement of this part, the building standards published in the State Building Standards Code relating to

mobilehome parks, travel trailer parks, recreational trailer parks, temporary trailer parks, incidental camping areas, and tent camps, and the regulations adopted pursuant to the provisions of this part following approval by the department for such assumption.

(c) The commission shall adopt regulations which set forth the conditions for assumption and may include required qualifications of local enforcement agencies. The conditions set forth and the qualifications required in the regulations which set forth the conditions for assumption shall relate solely to the ability of local agencies to enforce properly the building standards published in the State Building Standards Code relating to mobilehome parks, travel trailer parks, recreational trailer parks, temporary trailer parks, incidental camping areas, and tent camps, and the other regulations relating to mobilehome parks promulgated pursuant to this part. The regulations which set forth the conditions for assumption shall not set requirements for local agencies different than those which the state maintains for its own enforcement program. When assumption is approved, the department shall transfer the responsibility for enforcement to the city, county, or city and county, together with all records of mobilehome parks within the jurisdiction of the city, county, or city and county.

(d) (1) In the event of nonenforcement of the provisions of this part, the building standards published in the State Building Standards Code relating to mobilehome parks, travel trailer parks, recreational trailer parks, temporary trailer parks, incidental camping areas, and tent camps, or the other regulations adopted pursuant to the provisions of this part by a city, county, or city and county, the department shall enforce the provisions of this part, the building standards published in the State Building Standards Code relating to mobilehome parks, travel trailer parks, recreational trailer parks, temporary trailer parks, incidental camping areas, and tent camps, and the other regulations adopted pursuant to the provisions of this part in any such city, county, or city and county after the department has given written notice to the governing body of such city, county, or city and county setting forth in what respects the city, county, or city and county has failed to discharge its responsibility, and the city, county, or city and county has failed to initiate corrective measures to carry out its responsibility within 30 days of such notice.

(2) Where the department determines that the local enforcement agency is not properly enforcing this part, the local enforcement agency shall have the right to appeal such a decision to the commission.

(e) Any city, city and county, or county, upon written notice from the governing body to the department, may cancel its assumption of responsibility for the enforcement of this part. The department, upon receipt of such notice, shall assume such responsibility within 30 days.

(f) Every city, county, or city and county, within its jurisdiction, shall enforce all of the provisions of this part, the building standards published in the State Building Standards Code relating to mobilehome parks, travel trailer parks, recreational trailer parks, temporary trailer parks, incidental camping areas, and tent camps, and the other regulations adopted pursuant to the provisions of this part, as they relate to mobilehomes and to mobilehome accessory buildings or structures located outside of mobilehome parks.

(g) The provisions of this part shall not prevent local authorities of any city, county, or city and county, within the reasonable exercise of their police powers:

(1) From establishing, subject to the requirements of Sections 65852.3 and 65852.7 of the Government Code, certain zones for mobilehomes or mobilehome parks, travel trailers, travel trailer parks, recreational trailer parks, temporary trailer parks, or tent camps within such city, county, or city and county, or establishing types of uses and locations, including family mobilehome parks, adult mobilehome parks, mobilehome condominiums, mobilehome subdivisions, or mobilehome planned unit developments within such city, county, or city and county, as defined in the zoning ordinance, or from adopting rules and regulations by ordinance or resolution prescribing park perimeter walls or enclosures on public street frontage, signs, access, and vehicle parking or from prescribing the prohibition of certain uses for mobilehome parks, travel trailer parks, recreational trailer parks, temporary trailer parks, or tent camps.

(2) From regulating the construction and use of equipment and facilities located outside of a mobilehome or camp car used to supply gas, water, or electricity thereto, except facilities owned, operated, and maintained by a public utility, or to dispose of sewage or other waste therefrom when such facilities are located outside a mobilehome park, travel trailer park, recreational trailer park, or temporary trailer park for which a permit is required by this part, or the regulations adopted pursuant thereto.

(3) From requiring a permit to use a mobilehome or camp car outside a mobilehome park, travel trailer park, recreational trailer park, or temporary trailer park for which a permit is required by this part or by regulations adopted pursuant thereto, and require a fee therefor by local ordinance commensurate with the cost of enforcing this part and local ordinance with reference to the use of mobilehomes and camp cars, which permit may be refused or revoked if such use violates any provisions of this part or Part 2 (commencing with Section 18000) of this division, any regulations adopted pursuant thereto, or any local ordinance applicable to such use.

