Planning and Environmental Services

PLANNING COMMISSION
STAFF REPORT

TO: Planning Commission

FROM: Christopher Williamson, AICP Senior Planner

DATE: November 2, 2006

SUBJECT: Planning and Zoning Permit Nos. 06-400-2 (Coastal Development Permit), 06-300-15 (Tentative Subdivision Map for Tract No. 5706), and 06-410-2 (Local Coastal Plan Amendment)

1. **Recommendation:** That the Planning Commission:
   a) Adopt a resolution approving Coastal Development Permit (PZ 06-400-2).
   b) Adopt a resolution approving Tentative Subdivision Map for Tract No. 5706 (PZ 06-300-15).
   c) Adopt a resolution recommending that the City Council amend the Coastal Land Use Plan (PZ 06-410-2).

2. **Project Description and Applicant:** The project proposes to convert an existing 96-unit seniors' mobile home park located at 4501 West Channel Islands Blvd. (APN Nos. 206-0-280-180/-430) to resident condominium ownership. No physical changes are proposed to the park facilities and age restrictions will remain unchanged. Low and moderate income residents who do not purchase their space may remain renters indefinitely with their space rent increases determined by the consumer price index. Project approval requires that the Coastal Land Use Plan be amended to delete Policy #88 which requires replacement of converted mobile home spaces by comparable units. Filed by Hollywood Beach Acquisition, 4501 West Channel Islands Blvd., Oxnard, 93035.

3. **Existing Land Use:** The 10.9 acre triangular parcel is fully developed with five internal private streets, 96 occupied mobile/manufactured homes, clubhouse with pool, guest parking lot, RV storage area, and a small park. The park is known as the Hollywood Beach Mobile Home Park.

4. **General Plan Policies and Land Use Designation Conformance:** The General Plan designation is Factory Built (FP) and the zone designation is Manufactured Home Park Coastal (MH-PC). These designations are consistent with each other. With the approval of

the proposed Coastal Land Use Plan amendment, the conversion would not be subject to the Policy #88 replacement requirement.

5. **Environmental Determination:** Public Resource Code Section 21080.8 statutorily exempts the mobile home conversion project from the California Environmental Quality Act. The proposed Coastal Land Use Plan amendment is exempt under Section 15061(b)(3) of Title 14 of the California Code of Regulations per the "general rule" that there is no possibility of a physical impact to the environment as a result of the action.

6. **Surrounding Zoning and Land Uses:**

LOCATION	ZONING	GENERAL PLAN	EXISTING LAND USE
Project Site	MH-PC	Mobile Home Park	96-unit seniors mobile home park
North	R-3-C	Residential High	The Colonies condominiums
South	[county]	School	Hollywood Beach elementary school
East	HCI	Visitor Serving	Channel Islands harbor
West	[county]	Residential Low Medium	Single family homes

7. **Analysis:**

a) *General Discussion:* The conversion of mobile home parks to resident ownership is prescribed by state law. The role of local government is largely to ensure the state-mandated process is followed. The following is a description of the conversion process and how the applicant has satisfied state requirements.

State Law
The mobile home park conversion process is outlined by California Government Code Sections 66427.5 and 66428.1. Section 66427.5 requires that the subdivider avoid economic displacement of nonpurchasing residents by taking the following actions:

1. **Conduct a written survey of residents of support for the conversion.** The survey was conducted by the tenants association in February, 2005 and found that 82 residents supported the conversion. Since then, 16 units have changed hands. If all new residents were opposed and replaced supportive residents, the approval rate would be 68.7 percent. A minimum of two-thirds support is required to waive the Tentative Subdivision Map, meaning it does not need to go to City Council for final approval.

2. **Complete, file, aud distribute a Tenant Impact Report (TIR)** A draft TIR was filed with the project application in August and a final TIR distributed to the residents on October 18, 2006. A copy is included as Attachment D. The TIR is the state-required disclosure document that

outlines how low and moderate income existing residents will be protected from economic dislocation.

3. **Offer each tenant an option to purchase their space, or continue renting**. The TIR explains that if a lower- or moderate-income tenant chooses not to purchase, their space rent would increase annually based on the consumer price index (CPI), and they may continue renting their space indefinitely. Higher income residents would see their space rent rise to a market-rate level over four years. All residents will have a three-month period of exclusive first refusal to purchase, commencing with the issuance of the Final Public Report by the California Department of Real Estate which is anticipated early next year.

The net effect of the Applicant's compliance with these statutes is that no current resident will be involuntarily displaced and that lower- and moderate-income households that choose not to buy their spaces will have a controlled increase in monthly rent, and may remain indefinitely. For lower income purchasers, the state Department of Housing and Community Development has extended a $1.9 million award from the state's Mobile Home Park Resident Ownership Program to assist lower income residents to purchase their spaces. This award must be secured by a completed conversion process by May 2007.

Government Code Section 66428.1 requires that a mobile home subdivision map be waived, meaning the map approval is final with the Planning Commission.

Government Code Section 65590 is a statute that requires replacement of the low and moderate-income units in a mobile home park located in the coastal zone if converted to condominium ownership. It reads, "*The conversion...of existing dwelling units occupied by person and families of low or moderate income...shall not be authorized unless provision has been made for the replacement of those dwelling units for persons and families of low or moderate income.*" The applicant believes the intent of the statute was to avoid displacement of current residents who are low or moderate income. The applicant argues that there will be no involuntary displacement of the low or moderate income residents because rent increases will be limited to the movement in the consumer price index.

<u>*City Code*</u>
City Code Section 17-45, *Condominium Conversions*, is written for apartment conversions and requires a conditional use permit (i.e. coastal development permit) for a conversion. As a mobile home park resident rents their space from a landlord, staff determined that this code section applies to the project, and coastal development permit PZ 06-400-2 is one of the actions herein.

As the project is located in the Coastal Zone, LCPA Policy #88 applies and states, "*Existing mobile home parks shall not be demolished or converted...including purchase mobile home lots unless an equal or greater number of comparably priced units are built in the coastal zone to replace the demolished or converted units*" (p. III-60). The context and intent of Policy #88 was to prevent the involuntary displacement of mobile home residents when their parks were purchased and replaced by new housing and/or commercial development. Subsequently, California Government Code Sections 66427.5 and 66428.1 were enacted. The applicant believes these state laws preempt Policy #88.

Government Code Section 66428.1(d) states that a local agency shall not impose any offsite improvement requirements, dedications, or in-lieu fees. Only improvements necessary to mitigate an existing health or safety condition are allowed. There are four fire hydrants in the park, and street lights. Mitigations are proposed that require Fire and Police Department review of existing water pressure and lighting, and improvements if needed to meet City safety requirements.

b) ***Relevant Project and Property History, Related Permits:*** The Hollywood Beach mobile home park was developed in 1968. Since then, individual mobile homes have been replaced to where most units are now larger "double-wide" units. Permits related to mobile home units are issued by the state government.

c) **Development Advisory Committee (DAC) Consideration:** The project was reviewed by the DAC on October 4, 2006. As no physical changes are proposed or required, the DAC review was limited to adequacy of fire hydrants and line pressure.

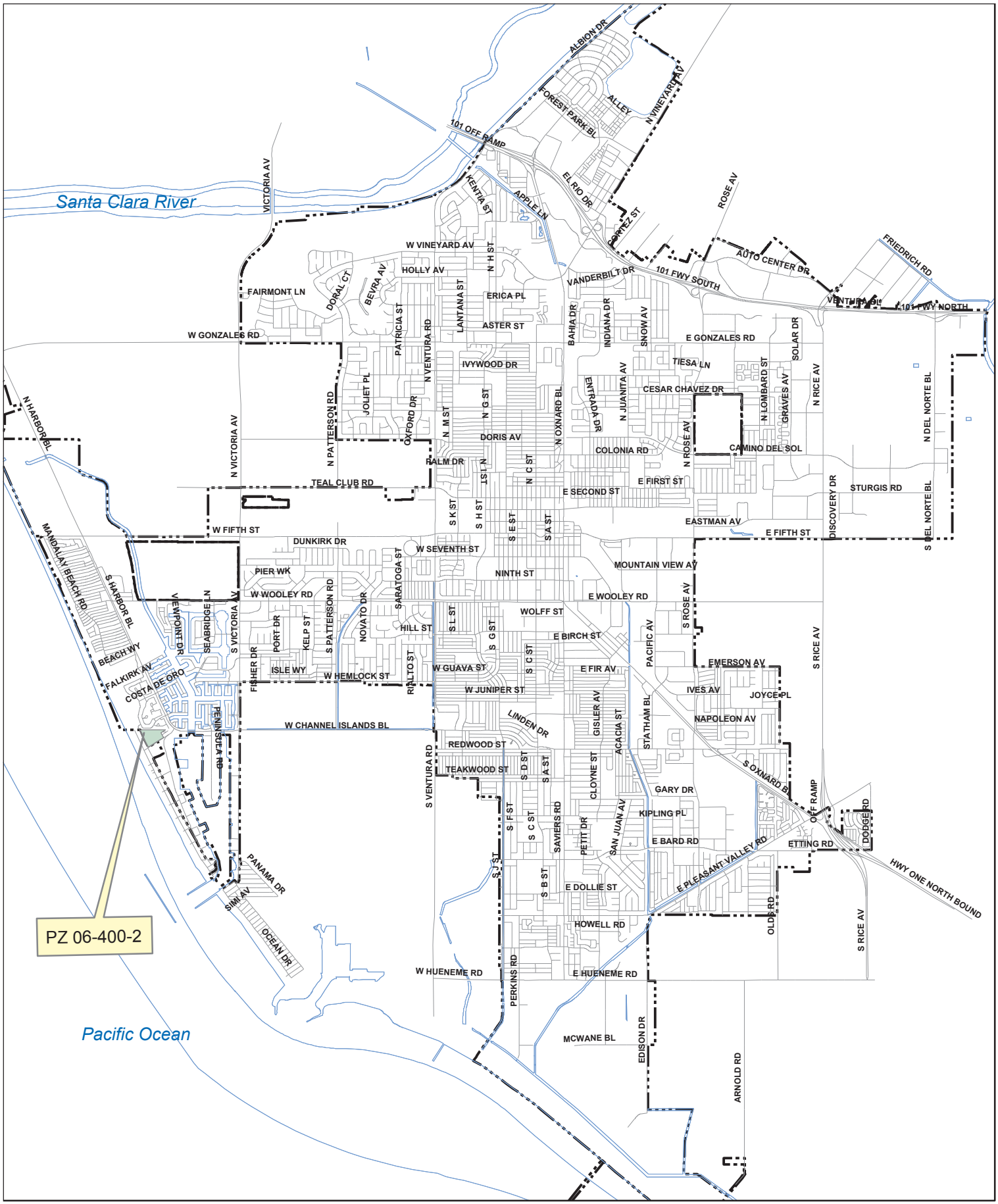
8. **Community Input:** The project was presented at the monthly community workshop held on October 16, 2006. Twelve members of the public asked questions related to understanding the conversion process.

