



AGENDA
CAPITOLA PLANNING COMMISSION
THURSDAY, DECEMBER 1, 2011
6:00 P.M. – CITY HALL COUNCIL CHAMBERS

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Commissioners: Ron Graves, Ed Newman, Mick Routh, Linda Smith and
Chairperson Gayle Ortiz
Staff: Interim Community Development Director Susan Westman
Senior Planner Ryan Bane
Minute Clerk Danielle Uharriet

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

B. Public Comments

Short communications from the public concerning matters not on the Agenda.

All speakers are requested to print their name on the sign-in sheet located at the podium so that their name may be accurately recorded in the Minutes.

C. Commission Comments

D. Staff Comments

3. APPROVAL OF MINUTES

A. November 3, 2011 Regular Planning Commission Meeting

4. CONSENT CALENDAR

All matters listed under "Consent Calendar" are considered by the Planning Commission to be routine and will be enacted by one motion in the form listed below. There will be no separate discussion on these items prior to the time the Planning Commission votes on the action unless members of the public or the Planning Commission request specific items to be discussed for separate review. Items pulled for separate discussion will be considered in the order listed on the Agenda.

A. 904 SIR FRANCIS AVENUE

#06-061

APN: 036-222-07

One-year extension of a previously approved Coastal Permit and Architectural and Site Review Permit for the remodel of an existing single-family residence and construction of a second story in the R-1 (Single-Family Residence) Zoning District.

Environmental Determination: Categorical Exemption

Property Owner: Justin & Lisa Maffia, filed: 11/7/11

5. PUBLIC HEARINGS

Public Hearings are intended to provide an opportunity for public discussion of each item listed as a Public Hearing. The following procedure is as follows: 1) Staff Presentation; 2) Public Discussion; 3) Planning Commission Comments; 4) Close public portion of the Hearing; 5) Planning Commission Discussion; and 6) Decision.

A. 426 CAPITOLA AVENUE #11-114 APN: 035-141-33

Consider an application regarding a Coastal Development Permit and Relocation Impact Report (RIR) for the closure of the Pacific Cove Mobile Home Park including the removal of all coaches, gas, electrical and cable utilities. The proposed project retains the public restroom on-site. No grading or earthwork is proposed. This project requires a Coastal Permit which is not appealable to the California Coastal Commission.

Environmental Determination: Categorical Exemption

Property Owner: City of Capitola, owner/filed: 10/27/11

B. 403 LOMA AVENUE #11-105 APN: 036-092-17

Conditional Certificate of Compliance to re-establish a previously existing lot line, including partial demolition of a single-family residence and construction of a new single-car garage and parking in the R-1 (Single-Family Residence) Zoning District.

Environmental Determination: Categorical Exemption

Property Owner: Gayle Clemson, filed 10/5/11

Representative: Richard Emigh

C. 115 SAN JOSE AVENUE #11-100 APN: 035-221-27

Reconsideration of a Planning Commission denial for Conditional Use Permit for a take-out restaurant with the sale and dispensing of alcohol in the CV (Central Village) Zoning District.

Environmental Determination: Categorical Exemption

Property Owner: Peter Dwares, owner/filed: 9/15/11

Representative: Dennis Norton Designs

6. DIRECTOR'S REPORT

7. COMMISSION COMMUNICATIONS

8. ADJOURNMENT

Adjourn to a Regular Meeting of the Planning Commission to be held on Thursday, January 19, 2012 at 7:00 p.m., in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

APPEALS: The following decisions of the Planning Commission can be appealed to the City Council within the (10) calendar days following the date of the Commission action: Conditional Use Permit, Variance, and Coastal Permit. The decision of the Planning Commission pertaining to an Architectural and Site Review can be appealed to the City Council within the (10) working days following the date of the Commission action. If the tenth day falls on a weekend or holiday, the appeal period is extended to the next business day.

All appeals must be in writing, setting forth the nature of the action and the basis upon which the action is considered to be in error, and addressed to the City Council in care of the City Clerk. An appeal must be accompanied by a one hundred forty two dollar (\$142.00) filing fee, unless the item involves a Coastal Permit that is appealable to the Coastal Commission, in which case there is no fee. If you challenge a decision of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this agenda, or in written correspondence delivered to the City at, or prior to, the public hearing.

Notice regarding Planning Commission meetings: The Planning Commission meets regularly on the 1st Thursday of each month at 7:00 p.m. in the City Hall Council Chambers located at 420 Capitola Avenue, Capitola.

Agenda and Agenda Packet Materials: The Planning Commission Agenda and complete Agenda Packet are available on the Internet at the City's website: www.ci.capitola.ca.us. Agendas are also available at the Capitola Branch Library, 2005 Wharf Road, Capitola, on the Monday prior to the Thursday meeting. Need more information? Contact the Community Development Department at (831) 475-7300.

Agenda Materials Distributed after Distribution of the Agenda Packet: Materials that are a public record under Government Code § 54957.5(A) and that relate to an agenda item of a regular meeting of the Planning Commission that are distributed to a majority of all the members of the Planning Commission more than 72 hours prior to that meeting shall be available for public inspection at City Hall located at 420 Capitola Avenue, Capitola, during normal business hours.

Americans with Disabilities Act: Disability-related aids or services are available to enable persons with a disability to participate in this meeting consistent with the Federal Americans with Disabilities Act of 1990. Assisted listening devices are available for individuals with hearing impairments at the meeting in the City Council Chambers. Should you require special accommodations to participate in the meeting due to a disability, please contact the Community Development Department at least 24 hours in advance of the meeting at (831) 475-7300. In an effort to accommodate individuals with environmental sensitivities, attendees are requested to refrain from wearing perfumes and other scented products.

Televised Meetings: Planning Commission meetings are cablecast "Live" on Charter Communications Cable TV Channel 8 and are recorded to be replayed at 12:00 Noon on the Saturday following the meetings on Community Television of Santa Cruz County (Charter Channel 71 and Comcast Channel 25). Meetings can also be viewed from the City's website: www.ci.capitola.ca.us



**DRAFT MINUTES
CAPITOLA PLANNING COMMISSION MEETING
THURSDAY, NOVEMBER 3, 2011
7:00 P.M. – CITY HALL COMMUNITY ROOM**

Chairperson Ortiz called the Regular Meeting of the Capitola Planning Commission to order at 7:05 p.m.

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Commissioners: Ron Graves, Ed Newman, Linda Smith and
Chairperson Gayle Ortiz
Absent: Commissioner Mick Routh
Staff: Community Development Director Derek Johnson
Interim Community Development Director Susan Westman
Senior Planner Ryan Bane
Minute Clerk Danielle Uharriet

2. ORAL COMMUNICATIONS

- A. Additions and Deletions to Agenda - NONE
- B. Public Comments - NONE
- B. Commission Comments

Commissioner Graves complimented the pay stations, but questioned the reasoning for the numbering on the handicapped parking spaces.

- D. Staff Comments - NONE

3. APPROVAL OF MINUTES

- A. October 20, 2011 Regular Planning Commission Meeting

A MOTION WAS MADE BY COMMISSIONER NEWMAN AND SECONDED BY COMMISSIONER SMITH TO APPROVE THE OCTOBER 20, 2011 MINUTES.

THE MOTION CARRIED ON THE FOLLOWING VOTE: AYES: COMMISSIONERS GRAVES, NEWMAN, SMITH, AND CHAIRPERSON ORTIZ. NOES: NONE. ABSENT: ROUTH. ABSTAIN: NONE.

4. CONSENT CALENDAR - NONE

5. PUBLIC HEARINGS

- A. **2205 & 2265 41st AVENUE** #11-110 APN: 034-191-03

Conditional Use Permit for a medical office use in the CC (Community Commercial) Zoning District.

Environmental Determination: Categorical Exemption

Property Owner: James Fenton Co. Inc, filed 10/17/11

Representative: Dr. Victor Li

Senior Planner Bane presented the staff report.

Commissioner Smith asked if the applicant would be continuing his practice at the Jade Street office location.

Commissioner Newman stated that the parking ratio for medical offices is antiquated and will be reviewed through the General Plan Update process.

Commissioner Graves stated that the total number of employees is not mentioned in the application.

The public hearing was opened.

Dr. Victor Li, applicant, spoke in support of the application. In response to Commissioner Smith's question, he intends on maintaining the office Jade Street and will be establishing an out patient surgery center at 41st Avenue location.

The public hearing was closed.

Commissioner Newman stated that the project location has been difficult for a business to become established. He supported the application as proposed.

Commissioner Smith concurred with Commissioner Newman.

Commissioner Graves was supportive of the application, but suggested to staff that the signage be part of the overall application package.

Chairperson Ortiz supported the application as proposed.

A MOTION WAS MADE BY COMMISSIONER GRAVES AND SECONDED BY COMMISSIONER SMITH TO APPROVE PROJECT APPLICATION #11-110.

CONDITIONS

1. The project approval consists of a Conditional Use Permit to operate a medical office/clinic within an existing vacant commercial space located at 2205 and 2265 41st Avenue.
2. Any significant modifications to the size or exterior appearance of the structure must be approved by the Planning Commission.
3. The application shall be reviewed by the Planning Commission upon evidence of non-compliance with conditions of approval or applicable municipal code provisions.
4. Business hours will be limited to Monday through Friday, 8:00 a.m. – 8:00 p.m.
5. The applicant shall obtain approval for a Sign Permit through the Community Development Department.
6. The applicant shall obtain a business license prior to operating the business.
7. Prior to granting of final occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Zoning Administrator or Community Development Director.

FINDINGS**A. The application, subject to the conditions imposed, will secure the purposes of the Zoning Ordinance and General Plan.**

Planning Staff and the Planning Commission have reviewed the application and determined that the proposed business is an allowable use in the CC Zoning District and, for reasons indicated in the Staff Report, will meet the requirements of Zoning District. Conditions of approval have been included to ensure that the medical use is consistent with the Zoning Ordinance and General Plan.

B. The application will maintain the character and integrity of the neighborhood.

Planning Department Staff and the Planning Commission have reviewed the project and determined that the medical use and modifications to the building conform with the applicable provisions of the Zoning Ordinance and therefore maintain the character and integrity of this area of the City. Conditions of approval have been included to carry out these objectives.

C. This project is categorically exempt under Section 15301 of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.

The proposed project involves a medical use occupying an existing commercial space formerly occupied by a retail business. No adverse environmental impacts were discovered during project review by either the Planning Department Staff or the Planning Commission.

THE MOTION CARRIED ON THE FOLLOWING VOTE: AYES: COMMISSIONERS GRAVES, NEWMAN, SMITH, AND CHAIRPERSON ORTIZ. NOES: NONE. ABSENT: ROUTH. ABSTAIN: NONE

B. 809 BAY AVENUE**#10-038****APN: 035-021-43**

Six month review of an approved amendment to a Master Use Permit (Nob Hill Center) to relocate the recycling facilities on the site located in the CC (Community Commercial) Zoning District.

Property Owner: Bay Creek Properties / Filed 5/18/10

Representative: Craig French

This item has been forwarded to the City Council for review at the November 10, 2011 meeting. There is no action required by the Planning Commission.

C. ZONING AMENDMENTS TO ALLOW SANDWICH BOARD SIGNS IN THE CENTRAL VILLAGE AND NEIGHBORHOOD COMMERCIAL ZONE DISTRICTS

The Planning Commission shall consider an amendment of the Capitola Municipal Code to allow sandwich board signs in the Central Village and Neighborhood Commercial Zone Districts subject to a City permit and certain conditions and standards. The proposed amendment will expire on November 30, 2012 unless extended by Resolution by the City Council.

Community Development Director Johnson presented the staff report.

Commissioner Graves stated that the overall ordinance should be reviewed for typos prior to City Council review. The effective date of the ordinance should be corrected to be one year from the date of final adoption. He questioned if the ordinance intends to allow a business to advertise products to be sold. He noted that the current sign ordinance prohibits product advertising.

Community Development Director Johnson stated that the proposed ordinance was not designed to regulate sign content.

Commissioner Newman reiterated the need for the ordinance to be reviewed for syntax and typos. He questioned why the ordinance is specific to the village and not the entire city.

Commissioner Smith questioned how staff intends to measure the effectiveness of the ordinance, as specified. She asked how the minimum and maximum sizes were determined and if there will be any regulation for the materials of the signs other than weather resistant.

Community Development Director Johnson responded that staff would review the effectiveness of the sandwich board signs with the merchants as the measurement. He stated that the sizes are standard sizes for sandwich board type signs. Materials are not regulated.

Commissioner Newman clarified that only staff will be involved in the review and approval process for the sandwich board signs, but all other signs will be reviewed by the Planning Commission per the existing sign ordinance.

The public hearing was opened.

Gary Wetsel, spoke in support of the proposed ordinance. The current sign ordinance is a relic and enforcement is sporadic. The proposed ordinance is a compromise between signs that encourage business and regulation.

Linda Hanson, spoke in opposition to the proposed ordinance as it applies to the Village. She spoke with concerns about the visual impact numerous sandwich board signs will have along the Esplanade and in the village area, and the limited design regulation in the proposed ordinance. She also stated that she was a representative of the Capitola Village Residents Association (CVRA). She stated the result of an informal membership poll of the CVRA was in opposition to the proposed ordinance.

Linda Hanson read a letter submitted by Margaret Kinstler, who wrote in opposition to the proposed ordinance.

Ed Bottorff, spoke in support of the proposed ordinance. He asked several Village businesses about the proposed ordinance and received mixed supported and opposition. Some businesses stated concern about the existing charm of the Village and the potential for 52 sandwich board signs would be a disaster.

Carin Hanna, spoke in support of the proposed ordinance. She stated that some Village businesses could benefit with a sandwich board sign. She supported the one-year trial period and enforcement with an ordinance that has very tight guidelines and that specifies what is allowed.

The sunglass merchant in the Mercantile, spoke in support of the proposed ordinance.

The public hearing was closed.

Commissioner Graves stated that the CVRA sent out a survey to the membership with a response in opposition to the proposed ordinance. He suggested that the Mercantile design a wall sign that incorporates all the tenants. He stated that the Village businesses have the capability to design signage within the existing ordinance guidelines that would not degrade the visual aspect of the Village. He was not supportive of the proposed ordinance.

Commissioner Smith stated that the trial period has already happened with the current illegal signs. There is a proliferation of sandwich board signs existing in the Village. If this ordinance were to be considered there needs to be tight design guidelines that are helpful and informative to applicants. The ordinance should regulate content, no products, no prices, no sporting event advertising. The current sign ordinance permits window signs that are poorly designed. Some existing sandwich board signs are higher than the proposed dimensions, but the existing signs are well designed and promote better design than what is proposed. She stated that some illegal sandwich board signs have been displayed for a lengthy period of time that they have become part of the Village aesthetics. Overall, once a sign decision is effective, even enforcement is key to the success.

Commissioner Newman spoke with concerns about the one-year trial period, stating the potential difficulty in ending the program. He questioned the benefit for businesses if everyone was to put out a sandwich board sign. He stated that the sandwich board signs should be considered with the overall sign ordinance overhaul within the General Plan Update process. He was not supportive of allowing sandwich board signs in two specific zoning district and not allowing these signs in other commercial districts. The enforcement of signs should be consistent throughout the city.

Chairperson Ortiz stated that as a business owner she pays for advertising. She was not supportive of the proposed ordinance. She spoke with concerns about the potential for cluttering the visual aesthetics in the Village, ADA violations and the lack of staff ability to control what the signs look like and where the merchants put the signs since they are placed outside daily. She noted that she was unable to find any city in California that allows sandwich board signs. The City Santa Cruz does not have a sandwich board ordinance, but does have issues with enforcement. The current ordinance prohibits sandwich board signs, and they are everywhere without enforcement to control the signs. She questioned if the proposed ordinance required an encroachment permit from Public Works and what possible exposure does the City and businesses have to ADA compliance. She spoke with concerns regarding the review process. She stated that staff alone should not be granting the sign approval. The Planning Commission should review all signs in the Village. She also was concerned about the unequal application of the ordinance to just the Village and the Neighborhood Commercial zoning district, and continuing to prohibit signs in the most visual commercial corridor in the City, 41st Avenue. She supported reviewing wall sign concepts to keep the sidewalks clear and to allow sandwich board signs on private property.