(4) From requiring a local building permit to construct an accessory structure for a mobilehome when such mobilehome is located outside a mobilehome park, travel trailer park, recreational trailer park or temporary trailer park, under circumstances which

the provisions of this part or Part 2 (commencing with Section 18000) of this division and the regulations adopted pursuant thereto do not require the issuance of a permit therefor by the department.

(h) (1) A city, including a charter city, county, or city and county, shall not require the average density in a new mobilehome park to be less than that permitted by the applicable zoning ordinance, plus any density bonus, as defined in Section 65915 of the Government Code, for other affordable housing forms.

(2) A city, including a charter city, county, or city and county, shall not require a new mobilehome park to include a clubhouse. Recreational facilities, recreational areas, accessory structures, or improvements may be required only to the extent that such facilities or improvements are required in other types of residential developments containing a like number of residential dwelling units.

(i) This section shall remain in effect only until January 1, 1988, and as of such date is repealed, unless a later enacted statute, which is chaptered before January 1, 1988, deletes or extends such date.

SEC. 4. Section 18300 is added to the Health and Safety Code, to read:

18300. (a) The provisions of this part apply to all parts of the state and supersede any ordinance enacted by any city, county, or city and county, whether general law or chartered, applicable to the provisions of this part. Except as provided in Section 18930, the commission may adopt regulations to interpret and make specific the provisions of this part and when adopted such regulations shall apply to all parts of the state.

(b) Upon 30 days' written notice from the governing body to the department, any city, county, or city and county may assume the responsibility for the enforcement of this part, the building standards published in the State Building Standards Code relating to mobilehome parks, travel trailer parks, recreational trailer parks, temporary trailer parks, incidental camping areas, and tent camps, and the regulations adopted pursuant to the provisions of this part following approval by the department for such assumption.

(c) The commission shall adopt regulations which set forth the conditions for assumption and may include required qualifications of local enforcement agencies. The conditions set forth and the qualifications required in the regulations which set forth the conditions for assumption shall relate solely to the ability of local agencies to enforce properly the building standards published in the State Building Standards Code relating to mobilehome parks, travel trailer parks, recreational trailer parks, temporary trailer parks, incidental camping areas, and tent camps, and the other regulations relating to mobilehome parks promulgated pursuant to this part. The regulations which set forth the conditions for assumption shall not set requirements for local agencies different than those which the state maintains for its own enforcement program. When assumption is approved, the department shall transfer the responsibility for

enforcement to the city, county, or city and county, together with all records of mobilehome parks within the jurisdiction of the city, county, or city and county.

(d) (1) In the event of nonenforcement of the provisions of this part, the building standards published in the State Building Standards Code relating to mobilehome parks, travel trailer parks, recreational trailer parks, temporary trailer parks, incidental camping areas, and tent camps, or the other regulations adopted pursuant to the provisions of this part by a city, county, or city and county, the department shall enforce the provisions of this part, the building standards published in the State Building Standards Code relating to mobilehome parks, travel trailer parks, recreational trailer parks, temporary trailer parks, incidental camping areas, and tent camps, and the other regulations adopted pursuant to the provisions of this part in any such city, county, or city and county after the department has given written notice to the governing body of such city, county, or city and county setting forth in what respects the city, county, or city and county has failed to discharge its responsibility, and the city, county, or city and county has failed to initiate corrective measures to carry out its responsibility within 30 days of such notice.

(2) Where the department determines that the local enforcement agency is not properly enforcing this part, the local enforcement agency shall have the right to appeal such a decision to the commission.

(e) Any city, city and county, or county, upon written notice from the governing body to the department, may cancel its assumption of responsibility for the enforcement of this part. The department, upon receipt of such notice, shall assume such responsibility within 30 days.

(f) Every city, county, or city and county, within its jurisdiction, shall enforce all of the provisions of this part, the building standards published in the State Building Standards Code relating to mobilehome parks, travel trailer parks, recreational trailer parks, temporary trailer parks, incidental camping areas, and tent camps, and the other regulations adopted pursuant to the provisions of this part, as they relate to mobilehomes and to mobilehome accessory buildings or structures located outside of mobilehome parks.