9. **Attachments:**
   A. Maps (Vicinity, General Plan, Zoning)
   B. Reduced Tract Map/Plans
   C. CEQA Notice of Exemptions
   D. Tenant Impact Report
   E. Coastal Development Permit Resolution
   F. Tentative Subdivision Map Resolution
   G. Local Coastal Plan Amendment Resolution

Prepared by: CW

Approved by: SM

Attachment A
Maps (Vicinity, General Plan, Zoning, Aerial Photo)



OXNARD PLANNING

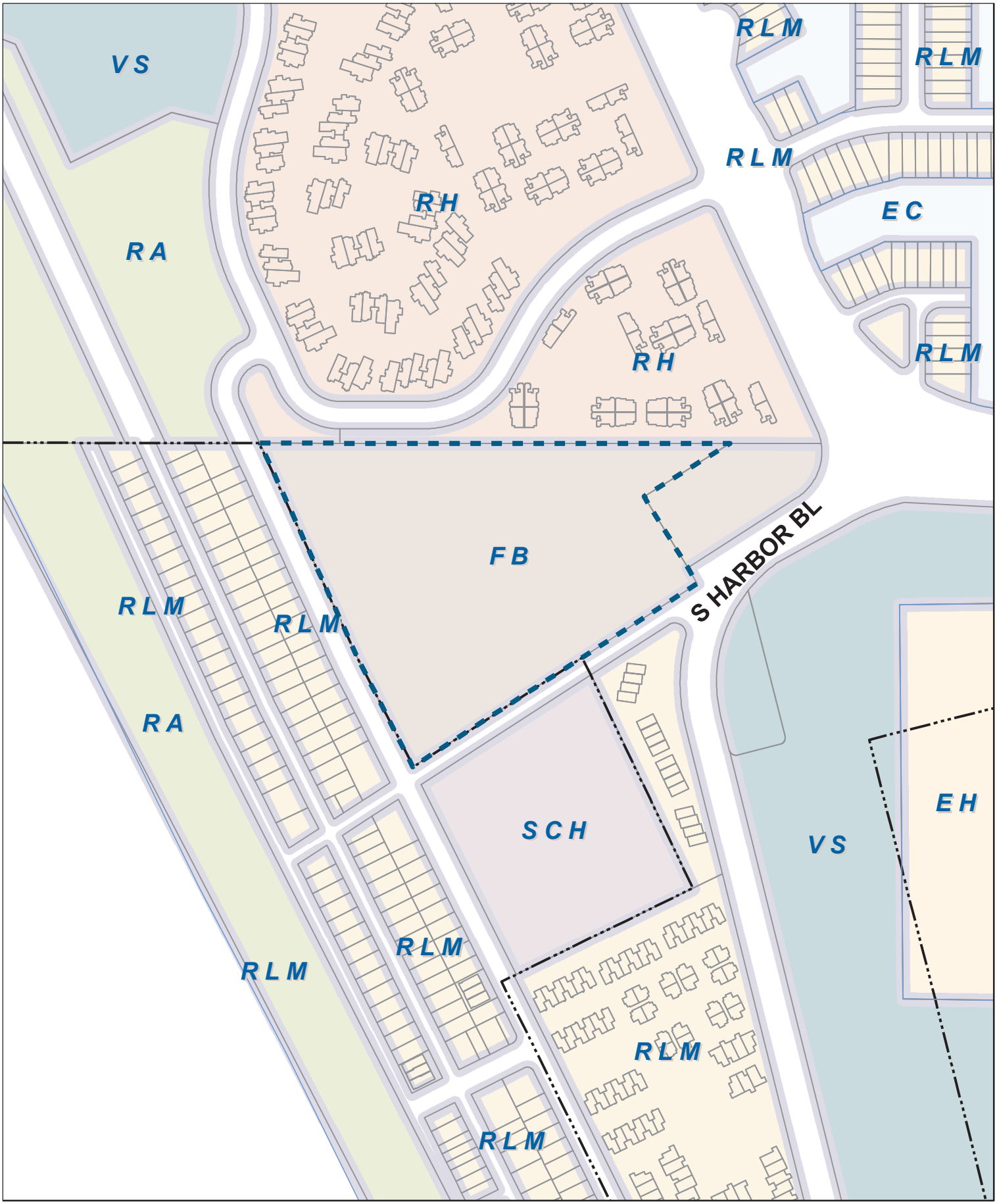
PZ 06-400-2
Location: 4501 Channel Islands Bl
APN: 206028043