A MOTION WAS MADE BY COMMISSIONER NEWMAN AND SECONDED BY COMMISSIONER GRAVES TO RECOMMEND THE CITY COUNCIL DEFER CONSIDERATION OF THE PROPOSED ORDINANCE UNTIL THE REVIEW OF THE SIGN ORDINANCE IS COMPLETED THROUGH THE GENERAL PLAN PROCESS.

Under discussion, Commissioner Graves supported seeking alternatives to sandwich board signs, encouraged enforcement, and an overall review of the sign ordinance.

THE MOTION CARRIED ON THE FOLLOWING VOTE: AYES: COMMISSIONERS GRAVES, NEWMAN, AND CHAIRPERSON ORTIZ. NOES: SMITH. ABSENT: ROUTH. ABSTAIN: NONE.

Commissioner Smith opposed the motion stating that 2013 is a long time to wait for a solution.

Chairperson Ortiz requested that staff obtain a letter from the City Attorney regarding the requirement for an encroachment permit from Public Works.

D. REVIEW OF THE 41ST AVENUE/CAPITOLA MALL RE-VISIONING PLAN

The Planning Commission will review, comment, and make recommendations to the City Council on the 41st Avenue/Capitola Mall Re-Visioning Plan.

Community Development Director presented the staff report.

The public hearing was opened.

Chuck Davis, representative from Macerich Corp., spoke with concerns about the report. He stated the projections for this area do not indicate any additional retail growth. Page 59 specifies language that creates a very challenging climate to make capital investment in the mall property. He requested that the city consider less specific language.

The public hearing was closed.

Commissioner Smith stated page 53 of the packet numbering, specifies “Capitola residents.” She suggested the language be revised to incorporate “and other county residents” as is used in other places in the document. She spoke with concerns about Phase 2, noting the parking calculations. She questioned whether other retail uses and medical uses would be changed to principally permitted uses and if the creation of a separate district for medical and professional offices was planned.

Commissioner Graves supported additional retail at the street frontage. He also supported moving the transit center, but noted that this would be the most difficult task. He suggested the graphics be more clearly titled and clearly define the pedestrian plan from the parking areas. He was concerned with the number of hotel and lodging accommodations suggested in the plan. The city may need to consider a revised TOT.

Commissioner Newman stated that there are several steps in the evolution in this plan. He had no further comments since he has been a participant in the General Plan Update process.

Chairperson Ortiz supported the policies and actions suggested in the report. She preferred the alternative plan on page 56 of the report. She suggested the plan consider open spaces and places for people to congregate and suggested the language be modified to encourage opening up areas not require or demand the public space.

A MOTION WAS MADE BY COMMISSIONER GRAVES AND SECONDED BY COMMISSIONER SMITH TO RECOMMEND THE CITY COUNCIL REVIEW AND ACCEPT THE REPORT FOR INCLUSION INTO THE GENERAL PLAN.

THE MOTION CARRIED ON THE FOLLOWING VOTE: AYES: COMMISSIONERS GRAVES, NEWMAN, SMITH, AND CHAIRPERSON ORTIZ. NOES: NONE. ABSENT: ROUTH. ABSTAIN: NONE.

6. INFORMATIONAL ITEM

A. GREENHOUSE GAS EMISSIONS REDUCTION PLANNING

Receive a briefing on SB 375 and greenhouse gas emissions reduction planning.

Chairperson Ortiz left the meeting at 9:15 p.m. Vice-Chairperson Graves assumed chairing the meeting.

Community Development Director Johnson presented the staff report.

Vice-Chairperson Graves stated that the report is not realistically based.

Commissioner Smith asked if the 41st Avenue Re-Visioning Plan previously reviewed, present policies and goals that are moving in the exact opposite direction as SB 375.

Commissioner Newman concurred with Commissioner Smith, stating that SB 375 is in direct conflict with implementation of General Plan.

NO ACTION REQUIRED.

7. DIRECTOR'S REPORT

Community Development Director Johnson provided a status report on the following: November 12th and 13th the GPAC will be holding a Community Workshop regarding the Village Hotel design.

8. COMMISSION COMMUNICATIONS

The Planning Commission thanked Community Development Director Johnson for his work with the City and wished him well in his new position.

9. ADJOURNMENT

The Planning Commission adjourned the meeting at 9:43 p.m. to a Regular Meeting of the Planning Commission to be held on Thursday, December 1, 2011 at 6:00 p.m., in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

Approved by the Planning Commission on December 1, 2011

Danielle Uharriet, Minute Clerk



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: NOVEMBER 18, 2011 (AGENDA: DECEMBER 1, 2011)

SUBJECT: **904 SIR FRANCIS AVENUE #06-061 APN: 036-222-07**
Request for a one-year extension to a previously approved Coastal Permit and Architectural and Site Review for the remodel of an existing single-family residence and construction of a new second story in the R-1 (Single-Family Residence) Zoning District.
Property Owner: Justin and Lisa Maffia

APPLICANT'S PROPOSAL

The applicant is requesting a fourth, one-year extension of a previously approved Coastal Permit and Architectural and Site Review Permit for the remodel of an existing one-story single-family residence and a second story addition at 904 Sir Francis Drive in the R-1 (Single Family Residence) zoning district. The proposed use remains consistent with the General Plan, Zoning Ordinance and Local Coastal Plan.

BACKGROUND

On December 7, 2006, the Planning Commission approved the above-mentioned application #06-061 (Attachment B). The Planning Commission granted a one-year permit extension on October 16, 2008, December 2, 2009, and then again on November 18, 2010.

DISCUSSION

Pursuant to Section 17.63.130 of the Zoning Ordinance, approvals of the Planning Commission are valid for two years. The permit has not yet been activated, therefore the applicant has submitted for an extension of the permit. The extension request letter is attached (Attachment A).

Since the Planning Commission was the body that originally approved the permit, they have the power to grant, "one or more extensions, each of which shall be for one year." Both Section 17.81.160 and Coastal Zone Ordinance Section 17.46.120 state that a request for an extension may be granted upon a finding that no relevant substantial change of circumstances, regulations or planning policies has occurred and that such extension would not be detrimental to the purpose of the certified local coastal program and zoning ordinance. Since neither the physical characteristics of the lot nor the zoning ordinance has changed since approval of the permit, staff supports the fourth request for a one-year extension.

It should be noted that while the Planning Commission has the power to approve or deny extensions, it has no power to exact conditions unless codes and circumstances have changed. Conditions can be added, but only if agreed upon by the applicant.

RECOMMENDATION

It is recommended that the Planning Commission **approve** the request for a one-year extension, subject to the following finding. If approved, this finding is in addition to the findings made for the original permit:

- A. **A substantial change of circumstances has not occurred since Planning Commission approval of the permit on December 7, 2006. An additional one-year extension of the permit to December 7, 2012, would not be detrimental to the purpose of the certified local coastal program and zoning ordinance.**

The Planning Commission finds that neither the physical characteristics of the lot nor the zoning ordinance has changed since approval of the permit on December 7, 2006. Therefore, (a fourth) one-year extension (to December 7, 2012) of said permit is appropriate.

Report Prepared By: Ryan Bane
Senior Planner

Attachment A - Request for extension letter from Lisa & Justin Maffia, dated November 7, 2011
Attachment B - December 7, 2006 Staff Report, Project Plans and Planning Commission Minutes

RECEIVED
NOV 8 2011
CITY OF CAPITOLA

November 7, 2011

Dear Capitola Planning Commission,

My husband Justin & myself have been approved of a design permit to remodel our home (904 Sir Francis Ave. Capitola), of which the permit extension will expire this December, 2011 (Application # 06-061).


We are asking for an additional extension on the design permit for this project as the economy still has not turned to a point where we can confidentially afford this remodel. Our ultimate, long-term desire is to be able to move forward with the project as our family has grown and we will need more space, however, we will need to do this at a time when our finances are strong and the economy has corrected itself. We do anticipate that this will be 3 – 4 years down the road.

We do not wish to see what work & money that has gone into this project so far be lost due to an expired permit. We are asking for approval of an additional 2-year extension so we can be better prepared financially for this large project on our home.

Thank you,

Lisa & Justin Maffia

831-227-3681





STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: NOVEMBER 21, 2006 (AGENDA: DECEMBER 7, 2006)

SUBJECT: **904 SIR FRANCIS DRIVE** – PROJECT APPLICATION #06-061
 COASTAL PERMIT AND ARCHITECTURAL AND SITE REVIEW FOR THE
 REMODEL OF AN EXISTING SINGLE FAMILY RESIDENCE AND
 CONSTRUCTION OF A NEW SECOND-STORY IN THE R-1 (SINGLE-
 FAMILY RESIDENCE) ZONING DISTRICT. (APN 036-222-07)
 CATEGORICALLY EXEMPT. FILED 09/11/06 *1
 PROPERTY OWNER: JUSTIN & LISA MAFFIA
 REPRESENTATIVE: CHUCK BURKET

APPLICANT'S PROPOSAL

The applicant is proposing to remodel an existing one-story single-family residence at 904 Sir Francis Drive in the R-1 (Single Family Residence) zoning district. The use is consistent with the General Plan, Zoning Ordinance and Local Coastal Plan.

STRUCTURAL DATA				
SETBACKS		Required	Existing	Proposed
Front Yard				
	Driveway	20'	20'	20'
	1 st Story	15'	20'	20'
	2 nd Story	20'	N/A	21'
Rear Yard				
	1 st Story	21'	36'	36'
	2 nd Story	21'	N/A	38'
Side Yard				
	1 st Story	5'-6"	6' (l) & 9'-6" (r)	6' (l) & 9'-6" (r)
	2 nd Story	8'-3"	N/A	8'-3" (l) & 9'-6" (r)
HEIGHT		25'		25'

FLOOR AREA RATIO	Lot Size	MAX (48%)	Existing (27%)	Proposed (48%)
	6,120 sq. ft	2,938 sq. ft.	1,639 sq. ft.	2,937 sq. ft
	Habitable Space	Garage	Porch/Decks	Total
Proposed First Story	1,526 sq. ft.	365 sq. ft.	N/A	1,891 sq. ft.
Proposed Second Story	1,046 sq. ft.	-	N/A	1,046 sq. ft.
Proposed TOTAL	2,572 sq. ft.	365 sq. ft.	N/A	2,937 sq. ft.
PARKING	Required	Proposed		
	1 covered spaces	1 covered spaces		
	3 uncovered spaces	3 uncovered spaces		
Total	4 spaces	4 spaces		

ARCHITECTURAL AND SITE REVIEW COMMITTEE

On October 11, 2006, the Architectural and Site Review Committee reviewed the application. Staff discussed changes that were required for the proposed Floor Area Ratio (FAR), as the proposed project was over the allowed FAR. Staff requested that the applicant confirm the square footages for both the first and second floors. Regarding parking for the site, staff asked the applicant to provide for the required uncovered parking, and to work with the City's Public Works Director on the design guidelines for the driveway approach.

City architect Frank Phanton, suggested modifications to the roof design and noted that the pitch for the first story should be different from the pitch of the second story, which the applicant agreed to.

City Landscape Architect Jennifer Clark-Colfer stated that the applicant should consider enhancing the proposed landscaping by adding more plantings, and that any new landscaping should be diverse and include drought tolerant plants. It was also requested that the applicant provide a complete landscaping plan for the project, including adding a legend or landscaping key showing plant type (botanical and common name), quantity, size and location. Also, any existing trees or significant amount of landscaping to be removed shall be noted on the plans.

City Public Works Director Steve Jesberg stated that any curb, gutter or sidewalk that is deteriorated or is damaged during construction shall be replaced as per the city's standards.

DISCUSSION

The applicant is proposing to remodel an existing 1,639 square foot one-story single-family residence at 904 Sir Francis Drive in the R-1 (Single Family Residence) zoning district.

The existing parcel size is 6,120 square feet, and the existing structure is 1,274 square feet with a 365 square foot garage. The new improvements will consist of a remodeled first floor with a 252 square foot addition for a total of 1,526 square feet, a second story addition of 1,046 square feet

and a 365 square foot garage for a total square footage of 2,937. The proposed floor area ratio is 48%, which meets the allowed FAR. A side yard set back of 6 feet is proposed for the left side and 9'-6" is proposed for the right side. A 20-foot front yard set back and a 36-foot rear yard set back is also provided.

The exterior of the new home will be "mocha" stucco with "tan" trim, window trim will be "sand" and the concrete tile roof will be in an off-brown tone. The front porch entry columns will be finished with a stone veneer.

The existing landscape shall remain and be enhanced with additional landscaping that will be similar in the type and variety of plantings.

RECOMMENDATION

Staff recommends that the Planning Commission **approve** application #06-061 based on the following Conditions and Findings for Approval.

CONDITIONS

1. The project approval consists of a remodeled first floor with a total of 1,526 square feet, a second story addition of 1,046 square feet and a 365 square foot garage for a total of 2,937 square feet.
2. The Planning Commission must approve any significant modifications to the size or exterior appearance of the structure.
3. A note shall be placed on the final building plans indicating that the utilities shall be underground to the nearest utility pole in accordance with Public Works Department requirements.
4. Curb and gutter that is currently deteriorated or is damaged during construction shall be repaired or replaced, as determined by and to the satisfaction of the Public Works Director.
5. If any trees, large shrubs or significant landscaping are to be removed as a result of the project, the applicant shall provide a supplemental landscape plan to be submitted with the building permit application. The plan shall include the quantity, or specific number of plants for each plant type, their container size, special planting requirements and spacing between plants, subject to the approval of the Director of Planning.
6. Affordable housing in-lieu fees shall be paid as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance. Any appropriate fees shall be paid prior to building permit issuance.
7. Prior to granting of final occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director.

8. Construction hours shall be limited to Monday through Friday 7:30am to 9pm., Saturday 9:00am to 4:00pm, and prohibited on Sundays.

FINDINGS

- A. **The application, subject to the conditions imposed, will secure the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**

Planning Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project conforms to the development standards of the R-1 (Single Family Residence) Zoning District, as well as the Guidelines for Single Family Residential Projects. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance, General Plan and Local Coastal Plan.

- B. **The application will maintain the character and integrity of the neighborhood.**

Planning Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project conforms to the development standards of the R-1 (Single Family Residence) Zoning District, as well as the Guidelines for Single Family Residential Projects. Conditions of approval have been included to ensure that the project maintains the character and integrity of the neighborhood.

- C. **This project is categorically exempt under Section 15301(e)(2) of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.**

Section 15301(e)(2) of the CEQA Guidelines exempts additions to structures that are less than 10,000 square feet if the project is in an area where all public facilities are available to allow for the development and the project is not located in an environmentally sensitive area. This project involves an addition to a one-story single-family residence that is considered infill development. No adverse environmental impacts were discovered during review of the proposed project

Report Prepared By: John Akeman
Associate Planner

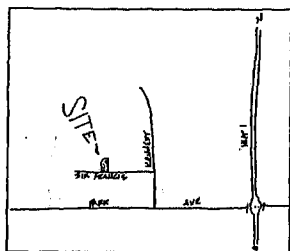
Approved by: _____
Juliana Rebagliati, Community Development Director

06-061R

DRAWING INDEX

- 01 SITE PLAN, COVER SHEET
- L1 LANDSCAPE PLAN
- A-1 EXISTING FLOOR PLAN
- A-2 PROPOSED MAIN FLOOR PLAN
- A-3 PROPOSED UPPER FLOOR PLAN
- A-4 ELEVATIONS.