(g) The provisions of this part shall not prevent local authorities of any city, county, or city and county, within the reasonable exercise of their police powers:

(1) From establishing, subject to the requirements of Section 65852.3 of the Government Code, certain zones for mobilehomes or mobilehome parks, travel trailers, travel trailer parks, recreational trailer parks, temporary trailer parks, or tent camps within such city, county, or city and county, or establishing types of uses and locations, including family mobilehome parks, adult mobilehome parks, mobilehome condominiums, mobilehome subdivisions, or

mobilehome planned unit developments within such city, county, or city and county, as defined in the zoning ordinance, or from adopting rules and regulations by ordinance or resolution prescribing standards of lot, yards, or park area, landscaping, walls or enclosures, signs, access, and vehicle parking or from prescribing the prohibition of certain uses for mobilehome parks, travel trailer parks, recreational trailer parks, temporary trailer parks, or tent camps.

(2) From regulating the construction and use of equipment and facilities located outside of a mobilehome or camp car used to supply gas, water, or electricity thereto, except facilities owned, operated, and maintained by a public utility, or to dispose of sewage or other waste therefrom when such facilities are located outside a mobilehome park, travel trailer park, recreational trailer park, or temporary trailer park for which a permit is required by this part, or the regulations adopted pursuant thereto.

(3) From requiring a permit to use a mobilehome or camp car outside a mobilehome park, travel trailer park, recreational trailer park, or temporary trailer park for which a permit is required by this part or by regulations adopted pursuant thereto, and require a fee therefor by local ordinance commensurate with the cost of enforcing this part and local ordinance with reference to the use of mobilehomes and camp cars, which permit may be refused or revoked if such use violates any provisions of this part or Part 2 (commencing with Section 18000) of this division, any regulations adopted pursuant thereto, or any local ordinance applicable to such use.

(4) From requiring a local building permit to construct an accessory structure for a mobilehome when such mobilehome is located outside a mobilehome park, travel trailer park, recreational trailer park, or temporary trailer park, under circumstances which the provisions of this part or Part 2 (commencing with Section 18000) of this division and the regulations adopted pursuant thereto do not require the issuance of a permit therefor by the department.

(h) This section shall become operative January 1, 1988.

SEC. 5. Section 18551.1 is added to the Health and Safety Code, to read:

18551.1. Any mobilehome park, the construction of which is completed on or after January 1, 1982, may, subject to Section 18551, be constructed in a manner to enable mobilehomes sited in such parks to be placed upon a foundation system, and mobilehomes sited in such park may be placed upon foundation systems.

SEC. 6. Notwithstanding Section 6 of Article XIII B of the California Constitution and Section 2231 or 2234 of the Revenue and Taxation Code, no appropriation is made by this act for the purpose of making reimbursement pursuant to these sections. It is recognized, however, that a local agency or school district may pursue any remedies to obtain reimbursement available to it under Chapter 3 (commencing with Section 2201) of Part 4 of Division 1

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of that code.

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APPENDIX 2

Copy of Planning Director Questionnaire

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

OFFICE OF THE DIRECTOR
921 TENTH STREET
SACRAMENTO, CALIFORNIA 95814-2774
(916) 445-4775



To All City and County Planning Directors:

Senate Bill 1802 of 1984 (Leroy Greene; Chapter 1443) requires the Department of Housing and Community Development to study the results of recent state laws regarding the development of new mobilehome parks and the siting of single manufactured homes/mobilehomes outside parks. These laws are implemented by local governments.

The laws being reviewed include Chapter 1142 of 1980 (SB 1960, Rains) and Chapter 947 of 1981 (SB 484, Speraw). Chapter 1142 relates to the installation of mobilehomes on foundation systems on single-family lots and permits designation by local governments of lots determined to be compatible with mobilehome use. Chapter 947 relates to mobilehome park development.

The Department is required, by December 31, 1985, to report to the Legislature its findings and recommendations for changes in the provisions of Chapter 1142 and Chapter 947. In taking a few minutes to answer this questionnaire, you will help to improve the laws governing mobilehome and mobilehome park development in California.

