



CITY OF SACRAMENTO

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October 17, 1980

Honorable City Council
Council Chamber
City Hall
Sacramento, CA 95814

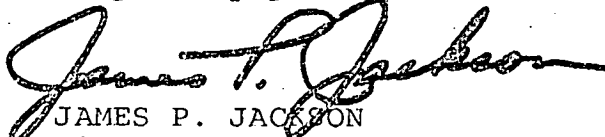
Re: Amendment to Comprehensive Zoning Ordinance
related to Mobile Homes

Members in Session:

The Planning and Community Development Committee of the City Council met on October 15, 1980 and unanimously recommended approval of the attached ordinance. The committee added a provision that the ordinance will remain in effect only through June 30, 1981.

The attached staff report explains the ordinance and recent state legislation on this subject.

Very truly yours,


JAMES P. JACKSON
City Attorney

JPJ:mb

attachment

APPROVED
BY THE CITY COUNCIL

OCT 21 1980

OFFICE OF THE
CITY CLERK



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October 9, 1980

Planning and Community
Development Committee
Council Chamber
City Hall
Sacramento, CA 95814

Re: AMENDMENT TO THE COMPREHENSIVE ZONING ORDINANCE
RELATING TO MOBILE HOMES, SB 1960 RAINS

Members in Session:

SUMMARY

A dispute has arisen as to the meaning of provisions in the City's Comprehensive Zoning Ordinance regulating mobile homes, specifically whether mobile homes are permitted on single family residential lots outside mobile home parks. City Planning staff has consistently interpreted the Zoning Ordinance to prohibit mobile homes as residences outside of mobile home parks, but the City Attorney has determined an amendment to the Zoning Ordinance is necessary to clarify this meaning. While this determination was being made, new state legislation, effective July 1, 1981, was enacted which imposes new regulations on the location and use of mobile homes in single family zones. This new law will require the City to re-evaluate the treatment of mobile homes as single family residences and enact new zoning controls on mobile homes prior to July 1, 1981. It is recommended, therefore, that the attached ordinance be adopted to bring the provisions of the existing Zoning Ordinance in line with the City's long established treatment of mobile homes. This ordinance will act as an interim measure to maintain the status quo until a new zoning scheme for mobile homes consistent with the new state law can be developed and adopted.

BACKGROUND

A. Amendment to Zoning Ordinance.

City Planning staff has consistently interpreted the City's Comprehensive Zoning Ordinance to permit mobile homes in mobile home parks only. Mobile home parks may be established in any zone subject to the issuance of a special permit.

A challenge, however, was recently made to this interpretation. Upon reviewing the language of the Zoning Ordinance pertaining to mobile homes, the City Attorney has determined the language is, at best, very ambiguous, and recommends that if the City wishes to continue its present zoning policy on mobile homes the Ordinance should be amended immediately. The attached Ordinance would amend the provisions of the Zoning Ordinance relating to mobile homes to make them consistent with the City's established treatment of mobile homes.

B. SB 1960 - Rains.

SB 1960 - Rains was recently signed into law. This new legislation, to take effect July 1, 1981, deals with the location and use of mobile homes in single family zones. One provision of the bill prohibits a city from denying the placement of a mobile home on a permanent foundation on a lot zoned for single family dwellings. Another provision of the bill, however, specifically authorizes a city to designate lots zoned for single family dwellings for mobile homes "which lots are determined to be compatible for such mobile home use." Finally, the bill authorizes the regulation of mobile homes on permanent foundations on single family lots in the same manner as conventional housing (such as setback and yard requirements, parking, and minimum square footage requirements) except that architectural review of mobile homes must be limited to roof overhang, roofing materials, and siding materials.

The first two provisions of this bill mentioned above relating, on the one hand, to prohibiting cities from denying mobile homes on lots zoned for single family dwellings and, on the other hand, to authorizing cities to designate certain single family lots for mobile homes which are determined to be "compatible" for mobile home use are, on the surface, inconsistent and raise questions of intent and meaning. One interpretation is that the statute prohibits a city from denying mobile homes on single family lots only where it has not designated certain lots for mobile homes. If the city were to exercise its authority granted under the bill to designate certain lots for mobile homes which it found compatible for that use, mobile homes would only be permitted on those lots.