0 0.5 1 2 3 4 Miles

Vicinity Map

N W E S

September 25, 2006



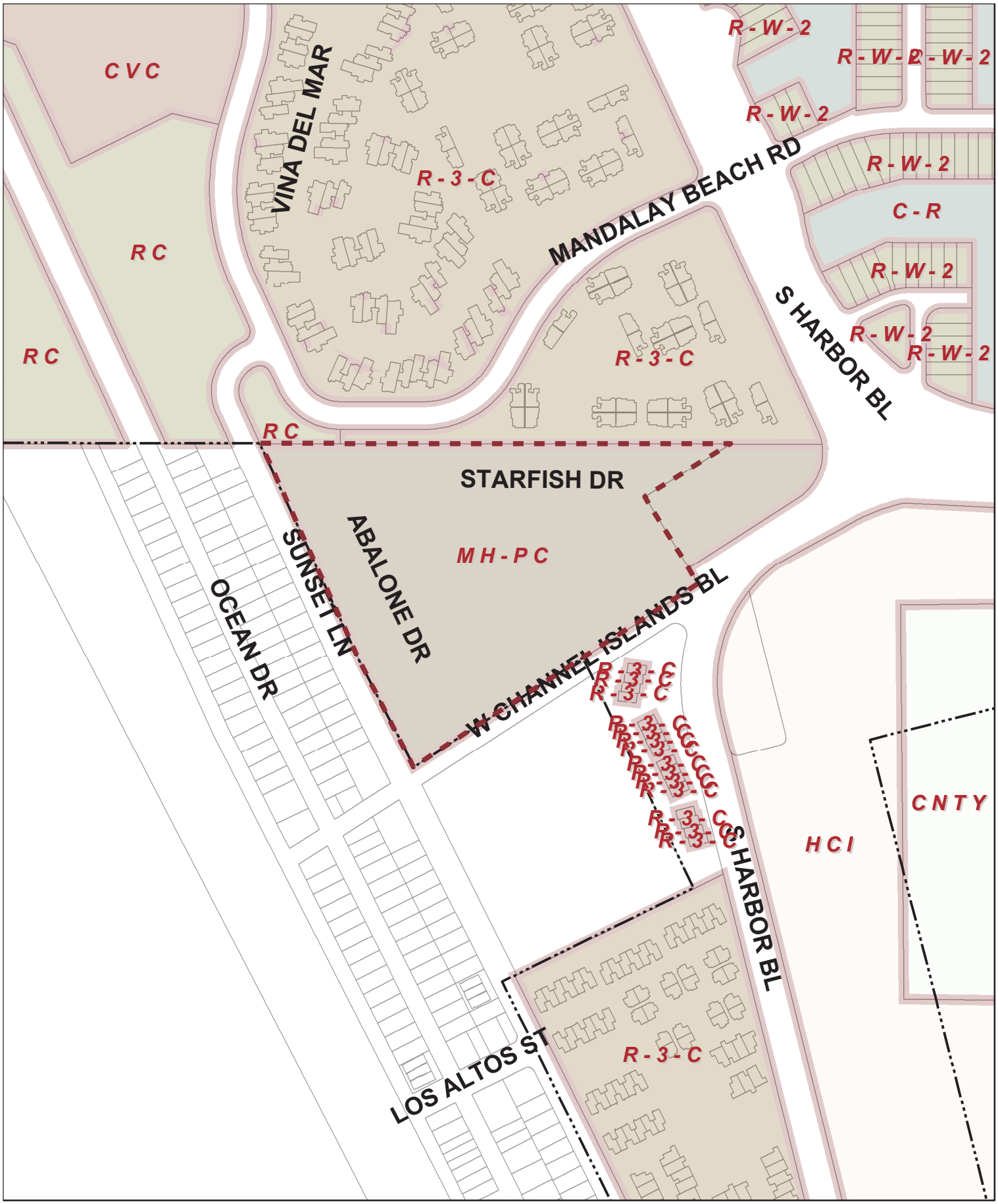
2020 General Plan Map

PZ 06-400-2
Location: 4501 Channel Islands Bl
APN: 206028043

0 100 200 400 600 800 Feet

N W E S

September 25, 2006



OXNARD PLANNING

PZ 06-400-2
Location: 4501 Channel Islands Bl
APN: 206028043

0 100 200 400 600 800 Feet

Zone Map

N W E S

September 25, 2006

2005 Aerial

OXNARD PLANNING

PZ 06-400-2
Location: 4501 Channel Islands Bl
APN: 206028043

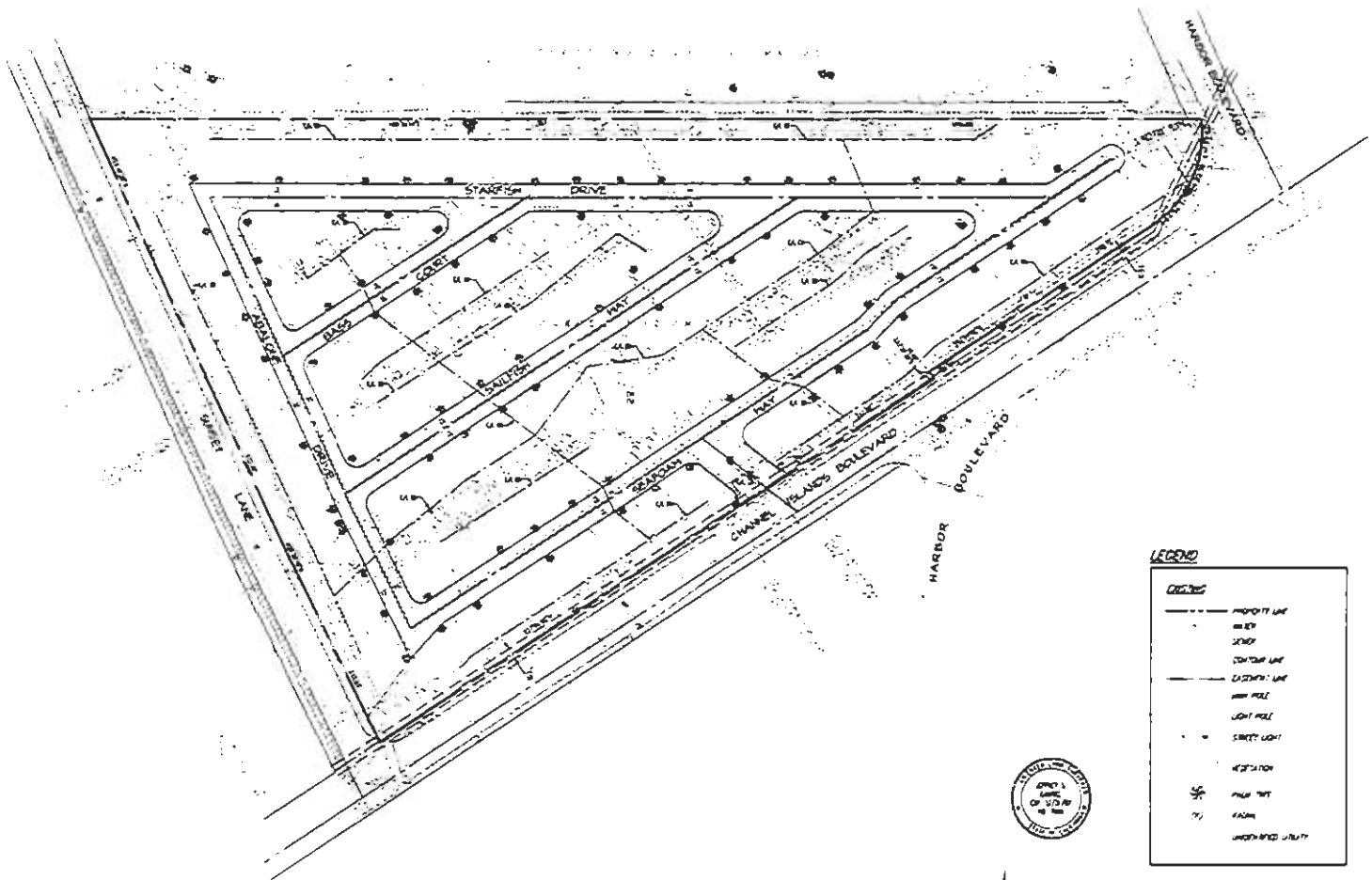
0 75 150 300 450 600 Feet

Aerial Map

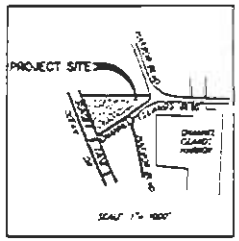
N W E S

September 25, 2006

Attachment B
Reduced Tract Map/Plans



VICINITY MAP



SCALE 1" = 1000'

NOTES

LOCATIONS OF SEWER AND WATER LINES WITHIN THE HOLLYWOOD BEACH MOBILE HOME PARK ARE APPROXIMATE AND ARE TAKEN FROM MAPS PROVIDED BY THE MOBILE HOME PARK OPERATIONS MANAGER.

THE MOBILE HOME FOOTPRINTS ARE PROVIDED ON THE MAP FOR REFERENCE ONLY AND IN NO WAY CREATE OR PROPOSE TO CREATE A LEGAL LOT OR UNIT WITHIN THE PARK.

EASEMENTS

(7) 12' WIDE PUBLIC UTILITY EASEMENT TO SOUTHERN CALIFORNIA EDISON PER 1953 O.R. 123

(13) 7' WIDE UTILITY EASEMENT TO GENERAL TELEPHONE COMPANY OF CALIFORNIA PER 1238 O.R. 123 (APPROXIMATE LOCATION)

(18) 6' WIDE PUBLIC UTILITY EASEMENT TO SOUTHERN CALIFORNIA EDISON PER 4253 O.R. 79

(19) CABLE TELEVISION SYSTEM EASEMENT TO JONES INTERCABLE, INC. PER INSTRUMENT NO. 1999-0013304 O.R. BLANKET IN NATURE

(12) CABLE TELEVISION SYSTEM EASEMENT TO JONES INTERCABLE, INC. PER INSTRUMENT NO. 1999-0013304 O.R. BLANKET IN NATURE

LEGEND

EXISTING

- PROPERTY LINE
- CURB
- GUTTER
- CONTOUR LINE
- EASEMENT LINE
- WOOD POLE
- LIGHT POLE
- STREET LIGHT
- VEGETATION
- PALM TREE
- FIRE HYDRANT
- UNDERGROUND UTILITY

LAND USE DATA

A. GROSS AREA

10.61 ACRES

C. PROJECT LOCATION

5706 CHANNEL ISLANDS BOULEVARD OXNARD, CA

B. ZONES

MHPC – MOBILE HOME PARK COASTAL

FLOOD ZONE A – AREAS BETWEEN THE LIMITS OF 100 YEAR FLOOD AND 500 YEAR FLOOD; OR CITY-WIDE AREAS SUBJECT TO 100 YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE; OR AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD

GRAPHIC SCALE 1"=40'

OWNER
HOLLYWOOD BEACH MHP, LLC 5706
CALLE ANDALUCIA SANTA BARBARA,
CA. 93109 PHONE: (805) 962-7425

ENGINEER
JENSEN DESIGN & SURVEY, INC.
1672 DONLON STREET
VENTURA CALIF 93003
PHONE 805/654-0177
FAX 805/654-0179

TENTATIVE SUBDIVISION MAP FOR TRACT NO. 5706
FOR CONDOMINIUM PURPOSES
(PZ 06-300-15)
HOLLYWOOD BEACH MHP, LLC
City of OXNARD
PARCEL 1 (2 PM 73)

COUNTY OF VENTURA — STATE OF CALIFORNIA

PARCEL 1, IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA, AS SHOWN ON MAP RECORDED IN BOOK 2, PAGE 73 OF PARCEL MAPS, OF SAID COUNTY

SCALE 1"=40' — JOB NO. 03-0327

DATE Sep 18, 2008 — DWG NAME: 5706 TMP.dwg

SHEET 1 OF 1

Attachment C
CEQA Notice of Exemptions

NOTICE OF EXEMPTION

Project Description:

Coastal Development Permit (PZ 06-400-2) and Tentative Subdivision Map for Tract No. 5706 (PZ 06-300-15), a request to convert the 96-unit Hollywood Beach Mobile Home Park located at 4501 W. Channel Islands Blvd. from rental to resident condominium ownership; and Local Coastal Plan Amendment (PZ 06-410-2) removing Policy #88 requiring replacement units. Project located in the Oxnard Shores neighborhood. Filed by Hollywood Beach Acquisition, representing the current park residents.

Finding:

The Planning Division of the Development Services Department of the City of Oxnard has reviewed the above proposed project and found it to be exempt from the provisions of the California Environmental Quality Act (CEQA).

- ☐ Ministerial Project
- ☐ Categorical Exemption
- ☒ Statutory Exemption (CDP and TSM)
- ☐ Emergency Project
- ☐ Quick Disapproval [CEQA Guidelines, 14 Cal. Code of Regs. 15270]
- ☒ No Possibility of Significant Effect [CEQA Guidelines, 14 Cal. Code of Regs. 15061(b)(3)] (LCPA)

Supporting Reasons: Public Resource Code Section 21080.8 statutorily exempts the conversion of an existing mobile home park to condominium ownership. In accordance with the CEQA Guidelines Section 15061(b)(3), the "general rule," the Local Coastal Plan Amendment is found to be exempt as staff has determined that there is no possibility of a physical change to the environment as a result of the action.

(Date)

Susan L. Martin, AICP
Planning Division Manager

Planning Division
305 West Third Street, Oxnard, CA 93030 ♦ (805) 385-7858 ♦ FAX (805) 385-7417

Attachment D
Tenant Impact Report

TENANT IMPACT REPORT

Hollywood Beach Mobilehome Park

October, 2006

Section 1. Purpose of Tenant Impact Report ("TIR"):

This Tenant Impact Report ("**TIR**") is being prepared pursuant to California Government Code Section 66427.5 ("**66427.5**"), a copy of which is attached hereto as Exhibit "A". The purpose of this TIR is to explain the protections afforded to those "**Resident(s)**,"[1] that elect not to purchase a "**Condominium Interest**" in Hollywood Beach Mobilehome Park ("**Park**"), located at 4501 West Channel Islands Blvd, City of Oxnard, State of California, 93035. All Resident Households will be afforded the opportunity to either i) buy the space on which their manufactured home ("**Manufactured Home**" or "**Home**") is situated ("**Space**"), or ii) continue to rent the Space on which their Manufactured Home is situated. Further, if a Resident Household elects to continue to rent the Space on which their Manufactured Home is situated, then the rent increases will be set in accordance with the provisions of 66427.5.

1.1 **Description of Change of Use:** Whenever a mobilehome park is converted to another use, the Subdivision Map Act under 66427.5 requires the entity, which is converting the Park to file a report on the impact that the conversion to another use will have on the "**Residents**" (as defined in Section 1.2(c) below) and occupants of the Park.

(a) **Change of Use Resulting in Resident Removal from the Property:** Historically, and in some instances today, the impact is that the conversion to another use means closure of the Park in connection with preparing the property for a use other than for Manufactured Homes. This necessitates the vacation of property by the Residents. This is NOT what is occurring at the Park. The Park will remain a manufactured housing community, with the existing Residents having the right to either buy their "**Condominium Unit**"[2] or to remain and rent their Condominium Unit.

---

[1] "Resident" or "Residents" mean any person(s), entity, or group of person(s) who own a mobilehome in Hollywood Beach Mobilehome Park on the date of the issuance and delivery of the Final Public Report issued by the California Department of Real Estate. Please note that this definition does not mean the same as "Resident Household" or Resident Households" as defined in Section 1.2 herein.

[2] "Condominium Unit" means the airspace unit which is defined as 1' below grade and 40' above grade, with the lateral and horizontal planes demarked by the exclusive easement lines established on the ground [in other words, the space the Resident is currently occupying], plus 1/96th fee simple ownership of the common area and facilities and one membership in the Homeowners' Association to be formed as part of the entitlement process. For those who select to remain renters, this means that those households will continue to rent the same Space they were renting prior to the conversion of the Park.

(b) **Change of Ownership Rather Than Traditional Change of Use:** While conversion of a rental mobilehome park to a Resident-owned mobilehome park is identified as a change of use under California law, a more accurate definition would be a change of method of ownership. The Park is not being closed and the Residents are not vacating the property, but rather, the Residents have available to them additional options that were not available to them before the conversion occurs. After conversion, the Residents will be able to either purchase their individual Spaces and a share in the common area and facilities ("**Common Area**") from the Owner, and participate in the operation of the Park through a Homeowners' Association, or continue to rent their individual Spaces. As detailed below, the conversion of the Park will result in neither actual nor economic displacement of its Residents.

(c) **Applicable Code Section for 1.1(b), Government Code Section 66427.5:** The State of California recognizes the substantial difference between the change of use which results in the closure of a mobilehome park from the change of use which results in the change of the method of ownership by the implementation of different State statutes applicable to each type of change of use. For all purposes hereunder, 66427.5 controls for purposes of determining what rights the non-purchasing Residents will have after the conversion is completed.