Please place the completed questionnaire in the enclosed postage-paid return envelope and mail it to us by May 31, 1985. Thank you for your cooperation.

Sincerely,

A handwritten signature in cursive script that reads "Susan A. DeSantis".

Susan A. DeSantis
Director

Enclosures

LOCAL GOVERNMENT SURVEY:
MOBILEHOME AND MOBILEHOME PARK POLICIES

Name of Jurisdiction _____

Use of Mobilehomes on Single-Family Zoned Land

(In this questionnaire, "mobilehome" includes mobilehomes which have been installed on permanent foundations as well as those which have not.)

1. Does your jurisdiction permit the installation of mobilehomes on permanent foundations for residential use on single-family zoned land?

____ Yes, permitted only on designated lots in single-family zones.

____ Yes, permitted on all single-family zoned lots (both on vacant lots and as replacement units on developed lots). (Skip to Question 4)

____ Not permitted on single-family zoned land. (Skip to Question 4)

____ Other (please describe) _____

2. If mobilehomes are permitted in single-family zones only on designated lots, please describe or summarize the designations (or attach the policies, ordinance, or regulations which pertain to the designations).

3. If mobilehomes are permitted in single-family zones only on designated lots, what percentage of the following types of lots have been zoned or designated as compatible with mobilehome use? (please estimate)

% of lots zoned or
designated for mobilehome use

a. All vacant single-family zoned lots _____

b. All vacant single-family zoned lots in subdivisions _____

c. All vacant single-family zoned lots outside subdivisions _____

4. Are your jurisdiction's policies for the installation of mobilehomes on single-family zoned land the same for mobilehomes not installed on permanent foundations as for mobilehomes installed on permanent foundations?

____ Yes. ____ No.

If No, please describe the differences: _____

5. About how many mobilehomes are located on single-family zoned lots in your jurisdiction?

All mobilehomes _____ (please estimate)

Mobilehomes in subdivisions only _____ (please estimate)

(Please continue on the back of this page.)

6. Does your jurisdiction have architectural requirements for the development of conventional single-family homes on single-family lots?

Yes. No.

7. Does your jurisdiction have architectural requirements for the installation of mobilehomes on single-family lots?

Yes. No.

If Yes, which of the following architectural requirements are used: (check all that apply)

Roof overhang (describe) _____

Roofing material (describe) _____

Siding material (describe) _____

Other (describe) _____

8. Does your jurisdiction have aesthetic requirements for:

a. The development of conventional single-family homes on single-family lots?

Yes. No.

b. The installation of mobilehomes on single-family lots?

Yes. No.

9. Has your jurisdiction changed the zoning from single-family to multi-family of any land which was zoned single-family on July 1, 1981?

Yes. No.

If Yes, approximately how many acres were rezoned _____ and please describe the reasons for the changes _____

Mobilehome Park Policies

10. Are mobilehome parks a permitted land use on all land designated and zoned for residential use in your jurisdiction?

Yes. No.

11. Does your General Plan specifically designate areas for mobilehome park development?

Yes. No.

12. Does your jurisdiction have rules and regulations (adopted by ordinance or resolution) which are used in reviewing mobilehome park development requests with regard to the following subjects: (check all that apply)

Lot standards

Walls other than perimeter walls

Yard standards

Enclosures other than enclosures on public street frontage

Park area

Landscaping

(Please continue on the next page.)

13. Must the applicant for a permit to develop a mobilehome park show that there is a need for a particular type of park (such as a need for a family park or a senior citizens park)?
 Yes. No.
14. Are different standards or criteria applied in reviewing applications for development of different types of mobilehome parks (family, adult, senior, etc.)?
 Yes. (Please describe) _____

 No.
15. Do you receive inquiries from prospective developers of mobilehome parks which do not result in development applications?
 Yes, about _____ per month. Please briefly describe why these inquiries do not result in development applications.

