

Article XVI. Mobilehome Park Tenancy, Sale of Spaces.

Sec. 44-216. Subdivision of mobilehome spaces--Sale or long term lease.

The city council finds and determines that there presently exists in the city, and surrounding areas, a shortage of spaces for the location of mobilehome parks. The city council further finds that mobilehome park tenancies, when changed from short rental-periods to long term leases, a change of such tenancies creates a conversion in numerous respects to a condominium or community apartment. Further, the sale of individual spaces in a mobilehome park would have the same effect. It is further determined that, except for a specific exemption in the Government Code dealing with "Subdivisions," such sale or lease conversions would be subject to and treated in the same manner as provided in the Subdivision Map Act of the Government Code of California. The city council therefore states its express intent to treat a change in tenancy of mobilehome park spaces or a sale of individual spaces, as defined hereinafter, as a change of use, and to further provide standards for the location, design and development of such mobilehome parks. (Ord. No. 476)

Sec. 44-217. Definitions.

For the purpose of this article, the following words, terms, and phrases shall be construed as defined in this section.

Change in tenancy. A change in the term of tenancy from any period less than one year to a term of more than one year. A proposed sale of space shall also constitute a proposed change in a tenancy.

Change in use. Includes a division of land or a change in tenancy.

Division of land. The division of a mobilehome park, or any portion thereof shown in the latest equalized assessment role as a unit or contingency units, for the purpose of sale, long term lease or financing of spaces whether immediately or in future.

Long term lease. A conveyance of an estate in a mobilehome park and a written contract between the owner of the mobilehome park and the tenant for possession and use of the property for consideration for a term exceeding one year and/or an agreement otherwise required to be in writing to be enforceable pursuant to California Civil Code 1624, the Statute of Frauds. Such estate may with respect to enjoyment, be either (1) an estate of inheritance or perpetual estate, (2) an estate for life, or (3) an estate for years, such as a leasehold or a subleasehold.

Mobilehome. A vehicle, other than a motor vehicle or recreational vehicle, designed or used for human habitation.

Mobilehome park. Any area of land within the city where two or more mobilehome spaces are rented, or held out for rent, to accommodate mobilehomes used for human habitation.

Mobilehome space. The site within a mobilehome park intended, designed, or used for the location or accommodation of a mobilehome and any accessory structure or appurtenances attached thereto or used in conjunction therewith.

Owner. The owner or operator of a mobilehome park or an agent or representative authorized to act on said owner's or operator's behalf in connection with the maintenance or operation of such park.

Tenancy. The right of a tenant to use or occupy a mobilehome space.

Tenant. A person who has a tenancy in a mobilehome park.

Zoning ordinance. Chapter 44 of the Paramount Municipal Code. (Ord. No. 476)

Sec. 44-218. Change in tenancy.

An owner shall not change the use as defined in this article, of a mobilehome park, or any portion thereof, until there is full compliance with the provisions of this article.

- (a) Criteria for change in use. Notwithstanding any other provisions of state law or city ordinance, no change of use shall be effective unless the following requirements are met or guaranteed in a manner approved by the planning commission. Owner shall file with the city planning department and set forth as an application for change in use, the following:
- (1) A tentative map setting forth the proposed division of land, the dimensions of mobilehome spaces, common ownership or lease space, all structures and the locations thereof.
  - (2) The tentative map shall set forth the design features and improvements containing the matters as defined in the State Map Act in Sections 66418 and 66419 of the Government Code of California.
  - (3) Copy of proposed long-term lease in the event of leasing or a copy of proposed sales agreement in the event of sale, accompanied by copy of required Covenants, Conditions and Restrictions, Articles of Incorporation and By-Laws of Owners Association or other entity which controls the common facilities.
  - (4) Copy of written notice of proposed change of use.
  - (5) All open areas with the exception of vehicular access ways and parking areas, pedestrian walkways and paved or covered recreational facilities, shall be landscaped and irrigated with a permanent underground irrigation system. Such landscaping and irrigation shall be permanently maintained.
  - (6) Location, use and type of surfacing of all open storage areas.
  - (7) Location and type of surfacing of all driveways, pedestrian ways, vehicle parking areas and curb cuts.
  - (8) Location, height and type of material for walls or fences and trash disposal facilities.
  - (9) Location of all landscaped areas, types of landscaping and a statement specifying the method by which the landscaping areas shall be maintained.
  - (10) Location of all recreational facilities and a statement specifying the method of maintenance thereof.
  - (11) Location of parking facilities to be used in conjunction with each mobilehome space.

VERSION 10/2007

Sec. 44-218

Sec. 44-222

- (12) Architectural elevations of all permanent structures showing types and materials of construction.
- (13) The proposed change of use shall be consistent with the general plan of the city and including, but not limited to, all zoning ordinances and building codes. (Ord. No. 476)

Sec. 44-219. Nonconforming uses.

Nonconforming uses as defined in the zoning ordinance of the city shall be subject to the provisions thereof. In the event a legal nonconforming use exists and a change in use, as provided in this article is requested, the owner shall also obtain a conditional use permit and otherwise meet all requirements as set forth in said zoning ordinance. (Ord. No. 476)

Sec. 44-220. Public Hearing.

Upon application of the city planning department for a change in use, the planning department shall process, notice, set for hearing all in the procedural manner as provided in Article XIV of this chapter, including the appeal provisions thereof.

In the instance where a conditional use permit is also required, said processing, hearing, etc., shall be concurrent. (Ord. No. 476)

Sec. 44-221. Fee.

Upon filing an application for change in use, the applicant shall pay a fee in the sum of one hundred and fifty dollars. (Ord. No. 476)

Sec. 44-222. Findings.

Upon conclusion of the hearings, the planning commission shall within thirty days thereafter, unless time is waived by applicant, adopt a resolution making findings and determinations and shall recite, among other things, the facts and reasons to grant or deny the application, including the following matters:

- (a) Consistency with the general plan of the city.
- (b) Conformity with the Paramount Municipal Code and applicable provisions.
- (c) That there will be no adverse effect on the health, safety and/or welfare of persons residing in the mobilehome park.
- (d) That there will be no material detriment to the use, enjoyment or valuation of property in the surrounding area.
- (e) That the site is physically suitable for the type of development.
- (f) That the site is physically suitable for the proposed density of development. (Ord. No. 476)

Sec. 44-223. Appeal.

Appeals from decision of planning commission may be made by any interested party in the manner and procedures set forth in Article XII of this chapter. (Ord. No. 476)

(Ord. No. 476)