1.2 **Definition of Resident(s):**

(a) **Categories of Resident Households within the Park:** 66427.5 divides the Residents of a Park into two (2) INCOME categories for the Resident Households: (1) non-low income and, (2) low income households. "**Low Income Households**" are defined in California Health & Safety Code Section 50079.5 as "those persons and families whose income does not exceed the qualifying limits for low income families as established and amended from time to time pursuant to Section 8 of the United States Housing Act of 1937." The greatest protections are given to the Low Income Households. The income limits are based on Ventura County's median income and the household size as prepared and distributed under the United States Housing Act. To qualify as a Low Income Household, the following income limits were established for calendar year 2006.

Household Size # of Persons	1	2	3	4
Income Must be at or Below:	$45,150	$51,600	$58,050	$64,500

(b) **Resident Survey (Demographics):** Pursuant to California Government Code Section 66427.5(d)(1), the subdivider has obtained a survey of

support of the residents in the Park ("**Survey**"). A sample copy of the Survey is attached hereto as Exhibit "B". The Survey was first provided to the Board of the Homeowners' Association. The Survey was discussed with the Board and a general meeting was held at the Park to discuss the Survey with Residents at the January/February meeting. The Survey was mailed to all Park Residents at their address in the Park and at their second address, if applicable, or hand delivered. Each occupied Manufactured Home Space had one (1) vote. At the time of the vote, there were ninety-six (96) occupied Manufactured Home Spaces. The results of the Survey were calculated on February 22, 2005.

# Responses	Support Yes	Support No	Decline to State Support
89	82	2	4

Note that the totals in the various categories do not add up to the same number because not everyone answered every question.

The Surveys contain names and addresses, along with very private information regarding the Resident Households. For that reason, the spreadsheet indicating how each household responded and the actual Surveys will not be attached to this TIR, but rather a copy of the spreadsheet and the actual response Surveys will be sent to the City Attorney's Office, as confidential information, for verification of the above conclusions.

The actual survey was provided to the City of Oxnard as part of the MPROP application. For ease of reference, the surveys with a summary sheet are provided as a separate submittal herewith.

(c) **Resident or Resident(s):** As used in this Tenant Impact Report, a "Resident" or "Residents" is any person(s) who is a permanent resident of the Park on the date the application for conversion (including, without limitation, this Tenant Impact Report) is first heard by the City of Oxnard Planning Commission. A Resident(s) of the Park is a person, or persons, who (i) has his or her name on the Title to the Manufactured Home; (ii) lives in the home as his or her permanent residence; and (iii) has been approved as a tenant under the Mobilehome Residency Law and all other applicable City, County and State laws, ordinances, regulations, or guidelines.

1.3 **Description of the Property:** The Park was constructed in approximately 1968 and is a ninety-six (96)-space park, situated on approximately ten (10) acres. The fenced Park has wide asphalt streets with gutters, and all utilities are underground. The Common Area contains RV storage area, a small park with picnic tables and

a clubhouse with a lounge, card room, laundry facilities, and swimming pool.

Section 2. Residents' Current Position/Rights:

2.1 **Current Occupancy:** Currently, a small number of the Residents reside in the Park on leases ("**Leases**"). In excess of ninety-five percent (95%) of the Resident occupants reside in the Park on a month-to-month written rental agreement ("**Rental Agreement**").

For those Resident Households who are on a one (1)-year or month-to-month tenancy, the City of Oxnard Rent Control Ordinance currently regulates the rent increases.

2.2 **Residents' Rights:** In addition to the terms of the Leases and Rental Agreements, the tenancy rights of Residents residing in the Park are governed by California Civil Code Section 798 *et seq.* ("**Mobilehome Residency Law**"), other applicable California statutory and case law, and the City of Oxnard Rent Control ordinances.

Section 3. Park Owner's Rights Upon Conversion:

3.1 **Right to Change Use:** The owner of Hollywood Beach Mobilehome Park (the "**Owner**"), pursuant to the California Government Code and the Mobilehome Residency Law, has the right to terminate all existing tenancies and require the Residents to vacate the property and go out of business or change the use of the property, providing all applicable laws are followed. The Park Owner, however, through this TIR, agrees to waive the right to terminate any tenancies and existing Leases or require that the Residents vacate the property. **Under this scenario, non-purchasing Residents will NOT be required to vacate their Space and, as described in more detail in Section 4 below, will have occupancy rights subject to any Lease or written Rental Agreement, the Mobilehome Residency Law, and California law, as applicable. Therefore, there will be no actual eviction or displacement due to the conversion and Resident-purchase of the Park.**

Section 4. No Actual nor Economic Displacement:

4.1 **Impact of Conversion:** Under California Government Code and the Mobilehome Residency Law, the converter is required, as a condition of conversion, to prepare a TIR to set forth the impact of the conversion on the Resident Households who elect not to purchase the Space on which their Manufactured Home is situated. Further, the rental increase amount, which may be charged by the Owner of the Space subsequent to the conversion, is specified and is mandatory in 66427.5. As a result of the conversion, there will be no

physical change of use. The property before and after conversion will be operated as a mobilehome park. The difference is that instead of an investor/operator owner, a Homeowners' Association will operate the property.

4.2 **Rental Rate Increases: No Economic Displacement:** The economic displacement of non-purchasing Resident Households shall be mitigated by allowing the Resident Households who select not to purchase the Space on which their Home is situated to continue their tenancy in the Park under the California Subdivision Map Act rental increase restrictions ("**Map Act Rents**"). The Map Act Rents are based upon two (2) formulas: i) one formula for permanent non-low income Resident Households, and ii) one formula for permanent Low Income Resident Households, as defined in California Health & Safety Code Section 50079.5.

(a) **Non-Low Income Resident Households:** For the non-low income Resident Households, the base rent may be increased over a four (4)-year period to market rent. Base rent is defined as that rent which is in effect prior to the "**Conversion Date**" (as defined in Section 4.3 below). Market rent is established by an appraisal "conducted in accordance with nationally recognized appraisal standards." The reason the rents are raised to market over a four (4)-year period is to allow the adjustment of rents, which under rent control have remained artificially low, to occur gradually. This protection for the otherwise financially advantaged Resident Households also provides time for those households to plan for the rental adjustment to market.

(b) **Low Income Resident Households:** The State has emphasized its goal of protecting housing for the low income population of California in section 66427.5. The Low Income Resident Households, who are permanent residents of the Park, receive a guarantee of reduced rental increases beyond that which any local jurisdiction can enact under the current rent control cases and laws of California. Low income is defined in 66427.5 by referencing California Health & Safety Code Section 50079.5, which in turn defines Low Income Households as persons and families whose income does not exceed the qualifying limits for lower income families as established and amended from time to time pursuant to Section 8 of the United States Housing Act of 1937. The other qualifying requirements, including, without limitation, asset limitations, shall be as defined in the United States Housing Act of 1937, as amended from time to time. Low Income Households are protected for the entire term of their tenancy.

a. **Rent Increase Formula.** The base rental increase is the average increase for the previous four (4) years but shall not exceed the Consumer Price Index ("CPI") average monthly

percentage increase for the most recently reported period. The Rent Increase Formula Example is attached hereto as Exhibit "C", which calculated the formula based upon a conversion date of October, 2005. The formula will be recalculated based upon the date of the issuance of the Final Public Report from the California Department of Real Estate.

b. **Application Process:** The Resident must provide the same information and confirmation of the Resident's income and permanent status at the Park as though that Resident were applying for a State of California, Mobilehome Park Ownership Program ("MPROP") loan each year. In the event that program is no longer in existence, the last application documents will become the permanent documents, and the qualifying income levels will be those established by either the State of California Housing and Community Development Department ("**HCD**") or the United States Housing and Community Development Department ("**HUD**"), at the election of the Owner of the Space.

c. **Comparison:** Based on these State rent control provisions, the Low Income Households enjoy greater protection than under the City of Oxnard Rent Control in that the annual rent increase is seventy-five percent (75%) of the CPI and the Owner may, upon proper showing and approval, institute a hardship rent increase. Attached hereto and hereby incorporated as though fully set forth is a chart of the low-income rent increase maximums, assuming the project was converted as of August 1, 2005.

(c) **Moderate Income Resident Households:** The State has further emphasized its goal of protecting housing for the moderate income population located in the Coastal Zone of California in section 65590. The Moderate Income Resident Households, who are permanent residents of the Park, will receive a guarantee of reduced rental increases beyond that which any local jurisdiction can enact under the current rent control cases and laws of California. Moderate income is defined by California Health & Safety Code Section 50093, as persons and families whose income does not exceed the qualifying limits for moderate income families as established and amended from time to time pursuant to Section 8 of the United States Housing Act of 1937. The other qualifying requirements, including, without limitation, asset limitations, shall be as defined in the United States Housing Act of 1937, as amended from time to time. Low Income Households are protected for the entire term of their tenancy.

a. **Rent Increase Formula.** The base rental increase shall not exceed the Consumer Price Index ("CPI") average monthly percentage increase for the most recently reported period plus the percentage difference between the Low and the Moderate income levels adjusted for household size as reported by the Department of Housing and Community Development. The Rent Increase Formula Example is attached hereto as Exhibit "C", which calculated the formula based upon a conversion date of October, 2005. The formula will be recalculated based upon the date of the issuance of the Final Public Report from the California Department of Real Estate.

b. **Application Process:** The Resident must provide the same information and confirmation of the Resident's income and permanent status at the Park as though that Resident were applying for a State of California, Mobilehome Park Ownership Program ("MPROP") loan each year. In the event that program is no longer in existence, the last application documents will become the permanent documents, and the qualifying income levels will be those established by either the State of California Housing and Community Development Department ("**HCD**") or the United States Housing and Community Development Department ("**HUD**"), at the election of the Owner of the Space.

c. **Comparison:** Based on State rent control provisions, the Moderate Income Households enjoy no protection from an increase in rent. In order to satisfy the requirements of Government Code section 65590 this provision has been added to protect against any economic displacement of moderate income Residents who choose not to buy. Attached hereto and hereby incorporated as though fully set forth is a chart of the low-income rent increase maximums, assuming the project was converted as of August 1, 2005.

(c) **Effective Date of Map Act Rents:** The effective date of the Map Act Rents shall be the first day following the close of the three (3) months (90-days) "Right of First Refusal" period as defined in section 6.2.

As part of the distribution of the Final Public Report, the Leases and qualifying information shall be simultaneously distributed. The Residents shall have six (6) months within which to make their election to purchase or to execute the new Leases. If the Resident does not want to execute a

Lease but does want to continue renting his or her Space, then the Resident may do so under a month-to-month or one (1)-year written Rental Agreement. *Without regard to the type of rental document, if any, executed by a qualified household, the Map Act Rents shall be in place for that household.*

4.3 **"Conversion Date":** Conversion Date is defined as the date of the first sale of a unit.

4.4 **No Actual Displacement:** The Resident occupant will be given the choice to buy the Space on which his or her Manufactured Home is situated or to continue their tenancy in the Park under this Tenant Impact Report. To receive the protections provided herein and under the California Subdivision Map Act, the Resident must have been a Resident, as defined in Section 1.2(c). Further, the Owner has specifically waived its right to terminate tenancies. (See Section 3.) Therefore, there will be no actual eviction of any Resident or relocation of their Home by reason of the Park conversion to Resident ownership.

4.5 **Conclusion: No Actual Nor Economic Evictions:** The legislative intent behind relocation mitigation assistance as contained in California Government Code Section 66427.4 was to ensure that Residents who were being actually evicted due to the conversion of a park to another use were protected, and that a plan was submitted and approved to ensure that protection. The purpose for the more typical impact report is to explain how and when the Residents have to vacate the property; and, what financial assistance the Residents would be receiving to assist in the costs of removing the Home and other personal effects. However that is not occurring here. Under the present conversion, which will not result in another use and vacation of the property, the purpose of this Tenant Impact Report is to explain the options of the Residents regarding their *choice* to purchase or to rent their Space. The Park Owner has agreed, by this TIR, to waive its right to terminate existing tenancies and Leases upon the conversion (see Section 3 above), and any Resident who chooses not to purchase a "**Condominium Interest**" (as defined in Section 6.1 below) may reside in the Park as set forth in Section 3 and Section 4.2 above. **Thus, there will be no economic displacement based on the Map Act Rents nor actual eviction of any Resident because of the conversion, and, therefore, no relocation mitigation is required.**

Section 5. Benefits of Conversion:

The purpose of the conversion of a park from a rental park to a Resident-owned park is to provide the Residents with a choice. The Residents may either choose to purchase an ownership interest in the Park, which would take the form of a Condominium Interest, or continue to rent a Space in the Park, thereby allowing the Residents to control their economic future. The conversion provides the

Resident occupants the opportunity to operate and control the Park. Since the new owners of the Park will not be motivated to make a profit, but rather are motivated to ensure the best possible living conditions at the most affordable rates, payable through the Homeowners' Association Dues, directly or through rent, both buyers and renters benefit from the conversion.

Section 6. **Condominium Interest: Six (6) Month Right of First Refusal:**

6.1 **Condominium Interest:** The conversion provides the Residents with the opportunity to acquire an ownership interest in the Park, which certainly would not otherwise occur. As stated above, the form of ownership will be a Condominium Interest. The Condominium Interest is treated as any other type of real property, with ownership transferred by a grant deed that will be insured by a policy of title insurance. The front and back exclusive easement boundaries of each Condominium Interest will be properly marked by a certified Civil Engineer, and specific legal descriptions shall be set forth on a "**Condominium Plan**" (as defined in California Civil Code Section 1351(e)), which will be a matter of public record when filed and recorded. Each Condominium Interest comprises the airspace directly over the current rental spaces, a one ninety-sixth ($1/96^{th}$) interest in the Park's Common Areas, and one ninety-sixth ($1/96^{th}$) interest in the Common Area lot, as tenants in common. All Condominium Interests are held pursuant to the description of general rights and associated factors as set forth in the Articles, Bylaws of the Homeowners' Association, Conditions, Covenants, and Restrictions, and California law pertaining to such ownership.

6.2 **Right of First Refusal:** With reference to California Government Code Section 66459, each Resident shall be informed that they have a three (3) month right of first refusal period, commencing on the issuance by the California Department of Real Estate and delivery of the "Final Public Report" (the Conversion Date, except as provided in Section 4.3). During the three (3) month period each Resident shall have the exclusive right to decide whether or not to purchase a Condominium Interest or continue to rent his or her Space.

Section 7. **Legal Notices:**

The Residents have received the Notice of Intent to File a Map with the City of Oxnard and will receive the following notices: Notice of Intent to Convert; Notice of Change of Use; 3-month Right of First Refusal; Intention to File Application for Public Report; and will also receive all additional required legal notices in the manner and within the time frame required by the state and local laws and ordinances. All prospective tenants have and will receive the Notice to Prospective Tenant(s).

Section 8. **Conclusion:**

8.1 **The above purchase rights and rental protections are being offered only to persons who are defined in Section 1.2(c) herein as Residents in the Park as of the Conversion Date.**

8.2 The above described purchase rights, Lease programs, and protections will be offered only if the Park is converted to a Resident-owned mobilehome park. Such programs become effective on the Map Act Rent Date or the Offering Date, which is the date of issuance and delivery of the Final Public Report from the California Department of Real Estate, whichever is the later occurrence.

8.3 Upon conversion of the Park to Resident ownership, the current owner of the Park, as well as subsequent owners of Condominium Interests in the Park, shall abide by all terms and conditions set forth in this TIR. This TIR is a covenant that encumbers each individual Unit.

8.4 The conversion of the Park from a rental park to a Resident-owned park provides the Residents with an opportunity of choice. Park Residents may choose to purchase a Condominium Interest or continue to rent. The conversion also provides the potential for Residents to enjoy the security of living in a Resident-owned, controlled, and managed Park, whose motivation is not profit, but rather, achieving the best living environment at the most affordable rate.

8.5 All Residents choosing to continue to rent will have occupancy rights exactly as they have now, and all existing Leases and/or Rental Agreements will be honored, subject to Government Code Section 66427.5, Mobilehome Residency Law, and other California law, as applicable. The protections and programs offered to the Residents are greater than those required by law and are better than the Residents currently have as rent-paying tenants in the Park.

Exhibit A

California Government Code Section 66427.5

Subdivision Created by Conversion of Rental Mobilehome Park to Resident Ownership; Non-Purchasing Residents; Avoidance of Economic Displacement

At the time of filing a tentative or parcel map for a subdivision to be created from the conversion of a rental mobilehome park to resident ownership, the subdivider shall avoid the economic displacement of all non-purchasing residents in the following manner:

(a) The subdivider shall offer each existing tenant an option to either purchase his or her condominium or subdivided unit, which is to be created by the conversion of the park to resident ownership, or to continue residency as a tenant.

(b) The subdivider shall file a report on the impact of the conversion upon residents of the mobilehome park to be converted to resident owned subdivided interest.

(c) The subdivider shall make a copy of the report available to each resident of the mobilehome park at least 15 days prior to the hearing on the map by the advisory agency or, if there is no advisory agency, by the legislative body.

(d) (1) The subdivider shall obtain a survey of support of residents of the mobilehome park for the proposed conversion.

(2) The survey of support shall be conducted in accordance with an agreement between the subdivider and a resident homeowners' association, if any, that is independent of the subdivider or mobilehome park owner.

(3) The survey shall be obtained pursuant to a written ballot.

(4) The survey shall be conducted so that each occupied mobilehome space has one vote.

(5) The results of the survey shall be submitted to the local agency upon the filing of the tentative or parcel map, to be considered as part of the subdivision map hearing prescribed by subdivision (e).

(e) The subdivider shall be subject to a hearing by a legislative body or advisory agency, which is authorized by local ordinance to approve, conditionally approve, or disapprove the map. The scope of the hearing shall be limited to the issue of compliance with this section.

(f) The subdivider shall be required to avoid the economic displacement of all non-purchasing residents in accordance with the following:

(1) As to non-purchasing residents who are not lower income households, as defined in Section 50079.5 of the Health and Safety Code, the monthly rent, including any applicable fees or charges for use of any preconversion amenities, may increase from the preconversion rent to market levels, as defined in an appraisal conducted in accordance with nationally recognized professional appraisal standards, in equal annual increases over a four-year period.

(2) As to non-purchasing residents who are lower income households, as defined in Section 50079.5 of the Health and Safety Code, the monthly rent, including any applicable fees or charges for use of any preconversion amenities, may increase from the preconversion rent by an amount equal to the average monthly increase in rent in the four years immediately preceding the conversion, except that in no event shall the monthly rent be increased by an amount greater than the average monthly percentage increase in the Consumer Price Index for the most recently reported period.

Exhibit B

Hollywood Beach Resident's Support Survey
February 22, 2005

Resident's Support Certification	Petition and Disclosure Statement	Support	Do Not Support	Decline
yes	yes	X		
yes	no	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes			X
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	no	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	no			X
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes			X
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		

Exhibit B

Hollywood Beach Resident's Support Survey
February 22, 2005

Resident's Support Certification	Petition and Disclosure Statement	Support	Do Not Support	Decline
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	no		X	
yes	yes	X		
yes	no	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes				X
yes	no		X	
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes	X		
yes	yes			
yes	yes	X		
89	81	82	2	4

Exhibit C
Rent Increase Formula Example

Space #	Mar-01	Mar-02	Mar-03	Mar-04	Mar-05
1	$342.50	$355.00	$364.00	$371.50	$384.00
2	$338.00	$350.00	$402.00	$410.00	$424.00
3	$338.00	$350.00	$359.00	$366.50	$378.50
4	$432.50	$458.50	$470.00	$480.50	$496.50
5	$496.00	$514.00	$527.50	$538.50	$556.50
6	$423.00	$438.00	$449.50	$459.00	$459.00
7	$447.50	$454.50	$476.50	$486.50	$502.50
8	$341.50	$354.00	$363.00	$370.50	$382.50
9	$478.00	$360.50	$370.00	$378.00	$390.50
10	$397.50	$451.50	$463.50	$473.00	$488.50
11	$341.50	$354.00	$363.00	$370.50	$382.50
12	$424.00	$439.50	$451.00	$460.50	$475.50
13	$339.50	$351.50	$360.50	$368.00	$368.00
14	$366.50	$379.50	$389.50	$397.50	$410.50
15	$359.00	$372.00	$381.50	$389.50	$402.50
16	$359.00	$372.00	$381.50	$389.50	$402.50
17	$362.00	$375.00	$385.00	$445.00	$459.50
18	$422.00	$437.00	$495.00	$505.50	$522.00
19	$457.50	$474.00	$526.00	$537.00	$554.50
20	$424.00	$439.50	$451.00	$460.50	$475.50
21	$431.50	$447.00	$458.50	$468.00	$483.50
22	$426.00	$437.00	$448.50	$458.00	$473.00
23	$338.00	$350.00	$359.00	$419.00	$419.00
24	$338.00	$350.00	$359.00	$366.50	$378.50
25	$497.00	$515.00	$528.50	$539.50	$557.50
26	$489.00	$506.50	$541.00	$552.00	$570.00
27	$362.00	$375.00	$385.00	$393.00	$406.00
28	$339.50	$351.50	$403.50	$412.00	$425.50
29	$412.00	$427.00	$438.00	$438.00	$452.50
30	$452.00	$468.50	$480.50	$490.50	$506.50
31	$377.50	$381.00	$401.00	$409.50	$423.00
32	$337.00	$349.00	$358.00	$365.50	$377.50
33	$339.50	$351.50	$360.50	$368.00	$380.00
34	$452.00	$468.50	$480.50	$490.50	$490.50
35	$339.50	$351.50	$360.50	$368.00	$380.00
36	$341.50	$354.00	$363.00	$370.50	$430.50
37	$418.50	$433.50	$444.50	$454.00	$469.00
38	$341.50	$354.00	$363.00	$370.50	$382.50
39	$359.00	$359.00	$381.50	$389.50	$402.50
40	$341.50	$354.00	$363.00	$370.50	$382.50
41	$420.50	$435.50	$447.00	$456.50	$471.50
42	$353.00	$365.50	$375.00	$383.00	$395.50
43	$338.00	$350.00	$359.00	$417.00	$431.00
44	$439.50	$455.50	$467.50	$477.50	$493.50
45	$424.00	$439.50	$451.00	$460.50	$475.50

Space #	02 Increase	03 Increase	04 Increase	05 Increase	Total 2002-2005	4-Year Average	CPI Increase 2006
1	$12.50	$9.00	$7.50	$12.50	$41.50	$10.38	$16.63
2	$12.00	$52.00	$8.00	$14.00	$86.00	$21.50	$18.36
3	$12.00	$9.00	$7.50	$12.00	$40.50	$10.13	$16.39
4	$26.00	$11.50	$10.50	$16.00	$64.00	$16.00	$21.50
5	$18.00	$13.50	$11.00	$18.00	$60.50	$15.13	$24.10
6	$15.00	$11.50	$9.50	$0.00	$36.00	$9.00	$19.87
7	$7.00	$22.00	$10.00	$16.00	$55.00	$13.75	$21.76
8	$12.50	$9.00	$7.50	$12.00	$41.00	$10.25	$16.56
9	-$117.50	$9.50	$8.00	$12.50	-$87.50	-$21.88	$16.91
10	$54.00	$12.00	$9.50	$15.50	$91.00	$22.75	$21.15
11	$12.50	$9.00	$7.50	$12.00	$41.00	$10.25	$16.56
12	$15.50	$11.50	$9.50	$15.00	$51.50	$12.88	$20.59
13	$12.00	$9.00	$7.50	$0.00	$28.50	$7.13	$15.93
14	$13.00	$10.00	$8.00	$13.00	$44.00	$11.00	$17.77
15	$13.00	$9.50	$8.00	$13.00	$43.50	$10.88	$17.43
16	$13.00	$9.50	$8.00	$13.00	$43.50	$10.88	$17.43
17	$13.00	$10.00	$60.00	$14.50	$97.50	$24.38	$19.90
18	$15.00	$58.00	$10.50	$16.50	$100.00	$25.00	$22.60
19	$16.50	$52.00	$11.00	$17.50	$97.00	$24.25	$24.01
20	$15.50	$11.50	$9.50	$15.00	$51.50	$12.88	$20.59
21	$15.50	$11.50	$9.50	$15.50	$52.00	$13.00	$20.94
22	$11.00	$11.50	$9.50	$15.00	$47.00	$11.75	$20.48
23	$12.00	$9.00	$60.00	$0.00	$81.00	$20.25	$18.14
24	$12.00	$9.00	$7.50	$12.00	$40.50	$10.13	$16.39
25	$18.00	$13.50	$11.00	$18.00	$60.50	$15.13	$24.14
26	$17.50	$34.50	$11.00	$18.00	$81.00	$20.25	$24.68
27	$13.00	$10.00	$8.00	$13.00	$44.00	$11.00	$17.58
28	$12.00	$52.00	$8.50	$13.50	$86.00	$21.50	$18.42
29	$15.00	$11.00	$0.00	$14.50	$40.50	$10.13	$19.59
30	$16.50	$12.00	$10.00	$16.00	$54.50	$13.63	$21.93
31	$3.50	$20.00	$8.50	$13.50	$45.50	$11.38	$18.32
32	$12.00	$9.00	$7.50	$12.00	$40.50	$10.13	$16.35
33	$12.00	$9.00	$7.50	$12.00	$40.50	$10.13	$16.45
34	$16.50	$12.00	$10.00	$0.00	$38.50	$9.63	$21.24
35	$12.00	$9.00	$7.50	$12.00	$40.50	$10.13	$16.45
36	$12.50	$9.00	$7.50	$60.00	$89.00	$22.25	$18.64
37	$15.00	$11.00	$9.50	$15.00	$50.50	$12.63	$20.31
38	$12.50	$9.00	$7.50	$12.00	$41.00	$10.25	$16.56
39	$0.00	$22.50	$8.00	$13.00	$43.50	$10.88	$17.43
40	$12.50	$9.00	$7.50	$12.00	$41.00	$10.25	$16.56
41	$15.00	$11.50	$9.50	$15.00	$51.00	$12.75	$20.42
42	$12.50	$9.50	$8.00	$12.50	$42.50	$10.63	$17.13
43	$12.00	$9.00	$58.00	$14.00	$93.00	$23.25	$18.66
44	$16.00	$12.00	$10.00	$16.00	$54.00	$13.50	$21.37
45	$15.50	$11.50	$9.50	$15.00	$51.50	$12.88	$20.59

Exhibit C
Rent Increase Formula Example

Space #	Mar-01	Mar-02	Mar-03	Mar-04	Mar-05
46	$410.50	$425.50	$436.50	$445.50	$460.00
47	$476.00	$493.00	$545.00	$556.50	$575.00
48	$341.50	$354.00	$406.00	$414.50	$428.00
49	$360.50	$373.50	$383.00	$443.00	$457.50
50	$357.50	$357.50	$409.50	$418.00	$432.00
51	$422.50	$437.50	$449.00	$458.50	$473.50
52	$493.00	$510.50	$524.00	$535.00	$552.50
53	$458.50	$475.00	$487.50	$497.50	$497.50
54	$486.00	$503.00	$516.00	$527.00	$544.50
55	$362.00	$375.00	$385.00	$393.00	$406.00
56	$404.50	$415.00	$430.00	$439.00	$453.50
57	$452.00	$468.50	$480.50	$490.50	$506.50
58	$442.50	$458.50	$470.50	$480.50	$496.50
59	$424.00	$439.50	$451.00	$460.50	$475.50
60	$411.00	$426.00	$437.00	$446.00	$460.50
61	$402.00	$416.50	$416.50	$425.50	$439.50
62	$380.00	$393.50	$403.50	$412.00	$412.00
63	$337.00	$349.00	$358.00	$365.50	$377.50
64	$379.50	$353.00	$393.00	$401.50	$414.50
65	$499.50	$517.50	$531.00	$542.00	$560.00
66	$341.50	$354.00	$363.00	$370.50	$382.50
67	$338.00	$389.00	$399.00	$407.50	$421.00
68	$419.50	$434.50	$446.00	$455.50	$470.50
69	$478.50	$495.50	$508.50	$519.00	$536.00
70	$429.50	$429.50	$440.50	$450.00	$465.00
71	$412.50	$427.50	$438.50	$447.50	$462.50
72	$354.50	$357.50	$377.00	$385.00	$397.50
73	$380.00	$393.50	$403.50	$463.50	$479.00
74	$341.50	$354.00	$363.00	$370.50	$382.50
75	$359.00	$372.00	$381.50	$389.50	$402.50
76	$446.00	$463.50	$475.50	$485.50	$501.50
77	$442.50	$458.00	$470.00	$480.00	$496.00
78	$339.50	$351.50	$360.50	$368.00	$380.00
79	$362.00	$375.00	$385.00	$393.00	$406.00
80	$424.00	$439.50	$451.00	$460.50	$475.50
81	$338.00	$350.00	$359.00	$366.50	$378.50
82	$403.00	$417.50	$428.00	$437.50	$452.00
83	$0.00	$0.00	$0.00	$0.00	$0.00
84	$339.50	$351.50	$360.50	$368.00	$380.00
85	$404.00	$418.50	$429.50	$438.00	$453.00
86	$426.50	$442.00	$453.50	$463.00	$478.50
87	$359.00	$372.00	$381.50	$389.50	$402.50
88	$339.50	$351.50	$360.50	$368.00	$380.00
89	$375.50	$385.00	$399.00	$399.00	$412.00

Space #	02 Increase	03 Increase	04 Increase	05 Increase	Total 2002-2005	4-Year Average	CPI Increase 2006
46	$15.00	$11.00	$9.00	$14.50	$49.50	$12.38	$19.92
47	$17.00	$52.00	$11.50	$18.50	$99.00	$24.75	$24.90
48	$12.50	$52.00	$8.50	$13.50	$86.50	$21.63	$18.53
49	$13.00	$9.50	$60.00	$14.50	$97.00	$24.25	$19.81
50	$0.00	$52.00	$8.50	$14.00	$74.50	$18.63	$18.71
51	$15.00	$11.50	$9.50	$15.00	$51.00	$12.75	$20.50
52	$17.50	$13.50	$11.00	$17.50	$59.50	$14.88	$23.92
53	$16.50	$12.50	$10.00	$0.00	$39.00	$9.75	$21.54
54	$17.00	$13.00	$11.00	$17.50	$58.50	$14.63	$23.58
55	$13.00	$10.00	$8.00	$13.00	$44.00	$11.00	$17.58
56	$10.50	$15.00	$9.00	$14.50	$49.00	$12.25	$19.64
57	$16.50	$12.00	$10.00	$16.00	$54.50	$13.63	$21.93
58	$16.00	$12.00	$10.00	$16.00	$54.00	$13.50	$21.50
59	$15.50	$11.50	$9.50	$15.00	$51.50	$12.88	$20.59
60	$15.00	$11.00	$9.00	$14.50	$49.50	$12.38	$19.94
61	$14.50	$0.00	$9.00	$14.00	$37.50	$9.38	$19.03
62	$13.50	$10.00	$8.50	$0.00	$32.00	$8.00	$17.84
63	$12.00	$9.00	$7.50	$12.00	$40.50	$10.13	$16.35
64	-$26.50	$40.00	$8.50	$13.00	$35.00	$8.75	$17.95
65	$18.00	$13.50	$11.00	$18.00	$60.50	$15.13	$24.25
66	$12.50	$9.00	$7.50	$12.00	$41.00	$10.25	$16.56
67	$51.00	$10.00	$8.50	$13.50	$83.00	$20.75	$18.23
68	$15.00	$11.50	$9.50	$15.00	$51.00	$12.75	$20.37
69	$17.00	$13.00	$10.50	$17.00	$57.50	$14.38	$23.21
70	$0.00	$11.00	$9.50	$15.00	$35.50	$8.88	$20.13
71	$15.00	$11.00	$9.00	$15.00	$50.00	$12.50	$20.03
72	$3.00	$19.50	$8.00	$12.50	$43.00	$10.75	$17.21
73	$13.50	$10.00	$60.00	$15.50	$99.00	$24.75	$20.74
74	$12.50	$9.00	$7.50	$12.00	$41.00	$10.25	$16.56
75	$13.00	$9.50	$8.00	$13.00	$43.50	$10.88	$17.43
76	$17.50	$12.00	$10.00	$16.00	$55.50	$13.88	$21.71
77	$15.50	$12.00	$10.00	$16.00	$53.50	$13.38	$21.48
78	$12.00	$9.00	$7.50	$12.00	$40.50	$10.13	$16.45
79	$13.00	$10.00	$8.00	$13.00	$44.00	$11.00	$17.58
80	$15.50	$11.50	$9.50	$15.00	$51.50	$12.88	$20.59
81	$12.00	$9.00	$7.50	$12.00	$40.50	$10.13	$16.39
82	$14.50	$10.50	$9.50	$14.50	$49.00	$12.25	$19.57
83	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
84	$12.00	$9.00	$7.50	$12.00	$40.50	$10.13	$16.45
85	$14.50	$11.00	$8.50	$15.00	$49.00	$12.25	$19.61
86	$15.50	$11.50	$9.50	$15.50	$52.00	$13.00	$20.72
87	$13.00	$9.50	$8.00	$13.00	$43.50	$10.88	$17.43
88	$12.00	$9.00	$7.50	$12.00	$40.50	$10.13	$16.45
89	$9.50	$14.00	$0.00	$13.00	$36.50	$9.13	$17.84