In any event, the new statute will require the City to more fully explore the meaning of the new law and the treatment of mobile homes in single family zones prior to July 1, 1981. The attached ordinance, therefore, will operate as an interim measure only to permit the City to continue its present treatment of mobile homes until the new state law can be implemented.

October 9, 1980

RECOMMENDATION

It is recommended that the Planning and Community Development Committee recommend to the City Council adoption of the attached ordinance as an emergency measure.

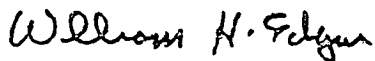
Very truly yours,

JAMES P. JACKSON
City Attorney



SABINA GILBERT
Deputy City Attorney

RECOMMENDATION APPROVED:



Ass't City Manager

SG:mb
attachment

ORDINANCE NO. **4433** FOURTH SERIES

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SACRAMENTO, ORDINANCE NO. 2550, FOURTH SERIES, RELATING TO MOBILE HOMES AND DECLARING SAID ORDINANCE TO BE AN EMERGENCY MEASURE TO TAKE EFFECT IMMEDIATELY

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

Section 2-B-10 is hereby added to the Comprehensive Zoning Ordinance of the City of Sacramento, Ordinance No. 2550, Fourth Series. Said addition shall be set forth in the same form shown in the existing chart of the Ordinance and shall read as follows:

	R	R	R	R	R	R	R	R	R	R	O	R	H	S	C	C	C	C	M	M	A	F	AOS
	1	1	2	2	2	3	3	4	4	5	B	O	C	C	1	2	3	4	1	2			
		A		A	B		A		A										(S)	(S)			
10. Mobile homes	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25		25

SECTION 2.

Section 2-E-25 is hereby added to the Comprehensive Zoning Ordinance of the City of Sacramento, Ordinance No. 2550, Fourth Series, to read as follows:

25. Mobile homes are not considered dwellings within the meaning of this Ordinance. Mobile homes are not permitted in any zone unless located in a mobile home park subject to the provisions of Section 2-F-22 and Section 10 of this Ordinance; provided, that in the C-4, M-1, M-1(S), M-2, and M-2-(S) a mobile home may be used as the living quarters for a watchman of commercially or industrially used property.

SECTION 3.

Section 2-F-22 of the Comprehensive Zoning Ordinance of the City of Sacramento, Ordinance No. 2550, Fourth Series, is hereby amended to read as follows:

22. Mobile home park; auto and trailer camp.

SECTION 4.

Section 10 of the Comprehensive Zoning Ordinance of the City of Sacramento, Ordinance No. 2550, Fourth Series, is hereby amended to read as follows:

APPROVED
BY THE CITY COUNCIL

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Section 10. Mobile home park regulations.

A. Regulations Adopted - General: The following general regulations are adopted for the development and maintenance of mobile home parks.

1. Minimum site area: Five Acres.
2. Maximum density: 10 mobile home spaces per acre.

3. Use: No mobile home shall be used for any purpose other than residential occupancy. No commercial enterprise shall be carried on within the confines of a mobile home park other than that allowed by the zoning of the property on which said use is located or such other use as may be specified in the Special Permit.

B. Regulations Adopted - Site Standards: The following regulations are adopted as site standards for mobile home parks:

1. Front and/or street side yard setbacks: Whenever the zoning district in which a mobile home park is located requires a front and/or street side yard setback, said setback shall be provided and shall be permanently landscaped and maintained with groundcover, trees, and shrubs.

2. Minimum interior side yard setback: 15 feet

3. Minimum rear yard setback: 15 feet

4. Screen planting: All minimum interior side yard and rear yard setbacks shall consist of a minimum of a 10 foot wide planting area of groundcover, trees and shrubs to act as a screen between the mobile home park and abutting residential uses.

5. Access points: Access points shall be controlled through review of plans submitted on each individual Special Permit application:

6. Signs: Notwithstanding the provisions of Article II, Chapter 3 of the Sacramento City Code no sign or other form of advertising shall be permitted other than that necessary to identify the mobile home park. The design of said sign shall be submitted as part of the Special Permit application.