16. Are there any mobilehome parks in your jurisdiction which are owned by residents of the park?
 Yes. No. Don't know.
17. Does your jurisdiction have formally adopted policies or regulations concerning the conversion of rental mobilehome parks to mobilehome parks owned by the residents?
 Yes, our condominium or cooperative conversion ordinance is applicable to mobilehome parks.
 Yes, we have separate policies or regulations for mobilehome parks. (Please attach a copy.)
 No, but we are considering it.
 No.
18. Does your jurisdiction have a mobilehome park rent control ordinance?
 Yes. (Please attach a copy.)
 No, but we had one in the past.
 No, but we are considering adopting one.
 No, we have never had one.

Park Closures

19. Has your jurisdiction adopted an ordinance which sets standards for approving requests to change the use of or subdivide mobilehome parks?
 Yes. No.

(Please continue on the back of this page.)

20. Since January 1, 1984, has your jurisdiction received requests or applications to change the use of or subdivide existing mobilehome parks?

 Yes (please complete the information below).

 No.

Intended New Use Of the Land	Action on Request to Change Use or Subdivide					
	Approved		Denied		Pending	
	Parks	Spaces	Parks	Spaces	Parks	Spaces
Mobilehome Subdivision	_____	_____	_____	_____	_____	_____
Conventional Residential	_____	_____	_____	_____	_____	_____
Commercial or Industrial	_____	_____	_____	_____	_____	_____
Other _____	_____	_____	_____	_____	_____	_____

21. How many new mobilehome parks and spaces have been developed or approved for development in your jurisdiction specifically as replacement housing opportunities for the residents of closed parks?

 Parks

 Spaces

Action on Mobilehome Park Development Requests

22. Since January 1, 1982, how many new mobilehome parks were requested to be developed on land zoned for residential use? _____ (Please estimate the average density requested per acre _____)

22A. How many of these park requests:

- a. Received a formal planning commission hearing _____
- b. Received a formal city council or board of supervisors hearing _____

22B. How many of these requested parks were:

- a. Approved at the requested density _____
- b. Approved at less than the requested density _____
- c. Denied _____
- d. Pending _____

Please describe the reasons for denial of any requests: _____

(Please continue on the next page.)

23. Since January 1, 1982, how many mobilehome parks were requested on land designated for residential use in the general plan but not zoned for residential use at the time of the request? _____ (Please estimate the average requested density per acre _____)

	<u>Involved only a zoning change</u>	<u>Involved both a zoning change and a general plan amendment</u>
23A. How many of these park requests:		
a. Received a formal planning commission hearing	_____	_____
b. Received a formal city council/board of supervisors hearing	_____	_____
23B. How many of these requested parks were:		
a. Approved at the requested density	_____	_____
b. Approved at less than the requested density	_____	_____
c. Denied	_____	_____
d. Pending	_____	_____
Please describe the reasons for denial of any requests: _____		

24. Since January 1, 1982, have you received applications to develop resident-owned mobilehome parks (projects designed according to mobilehome park technical standards and intended for use and sale as a mobilehome condominium, cooperative, or planned unit development)?

____ Yes. ____ No.

If Yes, how many applications were received _____
and how many of them were approved _____

Names of approved projects: _____

25. Does your jurisdiction require a use permit for development of mobilehome parks on residentially zoned land?

____ Yes. ____ No.

If Yes, please describe the requirements for obtaining a use permit (or attach a copy of the requirements). _____

Vacant Land and Zoning Categories

26. Please estimate the amount of vacant land in your jurisdiction in the following zoning categories:

<u>Zoning Category</u>	<u>Total Vacant Acres</u>	<u>Vacant Acres Zoned or Designated for Mobilehome Use</u>	
		<u>On Single Lots</u>	<u>In Mobilehome Parks</u>
Residential	_____	_____	_____
Commercial	_____	XXXXXXXXXXXXXX	_____
Industrial	_____	XXXXXXXXXXXXXX	_____
Other (describe) _____	_____	_____	_____

Factory-Built Housing

27. Please estimate how many factory-built homes are located on single-family lots in your jurisdiction. (Factory-built units are transportable dwellings built to the Uniform Building Code under the State Factory-Built Housing Law, for installation on permanent foundations only. Also known as modular housing.)

_____ Factory-built units (total)

Comments

28. What suggestions do you have for new laws or revisions to existing laws relating to mobilehomes and mobilehome parks?