VICINITY MAP



SITE DATA

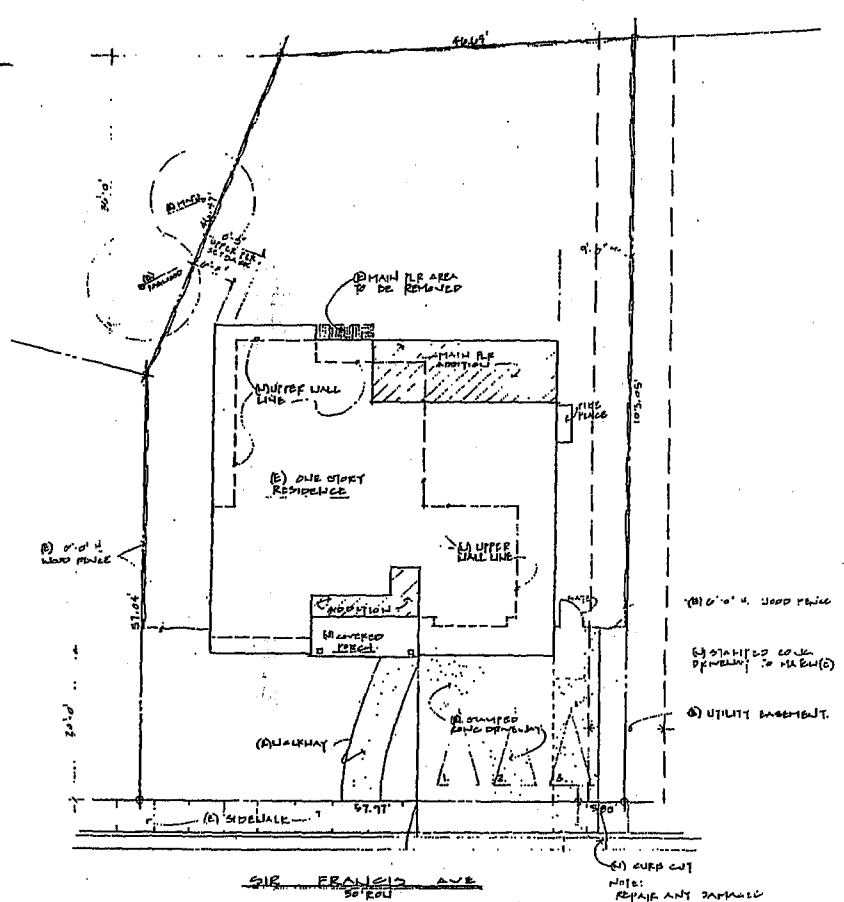
LOT AREA: 4120 ft^2
 PRE-DEVELOPMENT LOT COVERAGE: 26.8% (1094 ft^2)
 POST-DEVELOPMENT LOT COVERAGE: 36.1% (1485 ft^2)

FAR: 0.120 x 482 = 2928 ft^2 ALLOWED
 FAR (PROPOSED) 2937 ft^2

EXISTING FLOOR AREA: 1274 ft^2 (HOUSE)
 365 ft^2 (GARAGE)

PROPOSED FLOOR AREA: 1820 ft^2 MAIN FLOOR
 365 ft^2 GARAGE
 1094 ft^2 UPPER FLOOR

TOTAL: 2937 ft^2



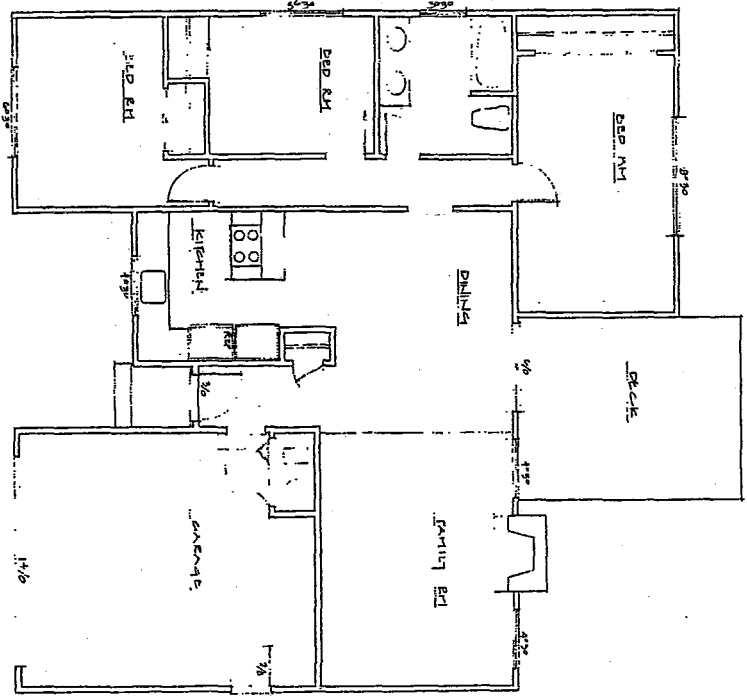
SITE PLAN

APN: 050-222-07
 1/8" = 1'-0"

THE FINAL DRAFT

A PROPOSED ADDITION PER:

06-061R



EXISTING MAIN FLOOR PLAN

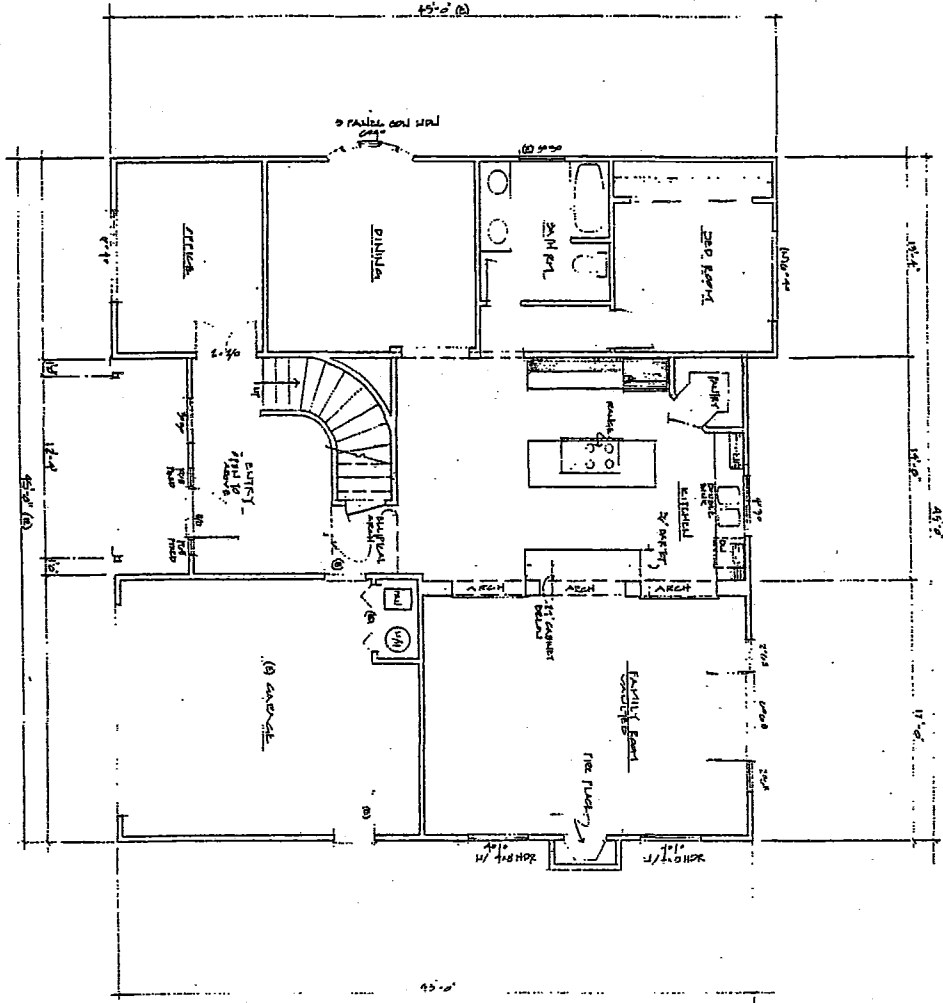
Scale: 1/8" = 1'-0"
 Date: 12/1/88
 Author: SGP

PROPOSED MAIN FLOOR PLAN

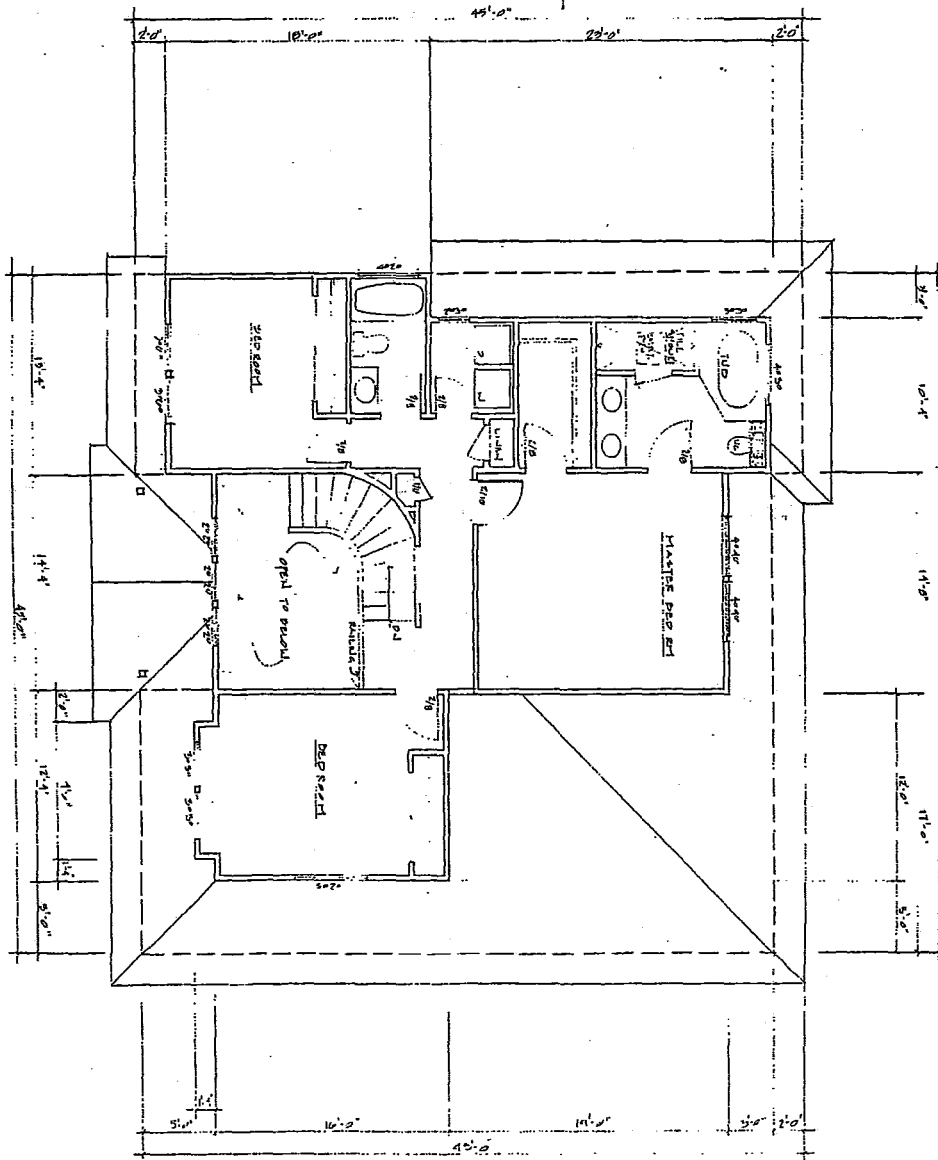
1/8" = 1'-0"
 1/4" = 1'-0"
 1/2" = 1'-0"

WALL LEGEND

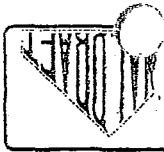
- 00 UNIT
- 05 WALL



PROPOSED UPPER FLOOR PLAN



REVISIONS	



THE FINAL DRAFT

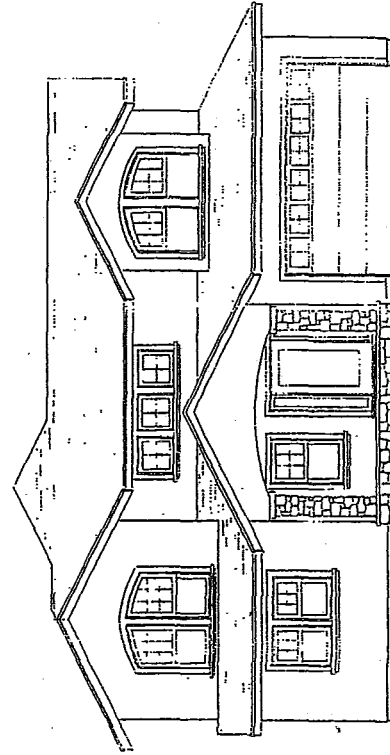
FOR BOX 2175
 BAYVIEW, MISSOURI 63012
 314-435-5123

A PROPOSED APPROVAL SET
 DESIGN BY A COMPANY
 107 5th
 ST. LOUIS, MISSOURI 63102

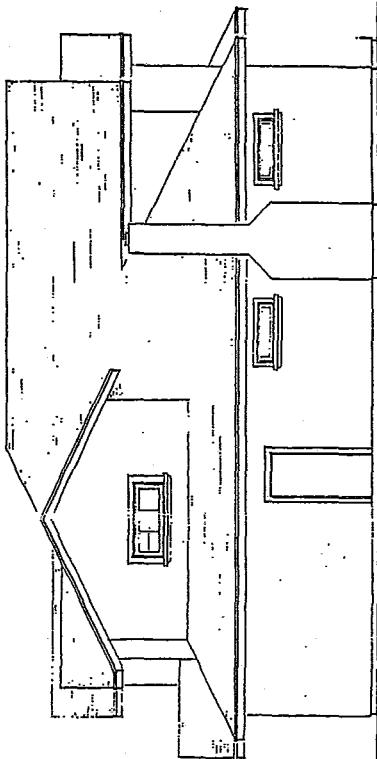
PROJECT NO.	12345
DATE	10/15/20
SCALE	1/8" = 1'-0"
DESIGNER	AAA
DATE	10/15/20
SCALE	1/8" = 1'-0"
DESIGNER	AAA



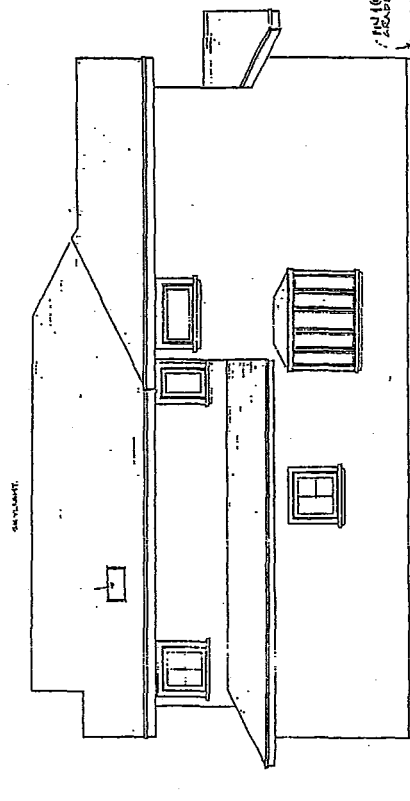
REAR ELEVATION
 1/8" = 1'-0"



FRONT ELEVATION
 1/8" = 1'-0"



RIGHT SIDE ELEVATION
 1/8" = 1'-0"

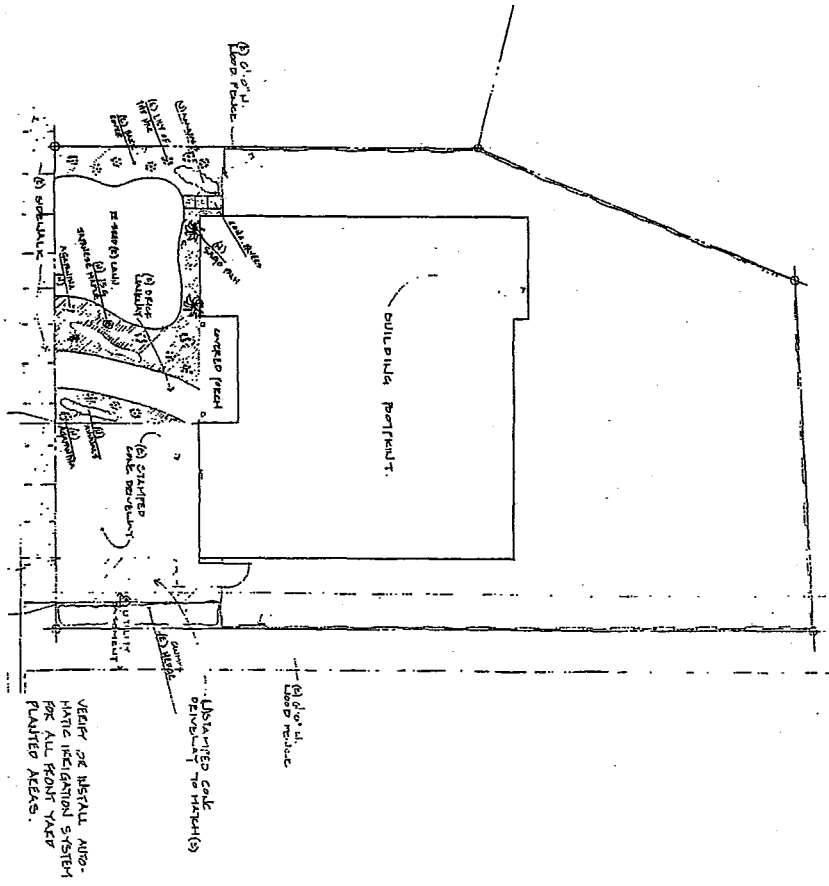


LEFT SIDE ELEVATION
 1/8" = 1'-0"



LANDSCAPE PLAN

SITE DRAINAGE SYSTEM



Planning Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project conforms to the development standards of the R-1 (Single Family Residence) Zoning District, as well as the Guidelines for Single Family Residential Projects. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance, General Plan and Local Coastal Plan.