7. Lighting: Lighting shall consist of street electrolier type rather than flood lighting.

8. Driveways: All driveways or interior access streets shall be surfaced with a minimum of three inches of Portland Cement or with hard, durable plant mix asphalt paving at least two inches thick after compaction over four inches of aggregate base rock in accordance with standard specifications adopted by the City of Sacramento. All such driveways or interior access streets shall be surfaced and graded in such a manner that the drainage for the mobile home park

shall drain to a centrally located drain or system of drains which shall be connected to the nearest storm sewer or other such system of drainage as may be approved by the City Engineer.

9. Fencing: A fence not less than five feet in height shall be erected along all interior side and rear lot lines and along street setback lines.

10. Accessory buildings or structures: No accessory building or structure shall be erected or maintained in any required minimum setback area for the mobile home park or any individual mobile home space.

C. Regulations Adopted - Mobile home space standards: The following site standards are adopted for mobile home spaces within each mobile home park:

1. Size: The average mobile home space shall be not less than 1,750 square feet with no space to be less than 1,000 square feet.

2. Minimum front, side and rear yard setback: Each five feet.

3. Landscaping: All minimum setback areas shall be permanently landscaped and maintained with groundcover, trees and shrubs.

SECTION 5.

Section 22-A-3 of the Comprehensive Zoning Ordinance of the City of Sacramento, Ordinance No. 2550, Fourth Series, is hereby amended to read as follows:

3. Building: Any structure having a roof supported by columns or walls. Mobile homes and recreational vehicles, with or without wheels, shall not be considered as buildings.

SECTION 6.

Section 22-A-9 of the Comprehensive Zoning Ordinance of the City of Sacramento, Ordinance No. 2550, Fourth Series, is hereby amended to read as follows:

9. Dwelling unit: A group of rooms or a single room within a dwelling, with kitchen facilities, and occupied or intended for occupancy as separate living quarters by a family or other group of persons living together, or by a person living alone.

SECTION 7.

Section 22-A-61 is hereby added to the Comprehensive Zoning Ordinance of the City of Sacramento, Ordinance No. 2550, Fourth Series, to read as follows:

61. Auto and Trailer Camp: Any lot or parcel or portion thereof where one or more spaces are rented, leased, used, or held out for rent, lease or use to owners or users of recreational vehicles and are occupied for temporary recreational purposes.

SECTION 8.

Section 22-A-62 is hereby added to the Comprehensive Zoning Ordinance of the City of Sacramento, Ordinance No. 2550, Fourth Series, to read as follows:

62. Mobile home: A structure transportable in one or more sections, designed and equipped for human habitation and to be used with or without a foundation system. Mobile home does not include a recreational vehicle.

SECTION 9.

Section 22-A-63 is hereby added to the Comprehensive Zoning Ordinance of the City of Sacramento, Ordinance No. 2550, Fourth Series, to read as follows:

63. Mobile home park: Any lot or parcel or portion thereof where one or more mobile home spaces are rented or leased or held out for rent or lease to accommodate mobile homes used for human habitation.

SECTION 10.

The provisions of Section 13-A-8 and 9 of the Comprehensive Zoning Ordinance of the City of Sacramento, Ordinance No. 2550, Fourth Series, relating to notice and hearings on amendments to the text of the Comprehensive Zoning Ordinance shall not apply to this ordinance due to the emergency set forth below.

SECTION 11. Emergency

This ordinance is hereby declared to be an emergency measure to take effect immediately. The facts constituting the emergency are a dispute as to the meaning of provisions in the Comprehensive Zoning Ordinance regulating the location and use of mobile homes and the concern

that owners of mobile homes desire to place and use mobile homes in certain residential zoning districts in the City. It is therefore necessary to the public health, safety, and welfare that the intent of the zoning regulations relating to mobile homes be clarified and in effect immediately so that the owners of mobile homes, the City, and the public in general may be protected by zoning regulations relating to mobile homes.

SECTION 12.

This ordinance shall remain in effect through June 30, 1981 and shall be of no force or effect after that date.

ENACTED:

EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK