



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Rosalynn Hughey

**SUBJECT:** SEE BELOW

**DATE:** March 2, 2018

Approved

*D. D. Syl*

Date

*3/2/18*

**SUBJECT: ANALYSIS OF PROPOSED GENERAL PLAN LAND USE OVERLAY AMENDMENTS FOR MOBILEHOME PARKS AND REVIEW OF RECOMMENDATIONS FROM THE LAW FOUNDATION OF SILICON VALLEY REGARDING PROTECTION OF MOBILEHOME PARK RESIDENTS**

## RECOMMENDATION

- a) Accept staff analysis of proposed General Plan land use overlay amendments for mobilehome parks.
- b) Refer to the next Council Priority Setting Session consideration of General Plan land use amendments for the two mobilehome parks with high density residential land use designations that are most at risk of redevelopment.
- c) Accept staff review of the recommendations proposed by the Law Foundation of Silicon Valley, in its letter dated May 11, 2017, and direct staff to bring to City Council three minor General Plan text amendments identified in the analysis below for consideration as part of a future General Plan hearing cycle.

## OUTCOME

Should the Council refer to the next council Priority Setting Session consideration of General Plan land use amendments for the two mobilehome parks with density residential land use designations, along with staffing and consultant resources, staff would evaluate and undertake the General Plan amendments. Additionally, if directed by City Council, staff will bring forward for consideration as part of a future General Plan hearing cycle, three minor General Plan text amendments recommended by the Law Foundation of Silicon Valley.

## **EXECUTIVE SUMMARY**

The conversion of mobilehome parks to other uses is a land use issue regulated by State Law, by the City under the San José Municipal Code (Municipal Code), and by the City's Envision San José 2040 General Plan (General Plan). In 2015, the City Council directed staff to develop a work plan and public process for updating or creating new ordinances and policies to protect current mobilehome park residents and to preserve existing mobilehome parks.

Since 2015, the City Council approved Title 20 (Zoning Code) changes to the Municipal Code, General Plan text amendments, and adoption of a new City Council Policy 6-33 "Conversion of Mobilehome Parks to Other Uses" to preserve San José's mobilehome parks and to protect their residents. On May 16, 2017, City Council directed staff to return to Council in August 2017 with an analysis of a General Plan amendment overlay for dozens of mobilehome park sites to either a "Commercial," "Industrial," "Industrial Park" or a (proposed) "Mobilehome Park" land use designation for those sites that currently have a Residential designation, and a review of the recommendations proposed by the Law Foundation of Silicon Valley, in its letter dated May 11, 2017, with a discussion on which of the recommendations could be incorporated.

The analysis below identifies General Plan tools and alternatives that could be used to preserve mobilehome parks. This includes a General Plan overlay, other land use amendments, and additional text amendments. Staff's assessment on the feasibility of the Law Foundation's comments from their letter dated May 11, 2017, is also included in the analysis below.

## **BACKGROUND**

The conversion of mobilehome parks to other uses is regulated by State law including Planning Law and Mobilehome Residency Law and by the City under the Municipal Code and the General Plan. The City is allowed, but not required, by State law to have a mobilehome park conversion ordinance. In 1986, the City adopted an ordinance now found in Chapter 20.180 of the Zoning Code to regulate, among other items, the conversion of mobilehome parks consisting of four or more mobilehomes to other uses (the mobilehome park conversion ordinance). Such conversions require approval of a Conditional Use Permit (CUP) or a Planned Development (PD) Permit. To date, no mobilehome park conversions have been processed under this ordinance.

In 2014, the City was informed that the owners of Winchester Ranch Mobilehome Park intended to convert the mobilehome park to a new use. The City Council took up the issue of conversion of mobilehome parks as a top priority and included a work plan item in the Housing Element to explore the efficacy of the existing provisions in the Zoning Code regulating conversion of mobilehome parks to other uses. In 2015, the City Council reaffirmed this priority and directed staff to develop a work plan and public process for updating or creating new ordinances and policies to protect current mobilehome park residents and preserve existing mobilehome parks.

Since 2015, the City has taken the following actions:

1. **Zoning Code Changes.** On February 23, 2016 and May 16, 2017, the Council adopted amendments to the Zoning Code to further protect residents in existing mobilehome parks in the City, that:
  - Made the City Council the initial decision-making body for consideration of all proposed mobilehome park conversions to another use after the Planning Commission considers these proposals for recommendations to Council (previously, the initial decision-making body was the Planning Commission for a CUP or the Planning Director for a PD permit);
  - Added provisions requiring findings of consistency with the General Plan for CUPs;
  - Exempted parcels with mobilehome parks from being eligible for the conforming rezoning process; and
  - Added to consideration of applications for demolition permits for mobilehome and multifamily projects whether those projects met their relocation obligations.
2. **City Council Policy.** On February 23, 2016, the Council adopted a new City Council Policy 6-33 “Conversion of Mobilehome Parks to Other Uses” to help guide the Council in implementation of the conversion ordinance. The Policy provides guidelines for:
  - Good faith negotiations between mobilehome park residents (including mobilehome owners and mobilehome tenants) and mobilehome park owners; and
  - A satisfactory program of relocation and purchase assistance, including but not limited to compensation to residents, purchase price for the existing mobilehomes, relocation impact reports, and relocation benefits.
3. **Moratorium on Conversions and Closures.** On March 1, 2016, the City Council approved a temporary moratorium to prevent submittal of applications for the conversion or closure of mobilehome parks. This was done to allow time for staff to work on a closure ordinance, other changes to the Zoning Code to protect mobilehome park residents, and clarifications to Council Policy 6-33. The moratorium ended on August 24, 2017.
4. **General Plan text amendments (File No. GPT15-006).** On May 16, 2017, the Council adopted General Plan text amendments to:
  - Further enhance goals and policies to protect existing mobilehome parks in the City of San José as a component of housing choice, and a source of existing affordably-

priced housing in established neighborhoods, and to improve protection from conversion to another use; and

- Add General Plan goals, policies, and actions to preserve mobilehome parks and other housing in each Urban Village until the preservation of affordable housing can be comprehensively addressed.

### **Council Direction**

In addition to the Zoning Code and General Plan text amendments approved by Council on May 16, 2017, City Council directed staff to return to Council in August 2017 with:

1. An analysis, including workload, cost, and necessary level of environmental clearance, for a General Plan amendment overlay for dozens of mobilehome park sites to either a “Commercial,” “Industrial,” “Industrial Park” or a (proposed) “Mobilehome Park” land use designation for those sites that currently have a Residential designation; and
2. A review of the recommendations proposed by the Law Foundation of Silicon Valley, in its letter dated May 11, 2017, and presentation of staff’s perspectives on any such recommendations that can be incorporated when the Council returns in August. The Law Foundation of Silicon Valley’s letter is attached to this memo (Attachment B).

## **ANALYSIS**

### **Existing Conditions**

#### *General Plan*

The City of San José has 59 mobilehome parks with approximately 10,836 mobilehomes that house approximately 35,000 residents, which is the largest number of mobilehomes and households in any city in California. Mobilehome parks in San José vary in size, age, location, type of mobilehomes, and composition of residents. The mobilehome parks in San José also vary in terms of their General Plan land use designations. Some mobilehome parks are located in areas that are designated in the General Plan for industrial or other nonresidential uses and are predominantly surrounded by industrial uses, and others are located in areas with residential land use designations. Five mobilehome parks are located in Urban Villages and 17 mobilehome parks are located in other General Plan Growth Areas. Table 1 below shows the distribution of San José’s mobilehome park sites’ General Plan land use designations. A map of San José’s mobilehome park sites and their General Plan designations is also attached to this memorandum as Attachment A.