B. The application will maintain the character and integrity of the neighborhood.

Planning Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project conforms to the development standards of the R-1 (Single Family Residence) Zoning District, as well as the Guidelines for Single Family Residential Projects. Conditions of approval have been included to ensure that the project maintains the character and integrity of the neighborhood.

C. This project is categorically exempt under Section 15301(e)(2) of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.

Section 15301(e)(2) of the CEQA Guidelines exempts additions to structures that are less than 10,000 square feet if the project is in an area where all public facilities are available to allow for the development and the project is not located in an environmentally sensitive area. This project involves an addition to a one-story single-family residence that is considered infill development. No adverse environmental impacts were discovered during review of the proposed project.

MOTION PASSED

PUBLIC HEARINGS

1. **904 SIR FRANCIS DRIVE – PROJECT APPLICATION #06-061**
COASTAL PERMIT AND ARCHITECTURAL AND SITE REVIEW FOR THE REMODEL OF AN EXISTING SINGLE FAMILY RESIDENCE AND CONSTRUCTION OF A NEW SECOND-STORY IN THE R-1 (SINGLE-FAMILY RESIDENCE) ZONING DISTRICT. (APN 036-222-07) CATEGORICALLY EXEMPT. FILED 09/11/06 *1
PROPERTY OWNER: JUSTIN & LISA MAFFIA
REPRESENTATIVE: CHUCK BURKET

A MOTION WAS MADE BY COMMISSIONER NEWMAN AND SECONDED BY COMMISSIONER HALE TO APPROVE APPLICATION #06-061, SUBJECT TO THE FOLLOWING CONDITIONS AND FINDINGS:

CONDITIONS

1. The project approval consists of a remodeled first floor with a total of 1,526 square feet, a second story addition of 1,046 square feet and a 365 square foot garage for a total of 2,937 square feet.
2. The Planning Commission must approve any significant modifications to the size or exterior appearance of the structure.
3. A note shall be placed on the final building plans indicating that the utilities shall be underground to the nearest utility pole in accordance with Public Works Department requirements.
4. Curb and gutter that is currently deteriorated or is damaged during construction shall be repaired or replaced, as determined by and to the satisfaction of the Public Works Director.
5. If any trees, large shrubs or significant landscaping are to be removed as a result of the project, the applicant shall provide a supplemental landscape plan to be submitted with the building permit application. The plan shall include the quantity, or specific number of plants for each plant type, their container size, special planting requirements and spacing between plants, subject to the approval of the Director of Planning.
6. Affordable housing in-lieu fees shall be paid as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance. Any appropriate fees shall be paid prior to building permit issuance.
7. Prior to granting of final occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director.
8. Construction hours shall be limited to Monday through ~~Saturday~~ Friday 8:00 AM to 6:00 PM ~~7:30am to 9pm., Saturday 9:00am to 4:00pm, and prohibited on Sundays.~~

FINDINGS

- A. **The application, subject to the conditions imposed, will secure the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**

Planning Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project conforms to the development standards of the R-1 (Single Family Residence) Zoning District, as well as the Guidelines for Single Family Residential Projects. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance, General Plan and Local Coastal Plan.

- B. **The application will maintain the character and integrity of the neighborhood.**

Planning Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project conforms to the development standards of the R-1 (Single Family Residence) Zoning District, as well as

the Guidelines for Single Family Residential Projects. Conditions of approval have been included to ensure that the project maintains the character and integrity of the neighborhood.

- C. **This project is categorically exempt under Section 15301(e)(2) of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.**

Section 15301(e)(2) of the CEQA Guidelines exempts additions to structures that are less than 10,000 square feet if the project is in an area where all public facilities are available to allow for the development and the project is not located in an environmentally sensitive area. This project involves an addition to a one-story single-family residence that is considered infill development. No adverse environmental impacts were discovered during review of the proposed project

MOTION PASSED

2. **422 MCCORMICK AVENUE- PROJECT APPLICATION #06-062**
COASTAL PERMIT AND ARCHITECTURAL AND SITE REVIEW FOR
CONSTRUCTION OF A NEW TWO-STORY SINGLE FAMILY RESIDENCE IN
THE PD (PLANNED DEVELOPMENT) ZONING DISTRICT. (APN 036-094-41)
CATEGORICALLY EXEMPT. FILED 9/20/06 *1
PROPERTY OWNER/APPLICANT: STEPHEN P. GRAVES

**A MOTION WAS MADE BY COMMISSIONER HALE AND SECONDED BY
COMMISSIONER NEWMAN TO CONTINUE APPLICATION #06-062 TO THE 21ST
OF DECEMBER**

MOTION PASSED 3-0

3. **701 GILROY DRIVE- PROJECT APPLICATION #06-068**
COASTAL PERMIT AND ARCHITECTURAL AND SITE REVIEW TO DEMOLISH
A SINGLE-FAMILY HOUSE AND CONSTRUCT A NEW TWO-STORY SINGLE-
FAMILY HOUSE IN THE R-1 (SINGLE-FAMILY RESIDENCE) ZONING
DISTRICT. (APN 035-062-05). FILED 10/24/06 *1
PROPERTY OWNERS: SKIP & WENDY ARSENAULT
APPLICANT: ROBIN BROWNFIELD

**A MOTION WAS MADE BY COMMISSIONER HALE AND SECONDED BY
COMMISSIONER NEWMAN TO APPROVE APPLICATION #06-068, SUBJECT TO
THE FOLLOWING CONDITIONS AND FINDINGS:**

CONDITIONS

1. The project approval consists of a new 1,497 square foot two-story single-family residence, with a 243 square foot carport at 701 Gilroy Drive in the R-1 (Single Family Residence) zoning district.



STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT DEPARTMENT
 DATE: NOVEMBER 15, 2011 (AGENDA: DECEMBER 1, 2011)

SUBJECT: **426 CAPITOLA AVENUE #11-114 APN: 035-141-33**

Consider an application regarding a Coastal Development Permit and a Relocation Impact Report (RIR) for the closure of the Pacific Cove Mobile Home Park including the removal of all coaches, gas, electrical and cable utilities. The proposed project retains the public restroom onsite. No grading or earthwork is proposed. This project requires a Coastal Permit which is not appealable to the California Coastal Commission.
 Environmental Determination: Categorical Exemption
 Property Owner: City of Capitola, filed 10/27/11

SUMMARY

The City is considering whether to close the Pacific Cove Mobile Home Park ("Park"). Closure of the Park would eliminate 44 mobile home park spaces and remove all 41 mobile home coaches and all related structures, with the exception of the bathroom building which is not proposed for removal. All underground utility lines are to be abandoned in place and overhead utilities removed and disconnected at the property boundary. The existing roadways, pads and landscaping are proposed to remain. No future use is proposed at this time. The City is considering future uses as part of a focused planning effort for the property. When the City identifies a future use, appropriate environmental review and permits will be completed and submitted.

Prior to the closure of the Park, a Coastal Development Permit and a determination by City Council that the Relocation Impact Report (RIR) is sufficient pursuant to Capitola Municipal Code Section 17.90 and Government Code Section 65863 et seq is required. In addition, implementation of the Mello Act will impose relocation benefits for low or moderate income residents of the Park. The Planning Commission is required to make recommendations to the City Council regarding both the issuance of a Coastal Development Permit, and the adequacy of the RIR.

In rendering its advisory decision, the Commission may recommend reasonable measures not exceeding the reasonable costs, or estimates thereof, of relocation to mitigate the adverse impacts on eligible residents displaced by the closure of the Park¹.

COASTAL DEVELOPMENT PERMIT

A Coastal Development Permit (CDP) is required for development projects in the coastal zone. The Capitola Municipal Code, as well as the Coastal Act, define "Development" as a "change in the

¹ C.M.C 17.90.070 D.

density or intensity of the use of land” and applies to “construction, reconstruction, *demolition* or alteration in the size of any structure.”² The Park is located within the coastal zone; therefore, the closure of the Park and removal of the coaches requires a CDP.

MELLO ACT

The Mello Act, Government Code Section 65590 *et seq.*, was adopted in 1981 to preserve residential housing units occupied by low or moderate income persons or families in the coastal zone.³ The Mello Act applies to condominium conversions, demolitions, new construction, conversions from residential to non-residential uses and new residential developments in the coastal zone. The Mello Act imposes a mandatory duty on local governments to require replacement housing, assuming replacement housing is feasible, as a condition of granting a permit to demolish or convert housing units or mobile homes⁴ which are located within the coastal zone and occupied by low or moderate income persons.

Based on preliminary interviews with current Park occupants, 10 of the coaches are known to be occupied by ‘Very Low’ to ‘Moderate’ income households and, per state law, these units would need to be replaced by the City, if feasible. An additional nine coaches are suspected to be occupied by persons of at the most, Moderate income. The remaining coaches are occupied by households of ‘Above Moderate’ income and need not be replaced by the City.

The City has one primary option available to provide all of the needed replacement housing to mitigate the impact of the project. Castle Mobile Estates, which is located within Capitola’s coastal zone has been going through a repositioning and rehabilitation planning process with the City to ensure that it is maintained as a stable source of affordable housing in Capitola.

The sale of Castle was recently approved to Millennium Housing. Millennium is contractually obligated to rehabilitate the park and reserve 86 of the 108 units in the park for very-low to moderate income households. The City of Capitola will invest \$2 million dollars in the project and over 40 of the units have been reserved as replacement housing for a potential closure of Pacific Cove.

Castle is located at 1099 38th Avenue in Capitola. This park is approximately 1.5 miles from Pacific Cove. This resource alone would allow the City of Capitola to meet its obligation under the Mello Act to provide as many as 19 units of housing to persons ranging from Extremely Low (0-30% AMI) to Moderate (80-120% AMI).

RELOCATION IMPACT REPORT

Capitola Municipal Code (CMC) Chapter 17.90 “Mobile Home Parks” requires the submittal of a Relocation Impact Report (RIR) when a change of use or closure of a mobilehome park is proposed. In addition, Government Code Section 65863.7 and California Mobilehome Residency Law (Civil Code Division 2, Part 2, Chapter 2.5) state:

“Prior to closure of a mobilehome park or cessation of use of the land as a mobilehome park, the person or entity proposing the change in use shall file a report on the impact of the conversion, closure, or cessation of use upon the displaced residents of the mobilehome park residents. The report shall address the availability of adequate replacement housing in mobilehome parks and relocation costs.”

² City Code § 17.46.030 I 4 and 6; Pub. Res. Code § 30106.

³ The Mello Act specifies that all local governments having coastal zones must comply with the Mello Act. Govt. Code § 65590(a), *Venice Town Council, Inc. v. City of Los Angeles* 47 Cal.App.4th 1547, 1553 (1996).

⁴ For purposes of the Mello Act, conversion and demolition requirements apply to mobilehomes as defined in the Health and Safety Code. Govt. Code §§ 65590(g)(1) and (g)(2), Health and Safety Code section 18008.

The RIR describes the existing state of the Mobilehome Park and provides a detailed relocation plan. CMC Section 17.90.030 has specific requirements for the contents of the RIR. Those requirements and a summary of the Pacific Cove RIR's response to those requirements can be found in Attachment C.

When considering the RIR, the Capitola Municipal Code allows the Planning Commission to recommend reasonable measures not exceeding the reasonable costs of relocation to mitigate the adverse impacts of the change of use on eligible mobile home residents. However, as a public agency, the City must also comply with state relocation law, which strictly defines the amount and type of relocation payments the City may provide. The proposed RIR includes a relocation plan, consistent with state law, to mitigate the impacts to Park residents who own coaches or are renters.

DISCUSSION

With the closure of the mobilehome park, the applicant is proposing to eliminate 44 mobile home park spaces and remove all 41 mobile home coaches. Of these 41 spaces, almost half of the residents self-identified as owner occupied full time residents, 8 are part-time owners, and the remaining are occupied by residents who sublet the mobile home from the mobile home owner. Coaches on three of the 41 spaces are owned by the City, and the City directly rents the mobile home and space to the tenants. A summary of the space occupancy classification and the number of coaches within each class that will likely qualify for assistance is shown in Table 1 of the RIR as noted below.

Table 1

Space Occupancy Classification	# Coaches	# Relocation cases
<u>Privately Owned</u>		
Occupied Full-time by Owner	14	14
Occupied Part-time by Owner	8	8
Un-Occupied Coach: Absentee Owners	4	4
Tenant Occupied	3	6 (tenant & owner)
Occupancy Un-known	1	1
Total Impacted Privately Owned	30	33
<u>City Owned</u>		
Tenant Occupied	3	3
Empty Coach ⁵	8	
Empty Space ⁶	3	
Total Impacted City Owned Spaces & Coaches	14	
Total Spaces Considered in Park Closure		
	44	
Potential Relocation Cases⁶		
		36

In addition to the other code-required information, the Pacific Cove RIR outlines proposed relocation assistance for mobile home owners and tenants which are detailed in Table 9 on Page 60 of the RIR, and summarized in Table 2.

⁵ Excludes empty spaces and empty City owned coaches
⁶ To be verified via eligibility interviews for relocation benefits

There are four basic payments that are proposed in the RIR, and required under state law. The following is a short description of those four payments. A more complete description of the payments can be found in the attached RIR.

1. FMV – Fair Market Value which is based on an appraisal of the coach only, excluding the land.
2. PPD and Last Resort Housing Payments - Purchase Price Differential and Last Resort Housing Payments are the difference between the value of the coach and the amount paid for a comparable replacement home.
3. RAP – Rental Assistance Payments are payments based on the difference between the current rent residents pay and the replacement housing rent, which they will receive for 42 months. RAP payments are made both to coach owners, based on their space rent, and coach renters, based on their rent payments.
4. Moving Expenses – are estimated in the RIR based on a quote from two moving companies. The amount can change depending upon actual costs.

Relocation Benefits Eligibility will be broken into categories based on the following: A) Owner Occupied- Full Time, B) Owner Occupied Part-Time, and C) Renter. Further categorization will be based on pre or post 2000 occupant. In 2000 the City began issuing a “Notice of Non-Entitlement to Relocation Benefits” (Attachment G) to new occupants which notified them that the park would be closed in the future and they would not be eligible to receive relocation benefits.

Table 2

Relocation Benefits and Amounts		Pre-2000 Occupant			Post-2000 Occupant		
Benefit Type	Amount	Full-time Owner	Part-time Owner	Tenant	Full-time Owner	Part-time Owner	Tenant
Actual and reasonable cost of moving home to replacement site.	Fixed Payment or Actual & Reasonable Expenses	Yes	Yes	Not Applicable	No	No	No
Fair Market Value of Mobile Home Only	Based on Appraised Value	Yes	Yes	Not Applicable	Yes	Yes	Not Applicable
Purchase Price Differential (PPD) -	Up to \$22,500 Unless Last Resort Housing Payments Are Required	Yes	No	Not Applicable	No	No	Not Applicable
Rental Assistance Payment - (RAP) – Space Rent	Up to \$5,250 unless Last Resort Housing Payments Are Required	Yes	No	Not Applicable	No	No	No
Rental Assistance Payment - (RAP) - Dwelling Rent	Up to \$5,250 unless Last Resort Housing Payments Are Required	Yes	No	Yes	No	No	No
Last Resort Housing Payments	Amount Required Over PPD or RAP for Displacee to Replace Housing	Yes	No	Yes	No	No	No

Example of Benefit Calculation.

