

COUNCIL AGENDA:

ITEM:



# Memorandum

TO: CITY COUNCIL

FROM: Mayor Sam Liccardo  
Councilmember Lan DiepSUBJECT: MOBILEHOME PARK LAND  
USE DESIGNATION

DATE: January 9, 2020

APPROVED:

DATE:

## RECOMMENDATION

Accelerate the Council direction of March 13, 2018, to proceed with the General Plan Amendment of all parcels comprising mobile home parks with high-density residential housing designations—including Westwinds Mobile Home Park—to an exclusively “Mobilehome Park” land use designation. Proceed immediately with this recommendation to the January 23, 2020 Housing and Community Development Commission Meeting, and to the Planning Commission and Council meetings that immediately follow, for a final determination.

## DISCUSSION

The 723 families living in the Westwinds Mobile Home Park have invested their life savings—and often, have spent a lifetime of memories—in their homes, and they deserve the strongest protections that our City can legally provide. In recent days, a contract dispute between a large, multi-state corporation, MHC Operating, and the owners of the site—the Nicholson family—has moved to the legal battlefield, where MHC filed court documents with unsubstantiated assertions that property owners seek to displace Westwinds residents. We know nothing of the communication between those two parties, but the Nicholson family has communicated with City Planning staff, and nothing about those conversations has suggested a risk of displacement of existing residents. Nonetheless, MHC’s accusations have driven considerable and justifiable fear among Westwinds’ 1,600 residents.

On March 13, 2018, the City Council approved a recommendation by the two of us—joined by Vice Mayor Jones and Councilmember Carrasco—to establish an exclusive “Mobilehome Park” land use designation in the General Plan. Doing so would place an important procedural barrier before any land owner seeking to redevelop a mobile home park, enabling greater leverage to mobile home residents and the City in negotiating over the owner’s obligations. City staff began work on this priority in 2019, and City staff has conducted two community meetings in the Westwinds complex to gather resident feedback. We urge that they quickly wrap up that work to reduce the serious concerns and harmful stress that our residents have already endured.

The City of San José has long required that any mobile home park landowner who wishes to convert the community to another use obtain a permit. In 2015, we directed staff to develop a work plan and public process for creating new policies to protect current mobilehome park residents and preserve existing mobilehome parks. On February 23, 2016, we adopted City Council Policy 6-33 “Conversion of Mobilehome Parks to Other Uses”) to help guide the Council in implementation of its conversion ordinance, ensuring good faith negotiations between park residents and land owners, and a satisfactory program of relation and purchase assistance. We further bolstered General Plan language urging the protection of mobile home park residents. In 2017, we strengthened our permit requirements in the conversion ordinance by requiring Council approval of the CUP or PD permit, consistency with the General Plan, and fulfillment of relocation obligations, among other changes. Finally, in 2018, we urged that staff begin the lengthy process of amending the General Plan to impose a “Mobilehome Park” designation on sites with mobilehome developments with zoning that places them at higher risk of conversion. With this memorandum, we hope to conclude this work quickly, and provide some ease to local residents.