**Table 1**

<b>General Plan Land Use Designation</b>	<b>General Plan Allowable Density</b>	<b>No. of Mobilehome Parks</b>	<b>No. of Mobilehome Lots</b>
Residential Neighborhood	Typically 8 DU/AC (match existing neighborhood character); FAR Up to 0.7	39	7,452
Urban Residential	30-95 DU/AC; FAR 1.0 to 4.0	1	723
Residential Neighborhood and Urban Residential	RN: Typically 8 DU/AC (match existing neighborhood character) UR: 30-95 DU/AC; FAR 1.0 to 4.0	1	144
Transit Employment Center	FAR Up to 12.0	1	273
Neighborhood/Community Commercial	FAR Up to 3.5	3	372
Combined Industrial/Commercial	FAR Up to 12.0	4	246
Light Industrial	FAR Up to 1.5	1	133
Heavy Industrial	FAR Up to 1.5	5	325
Residential Neighborhood and Combined Industrial/Commercial	RN: Typically 8 DU/AC (match existing neighborhood character) CIC: FAR Up to 12.0	3	957
Residential Neighborhood and Open Space Parklands and Habitat	- See above for RN - OSPH Density = N/A	1	211
<b>TOTAL</b>		<b>59</b>	<b>10,836</b>

Out of the 59 mobilehome parks in San José, 41 parks have full residential General Plan land use designations, four parks have split residential and non-residential land use designations, and 14 parks have non-residential designations. One mobilehome park has a full Urban Residential land use designation, and one park has a split Urban Residential designation/Residential Neighborhood designation. The Urban Residential designation allows 30 to 95 dwelling units per acre, and the Residential Neighborhood designation allows up to eight dwelling units per acre.

### *Zoning*

The City's Zoning Code includes the R-MH Mobilehome Park Zoning District, for the purpose of reserving land for the use and occupancy of mobilehome development. Mobilehome parks and other compatible uses are permitted or conditionally permitted in the R-MH Mobilehome Park Zoning District as enumerated in Table 20-50 of the Zoning Code. Thirty-five of the City's 59 mobilehome parks currently have an R-MH Mobilehome Park Zoning. Nineteen of the City's 59 mobilehome parks currently have a PD Planned Development Zoning for mobilehome park uses. Only five mobilehome parks have underlying zoning districts that do not conform to the

existing mobilehome park use. Redevelopment of any mobilehome park site would require consistency with a site's General Plan designation, regardless of its zoning. Therefore, allowable future uses on mobilehome parks are defined by their General Plan land use designation as well as the applicable zoning district.

## **General Plan Tools to Preserve Mobilehome Parks**

### *General Plan Overlay*

An “overlay” is a land use designation on the General Plan Land Use Map, or a zoning designation on a zoning map that modifies the basic underlying designation in some specific manner. Overlays can establish additional or stricter standards and criteria for covered sites on top of those of the underlying zoning district, or can also be used to promote specific types of projects. Applying a commercial or industrial overlay to mobilehome park sites with residential land use designations would be most appropriate if the intent is to allow or promote a non-residential use as an alternative to the underlying designation. Directly changing the General Plan land use designation of mobilehome park sites would be most appropriate if the intent is to restrict or define an underlying land use.

Given the high land value for residential development, General Plan land use amendments that directly change mobilehome parks’ land use designations to “commercial” or “industrial,” where appropriate, could be used as a mobilehome park preservation tool by restricting future development of those properties to non-residential uses. However, it is possible that in some locations, such as in North San José, a commercial or industrial General Plan land use designation could offer more financial incentive to close and redevelop a mobilehome park than the Residential Neighborhood land use designation, which limits residential development to approximately eight dwelling units per acre.

### *General Plan Land Use Amendments*

In addition to the analysis a “Commercial,” “Industrial,” and/or “Industrial Park” overlay, Council directed staff to analyze the workload, cost, and necessary level of environmental clearance for a (proposed) General Plan “Mobilehome Park” land use designation for those sites that currently have a Residential designation. Establishing a new Mobilehome Park land use designation could promote the goals and policies of the General Plan, particularly as they relate to mobilehome parks. A Mobilehome Park designation could be similar to the R-MH Mobile Home Park Zoning District with the purpose of reserving land for the construction or preservation, and use and occupancy of mobilehome park development.

City-initiated General Plan amendments to change the land use designations of mobilehome parks would not directly prohibit mobilehome park owners from closing their parks, but could strengthen the protection of mobilehome park residents by creating an additional transparent public land use entitlement process to redevelop the sites. In addition to existing processes defined in the Municipal Code and City Council Policy 6-33, property owners wishing to close

and redevelop their mobilehome parks would need City Council approval of a General Plan land use amendment.

A General Plan amendment would already be needed or desired prior to redeveloping many of the current mobilehome parks with residential land use designations, because the Residential Neighborhood land use designation only allows a density of approximately eight dwelling units per acre. Of the 41 mobilehome parks with full residential General Plan land use designations, staff anticipates that at least two-thirds of those parks would require General Plan amendments given current development trends toward denser multifamily housing opposed to less dense traditional single-family homes.

Fourteen (14) parks have industrial or commercial land use designations. The General Plan includes robust policies against converting employment lands, particularly industrial designated lands. As a result, any proposals to redevelop the 14 mobilehome parks with commercial or industrial designations to facilitate residential uses would require a General Plan land use amendment.

#### *General Plan Text Amendments*

Additional General Plan text amendments could be considered to further strengthen displacement avoidance goals and policies focused on preserving mobilehome parks. Any new goals and policies would then need to be considered as part of future development applications or General Plan land use amendments associated with the redevelopment of a mobilehome park.

#### **Alternatives - Workload and Cost Analysis**

City Council could consider directing staff to consider one or a combination of General Plan tools listed above (land use overlay, land use amendments, or text amendments). The following is an estimation of the workload and costs applicable to the different alternatives.

##### *Alternative No. 1: General Plan Overlay and/or Land Use Amendments*

Implementing City-initiated General Plan land use amendments on all or a subset of mobilehome park sites would require significant staff resources. This work would include the following tasks:

Detailed site analysis: Staff would assess the existing conditions of each mobilehome park, including general conditions, access to utilities, and surrounding uses. This would include site visits to all or a subset of the mobilehome parks.

Analysis of General Plan goals and policies: Staff would analyze General Plan major strategies, goals, and policies in the context of mobilehome parks' sizes, locations, and surrounding uses to determine if alternative land use designations would be appropriate. This would include determining where it would be suitable to apply a new (proposed) mobilehome park designation, or other "commercial" or "industrial" land use designation given the context of the site.

Public outreach: In considering General Plan amendments, staff would continue a robust outreach program to gain input from stakeholders, including mobilehome park residents and owners. This would include community meetings, updates to the City webpage dedicated to information regarding mobilehome park preservation policies, and potential presentations to City commissions, such as the Senior Commission and/or Housing and Community Development Commission.

Environmental Analysis (CEQA): Environmental analysis under the California Environmental Quality Act (CEQA) of General Plan land use amendments to all or a subset of mobilehome parks would require preparation of an Initial Study to determine the appropriate document for environmental clearance. As part of the Initial Study, a long-range traffic analysis may need to be prepared to determine whether changing the land use designations of mobilehome park sites would result in a significant impact on the City's transportation network. Completion of the CEQA analysis would require hiring an environmental consultant.

Depending on the level of environmental review required, staff estimates it would take approximately 12 to 18 months, with appropriate staffing and consultant resources, to implement City-initiated General Plan land use amendments on all or a subset of those mobilehome park sites.