HOME	FAIR MARKET VALUE OF THE COACH	PURCHASE PRICE DIFFERENTIAL (Last Resort Payment)– FULL TIME RESIDENT	RENTAL DIFFERENTIAL - FULL TIME RENTER	SPACE RENT DIFFERENTIAL	MOVING EXPENSE	EST. TOTAL	
		<i>Example Replacement Coach Cost \$107,000</i>		\$100 rent increase & req. 42 months			
EXAMPLE A - Full Time, Pre-2000 Home Owner	\$5,000	\$102,000	N/A	\$4,200	\$1,425	\$112,625	
EXAMPLE B - Full Time, Post 2000 Home Owner	\$5,000	N/A	N/A	N/A	\$1,425	\$6,425	
EXAMPLE C - Non Primary Resident	\$5,000	N/A	N/A	N/A	\$1,425	\$6,425	
			Example \$500 Displacement Rent; Replacement Rent \$1,375; 42 months				
EXAMPLE D - Full Time, Pre-2000 Renter*	N/A	N/A		\$36,750	N/A	\$1,425	\$38,175
EXAMPLE E - Full Time, Post-2000 Renter*	N/A	N/A		N/A	N/A	\$1,425	\$1,425

Ultimately, the City Council will be asked to make a determination if the proposed measures to mitigate the adverse impacts of the conversion upon the mobile home park residents are sufficient. The mitigation imposed by the City cannot exceed the reasonable costs of relocation. The Planning Commission may choose to make a recommendation regarding the proposed mitigation measures, or recommend the application of new mitigation measures.

While the CMC does not make a distinction between the relocation benefits for low income residents and residences earning more than 80% of the Area Median Income, pursuant to state law, the RIR outlines how lower income full-time long term residents will be eligible for “last resort” housing payments. As outlined previously, these payments are triggered by statute if affordable “comparable replacement housing” cannot be found for the displaced tenant households. Based on the resident survey, it appears there is the need to provide last resort housing payments.

The mitigation measures proposed by the applicant will provide full-time long term residents compensation to off-set the costs of moving to the new home. The mitigation measures are not required or proposed to fully mitigate the relocation and replacement costs for part time residents

CALIFORNIA ENVIRONMENTAL QUALITY ACT

CEQA Guidelines Section 15301: Existing Facilities, exemption consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

The key consideration is whether the project involves negligible or no expansion of an existing use. The proposed closure of the existing Pacific Cove mobile home park involves minor alterations of an existing private mobilehome park use and includes activities such as the capping of utilities, fencing and other activities to secure the site. As proposed, the closure does not involve any expansion of use, grading or demolition of facilities. Coaches will be removed from the site prior to being demolished.

RECOMMENDATION

For project application #11-114 staff recommends that the Planning Commission by motion and roll call vote:

1. Find the project is exempt from CEQA as it does not involve an increase in the intensity of use or new development (CEQA Guidelines 15301 Existing Facilities).
2. Adopt the proposed resolution recommending approval of the Coastal Development Permit for the closure of Pacific Cove Mobile Home Park, subject to specific findings and conditions (Attachment A).
3. Adopt the proposed resolution with conditions recommending that City Council finds the RIR is sufficient pending the application of measures not exceeding the reasonable costs of relocation to mitigate the adverse impacts of the change of use on eligible mobile home residents (Attachment B).

Report Prepared By: Ryan Bane, Senior Planner

Attachment A – Resolution recommending approval of the CDP to City Council
Attachment B – Resolution recommending sufficiency/insufficiency of the RIR to City Council
Attachment C – CMC Section 17.90.030 RIR Contents
Attachment D – Relocation Impact Report & Relocation Plan
Attachment E – Replacement Housing Plan
Attachment F – Summary Appraisal Report
Attachment G – Notice of Non-Entitlement to Relocation Benefits

RESOLUTION NO.

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CAPITOLA
RECOMMENDING THAT THE CITY COUNCIL APPROVE A COASTAL DEVELOPMENT
PERMIT FOR THE CLOSURE OF THE PACIFIC COVE MOBILEHOME PARK**

WHEREAS, the City of Capitola's Local Coastal Program (LCP) was certified by the California Coastal Commission in December of 1981 and has since been amended from time to time; and

WHEREAS, the City of Capitola's General Plan was adopted on September 29, 1989, and has since been amended from time to time; and

WHEREAS, the City of Capitola reviews land use designations and zoning in order to regulate appropriate use of land and to protect the public health, safety and welfare; and

WHEREAS, the Planning Commission has reviewed the Coastal Development Permit Findings attached and made part hereof as Exhibit 1; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Capitola recommends that the City Council take the following actions:

1. Issue a Coastal Development Permit for the project to close Pacific Cove Mobile Home Park subject to the Coastal Permit Conditions of Approval attached and made part hereof as Exhibit 2.

I HEREBY CERTIFY that the above and foregoing resolution was passed and adopted by the Planning Commission of the City of Capitola at a Regular Meeting held on the 1st day of December, 2011, by the following vote:

AYES: Commission Members

NOES: Commission Members

ABSENT: Commission Members

ABSTAIN: Commission Members

Gail Ortiz, Chairperson

ATTEST:

Susan Westman, Interim Community Development Director

EXHIBIT 1

COASTAL DEVELOPMENT PERMIT FINDINGS

D. Findings Required. A coastal permit shall be granted only upon adoption of specific written factual findings supporting the conclusion that the proposed development conforms to the certified Local Coastal Program, including, but not limited to:

- The proposed development conforms to the City's certified Local Coastal Plan (LCP). The specific, factual findings, as per CMC Section 17.46.090 (D) are as follows:

(D) (2) Require Project-Specific Findings. In determining any requirement for public access, including the type of access and character of use, the city shall evaluate and document in written findings the factors identified in subsections (D) (2) (a) through (e), to the extent applicable. The findings shall explain the basis for the conclusions and decisions of the city and shall be supported by substantial evidence in the record. If an access dedication is required as a condition of approval, the findings shall explain how the adverse effects which have been identified will be alleviated or mitigated by the dedication. As used in this section, "cumulative effect" means the effect of the individual project in combination with the effects of past projects, other current projects, and probable future projects, including development allowed under applicable planning and zoning.

(D) (2) (a) Project Effects on Demand for Access and Recreation. Identification of existing and open public access and coastal recreation areas and facilities in the regional and local vicinity of the development. Analysis of the project's effects upon existing public access and recreation opportunities. Analysis of the project's cumulative effects upon the use and capacity of the identified access and recreation opportunities, including public tidelands and beach resources, and upon the capacity of major coastal roads from subdivision, intensification or cumulative build-out. Projection for the anticipated demand and need for increased coastal access and recreation opportunities for the public. Analysis of the contribution of the project's cumulative effects to any such projected increase. Description of the physical characteristics of the site and its proximity to the sea, tideland viewing points, upland recreation areas, and trail linkages to tidelands or recreation areas. Analysis of the importance and potential of the site, because of its location or other characteristics, for creating, preserving or enhancing public access to tidelands or public recreation opportunities;

- The project is located between at 426 Capitola Avenue, a short distance from Capitola Village and Capitola's main beach. The project is closure of an existing privately owned mobile home park and will not affect existing public access and recreational opportunities as the park is not used for public access to recreational opportunities, public tidelands and beach resources. Closure of the mobile home park will eliminate 44 mobile home park spaces and remove all 41 mobile home coaches and all related structures, with the exception of the bathroom building which is to remain. The demand and need for coastal access and recreational opportunities for the public will not diminish. The mostly flat site is located approximately 1200' from the nearest coastal bluff. The existing mobile home park does not currently provide public access and

therefore the closing of the park will not affect coastal access to tidelands or public recreation opportunities.

(D) (2) (b) Shoreline Processes. Description of the existing shoreline conditions, including beach profile, accessibility and usability of the beach, history of erosion or accretion, character and sources of sand, wave and sand movement, presence of shoreline protective structures, location of the line of mean high tide during the season when the beach is at its narrowest (generally during the late winter) and the proximity of that line to existing structures, and any other factors which substantially characterize or affect the shoreline processes at the site. Identification of anticipated changes to shoreline processes at the site. Identification of anticipated changes to shoreline processes and beach profile unrelated to the proposed development. Description and analysis of any reasonably likely changes, attributable to the primary and cumulative effects of the project, to: wave and sand movement affecting beaches in the vicinity of the project; the profile of the beach; the character, extent, accessibility and usability of the beach; and any other factors which characterize or affect beaches in the vicinity. Analysis of the effect of any identified changes of the project, alone or in combination with other anticipated changes, will have upon the ability of the public to use public tidelands and shoreline recreation areas;

- No portion of the project is located along the shoreline or beach. The purpose of the project is to close an existing 44 space mobile home park.

(D) (2) (c) Historic Public Use. Evidence of use of the site by members of the general public for a continuous five-year period (such use may be seasonal). Evidence of the type and character of use made by the public (vertical, lateral, blufftop, etc., and for passive and/or active recreational use, etc.). Identification of any agency (or person) who has maintained and/or improved the area subject to historic public use and the nature of the maintenance performed and improvements made. Identification of the record owner of the area historically used by the public and any attempts by the owner to prohibit public use of the area, including the success or failure of those attempts. Description of the potential for adverse impact on public use of the area from the proposed development (including but not limited to, creation of physical or psychological impediments to public use);

- The mobile home park has not historically been used by members of the general public for access or coastal use. Therefore there will not be any adverse impacts on public use of the area by the closing of the mobile home park.

(D) (2) (d) Physical Obstructions. Description of any physical aspects of the development which block or impede the ability of the public to get to or along the tidelands, public recreation areas, or other public coastal resources or to see the shoreline;

- The relatively flat site currently contains 41 one-story mobile home coaches. The closure of the mobile home park proposes removal of all the structures on the site, with the exception of the public bathroom which is to remain. The public does not use the property for coastal access, therefore the park closure will not block or impede the ability of the public to get to or along the tidelands, public recreation areas, or other public coastal resources. Removal of the existing structure will only increase views of the shoreline for the general public.

(D) (2) (e) Other Adverse Impacts on Access and Recreation. Description of the development's physical proximity and relationship to the shoreline and any public recreation area. Analysis of the extent of which buildings, walls, signs, streets or other aspects of the development, individually or cumulatively, are likely to diminish the public's use of tidelands or lands committed to public recreation. Description of any alteration of the aesthetic, visual or recreational value of public use areas, and of any diminution of the quality or amount of recreational use of public lands which may be attributable to the individual or cumulative effects of the development.

- The relatively flat site is located approximately 1,200' from the shoreline, with majority of Capitola Village way separating the property from the nearest coastal bluff. The nearest coastal recreation area is Capitola Beach which is approximately 1,200' to the south. The project will not diminish the public's use of tidelands or lands committed to public recreation as it currently is not used, proposed to be used, nor is needed by the public to access tidelands or the shoreline. The project is privately owned land and will therefore not alter the aesthetic, visual or recreational value of public use areas. In addition, the closing of the privately owned mobile home park will not diminish the quality or amount of recreational use of public lands as it does not border public lands nor is used for access to public lands used for recreation.

(D) (3) (a – c) Required Findings for Public Access Exceptions. Any determination that one of the exceptions of subsection (F) (2) applies to a development shall be supported by written findings of fact, analysis and conclusions which address all of the following:

a. The type of access potentially applicable to the site involved (vertical, lateral, bluff top, etc.) and its location in relation to the fragile coastal resource to be protected, the agricultural use, the public safety concern, or the military facility which is the basis for the exception, as applicable;

b. Unavailability of any mitigating measures to manage the type, character, intensity, hours, season or location of such use so that agricultural resources, fragile coastal resources, public safety, or military security, as applicable, are protected;

c. Ability of the public, through another reasonable means, to reach the same area of public tidelands as would be made accessible by an access way on the subject land.

- The project is not requesting a Public Access Exception, therefore these findings do not apply.

(D) (4) (a – f) Findings for Management Plan Conditions. Written findings in support of a condition requiring a management plan for regulating the time and manner or character of public access use must address the following factors, as applicable:

a. Identification and protection of specific habitat values including the reasons supporting the conclusions that such values must be protected by limiting the hours, seasons, or character of public use;

b. Topographic constraints of the development site;

c. Recreational needs of the public;

d. Rights of privacy of the landowner which could not be mitigated by setting the project back from the access way or otherwise conditioning the development;

e. The requirements of the possible accepting agency, if an offer of dedication is the mechanism for securing public access;

f. Feasibility of adequate setbacks, fencing, landscaping, and other methods as part of a management plan to regulate public use.

- No Management Plan is required; therefore these findings do not apply.

(D) (5) Project complies with public access requirements, including submittal of appropriate legal documents to ensure the right of public access whenever, and as, required by the certified land use plan and Section 17.46.010 (coastal access requirements);

- No legal documents to ensure public access rights are required for the proposed project.

(D) (6) Project complies with visitor-serving and recreational use policies;

- This finding does not apply as the subject property is located in the MHE (Mobile Home Exclusive) Zoning District and not within a zoning that has applicable visitor-serving or recreational policies.

(D) (7) Project complies with applicable standards and requirements for provision of public and private parking, pedestrian access, alternate means of transportation and/or traffic improvements;

- The project is closure of an existing mobile home park with no new proposed use. The site is proposed to remain vacant and therefore does not require any public or private parking nor alternate means of transportation and/or traffic improvements.

(D) (8) Review of project design, site plan, signing, lighting, landscaping, etc., by the city's architectural and site review committee, and compliance with adopted design guidelines and standards, and review committee recommendations;

- The project was not reviewed by the architectural and site review committee, as the project is closure of a mobile home park with no new development proposed.

(D) (9) Project complies with LCP policies regarding protection of public landmarks, protection or provision of public views; and shall not block or detract from public views to and along Capitola's shoreline;

- No public landmarks are affected by the project. No public view will be impacted to and along Capitola's shoreline.

(D) (10) Demonstrated availability and adequacy of water and sewer services;

- This finding does not apply as the closure of the mobile home park eliminates the need of water and sewer services.

(D) (11) Provisions of minimum water flow rates and fire response times;

- This finding does not apply as the closure of the mobile home park eliminates the existing structures and therefore the need for fire response.

(D) (12) Project complies with water and energy conservation standards;

- This finding does not apply as the closure of the mobile home park eliminates the existing structures and therefore the need for water and energy.

(D) (13) Provision of park dedication, school impact, and other fees as may be required;

- The project is closure of an existing mobile home park, therefore this finding does not apply.

(D) (14) Project complies with coastal housing policies, and applicable ordinances including condominium conversion and mobile home ordinances;

- The closure of the existing mobile home park complies with the requirements and procedures set by Municipal Code Section 17.90 to close a mobile home park.

(D) (15) Project complies with natural resource, habitat, and archaeological protection policies;

- The majority of the site is paved over and the project involves the removal of the existing mobile home coaches. No natural resources or habitat exist on site, and no excavation will take place that may affect any potential archaeological resources.

(D) (16) Project complies with Monarch butterfly habitat protection policies;

- The project is outside of any identified sensitive habitats, specifically areas where Monarch Butterflies have been encountered, identified and documented.

(D) (17) Project provides drainage and erosion and control measures to protect marine, stream, and wetland water quality from urban runoff and erosion;

All existing drainage and erosion control measures will remain on site and not be altered as part of the project.

(D) (18) Geologic/engineering reports have been prepared by qualified professional for projects in seismic areas, geologically unstable areas, or coastal bluffs, and project complies with hazard protection policies including provision of appropriate setbacks and mitigation measures;

- The project is not located within a geologically unstable area nor is there any construction involved as part of the project, therefore this finding does not apply.

(D) (19) All other geological, flood and fire hazards are accounted for and mitigated in the project design;

- The project is not located within a geologically unstable area nor within the flood plain. Removal of the mobile home coaches will eliminate all potential fire hazards.

(D) (20) Project complies with shoreline structure policies;

- The proposed development is not located on the shoreline and therefore does not require compliance with shoreline structure policies.

(D) (21) The uses proposed are consistent with the permitted or conditional uses of the zoning district in which the project is located;

- The project is to eliminate the mobile home park use. No new use is proposed, therefore this finding does not apply.