Exhibit C
Rent Increase Formula Example

Space #	Mar-01	Mar-02	Mar-03	Mar-04	Mar-05
90	$382.00	$399.00	$406.50	$415.00	$428.50
91	$371.50	$385.00	$395.00	$403.50	$417.00
92	$366.50	$379.50	$389.50	$397.50	$410.50
93	$467.00	$484.00	$496.50	$507.00	$523.50
94	$400.50	$415.00	$426.00	$435.00	$449.50
95	$403.50	$418.00	$429.00	$438.00	$452.50
96	$462.00	$478.50	$491.00	$501.50	$518.00

Space #	02 Increase	03 Increase	04 Increase	05 Increase	Total 2002-2005	4-Year Average	CPI Increase 2006
90	$17.00	$7.50	$8.50	$13.50	$46.50	$11.63	$18.55
91	$13.50	$10.00	$8.50	$13.50	$45.50	$11.38	$18.06
92	$13.00	$10.00	$8.00	$13.00	$44.00	$11.00	$17.77
93	$17.00	$12.50	$10.50	$16.50	$56.50	$14.13	$22.67
94	$14.50	$11.00	$9.00	$14.50	$49.00	$12.25	$19.46
95	$14.50	$11.00	$9.00	$14.50	$49.00	$12.25	$19.59
96	$16.50	$12.50	$10.50	$16.50	$56.00	$14.00	$22.43

http://data.bls.gov/cgi-bin/surveymost

Aug-05	203.1
Aug-06	211.9

% change in CPI for 05
4.33%

State Rent Control
Limits to CPI but not to exceed past 4 year average and no pass-through's

City Rent Control
75% of CPI with no cap and contains pass-through's

Attachment E
Coastal Development Permit Resolution

RESOLUTION NO. 2006-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING COASTAL DEVELOPMENT PERMIT NO. 06-400-2 TO ALLOW CONVERSION OF A SENIORS' MOBILE HOME PARK TO CONDOMINIUM OWNERSHIP, LOCATED AT 4501 WEST CHANNEL ISLANDS BOULEVARD (APNs 206-0-280-180/-430), SUBJECT TO CERTAIN CONDITIONS. FILED BY HOLLYWOOD BEACH ACQUISITION C/O THE LOFTIN FIRM, 5760 FLEET STREET, SUITE 110, CARLSBAD, CA 92008.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for a coastal development permit filed by Hollywood Beach Aquisition in accordance with Section 37-5.3.0 et. seq. of the Oxnard City Code; and

WHEREAS, Section 21080.8 of the California Public Resource Code exempts the project from the requirement for the preparation of environmental documents imposed by the California Environmental Quality Act; and

WHEREAS, Government Code Sections 66427.5 and 66428.1 prescribe the conversion process and prohibit the City Of Oxnard from requiring impact fees, off-site improvements, or any other conditions other than those directly related to public safety, and

WHEREAS, the Planning Commission finds after due study, deliberation and public hearing, that the following circumstances exist:

1. The proposed use is conditionally permitted within the subject sub-zone and complies with all of the applicable provisions of Chapter 37 of the Oxnard City Code.

2. The proposed use would not impair the integrity and character of the sub-zone in which the proposed use is to be located.

3. The subject site, in terms of location and intensity of use, would be physically suitable and would protect and maintain adjacent coastal resources for the land use being proposed.

4. The proposed use would be compatible with the land uses presently on the subject property.

5. The proposed use would be compatible with existing and future land uses within the sub-zone and the general area in which the proposed use would be located.

6. There are adequate public services for the proposed use, including, but not limited to, fire and police protection, water, sanitation and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety.

7. The proposed use will provide a type and level of public access consistent with the access policies and standards of the certified Oxnard Coastal Land Use Plan.

8. The proposed use would be appropriate in light of an established need, based upon the underlying goals and objectives of specific Oxnard Coastal Land Use Plan policies, applicable to the proposed location.

9. The proposed use would be consistent with all of the applicable policies of the certified Oxnard Coastal Land Use Plan.

10. The provisions of Government Code Sections 66427.5 and 66428.1 have been executed by the Developer related to tenant survey and notification of conversion, and offer to purchase or rent.

WHEREAS, the Planning Commission finds that the applicant agrees with the necessity of and accepts all elements, requirements, and conditions of this resolution as being a reasonable manner of preserving, protecting, providing for, and fostering the health, safety, and welfare of the citizenry in general and the persons who work, visit or live in this development in particular.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby approves said coastal development permit. The decision of the Planning Commission is final unless appealed in accordance with the provisions of Section 37-5.4.10 of the Oxnard City Code.

CONDITIONS OF APPROVAL

Note: The abbreviations below identify the City department or division responsible for determining compliance with these standard conditions. The first department or division listed has responsibility for compliance at plan check, the second during inspection and the third at final inspection, prior to issuance of a certificate of occupancy, or at a later date, as specified in the condition. If more than one department or division is listed, the first will check the plans or inspect the project before the second confirms compliance with the condition. The italicized code at the end of each condition provides internal information on the source of each condition: Some are standard permit conditions (e.g. *G-1*) while some are taken from environmental documents.

DEPARTMENTS AND DIVISIONS			
CA	City Attorney	PL	Planning
DS	Dev Services/Eng Dev/ Inspectors	TR	Traffic
PD	Police	B	Building Plan Checker
SC	Source Control	FD	Fire
PK	Parks	CE	Code Enforcement

GENERAL CONDITIONS

1. This approval is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another (PL, *G-1)*.

2. The term 'Developer' shall refer to Hollywood Beach Acquisition, its agents, and any successor entity such as a Homeowners Association.

3. This permit is granted for the plans depicted on Tentative Subdivision Map for Tract No. 5706 on file with the Planning Division. The project shall conform to the plans, except as otherwise allowed by applicable rules and regulations related to the individual mobile/manufactured units on individual spaces, or unless a minor modification to the plans is approved by the Planning Division Manager or a major modification to the plans is approved by the Planning Commission. (PL, *G-2*)

4. This permit shall automatically become null and void 24 months from the date of its issuance, unless Developer has diligently taken and/or completed steps to develop the proposed project to the satisfaction of the Development Services Manager. (PL, *G-3*)

5. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, *G-5*)

6. Developer shall record with the Ventura County Recorder a "Notice of Land Use Restrictions and Conditions" in a form acceptable to the City Attorney and submit a copy of the recorded document to the Planning Manager within 60 days. (PL, *G-8*)

7. Developer shall obtain a building permit for any new construction or modifications to structures that fall under City jurisdiction. (B, *G-11*)

8. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property except in approved facilities such as BBQ's and outdoor heating devices. (FD, *G-12*)

9. Developer shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be handled, stored or used on the project property, except as provided in a permit issued by the Fire Chief. (FD, *G-13*)

10. If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA, *G-14*)

11. Developer shall execute an agreement, in a form approved by the City Attorney, to hold harmless, indemnify and defend the City, its City Council, and each member thereof, and every officer, employee, representative or agent of City, from any and all liability, claims, demands, actions, damages (whether in contract or tort, including personal injury, death at any time, or property damage), costs and financial loss, including all costs and expenses and fees of litigation or arbitration, that arise directly or indirectly from the City's approval of this permit or other permits; from construction of the project or any part thereof approved herein; and from land failure, erosion, inundation, or wave attacks on the subject property or on any property near or adjacent thereto, arising out of or resulting from or caused by work performed or authorized by Developer. (PL/CA, *G-16*)

PARKS CONDITION

12. Developer shall maintain existing landscape planting and all irrigation systems as required by the City Code and as specified by this permit. Failure of Developer to do so will result in the revocation of this permit and initiation of legal proceedings against Developer. (PK, *PK-4*)

FIRE DEPARTMENT CONDITIONS

13. Developer shall provide information as requested by the Fire Chief in order to ensure availability of water for fire combat operations to all areas of the project property. The Fire Chief shall determine whether the existing hydrants provide adequate fire protection, and the Fire Chief may require provision by the Developer of improvements, at the Developer's expense, needed to bring fire combat capability to an acceptable level. (FD/DS)

14. Developer agrees that should security devices and measures, including walkway and vehicle control gates, entrance telephones, intercoms and similar features, be installed at some future time, such features would be subject to approval of the Police Chief and the Fire Chief. Vehicle control gates shall be operable by City approved radio equipment. (FD/PD, *F-9*)

PLANNING CONDITIONS

15. Any application for a minor modification to the project shall be accompanied by four copies of plans reflecting the requested modification, together with applicable processing fees. (PL, *PL-2*)

16. Project on-site lighting shall meet requirements listed in City Code Section 16-320 of one footcandle on all internal streets and public walkways. Developer shall submit a lighting

plan to the Planning Manager for approval that depicts existing light fixtures and proposed fictures, if any, that meet the requirement. New fixtures, if any, shall be at Developer's expense and in a location that does not constitute a hazard to vehicular traffic, either on private property or on adjoining streets. To prevent damage from vehicles, new standards in parking areas shall be mounted on reinforced concrete pedestals or otherwise protected. (PL/B, *PL-8*)

17. In order to minimize light and glare on the project property, all new parking lot and exterior structure light fixtures shall be high cut-off type that divert lighting downward onto the property and shall not cast light on any adjacent property or roadway. (PL, *PL-9*)

18. Developer shall provide and/or repair and maintain masonry walls on street side yards and along project perimeter property lines. (PL/B, *PL-31*)

19. Developer shall establish a homeowners association and the association shall be responsible for the maintenance of parking, landscape, recreation and other interior areas held in common by the association and for the enforcement of Conditions Covenants & Restrictions related to property maintenance. (PL/DS, *PL-33*)

SPECIAL PLANNING CONDITION

20. The Tentative Subdivision Map for Tract No. 5706 shall not become effective until the City Council and the California Coastal Commission adopt and ratify, respectfully, Local Coastal Plan Amendment No. PZ 06-410-2. (PL)

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 2nd day of November, 2006, by the following vote:

AYES:

NOES:

Absent:

_____
Ronald F. Fischer, Chairperson

ATTEST: _____
Susan L. Martin, Secretary

Attachment F
Tentative Subdivision Map Resolution

RESOLUTION NO. 2006-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING APPROVAL OF WAIVED TENTATIVE SUBDIVISION MAP FOR TRACT NO. 5706 (PLANNING AND ZONING PERMIT NO. PZ 06-300-15), FOR PROPERTY LOCATED AT 4501 WEST CHANNEL ISLANDS BOULEVARD (APNs 206-0-280-180/-430), SUBJECT TO CERTAIN CONDITIONS. FILED BY HOLLYWOOD BEACH ACQUISITION C/O THE LOFTIN FIRM, 5760 FLEET STREET, SUITE 110, CARLSBAD, CA 92008.