#### *Alternative No. 2: General Plan Text Amendments*

Developing new, or revising existing General Plan goals and policies to further strengthen the protection of mobilehome parks in isolation would require less staff and consultant resources than General Plan land use amendments. Staff estimates an approximately six to nine-month processing timeframe to incorporate additional mobilehome park preservation policies into the General Plan. Developing new General Plan text would include the following tasks:

- Analysis of General Plan goals and policies: Staff would evaluate new or revisions to existing General Plan text that could strengthen current displacement avoidance goals and policies focused on preserving mobilehome parks.
- Public outreach: General Plan text amendments require marginally less outreach as described above for land use amendments, if implemented on their own. In considering General Plan text amendments, staff would gain input from stakeholders by holding community meetings and by continuing to update the City's webpage on mobilehome park preservation policies.
- Environmental Analysis (CEQA): Environmental analysis under the California Environmental Quality Act (CEQA) of General Plan text amendments could require lesser environmental review than land use amendments because no land use changes would need to be analyzed. It is possible that the addition of new General Plan policies or the revision of existing policies could be determined to be consistent with the Envision San José 2040 General Plan Final Program EIR and Supplemental EIR.



*Alternative No. 3: No City Action*

Since 2015, the City has implemented several actions to protect current mobilehome park residents and preserve existing mobilehome parks. These include zoning code changes, General Plan text amendments, and adoption of a new City Council Policy as listed above. These actions establish General Plan policies to preserve existing mobilehome parks and strengthen and clarify requirements for future applications for mobilehome park closures and conversions. This alternative would not require additional staffing or other resources.

Staff Workload Analysis

Table 2 below summarizes staff's estimated timeframe, costs, and level of environmental review needed to implement the three alternatives above.

**Table 2**

Alternative	Staff Resources and Costs	CEQA and Consultant Costs	Public Noticing and Outreach Costs	Total Costs	Timeframe
Alternative 1a: General Plan Overlay to "Commercial" or "Industrial"	<ul style="list-style-type: none"> <li>1.0 FTE – Planner III, PBCE (\$188,300 - \$251,100)</li> <li>0.5 FTE – Development Officer, Housing (\$70,300)</li> </ul>	ND or Addendum to the General Plan EIR, or Environmental Impact Report depending on outcome of Initial Study; including Traffic Impact Analysis (\$120,000)	\$15,000 (assumes 10 community meetings)	\$393,600 – 456,400	18 to 24 months
Alternative 1b: General Plan Land Use Amendments to Mobilehome Park Designation	<ul style="list-style-type: none"> <li>1.0 FTE - Planner III, PBCE (\$125,500 – 188,300)</li> <li>0.5 FTE – Development Officer, Housing (\$70,300)</li> </ul>	Negative Declaration, Addendum to the General Plan EIR, or Environmental Impact Report depending on outcome of Initial Study; including Traffic Impact Analysis (\$110,000)	\$13,000 (assumes 8 community meetings)	\$318,800 – 381,600	12 to 18 months
Alternative 2: General Plan Text Amendments	<ul style="list-style-type: none"> <li>0.5 FTE - Planner IV, PBCE (\$97,000)</li> <li>0.25 FTE – Development Officer, Housing (\$35,200)</li> </ul>	Determination of Consistency with the General Plan EIR (\$0)	\$6,000 (assumes 2 community meetings)	\$138,200	9 months
Alternative 3: No Action	N/A	N/A		\$0	N/A

## **Review of Law Foundation of Silicon Valley Recommendations**

The Law Foundation of Silicon Valley (Law Foundation) submitted a letter dated May 11, 2017, related to the actions considered by Council on May 16, 2017. Below is an analysis of the Law Foundation's recommendations and staff's assessment on those that can be implemented.

### ***1) Reject the proposed Mobilehome Park Protection and Closure Ordinance***

On May 16, 2017, City Council considered and voted not to adopt the proposed Mobilehome Park Closure Ordinance.

### ***2) If the proposed Closure Ordinance is not rejected entirely, it must be amended to address crucial flaws.***

On May 16, 2017, City Council considered and voted not to adopt the proposed Mobilehome Park Closure Ordinance. The City currently has an existing Mobilehome Park Conversion Ordinance as established in Section 20.180 of the Zoning Code. The Mobilehome Park Conversion Ordinance is applicable to mobilehome park closures and conversions.