(D) (22) Conformance to requirements of all other city ordinances, zoning requirements, and project review procedures;

- The project conforms to the requirements of all city ordinances, zoning requirements and project development review and development procedures.

(D) (23) Project complies with the Capitola parking permit program as follows:

- The project is closure of an existing mobile home park, therefore this finding does not apply.

EXHIBIT 2

Coastal Development Permit Conditions of Approval

1. The project approval consists of a Coastal Development Permit for closure of the Pacific Cove Mobile home Park. The closure will eliminate 44 mobile home park spaces and remove all 41 mobile home coaches and all related structures, with the exception of the bathroom building which is to remain. All underground utility lines are to be abandoned in place and overhead utilities removed and disconnected at the property boundary. The existing roadways, pad and landscaping are proposed to remain. No coaches are to be demolished onsite.
2. Upon removal of the coaches and related structures, the applicant shall implement the approved Erosion Control Plan.
3. All utilities shall be abandoned safely and in accordance with State Housing and Community Development and utility provider standards.
4. The public restrooms shall be secured to prevent any potential nuisances.

RESOLUTION NO.

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CAPITOLA
RECOMMENDING THAT THE CITY COUNCIL
FIND THE RELOCATION IMPACT REPORT IS SUFFICIENT/INSUFFICIENT SUBJECT TO
REASONALBE MEASURES TO MITIGATE THE ADVERSE IMPACTS OF THE CHANGE OF
USE ON ELIGIBLE MOBILE HOME RESIDENTS**

WHEREAS, the State Mobile Home Residency Law, Civil Code Section 798, et seq., and Government Code Sections 65863.7, limit the grounds on which mobile home owners may be evicted from a mobile home park, protect their right to sell their mobile homes in a place in a mobile home park and authorize local jurisdictions to impose reasonable measures to mitigate the adverse impacts on displaced mobile home owners when a mobile home park closes or converts to another use; and

WHEREAS, the City of Capitola on December 13, 1984 adopted Ordinance number 576 adding Municipal Code Chapter 17.90 MOBILE HOME PARKS; and

WHEREAS, the City of Capitola on October 28, 1993 adopted Ordinance number 759 amended Municipal Code Chapter 17.90 MOBILE HOME PARKS; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Capitola recommends that the City Council take the following actions:

1. Find the Relocation Impact Report is sufficient/insufficient subject to the measures identified in Exhibit 1.

I HEREBY CERTIFY that the above and foregoing resolution was passed and adopted by the Planning Commission of the City of Capitola at a special meeting held on the 1st day of December, 2011, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gail Ortiz, Chairperson

ATTEST:

Susan Westman, Interim Community Development Director

EXHIBIT 1

Recommended measures not exceeding the reasonable costs of relocation to mitigate the adverse impacts of the change of use on eligible mobile home residents

Relocation Benefits and Amounts		Pre-2000 Occupant			Post-2000 Occupant		
Benefit Type	Amount	Full-time Owner	Part-time Owner	Tenant	Full-time Owner	Part-time Owner	Tenant
Actual and reasonable cost of moving home to replacement site.	Fixed Payment or Actual & Reasonable Expenses	Yes	Yes	Not Applicable	No	No	No
Fair Market Value of Mobile Home Only	Based on Appraised Value	Yes	Yes	Not Applicable	Yes	Yes	Not Applicable
Purchase Price Differential (PPD) - Difference Between the Acquisition Cost & Replacement Cost of New Mobile Home	Up to \$22,500 Unless Last Resort Housing Payments Are Required	Yes	No	Not Applicable	No	No	Not Applicable
Rental Assistance Payment - (RAP) - (Space Rent) - Difference Between the Displacement and Replacement Space Rent	Up to \$5,250 unless Last Resort Housing Payments Are Required	Yes	No	Not Applicable	No	No	No
Rental Assistance Payment - (RAP) - (Dwelling Rent) - Difference Between the Displacement and Replacement Dwelling Rent	Up to \$5,250 unless Last Resort Housing Payments Are Required	Yes - owners can convert PPD to RAP	No	Yes	No	No	No
Last Resort Housing Payments	Amount Required Over PPD or RAP for Displacee to Replace Housing	Yes	No	Yes	No	No	No

Capitola Municipal Code (17.90.030 Contents of relocation impact report.)	Summary of Pacific Cove Relocation Impact Report	Staff Response
A. A detailed description of any proposed or change of use, or change without new use;	The City is not proposing a new use at this time. There will be no physical changes to the real property. Existing personal property of residents will be removed from the property. Existing utility connections will be capped.	None
B. A timetable for conversion of the park;	Owners of the mobilhomes will be given 6 months notice of closure of Pacific Cove Mobile Home Park in January 2012. The expected closure and final day of operation will in July 2012.	Civil Code Section 798.56(g)(2) and City Code Sections 17.90.025 and 17.90.090 requires park management to give the homeowners six months, or more, written notice of termination of tenancy after approval of both the project and the determination of RIR sufficiency by the City.
C. A legal description of the park;	See RIR page 24	Both a legal and physical description of the property is included in the RIR
D. The number of spaces in the park, length of occupancy by the current occupant of each space and current rental rate for each space;	See RIR page 37	The applicant has provided the length of occupancy and the rental rate for each space.
E. The date of manufacture and size of each mobile home;	See RIR: Page 70, Attachment 3	None
F. Appraisals addressing relevant issues identified by the director. A qualified appraiser shall be selected by the city and the cost of the appraisals shall be borne by the applicant. The appraisals shall identify those mobile homes which cannot be moved due to type, age or other considerations. Appraisal information shall be provided on the effect upon the homeowner's investment in the mobile home,	See Appraisal Report of Pacific Cove Mobile Home Park	None

such as the change in value of effected mobile homes that would result from the proposed change in use;		
G. The results of questionnaires to all homeowners/occupants regarding the following: whether the occupant owns or rents, whether this is the only residence, occupants' ages, whether the occupants have disabilities that would be aggravated by the moving process, the purchase date and price paid by the mobile home owner, the costs incurred by the mobile home owner in improving the home, and the amount and relevant terms of any remaining mortgage. Answering such questionnaire shall be voluntary;	Results of such questionnaires are provided Attachment 1 of the RIR. Tables 1-11 generally provide this information.	Copies of the actual survey responses have been redacted by the City as it includes personal information about tenants of the Pacific Cove Mobilehome Park.
H. The name and mailing address of each eligible resident, mobile home tenant, mobile home resident, resident mobile home owner and legal owner of a mobile home in the park;		Omitted to protect the privacy of owners and tenants.
I. The purchase price of condominiums similar in size to the mobile homes within a reasonable distance, and the rental rates and moving costs involved in moving to an apartment or other rental unit within a reasonable distance including, but not limited to, fees charged by moving companies and any requirement for payment of the first and last month's rent and security deposits;	See RIR page 39	None
J. A list of comparable mobile home parks within a twenty-mile radius and a list of comparable mobile home parks within a radius of twenty-five to fifty miles of the applicant's mobile home park. For each comparable park, the list should, if possible, state the criteria of that park for accepting relocated mobile homes, rental rates and the name, address and telephone number of the park representative	See RIR Page 41, Table 8 and Attachment 4.	None

<p>having authority to accept relocated homes, including any written commitments from mobile home park owners willing to accept displaced mobile homes. The purpose of the requirements in this subsection are to provide information necessary to create appropriate relocation compensation. It is not meant to suggest that the city, in any sense, favors tenants having to move out of any mobile home park in Capitola.</p>		
<p>K. Estimates from two moving companies as to the minimum and per mile cost of moving each mobile home, including tear-down and set-up of mobile homes and moving of improvements such as porches, carports, patios and other moveable amenities installed by the residents. Said moving companies shall be approved by the director prior to inclusion in the final RIR.</p>	<p>See RIR Page 67 , Table 11 and Attachment 7, Page 101</p>	<p>None</p>
<p>L. Proposed measures to mitigate the adverse impacts of the conversion upon the mobile home park residents.</p>	<p>See RIR Pages 53-64</p>	<p>None</p>
<p>M. Identification of a relocation specialist to assist residents in finding relocation spaces and alternate housing. The specialist shall be selected by the applicant, subject to the city's approval, and shall be paid for by the applicant. (Ord. 759 (part), 1993)</p>	<p>The RIR identifies Overland Pacific Cutler as the relocation specialist to assist residents in finding alternate housing.</p>	<p>None</p>

**PACIFIC COVE MOBILE HOME PARK
426 CAPITOLA AVENUE
CAPITOLA, CA 95010**

**RELOCATION IMPACT REPORT
&
RELOCATION PLAN**

Prepared For

**THE CITY OF CAPITOLA
420 CAPITOLA AVENUE
CAPITOLA, CA 95010**

PREPARED BY



**7901 OAKPORT STREET, SUITE 4800
OAKLAND, CA 94621-2015
510.638.3081**

TABLE OF CONTENTS

EXECUTIVE SUMMARY	4
INTRODUCTION	9
	9
	10
	10
	12
	13
	14
	15
	16
A. EXISTING CONDITIONS	17
	17
	21
	24
	31
	31
	32
	35
	35
	38
B. REPLACEMENT HOUSING RESOURCES	39
	39
	40
	41
C. CONCURRENT RESIDENTIAL DISPLACEMENT	42
D. TEMPORARY HOUSING	42
E. PROGRAM ASSURANCES AND STANDARDS	43
F. STATE MOBILEHOME PARK CLOSURE LAWS	44
	44
	48
G. RELOCATION ASSISTANCE PROGRAM	49
H. CITIZEN PARTICIPATION/PLAN REVIEW	51
I. RELOCATION BENEFIT CATEGORIES	53
	54
	55
	55
	58

	<u>Summary of Relocation Benefits</u>	61
J. PAYMENT OF RELOCATION BENEFITS		62
K. RELOCATION TAX CONSEQUENCES		62
L. APPEALS POLICY		62
M. EVICTION POLICY		63
N. PARK CLOSURE AND RELOCATION TIMELINE		64
O. ESTIMATED PARK CLOSURE AND RELOCATION COSTS		64
TABLE OF ATTACHMENTS		67

TABLE OF TABLES and FIGURES

Table 1: General Description of Spaces Impacted	13
Table 2: Tenant Reported Occupancy and Space Utilization	23
Table 3: Age of Occupants	33
Table 4: Stated Income Distribution	34
Table 5: Stated Unit Size	35
Table 6: Space Rent Distribution	36
Table 7: Reported Length of Occupancy and Rent	37
Table 8: Parks within 20 Miles	40
Table 9: Summary of Relocation Benefits	60
Table 10: Park Closure Cost Estimate	65
Table 11: Mobile Move Bid Results	66
Figure 1: Regional Location	19
Figure 2: Area Location	20
Figure 3: Assessor Map	29
Figure 4: Plotted Easements	30

EXECUTIVE SUMMARY

The City of Capitola (City) is considering closure of the Pacific Cove Mobile home Park (Park). The Park is owned by the City and is situated in the Coastal Zone within the City's jurisdictional limits. Park closure is being considered in light of the March 24, 2011 flood event that resulted in substantial damage to the Park's infrastructure and to many of the mobile homes in the Park. It is apparent to the City Council that given the Park's physical location, the property damage from the March 2011 flood event, and the hazards posed by the Park property, it is unlikely the Park can be rebuilt to adequately protect life and property at the Park site.

Should the City Council vote to close the Park, the City does not have a planned new use for the site. It is anticipated that, should the City elect to close the Park, future uses for the site will be considered in the context of the City's General Plan update.

As explained below, because the Park closure would constitute a project undertaken by the City, certain State statutes and regulations are implicated which require the City, under certain circumstances, to pay Park residents who will be dislocated as a result of the Park closure compensation in the form of relocation benefits which are intended to underwrite certain costs the dislocated Park residents can be expected to incur in reestablishing residence at another location.

As further explained below, because the Park is located in the City's Coastal Zone and because the Park currently hosts a number of low and moderate income households, the City is statutorily required to ascertain whether it is feasible to provide replacement housing units dedicated to low and moderate income households at other locations within the Coastal Zone and in a number sufficient to replace corresponding low and moderate housing units which are demolished as a result of the Park closure project.

Accordingly, the required relocation plan is intended to address the relocation assistance needs of current Park residents while the replacement housing plan is

not necessarily intended to benefit current Park residents, but rather to assure, to the extent feasible, that housing units affordable to low and moderate income households are not eliminated in the Coastal Zone as a result of the City's implementation of its Park closure project.

The Park hosts 44 mobile home spaces. In turn, these 44 mobile home spaces currently host 41 mobile homes, most of which are currently occupied by residents who either own the mobile home and rent the space upon which the mobile home is located or alternatively sublet the mobile home from the mobile home owner. Since the City owns the Park, space rents are paid by the mobile home owner to the City. In three instances, the City owns the mobile home and directly rents the mobile home to that mobile home's tenant.

The relocation benefits which the City must confer upon current Park residents are delineated and defined in the California Relocation Assistance and Real Property Acquisition Guidelines (the "Guidelines") set forth at Title 25, California Code of Regulations, Chapter 6, Sections 6000 et. seq.

Under California law, in order for a public or private owner of a Mobile Home Park (MHP) to change the use, suspend (or cessation) its use or close a MHP, it must prepare a Relocation (or Closure) Impact Report (RIR). In addition, parties are displaced for a project utilizing public funds or by a public entity; a relocation plan is required by California Relocation Assistance Law (CRAL) and Guidelines.

This plan was developed to satisfy the requirements for a RIR and relocation plan per Government Code Section 65863.7(a), the City of Capitola Municipal Code (17.90.30), and California Government Code Sections 7260-7277 (California Relocation Assistance Law or CRAL).

The subject of this RIR and relocation plan is the Pacific Cove Mobile Park (the Park) located at 426 Capitola Avenue in Capitola. The City acquired the Park in

1984. Substantial damages caused by a ruptured sub-surface storm drain pipe during a heavy storm on March 24, 2011, raised concerns of long-term viability of continued use of the property as a residential mobile home park. On April 29, 2011, the City Council unanimously voted to consider the closure of the Park.

Presently, the Park contains 44 spaces for mobile home use. Should the Park be closed, there will be 36 potential displacements, which include the 30 coach owners and six (6) tenant occupants. Of these 36 potential displacements, 24 are deemed to be potentially eligible to receive relocation benefits. Final eligibility will be subject to residents completing an eligibility interview.

The City hired the firm Overland, Pacific and Cutler (OPC) to prepare this RIR and relocation plan. The firm Desmond Marcello and Amster (DM&A) was hired to prepare an appraisal of the coaches within the Park. OPC and DM&A carried out relocation impact survey and appraisal inspections between July 26 and August 17, 2011.

Based on the results of OPCs relocation survey (or interviews), income information was provided by 11 occupants. Seven (7) of the mobile homes are occupied by low income households (those earning 80% or less of the Area Median Income) and four (4) were moderate income and above (those earning 80% - 120% and greater than 120% respectively of the Area Median Income). Income data for the remaining occupants will be required to calculate their maximum relocation benefits.

Because the Park is located in a Coastal Zone and the closure would impact low income households provisions for replacement housing must be made under California Government Code Section 65590 (aka the Mello Act). OPC has prepared a replacement housing plan to address this requirement, as well.

The closure of the Park will require the payment of certain relocation benefits under CRAL and mobile home park closure law. Should the Park be closed, owners will

have the option to move their home to another location or the City may purchase the home from them if it cannot be moved.

If the home can be moved, the owner may be eligible for actual and reasonable cost to move the home to a replacement park. In addition, the owner may be eligible for a rental assistance payment for the differential in space rent between the replacement park and the displacement park (Pacific Cove), and moving expenses for their personal property (household goods).

Monetary benefits for replacement housing costs, in cases where the coach cannot be moved and must be replaced, are limited to primary residents of the park (those who occupy the park as their primary residence and not as a second home or own the property as a rental property).

Beginning in May 2000, new residents at the Park, as part of their lease, were provided notification that the Park would be closed and they would not be eligible to receive relocation benefits. This notification signifies that the Park is not a permanent location for housing.

In order to be eligible for these benefits, an occupant must have occupied the Park prior to May 2000. Tenant occupants of a coach owned by another party may also be eligible for relocation rental assistance to rent a replacement home; tenants must have also occupied the coach prior to May 2000.

