



Memorandum

TO: CITY COUNCIL

FROM: Mayor Sam Liccardo
Vice Mayor Magdalena Carrasco
Councilmember Chappie Jones
Councilmember Tam Nguyen
Councilmember Lan Diep

SUBJECT: ACTIONS RELATED TO MOBILEHOME
PARK CLOSURES

DATE: May 12, 2017

Approved

Date 5/12/17

RECOMMENDATION

1. Defer approval of staff recommendation (a)—*approval of an ordinance amending the Zoning Code to add a new part regarding Mobilehome Park Closure Projects*— until August 2017.
2. Direct the City Manager to return to Council in August, prior to the expiration of the moratorium, with:
 - a. An analysis, including the level of environmental clearance necessary, 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.
 - b. A review of the recommendations proposed by the Law Foundation of Silicon Valley, in its letter dated May 11, 2017, and a presentation of staff’s perspectives on any such recommendations that can be incorporated when the Council returns in August.
3. Approve staff recommendations (b) and (c) as per the posted May 16, 2017 City Council Agenda.
4. Tentatively approve the General Plan Text Amendments relating to protection of existing mobilehome parks.

BACKGROUND

San José faces a housing crisis. We must protect the reasonable expectations of tenure of the approximately 35,000 residents that live in our mobile home parks—the largest number of any city in the state—to avoid making that crisis worse. We must do so within the bounds of the U.S. Constitution and California law, however.

To that end, we support the modifications to Council Policy 6-33 and the proposed General Plan text amendments which further our goals to protect existing mobile home residents.

A recent court ruling from a San Francisco Superior Court (relating to the legality of specific relocation requirements) should give us pause from adopting the proposed closure ordinance, because ample reason exists for believing a closure ordinance could make matters worse. We recommend revisiting this ordinance after staff determines whether and how the City could proactively change the General Plan designations of those mobilehome parks that appear most ripe for conversion, because they already have an underlying residential designation. We ask that staff return with this analysis prior to the expiration of the moratorium.

Finally, we want to thank staff for their work and for encouraging public participation through numerous meetings. We are also thankful to mobilehome park residents, owners, and other stakeholders for their continued engagement that helped shape these recommendations.

The signers of this memorandum have not had, and will not have, any private conversation with any other member of the City Council, or that member’s staff, concerning any action discussed in the memorandum, and that each signer’s staff members have not had, and have been instructed not to have, any such conversation with any other member of the City Council or that member’s staff.