### ***3) Adopt General Plan amendment changes.***

#### Establish a Mobilehome Park General Plan Land Use Designation

The Law Foundation recommended the City adopt a General Plan land use designation for mobilehome parks and apply that designation to all mobilehome parks. As previously stated, because the City Council actions since 2015 achieve significant protection for current mobilehome park residents, staff recommends consideration of General Plan land use designations for the two mobilehome parks with high density residential land use designations. Additionally, most sites would already require a legislative act by the Council (General Plan amendment) to develop at densities over approximately eight dwelling units per acre.

#### Establish a "No Net Loss" Policy of Land Zoned for Mobilehome Use

The Law Foundation recommended that the City amend the General Plan to include a "no net loss" policy restriction similar to the City's former industrial no net loss policy. The difference between San Jose's mobilehome parks and industrial lands is that mobilehome parks in the City are already subject to a number of state and local restrictions, including rent control. Adoption of a "no net loss" policy for mobilehome parks is not recommended due to the potential for a legal challenge.

#### General Plan Text Amendments

The Law Foundation recommended six specific General Plan text amendments as outlined in their May 11, 2017 letter. The recommended text amendments vary in detail and complexity, and focus on preservation of mobilehome parks and adding additional reporting in Urban Village plans related to affordable housing and socio-economics. Staff supports three of the Law Foundation's proposed revisions that incorporate text focused on housing preservation and

rehabilitation because they would be consistent with other General Plan housing policies. If directed by City Council, staff would bring to Council for consideration the three proposed revisions listed below in ~~strikeout~~/underline format as part of a future General Plan hearing cycle.

**Urban Village Planning Policy IP-5.2:** Develop and use an Urban Village Planning process so that each Urban Village Plan can be successfully completed within an approximately nine-month planning period, followed by completion of environmental review as required for adoption of the Plan. Engage Urban Village area property owners and residents to the fullest extent possible, along with representatives of adjacent neighborhood areas, potential developers and other stakeholders in the Urban Village Planning process.

**Housing – Social Equity and Diversity Policy H-1.3:** Create, preserve, and rehabilitate housing opportunities and accessible living environments that allow seniors to age in place, either in the same home, assisted living facilities, continuing care facilities, or other housing types within the same community.

**Housing – Social Equity and Diversity Policy H-1.9:** Facilitate the development, preservation, and rehabilitation of housing to meet San José's fair share of the County's and region's housing needs.

The other three recommended text amendments by the Law Foundation are not supported by staff because they are overly detailed for General Plan policy and are currently addressed through the City's Mobilehome Park Conversion ordinance. These three recommended text amendments by the Law Foundation are as follows in ~~strikeout~~/underline format:

**Housing – Social Equity and Diversity Policy H-1.20:** Encourage that all proposed Ceonversions of Use or Changes of Use of mobilehome parks to other uses to include mitigation measures that provide displaced residents with housing options that are affordable once any short-term subsidy has elapsed purposes other than the rental, or the holding out for rent, of four (4) or more mobilehome sites or spaces to accommodate mobilehomes used for human habitations, including the cessation of use, to mitigate any adverse impact to enable residents to relocate to replacement housing that is affordable and equivalent, including but not limited to their location and amenities.

**Urban Village Planning Goal IP-5:** Use new proposals for residential, mixed use, or employment development to help create walkable, bicycle-, and transit-friendly "Urban Villages" (also referred to as "Villages" within the Envision General Plan) at strategic locations throughout the City, and to enhance established neighborhoods, including existing mobilehome parks. In new Village development, integrate a mix of uses including retail shops, services, employment opportunities, public facilities and services, housing, places of worship, and other cultural facilities, parks and public gathering places.