Furthermore, tenants must have resided in the coach for at least 90 days prior to May 2000; owner occupants must have resided in the coach 180 days prior to May 2000.

Primary resident owners, renters and non-resident second home owners residing at the property prior to May of 2000 are eligible to receive reimbursement for moving cost of personal property.

In order to close the Park, this plan must be submitted and accepted as being complete by the City's Community Development Director. The plan must then be provided to the Park residents for a 30 day review and comment period. The City's Planning Commission must also hear the plan and make a recommendation to the City Council to adopt the plan or reject the plan. The Council would have to approve the RIR in order to close the Park. Should the Council vote to close the Park, residents would receive a minimum of 180 Days Notice of Termination of Tenancy per Civil Code Section 798.56. CRAL requires a subsequent 90 Day Notice to Vacate prior to residents being required to move. No eligible resident will be required to move until referral to at least one replacement housing unit is made available to them.

It is expected that the Planning Commission will hear this plan on December 1, 2011 after the closure of the 30 day review and comment period by the residents. The City Council may hear the plan on December 8, 2011. A closure notice and relocation activity would follow the Council's vote, if it votes to close the Park.

Should the City Council vote to close the Park, the estimated cost of the closure is estimated at \$2.1 million. This figure assumes the acquisition of the coaches at the Fair Market Value as well as the payment of relocation benefits to those residents preliminarily deemed eligible. Final eligibility will subject to residents completing an eligibility interview.

This document is required and it is designed to meet the requirements of California Mobile Home Park Closure Law, the City of Capitola Municipal Code for the RIR for the City of Capitola (the City) and California Relocation Assistance Law to consider the closure of the Pacific Cove Mobile Home Park (the Park).

INTRODUCTION

Under California law, in order for a public or private owner of a Mobile Home Park (MHP) to change the use, suspend (or cessation) its use or close a MHP, it must prepare a Relocation (or Closure) Impact Report (RIR). The statutes under California law are described below.

When private parties are displaced for a project utilizing public funds, a relocation plan is required by California Relocation Assistance Law (CRAL) and Guidelines. These statutes are described below.

Because this Park is located within a Coastal Zone, provisions must be made to comply with Government Code Section 65590, also known as the Mello Act. The Mello Act requires analysis of the feasibility of providing replacement housing resources within the Coastal Zone. Although a separate replacement housing plan will be prepared, this plan does consider existing replacement dwelling units located with the Coastal Zone.

This plan was prepared for the Pacific Cove Mobile Home Park (the Park) located at 426 Capitola Avenue in Capitola, CA. This document is designed to satisfy the requirement for both the RIR and the relocation plan, which the Capitola City Council must review and improve prior to closure of this MHP or others.

California Mobile Home Park Laws

California is unique in its protection of Mobile Home Park (MHP) Residents. Several statutes (California Government Code Section 65863.7 and Civil Code Chapter 2.5 Section 798.56) are in place which provide the requirements and guidance on how either the cessation (or suspension) of use or closure of a MHP should be analyzed and planned. The applicable State Laws are discussed in later portions of this plan in Section F. In addition to State Law, the Capitola's Municipal Code (Muni Code) also provides strong guidance on the contents necessary and the data required in an

RIR. Chapter 17.90 of the Muni Code is the local implementing ordinance for park closures.

California Relocation Law

This Plan sets forth policies and procedures necessary to conform with statutes and regulations established by the California Relocation Assistance Law, California Government Code Section 7260 et seq. (the "CRAL") and the California Relocation Assistance and Real Property Acquisition Guidelines, Title 25, California Code of Regulations, chapter 6, section 6000 et seq. (the "Guidelines").

If at a point in the future, this park closure becomes federalized through the use of federal funds including, but not limited to the Community Development Block Grant (CDBG) and/or HOME programs, the Relocation Program and benefits will conform to the Uniform Relocation Act (42 U.S.C. § 4600 et seq.), its implementing regulations (49 C.F.R.) Part 24) as well as regulations of the applicable funding source; Section 104(d) of the Housing and Community Redevelopment Act of 1974.

Mello Act

The requirement to prepare a replacement housing plan, intended to protect against the loss of low and moderate income housing units in the Coastal Zone, is set forth in the Mello Act, California Government Code Section 65590. Pursuant to that statute, the conversion or demolition of Coastal Zone residential dwelling units occupied by persons and families of low or moderate income shall not be authorized unless provision has been made for the replacement of those dwelling units with units for persons and families of low and moderate income. The replacement dwelling units must be located within the same city or county as the dwelling units proposed to be converted or demolished. The replacement dwelling units must be located on the site of the converted or demolished units (in this case the Park) or elsewhere in the within the Coastal Zone if feasible or if location on the site or

elsewhere in the Coastal Zone is not feasible, the replacement dwelling units must be located within three miles of the Coastal Zone. Furthermore, the replacement dwelling units must be provided and available for use within three years from the date upon which work commences on the project resulting in the conversion or demolition of the subject residential dwelling units.

The Mello Act requirements for replacement dwelling units, among other circumstances, do not apply under the following circumstances unless the local government determines that replacement of all or any portion of the converted or demolished residential dwelling units is feasible: where the residential dwelling units are converted or demolished in connection with a project that will put the subject property to a coastal dependent or coastal related use which is consistent with the City's local coastal program such as visitor serving commercial or recreational facilities; where the conversion or demolition of the subject Coastal Zone residential dwelling units will take place within a jurisdiction such as the City in which the area encompassing the Coastal Zone, and three miles inland, has less than 50 aggregate acres of land that is vacant, privately owned and available for residential use. Each of these two exceptions is potentially applicable with reference to the City's Park closure project and, accordingly, might provide a basis for excusing the City from adopting a replacement housing plan if, and to the extent that, the City determined that replacement of all or any portion of the converted or demolished residential dwelling units is infeasible. For purposes of the Mello Act, replacement housing is "feasible" if it is capable of being developed in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technical factors.

As explained below, despite the fact that both of the foregoing exceptions potentially appear to apply to the City's Park closure project, the City may determine that it would be feasible to provide for the requisite number of replacement housing units in compliance with the Mello Act and, accordingly, the City may therefore make a policy decision to comply with the Mello Act.

Intent of This Document

The City does not have a planned use for the property should the City Council vote to close Pacific Cove Mobile Park, however, this document is required and it is designed to meet the requirements of California Mobile Home Park Closure Law and the City of Capitola Municipal Code for the RIR for the City of Capitola (the City) to consider the closure of the Pacific Cove Mobile Home Park (the Park).

This document was prepared with the intent to meet the statutory requirements for a relocation plan.

The plan has been prepared to evaluate the present circumstances and replacement housing requirements and needs of the park occupants in terms of relocation to replacement housing. Relocation efforts will be carried out under the primary direction of the City and the City will have direct responsibility for implementation of this Plan through its direction to Overland, Pacific and Cutler, its relocation agent.

In this document, the following topics are addressed and described,

- Background of the park, its location and legal description
- Legal framework for a park closure
- Park closure timeline and process
- Appraisal process and results
- Relocation interview results
- Resident demographic information
- Comparable housing and park Survey
- Relocation cost estimate including moving estimates, and
- Mitigation measures including the proposed relocation program

An understanding and analysis of these topics, as later explained, are necessary and required in order for the Capitola City Council to make an informed decision regarding the future of the Park.

Potential Impacts

This park closure, should it be approved, would impact as many as 30 privately owned mobile homes. The closing of the Park could result in as many as 36 displacements of tenant occupants (within City and Privately owned coaches), owner occupants and absentee owners of coaches. According to the self-reported data, seven of the households that would be displaced are low income (those earning 80% or less of the area median income).

A snap shot of the spaces within the park and the type of occupancy identified is shown in Table 1 below. This data is based on the results of the occupant tenant survey as well as a review of data provided by the Park management.

Table 1: General Description of Spaces Impacted

Space Occupancy Classification	# Coaches	# Relocation cases
Privately Owned		
Occupied Full-time by Owner	14	14
Occupied Part-time by Owner	8	8
Un-Occupied Coach: Absentee Owners	4	4
Tenant Occupied	3	6 (tenant and owner)
Occupancy Un-known	1	1
Total Impacted Privately Owned	30	33
City Owned		
Tenant Occupied	3	3
Empty Coach*	8	
Empty Space*	3	
Total Impacted City Owned Spaces & Coaches	14	
Total Spaces Considered in Park Closure	44	
Potential Relocation Cases */^		36

* Excludes empty spaces and empty City owned coaches

^ To be verified via eligibility interviews for relocation benefits

Primary Residency

If the City Council votes to close the park, the residents of the Park to be displaced (that claim that the Park is their primary residence) will be required to provide verification that the Park is their primary residence. Primary residency must have been established prior to March 24, 2011. March 24 signifies the date of the flood event, which has led the City to pursue closure of the Park. Residents who have taken steps to claim primary residency after this date will not be considered as Primary Residents of the Park. As part of implementing the RIR, methods to be used to verify Park residency status will include, but are not limited to the following. Multiple documents will be required.

- Copy of Property Tax Bill showing the Park address as the mailing address for statements
- Utility Bills showing the Park address as the mailing address for such statements
- Copy of Registration for the Coach showing the Park as the mailing address
- Copy of Mortgage or Loan Statement showing the Park as the mailing address for such statements
- Title showing the Park as the mailing address
- Declaration of Homestead, which has been notarized and recorded with the Santa Cruz County Records Office

Eligibility for Relocation Benefits

Not all current residents at the Park will be eligible for monetary relocation benefits should the City Council vote to close the Park. Beginning in May 2000, new residents at the Park, as part of their lease, were provided notification that the Park would be closed and they would not be eligible to receive relocation benefits. This notification signifies that the Park is not a permanent location for housing.

In order to be eligible for these benefits, an occupant must have occupied the Park prior to May 2000. Tenant occupants of a coach owned by another party may also be eligible for relocation rental assistance to rent a replacement home; tenants must have also occupied the coach prior to May 2000.

Furthermore tenants must have resided in the coach for at least 90 days prior to May 2000; owner occupants must have resided in the coach 180 days prior to May 2000. Primary resident owners, renters and non-resident second home owners residing at the property prior to May of 2000 are eligible to receive reimbursement for moving cost of personal property.

Non-resident second homeowners who have resided in the Park prior to May 2000 are not eligible for replacement housing payments; however, they may be eligible for moving assistance to relocate personal property from the Park. There are 24 potentially eligible persons and households to receive relocation benefits. Final eligibility will be determined in an eligibility interview during the implementation of the RIR and relocation plan.

A more detailed description of relocation benefits available is located in Sections G and I of this plan. A summary table (Table 9) can be found on page 60.

Identified Relocation Specialist

Pursuant to City Ordinance 759 (part 1993) as described in the Muni Code (17.90.30 (M)), the applicant, which in this case is the City, is required to identify a relocation specialist to work with the parties impacted by the park closure.

Overland, Pacific & Cutler, Inc. (OPC), an experienced acquisition and relocation firm, was selected through a competitive request for proposal (RFP) process and has entered into a contract with the City of Capitola to prepare this RIR and Relocation Plan. OPC is also expected to subsequently provide the required relocation assistance.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

A. EXISTING CONDITIONS

Project Location – City of Capitola

Carolyn Swift of the City of Capitola Museum writes that “Capitola is built on the location of an Indian village that existed for more than a thousand years.” The establishment of the Santa Cruz Mission in approximately 1791 led to the near extinction of the Soquel “Rancheria” and like so many areas in modern day California, the area’s native culture nearly vanished completely. The period between the establishment of the Mission and California’s statehood in 1850, and the birth of Santa Cruz County, was known as the Mexican era. “German immigrant Frederick Hihn—a pioneer credited with developing much of the county’s early industry—acquired the site of present-day Capitola from the Castro family.”¹

“Hihn leased the beach flat to Soquel pioneer Samuel A. Hall in 1869. Hall saw that the landscape that provided refuge from the summer heat could also be profitable. His foresight created the place known now as the oldest resort on the Pacific Coast. Once Capitola prospered, Hihn took over direct control of the enterprise, and subdivided lots for sale beginning in 1882. Hihn died in 1913, but his daughter waited until after World War I to sell off the Capitola portion of his estate. Henry Allen Rispin, a speculator from San Francisco, bought Capitola in 1919 with plans to build an updated, fashionable haven. Among his ventures were a reconfiguration of the Esplanade, construction of the Venetian Courts, and development of a golf course. Overextended and losing his estate to foreclosures by 1927, Rispin left Capitola after the start of the Great Depression of 1929, and never returned. Capitola’s community of permanent residents stepped forward to guide Capitola in the following decades. The village became the third city in Santa Cruz County after an incorporation election in January 1949.”²

¹ Carolyn Swift, City of Capitola website

² Carolyn Swift, City of Capitola website

Figures 1 and 2 below show the regional and local locations of Capitola in terms of its proximity to the San Francisco Bay Area, Silicon Valley and the Central Valley. This makes Capitola an attractive vacation and second home location as well as its chief amenities such as the Monterrey Bay and the Santa Cruz Mountains that help Capitola draw thousands of visitors each year and have made it home to over 10,000 residents.

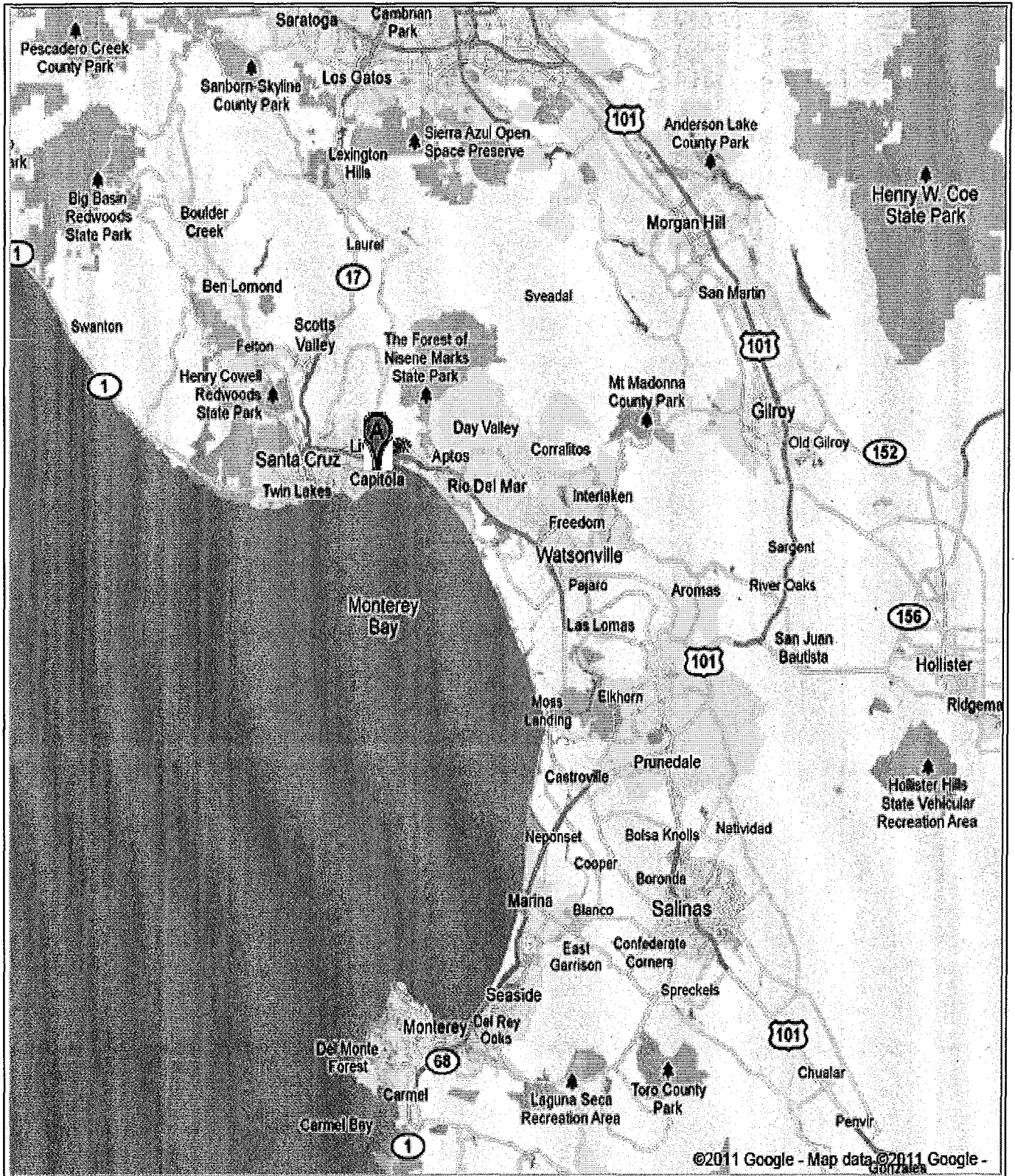
[REMAINDER OF PAGE INTENTIONALLY BLANK]

DRAFT

Figure 1: Regional Location



Figure 2: Area Location



Subject Park – Pacific Cove Mobile Home Park

The Pacific Cove Mobile Park (the Park), located at 426 Capitola Avenue in Capitola, CA is owned by the City of Capitola. The park is directly north of the Southern Pacific railway and adjacent to Capitola City Hall. The park is situated in the lower portion of an area owned by the City of Capitola which is approximately six acres in total. The upper level of the area is a public parking lot. A site specific map is shown in Figure 4 found on page 30.