29. What suggestions do you have for encouraging the development of new mobilehome parks designed for families?

Completed by: Name _____
Title _____

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Thank you for completing the questionnaire. Please return the questionnaire using the enclosed self-addressed stamped envelope.

DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT
March 1985

APPENDIX 3

List of Local Governments By Type of Policies
For Permitting Mobilehomes on Permanent Foundations
On Single-Family Zoned Lots

Mobilehomes On Permanent Foundations
Permitted On All Single-Family Zoned Lots

CITIES

Adelanto	Concord	Healdsburg	Maywood
Agoura Hills	Corning	Hemet	Mendota
Albany	Corte Madera	Hercules	Menlo Park
Alhambra	Costa Mesa	Hillsborough	Merced
Alturas	Cotati	Hollister	Mill Valley
Anaheim	Crescent City	Holtville	Milpitas
Angels	Culver City	Hughson	Monrovia
Antioch	Cupertino	Huntington	Montague
Arcadia	Cypress	Park	Montebello
Arcata		Indio	Monterey
Arroyo Grande	Daly City	Inglewood	Monterey Park
Artesia	Delano	Ione	Monte Sereno
Arvin	Dixon	Irwindale	Moraga
Atascadero	Dorris		Morgan Hill
Avenal	Duarte	Kingsburg	Mountain View
	Dunsmuir		Mount Shasta
Bakersfield		Lemoore	
Baldwin Park	El Cajon	La Habra	Napa
Banning	El Centro	Lake Elsinore	National City
Beaumont	El Cerrito	Lakeport	Needles
Bell	El Segundo	Lakewood	Newman
Bellflower	Emeryville	La Mesa	Newport Beach
Bell Gardens	Escalon	La Mirada	Norwalk
Berkeley	Etna	La Quinta	Novato
Big Bear Lake	Eureka	Larkspur	
Bishop		LaVerne	Oakdale
Blythe	Farmersville	Lawndale	Oakland
Bradbury	Fillmore	Lemon Grove	Orange
Brawley	Folsom	Lincoln	Orland
Brea	Fort Jones	Lindsay	Oroville
Brentwood	Fountain Valley	Livermore	Oxnard
Burbank	Fremont	Livingston	
Burlingame	Fresno	Lodi	Pacifica
		Loma Linda	Paradise
Calexico	Gardena	Lomita	Paramount
California City	Garden Grove	Lompoc	Pasadena
Calipatria	Gilroy	Los Alamitos	Patterson
Calistoga	Glendale	Los Altos Hills	Petaluma
Camarillo	Grand Terrace	Los Banos	Pinole
Campbell	Greenfield	Los Gatos	Placerville
Cathedral City	Gridley	Loyalton	Pleasant Hill
Ceres	Grover City	Lynwood	Pleasanton
Chino	Gustine		Port Hueneme
Chula Vista		Madera	Portola
Coachella	Half Moon Bay	Manhattan Beach	Valley
Coalinga	Hanford	Manteca	
Colma	Hawaiian Gardens	Maricopa	Rancho Palos
Colusa	Hawthorne	Marina	Verdes
Compton	Hayward	Marysville	Red Bluff

Mobilehomes On Permanent Foundations
Permitted On All Single-Family Zoned Lots
(Continued)

CITIES (Continued)		COUNTIES
Redlands	Sebastopol	Alpine
Redwood City	Signal Hill	Colusa
Rialto	Sonora	Contra Costa
Rio Dell	South El Monte	Del Norte
Rio Vista	South San Francisco	El Dorado
Ripon	Stanton	Glenn
Riverbank	Stockton	Imperial
Rohnert Park	Suisun City	Kings
Rosemead	Sunnyvale	Lake
Roseville		Lassen
	Taft	
St. Helena	Tehama	Los Angeles
Salinas	Temple City	Marin
San Anselmo	Tiburon	Mendocino
San Bernardino	Torrance	Merced
San Buenaventura	Trinidad	Modoc
San Bruno	Tulelake	Napa
San Clemente	Turlock	Nevada
San Diego	Tustin	Orange
San Fernando		Placer
San Gabriel	Ukiah	Plumas
Sanger	Union City	
San Jacinto		Riverside
San Joaquin	Vacaville	San Benito
San Jose	Victorville	San Diego
San Juan Bautista	Visalia	San Joaquin
San Juan Capistrano	Vista	San Mateo
San Leandro		Santa Clara
San Luis Obispo	Wasco	Santa Cruz
San Marcos	Waterford	Shasta
San Marino	Watsonville	Sierra
San Mateo	Winters	Solano
San Pablo	West Covina	
San Rafael	Westminster	Stanislaus
San Ramon	Williams	Sutter
Santa Clara	Willits	Tuolumne
Santa Maria	Woodlake	Ventura
Santa Monica	Woodland	Yuba
Santa Paula		
Santee Valley	Yorba Linda	
Scotts Valley	Yuba City	

Mobilehomes On Permanent Foundations
Permitted Only In Certain Zones Or Areas

CITIES

<u>City</u>	<u>Where Permitted</u>
Azusa	R-6
Blue Lake	Planned Residential Development
Buena Park	R1c
Chico	Overlay Zone
Clayton	Not in PUD except as approved
Clearlake	Combining zone
Cloverdale	Not adjacent to historical landmark sites
Corcoran	Overlay
Corona	In seven residential zones
Covina	R1-7500
Dos Palos	R-1
Downey	Overlay
El Monte	R-1A
Exeter	Combining district
Ferndale	Not in Victorian design district
Fowler	R1-6
Fullerton	R1-6000 and R1-7000
Glendora	One 4.5 acre parcel
Huntington Beach	Any R-1 with MFH suffix
Huron	6000 minimum square foot lots
Indian Wells	In specified geographical areas
Laguna Beach	On 26 occupied lots
Lancaster	SRR and RR (rural zones) and MH sub- division zone
La Puente	Neighborhood revitalization area
Live Oak	MH residential combining district
Long Beach	On specified large streets and highways
Martinez	MH overlay zone
Montclair	Overlay
Morro Bay	SF with suffixes
Oceanside	On SF lots not restricted by develop- ment plans
Ojai	R-1
Ontario	R-1, R-2, R-3 (all except RE)
Palm Springs	R-1C and R1-D (10,000 and 7500 square foot lots only)
Parlier	---
Perris	MH subdivision zone and 20,000 square foot lots in R-1 and agriculture zones; also specified area list
Placentia	Four target areas
Poway	RS-7 (6000 square foot minimum lots)
Rancho Cucamonga	All zones except half-acre estate zone
Rancho Mirage	ESF zone
Riverside	In RA, R-1-65, R-2, and R-3 subject to staff review
Rolling Hills	---

Mobilehomes On Permanent Foundations
Permitted Only In Certain Zones Or Areas
(Continued)

CITIES (Continued)

<u>City</u>	<u>Where Permitted</u>
Rolling Hills Estates	Only in RA 15,000
San Dimas	All SF 7500 and MF-D (duplex)
Santa Cruz	Not within 100 feet of landmark buildings; not on substandard lots
Santa Barbara	All except landmark and high fire risk areas
Seaside	Only in R-1-5 (5000 minimum square feet)
Simi Valley	R-1 only
Sonoma	Not in historic districts
South Lake Tahoe	In transportation corridor
South Pasadena	R-1
Tulare	MH overlay
Upland	RS-6 and RS-7.5
Vallejo	Not in three historic areas and on slopes over 10%
Walnut	R-1-7200
Walnut Creek	---
Westmorland	7000 minimum square foot lots
Whittier	All R-1
Woodside	OS zone (open space)
Yountville	Except in historic district
Yreka	MR-1-MH

COUNTIES

<u>County</u>	<u>Where Permitted</u>
Butte	Pre-1976 units in certain zones; newer mobilehomes in all single-family zones
Fresno	RA, RS, RR and all zones in some districts
Humboldt	MH combining zone
Inyo	RMH zone or R-1 zone with MH overlay
Kern	T, MH, MS and case-by-case by CUP
Madera	Three types of areas: 1) prohibited, 2) permitted by right, 3) permitted by CUP
San Luis Obispo	List of prohibited tracts
Santa Barbara	Lots of 10,000 square feet or less in R-1 zones
Sonoma	Except in J combining zones in some rural areas
Tehama	T combining district
Tulare	Combining zone
Yolo	MH combining district available except in J and historic districts; no restrictive covenants