**Urban Village Planning Policy IP-5.4:** Prepare and implement Urban Village Plans carefully, with sensitivity to concerns of the surrounding community, residents, and property

owners and developers who propose redevelopment of properties within the Urban Village areas. In furtherance of this policy and San José's obligation to affirmatively further fair housing choice, prepare and report on the number of affordable housing units, including rent stabilized units, and socio-economic characteristics of the of residents who reside in the Urban Village. Urban Village Planning should protect against the displacement of low- and moderate-income tenants and mobilehome park residents who live in the Urban Village, and they must also plan for the mitigation of the loss of any mobilehome housing, rent controlled housing, and other affordable housing options that are lost to the community as a result of redevelopment. As part of the Urban Village Planning process, outreach to and community meetings for residents who face displacement, particularly those in mobilehome communities and multifamily housing, should be conducted. Proceed generally in the order of the following timeline, although some steps may be taken concurrently:

**4) *Uniformly zone all mobilehome parks for this exclusive use.***

Thirty-five of the City's 59 mobilehome parks currently have an R-MH Mobilehome Park Zoning. Nineteen of the City's 59 mobilehome parks currently have a PD Planned Development Zoning for mobilehome park uses. Only five mobilehome parks have underlying zoning districts that do not conform to the existing mobilehome park use. Staff does not recommend City-initiated rezonings, because a majority of mobilehome parks are already zoned for mobilehome park uses, and redevelopment of any mobilehome park site would require consistency with a site's General Plan designation, regardless of its zoning. Additionally, of the five mobilehome parks that have non-conforming zoning districts, two of those parks also have an industrial General Plan land use designation. Rezoning to R-MH on sites with an industrial General Plan land use designation would be inconsistent with major strategies, goals, and policies of the General Plan.

**5) *Amend the Council Policy to further the intent of and clarify the Conversion Ordinance.***

Most of the Law Foundation's requested edits to Policy 6-33 would require the City to extend its role beyond the appropriate scope for the conversion review process. Some comments would result in an increase to the park owner's minimum requirements to engage in good faith negotiations with the City in a way that does not foster a cooperative joint process. Some comments would require that the City establish an entirely new appeal process for various procedures required by the mobilehome conversion ordinance. The amendments already incorporated in Policy 6-33 after months of public meetings and multiple rounds of comments from stakeholders including the Law Foundation are sufficient. The Policy currently contains an appropriate level of additional procedures to supplement the mobilehome conversion ordinance. The current Policy also reflects a robust outreach process and has been approved by City Council.

**Staff Recommendation**

Council actions taken since 2015, including adoption of a new City Council Policy, Zoning Code amendments, and General Plan text amendments achieve significant protection for current mobilehome park residents. Undertaking General Plan land use overlays or amendments would

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be a timely and costly process, requiring additional resources as outlined in Table 1. Accordingly, staff recommends that City Council refer to the next Council Priority Setting Session the consideration of General Plan land use amendments for the two mobilehome parks with high density residential land use designations. This would allow City Council to consider where this policy work ranks with other Council priorities led by PBCE and Housing. The most recent (March 2017) Council policy priority list is attached.

In addition, it is recommended that three minor General Plan text amendments recommended by the Law Foundation of Silicon Valley identified above be considered as part of a future General Plan hearing cycle.

### **EVALUATION AND FOLLOW-UP**

If the City Council refers consideration of the General Plan land use designations for the two mobilehome parks with high density residential land use designations, along with the required staffing and consultant resources, to the next Council Priority Setting Session, staff will evaluate and undertake the General Plan amendments.

### **PUBLIC OUTREACH**

Since Council direction was provided on February 23, 2016, City staff has presented policy and ordinance proposals for additional protection of existing mobilehome park residents, and has received public input on these items, at several public hearings and stakeholder forums including community meetings; the Housing and Community Development Commission; and the Senior Commission.

### **COORDINATION**

Preparation of this memorandum was coordinated with the City Attorney's Office and the Housing Department.

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**CEQA**

Not a Project, File No. PP10-069(a), City Organizational and Administrative Activities, Staff Reports.

/s/

ROSALYNN HUGHEY, ACTING DIRECTOR  
Planning, Building and Code Enforcement

For questions please contact Jared Hart, Supervising Planner, at (408) 535-7896.

Attachments: A) Map of San José Mobilehome Parks with General Plan Designations  
B) Law Foundation of Silicon Valley letter, dated May 11, 2017  
C) Council Policy Priority List from March 7, 2017 (Item 3.3)