WHEREAS, the Planning Commission of the City of Oxnard has considered Tentative Subdivision Map for Tract No. 5706 (Planning and Zoning Permit No. 06-300-15), filed by Hollywood Beach Acquisition, in accordance with Chapter 27 of the Oxnard City Code; and

WHEREAS, said tentative map was referred to various public utility companies, City departments and the Development Advisory Committee for recommendations; and

WHEREAS, the Planning Commission finds the tentative subdivision map conforms to the City's General Plan and elements thereof, and the City's Local Coastal Plan; and

WHEREAS, Section 21080.8 of the California Public Resource Code exempts the project from the requirement for the preparation of environmental documents imposed by the California Environmental Quality Act; and

WHEREAS, Government Code Sections 66427.5 and 66428.1 prescribe the conversion process and prohibit the City Of Oxnard from requiring impact fees, off-site improvements, or any other conditions other than those directly related to public safety, and

WHEREAS, the Planning Commission finds that the applicant agrees with the necessity of and accepts all elements, requirements, and conditions of this resolution as being a reasonable manner of preserving, protecting, providing for, and fostering the health, safety, and welfare of the citizenry in general and the persons who work, visit or live in this subdivision in particular.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby recommends to the City Council the approval of the tentative subdivision map, subject to the following conditions:

CONDITIONS OF APPROVAL

Note: The abbreviations below identify the City department or division responsible for determining compliance with these standard conditions. The first department or division listed has responsibility for compliance at plan check, the second during inspection and the third at final inspection, prior to issuance of a certificate of occupancy, or at a later date, as specified in the condition. If more than one department or division is listed, the first will check the plans or inspect the project before the second confirms compliance with the condition. The italicized code at the end of each condition provides internal information on the source of

each condition: Some are standard permit conditions (e.g. *G-1*) while some are taken from environmental documents.

DEPARTMENTS AND DIVISIONS			
CA	City Attorney	PL	Planning
DS	Dev Services/Eng Dev/ Inspectors	TR	Traffic
PD	Police	B	Building Plan Checker
SC	Source Control	FD	Fire
PK	Parks	CE	Code Enforcement

GENERAL CONDITIONS

1. This approval is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another (PL, *G-1)*.

2. The term 'Developer' shall refer to Hollywood Beach Acquisition, its agents, and any successor entity such as a Homeowners Association.

3. This permit is granted for the plans depicted on Tentative Subdivision Map for Tract No. 5706 on file with the Planning Division. The project shall conform to the plans, except as otherwise allowed by applicable rules and regulations related to the individual mobile/manufactured units on individual spaces, or unless a minor modification to the plans is approved by the Planning Division Manager or a major modification to the plans is approved by the Planning Commission. (PL, *G-2*)

4. This permit shall automatically become null and void 24 months from the date of its issuance, unless Developer has diligently taken and/or completed steps to develop the proposed project to the satisfaction of the Development Services Manager. (PL, *G-3*)

5. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, *G-5*)

6. Developer shall record with the Ventura County Recorder a "Notice of Land Use Restrictions and Conditions" in a form acceptable to the City Attorney and submit a copy of the recorded document to the Planning Manager within 60 days. (PL, *G-8*)

7. Developer shall obtain a building permit for any new construction or modifications to structures that fall under City jurisdiction. (B, *G-11*)

8. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property except in approved facilities such as BBQ's and outdoor heating devices. (FD, *G-12*)

9. Developer shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be

handled, stored or used on the project property, except as provided in a permit issued by the Fire Chief. (FD, *G-13*)

10. If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA, *G-14*)

11. Developer shall execute an agreement, in a form approved by the City Attorney, to hold harmless, indemnify and defend the City, its City Council, and each member thereof, and every officer, employee, representative or agent of City, from any and all liability, claims, demands, actions, damages (whether in contract or tort, including personal injury, death at any time, or property damage), costs and financial loss, including all costs and expenses and fees of litigation or arbitration, that arise directly or indirectly from the City's approval of this permit or other permits; from construction of the project or any part thereof approved herein; and from land failure, erosion, inundation, or wave attacks on the subject property or on any property near or adjacent thereto, arising out of or resulting from or caused by work performed or authorized by Developer. (PL/CA, *G-16*)

PARKS CONDITION

12. Developer shall maintain existing landscape planting and all irrigation systems as required by the City Code and as specified by this permit. Failure of Developer to do so will result in the revocation of this permit and initiation of legal proceedings against Developer. (PK, *PK-4*)

FIRE DEPARTMENT CONDITIONS

13. Developer shall provide information as requested by the Fire Chief in order to ensure availability of water for fire combat operations to all areas of the project property. The Fire Chief shall determine whether the existing hydrants provide adequate fire protection, and the Fire Chief may require provision by the Developer of improvements, at the Developer's expense, needed to bring fire combat capability to an acceptable level. (FD/DS)

14. Developer agrees that should security devices and measures, including walkway and vehicle control gates, entrance telephones, intercoms and similar features, be installed at some future time, such features would be subject to approval of the Police Chief and the Fire Chief. Vehicle control gates shall be operable by City approved radio equipment. (FD/PD, *F-9*)

PLANNING CONDITIONS

15. Any application for a minor modification to the project shall be accompanied by four copies of plans reflecting the requested modification, together with applicable processing fees. (PL, *PL-2*)

16. Project on-site lighting shall meet requirements listed in City Code Section 16-320 of one footcandle on all internal streets and public walkways. Developer shall submit a lighting plan to the Planning Manager for approval that depicts existing light fixtures and proposed fictures, if any, that meet the requirement. New fixtures, if any, shall be at Developer's expense and in a location that does not constitute a hazard to vehicular traffic, either on private property or on adjoining streets. To prevent damage from vehicles, new standards in parking areas shall be mounted on reinforced concrete pedestals or otherwise protected. (PL/B, *PL-8*)

17. In order to minimize light and glare on the project property, all new parking lot and exterior structure light fixtures shall be high cut-off type that divert lighting downward onto the property and shall not cast light on any adjacent property or roadway. (PL, *PL-9*)

18. Developer shall provide and/or repair and maintain masonry walls on street side yards and along project perimeter property lines. (PL/B, *PL-31*)

19. Developer shall establish a homeowners association and the association shall be responsible for the maintenance of parking, landscape, recreation and other interior areas held in common by the association and for the enforcement of Conditions Covenants & Restrictions related to property maintenance. (PL/DS, *PL-33*)

SPECIAL PLANNING CONDITION

20. The Tentative Subdivision Map for Tract No. 5706 shall not become effective until the City Council and the California Coastal Commission adopt and ratify, respectfully, Local Coastal Plan Amendment No. PZ 06-410-2. (PL)

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 2nd day of November, 2006, by the following vote:

AYES:

NOES:

ABSENT:

_____
Ronald F. Fischer, Chairperson

ATTEST: _____
Susan L. Martin, Secretary

Attachment G
Local Coastal Plan Amendment Resolution

RESOLUTION NO. 2006-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING TO THE CITY COUNCIL AN AMENDMENT TO THE COASTAL LAND USE PLAN (PZ 06-410-2) TO DELETE POLICY NO. 88, THE REQUIREMENT TO REPLACE MOBILE HOME UNITS IN THE COASTAL ZONE WITH COMPARABLE UNITS WHEN A MOBILE HOME PARK IS CONVERTED TO CONDOMINIUM OWNERSHIP. FILED BY CITY OF OXNARD, PLANNING & ENVIRONMENTAL SERVICES DIVISION, 305 WEST THIRD STREET, OXNARD, CA 93030.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Coastal Land Use Plan Amendment PZ 06-410-2 to amend the Coastal Land Use Plan to delete Policy #88, applied for by the City of Oxnard, Planning and Environmental Services Division; and

WHEREAS, the Planning Commission has held a public hearing and received and reviewed written and oral comments related to Coastal Land Use Plan Amendment PZ 06-410-2; and

WHEREAS, the Planning Commission finds, after due study and deliberation, that it is in the public interest and general welfare to adopt said amendment to the Coastal Land Use Plan; and

WHEREAS, California Code of Regulations Section 15061(b)(3) exempts the project from the requirement for the preparation of environmental documents imposed by the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby recommends that the City Council adopt an ordinance approving Coastal Land Use Plan Amendment PZ 06-410-2, as shown in Exhibit "A" attached hereto and incorporated herein by reference.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 2nd day of November, 2006 by the following vote:

AYES: Commissioner:

NOES: Commissioner:

ABSENT: Commissioner:

_____
Ronald Fischer, Chairperson

ATTEST: _____
Susan Martin, Secretary

86. The City of Oxnard has traditionally provided housing for a substantial number of low and moderate income families. This has led to the City receiving a "Negative Fair Share" designation in the Southern California Association of Governments' (SCAG) Regional Housing Allocation Plan. As a result, the City is now striving to achieve a better overall balance of housing types by encouraging the construction of new, high-quality units in certain areas. Thus, the City's overall policy will be to protect existing affordable housing in the coastal zone, and to provide for improved access from other parts of the City to the coast.

87. Existing housing within the low to moderate income price range, either rental or owner-occupied, shall not be demolished unless it is a health and safety hazard and cannot be rehabilitated, or unless an equal or greater number of housing units for people of low to moderate income are built within the coastal zone to replace the demolished units.

88. Existing mobile home parks shall not be demolished or converted to another use, including purchase mobile home lots unless an equal or greater number of comparably priced housing units are built in the coastal zone to replace the demolished or converted units.

Deleted

89. The following standards shall be used to evaluate all applications for the conversion of rental units in the coastal zone to condominiums, community apartments, stock cooperatives or other purchase plans.

    1. The availability of rental units of similar size and price in the coastal zone shall be considered. The construction of an equal or greater number of new rental units in the coastal zone shall be required to allow any conversion of existing rental units. The new units shall be available at the time of conversion.

    2. Tenants of the building being proposed for conversion shall be given at least 120 days notice of the proposed conversion. The right of first refusal to purchase a unit in the conversion shall be offered to all existing tenants, and shall run for a least 60 days.