In 1981 the City of Capitola adopted a Local Coastal Plan as required by the California Coastal Act of 1976. In order to advance the Coastal Act's goal of assuring public access to coastal resources, the plan included a policy of providing 300 to 400 new parking spaces for Capitola's beach users.

In October 1983 the City Council formed a "Blue Ribbon Parking/Traffic Committee." This committee was given the responsibility to develop a master plan for traffic, parking and pedestrian improvements in Capitola Village and to make recommendations on how to acquire sufficient additional parking facilities to implement the City's Local Coastal Plan. One of the Committee's recommendations in December 1983 was that the Pacific Cove Mobile Home Park be purchased and converted to parking resources.

In September 1984 the Council authorized the City Manager to purchase the park for the negotiated price of \$1,500,000. The City assumed ownership of the park in October 1984.

Over several years, the City worked to clear the upper park in order to develop that site as a parking lot. The parking lot on the upper site opened for use in July of 1987. The City has studied various use options on the lower site; however, to date does not have a planned use yet determined.

On March 24, 2011, the Park sustained substantial damages caused by a ruptured sub-surface storm drain pipe during a heavy storm. The City has raised concerns that long-term the Park is not in a condition to continue its residential use. On April 29, 2011 the City Council unanimously voted to consider the closure of the Park.

The subject of this RIR is the remaining 45 spaces at the Park. Of these spaces, 41 are occupied with coaches. There, 30 of these spaces have privately owned coaches and 11 are owned by the City.

A description of the existing conditions by space is shown in Table 2 below.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

Table 2: Tenant Reported Occupancy and Space Utilization

Space #	Ownership		Tenant Occupied Coach		Private Owner Occupied/Utilized Coach				Other Vacant Coach (City)
	City	Private	City Owned	Privately Owned	Full-time	Part-time	Un-occupied	Occupancy Unknown	
40		X				X			
41	X								X
42		X					X		
43		X		X					
45	X		X						
46	X								X
47		X				X			
48		X						X	
49		X			X				
50		X				X			
51	X								X
53		X				X			
54		X				X			
56		X			X				
57		X					X		
58	X								X
59		X					X		
60		X			X				
62		X			X				
63		X			X				
64		X			X				
65	X		X						
66		X		X					
67		X		X					
68		X			X				
69		X			X				
70	X								X
71		X			X				
72	X								X
73	X								X
74		X				X			
75		X			X				
76		X			X				
77		X			X				
78		X				X			
79	X								X
80		X				X			
81	X		X						
82		X			X				
83		X			X				
84		X					X		

Spaces 44, 55 and 61 are omitted as they empty spaces (No Coach emplaced)

Notes:

Park Legal Description

Below is the best available legal description of the Park, which includes several assessor parcel numbers. This description is taken from a Preliminary Title Report provided by the City the Capitola as prepared by for the City by Santa Cruz Title Company on August 28, 2008. The appropriate assessor map for the park is shown in Figure 3 and the known easements for the park are shown in Figure 4 below.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

DRAFT

LEGAL DESCRIPTION

The land referred to herein is situated in the State of California, County of Santa Cruz, City of Capitola, and described as follows:

PARCEL ONE:

BOUNDED NORTHERLY BY THE SOUTHERLY LINE OF SUBDIVISION NO. 1 OF WELCH'S ADDITION TO CAPITOLA AS SAID MAP WAS FILED FOR RECORD OCTOBER 18, 1930, IN MAP BOOK 25, PAGE 14, RECORDS OF SANTA CRUZ COUNTY; SAID SOUTHERLY LINE OF SAID WELCH'S SUBDIVISION BEING THE CENTER LINE OF NOBLE GULCH; BOUNDED ON THE EASTERLY LINE BY THE WESTERLY LINE OF BAY AVENUE; ON THE SOUTHERLY SIDE BY THE NORTHERLY LINE OF THE RAILROAD RIGHT OF WAY OF THE SOUTHERN PACIFIC COMPANY, WHERE SHOWN NORTHWESTERLY OF BLOCKS "H", "I" AND "J" ON MAP ENTITLED, "CAPITOLA," FILED FOR RECORD APRIL 25, 1888, IN MAP BOOK 10, PAGE 13, RECORDS OF SANTA CRUZ COUNTY; AND ON THE WESTERLY SIDE BY CAPITOLA AVENUE AS SHOWN ON MAP ENTITLED "CAPITOLA SUBDIVISION NO. 6," FILED MAY 13, 1922, IN MAP BOOK 18, PAGE 136, RECORDS OF SANTA CRUZ COUNTY.

PARCEL TWO:

LOT 1, AS SHOWN UPON THAT CERTAIN MAP ENTITLED "SUBDIVISION NO. 1 OF WELCH'S ADDITION TO CAPITOLA," FILED FOR RECORD OCTOBER 18, 1930, IN MAP BOOK 25, RECORDS OF SANTA CRUZ COUNTY.

PARCEL THREE:

LOTS 4 TO 19 INCLUSIVE AS SHOWN UPON THAT CERTAIN MAP ENTITLED "SUBDIVISION NO. 1 OF WELCH'S ADDITION TO CAPITOLA," FILED FOR RECORD OCTOBER 18, 1930, IN MAP BOOK 25, PAGE 14, RECORDS OF SANTA CRUZ COUNTY,

RESERVING AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCELS:

(A) THE LANDS CONVEYED BY THE F.A. HINN COMPANY, A CORPORATION, TO SOUTHERN PACIFIC RAILROAD COMPANY, A CORPORATION, BY DEED DATED AUGUST 9, 1904, RECORDED AUGUST 17, 1904 IN BOOK 155 OF DEEDS, PAGE 438, RECORDS OF SANTA CRUZ COUNTY, AS FOLLOWS:

THAT CERTAIN PARCEL OF LAND SITUATED ON THE NORTHERLY SIDE OF AND ADJACENT TO THE RIGHT OF WAY OF SAID PARTY OF THE FIRST PART, AND BEING BOUNDED BY A LINE BEGINNING AT A POINT ON THE NORTHERLY LINE OF THE RIGHT OF WAY OF THE SOUTHERN PACIFIC COMPANY'S SANTA CRUZ BRANCH, ENGINEERS STATION 830 X 50 IN THE CENTER LINE OF THE MAIN TRACK, OF SAID BRANCH, BEING DISTANT 25 FEET SOUTHERLY THEREFROM MEASURED AT RIGHT ANGLES THEREWITH; THENCE AT RIGHT ANGLES WITH SAID CENTER LINE NORTHERLY 13 FEET; THENCE EASTERLY AND PARALLEL WITH SAID CENTER LINE

AND 38 FEET DISTANT NORTHERLY THEREFROM TO A POINT ON THE WESTERLY SIDE OF BAY AVENUE, DISTANT 30 FEET WESTERLY FROM THE CENTER LINE OF SAID BAY AVENUE; THENCE SOUTHERLY ALONG SAID WESTERLY LINE OF BAY AVENUE TO A POINT ON THE NORTHERLY LINE OF SAID RIGHT OF WAY, DISTANT 25 FEET NORTHERLY FROM SAID CENTER LINE OF SAID MAIN TRACK MEASURED AT RIGHT ANGLES THEREWITH; THENCE WESTERLY PARALLEL WITH AND 25 FEET DISTANT NORTHERLY FROM SAID LAST MENTIONED CENTER LINE TO THE PLACE OF BEGINNING.

(AFFECTS PARCEL ONE HEREINBEFORE DESCRIBED.)

(B) THE LANDS CONVEYED BY NETTIE L. WIEGEL, A SINGLE PERSON, TO CHARLES CALVIN CARSON, ET UX, BY DEED DATED SEPTEMBER 2, 1941, RECORDED OCTOBER 2, 1941 IN BOOK 427, PAGE 98, OFFICIAL RECORDS OF SANTA CRUZ COUNTY, AS FOLLOWS:

BEING A PART OF LOT 1 AS SHOWN AND DESIGNATED ON THE MAP ENTITLED "SUBDIVISION NO. 1 OF WELCH'S ADDITION TO CAPITOLA." FILED FOR RECORD OCTOBER 18, 1930 IN MAP BOOK 25, PAGE 14, RECORDS OF SANTA CRUZ COUNTY. DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHEASTERLY LINE OF BEULAH DRIVE AT THE MOST WESTERLY CORNER OF LOT 2 AS THE SAME IS SHOWN AND DESIGNATED ON THE ABOVE ENTITLED MAP; THENCE FROM SAID POINT OF BEGINNING AND ALONG THE SOUTHWESTERLY LINE OF SAID LOT 2, SOUTH 37 DEGREES 43' EAST 50.00 FEET TO A POINT; THENCE LEAVING THE SOUTHWESTERLY LINE OF SAID LOT 2, SOUTH 52 DEGREES 17' WEST 50.00 FEET TO A POINT; THENCE NORTH 37 DEGREES 43' WEST 50.00 FEET TO A POINT AT THE INTERSECTION OF THE SOUTHEASTERLY LINE OF BEULAH DRIVE WITH THE EASTERLY LINE OF CAPITOLA AVENUE; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID BEULAH DRIVE, NORTH 52 DEGREES 17' EAST 50.00 FEET TO THE PLACE OF BEGINNING.

(AFFECTS PARCEL TWO HEREINBEFORE DESCRIBED.)

 [DESCRIPTION CONTINUED ON FOLLOWING PAGE]

PRARCEL. THREE CONTINUED:

(C) THE LANDS CONVEYED BY EDGAR MC GOWAN, ET UX, TO THE CAPITOLA CHAMBER OF COMMERCE, A CORPORATION, BY DEED DATED APRIL 11, 1946, RECORDED APRIL 17, 1946 IN BOOK 652, PAGE 82, OFFICIAL RECORDS OF SANTA CRUZ COUNTY. AS FOLLOWS:

BEING IN THE SOQUEL RANCHO AND BEING A PORTION OF THE LANDS CONVEYED TO EDGAR MC GOWAN AND BEULA S. MC GOWAN, HIS WIFE, BY DEED RECORDED DECEMBER 26, 1944 IN BOOK 491, PAGE 259, OFFICIAL RECORDS OF SANTA CRUZ COUNTY. AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING ON THE EASTERLY LINE OF CAPITOLA AVENUE AS SHOWN ON MAP ENTITLED "SUBDIVISION NO. 1 OF WELCH'S ADDITION TO CAPITOLA," FILED FOR RECORD OCTOBER 18, 1930, IN MAP BOOK 25, PAGE 14, RECORDS OF SANTA CRUZ COUNTY, AT A POINT FROM WHICH THE SOUTHERLY CORNER OF LOT 1 AS SHOWN ON SAID ABOVE MENTIONED MAP BEARS SOUTHERLY ALONG SAID LINE OF SAID AVENUE ON AN ARC OF 480 FEET RADIUS, A DISTANCE OF 4.57 FEET; THENCE FROM SAID POINT OF BEGINNING ALONG SAID LINE OF CAPITOLA AVENUE SOUTHERLY CURVING TO THE LEFT WITH A RADIUS OF 480 FEET THROUGH AN ANGLE OF 5 DEGREES 22' 17" FOR A DISTANCE OF 45.0 FEET TO A POINT FROM WHICH A PIPE AT END OF CURVE BEARS SOUTHERLY ALONG SAID CURVE 15.0 FEET DISTANT; THENCE LEAVING SAID AVENUE AND RUNNING ALONG A RADIAL LINE NORTH 73 DEGREES 17' EAST 100.0 FEET; THENCE NORTH 56 DEGREES 51' WEST 58.78 FEET TO A POINT FROM WHICH THE POINT OF BEGINNING BEARS SOUTH 73 DEGREES 17' WEST; THENCE SOUTH 73 DEGREES 17' WEST 60.0 FEET TO THE POINT OF BEGINNING. (AFFECTS PARCELS ONE AND TWO HEREINBEFORE DESCRIBED.)

(D) THE LANDS CONVEYED BY EDGAR MC GOWAN, ET UX, TO LLOYD J. RYAN AND KENNETH W. RYAN BY DEED DATED FEBRUARY 21, 1946, RECORDED APRIL 23, 1946 IN BOOK 621, PAGE 119, OFFICIAL RECORDS OF SANTA CRUZ COUNTY, AS FOLLOWS:

BEGINNING AT AN IRON PIPE ON THE EASTERLY SIDE OF CAPITOLA AVENUE FROM WHICH THE MOST SOUTHERLY CORNER OF LOT 1, SUBDIVISION NO. 1, AS SHOWN ON MAP OF WELCH'S ADDITION TO CAPITOLA, FILED IN MAP BOOK 25, PAGE 14, RECORDS OF SANTA CRUZ COUNTY, BEARS NORTH 14 DEGREES 12' WEST 55.26 FEET DISTANT; THENCE NORTHERLY ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 480 FEET, THROUGH AN ANGLE OF 1 DEGREE 47' 25" FOR A DISTANCE OF 15 FEET TO A STATION; THENCE LEAVING THE EASTERLY SIDE OF CAPITOLA AVENUE NORTH 73 DEGREES 17' EAST 130.00 FEET TO A STATION; THENCE SOUTH 17 DEGREES 30' EAST 178 FEET, A LITTLE MORE OR LESS, TO A STATION ON THE NORTHERLY BOUNDARY OF THE RIGHT OF WAY OF THE SOUTHERN PACIFIC RAILROAD; THENCE ALONG SAID LAST MENTIONED BOUNDARY SOUTHWESTERLY 142 FEET, A LITTLE MORE OR LESS, TO A STATION ON THE EASTERLY BOUNDARY OF SAID CAPITOL AVENUE; THENCE ALONG SAID LAST MENTIONED BOUNDARY, NORTHERLY CURVING TO THE RIGHT WITH A RADIUS OF 255 FEET FOR A DISTANCE OF 115 FEET, A LITTLE MORE OR LESS, TO END OF CURVE; THENCE NORTH 17 DEGREES 30' WEST 153.88 FEET TO THE PLACE OF BEGINNING

(E) THE LANDS CONVEYED BY WILLIAM A. FRANKLIN, IRMA A. FRANKLIN AND IRMA A. HUNTER TO THE CITY OF CAPITOLA, A BODY POLITIC, BY DEED DATED SEPTEMBER 13, 1958, RECORDED SEPTEMBER 29, 1958 IN BOOK 1207 PAGE 37, OFFICIAL RECORDS OF SANTA CRUZ COUNTY, AS FOLLOWS:

A PART OF LANDS CONVEYED TO WILLIAM A. FRANKLIN, ET AL, BY DEED RECORDED IN BOOK 1085, PAGE 33, OFFICIAL RECORDS OF SANTA CRUZ COUNTY, AND MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LANDS CONVEYED TO THE CITY OF CAPITOLA BY DEED RECORDED IN BOOK 792, PAGE 255, OFFICIAL RECORDS OF SANTA CRUZ COUNTY, ON THE EASTERN LINE OF CAPITOLA AVENUE; THENCE FROM SAID POINT OF BEGINNING ALONG THE NORTHERN BOUNDARY OF SAID LAST MENTIONED LANDS NORTH 73 DEGREES 17' EAST 60.00 FEET TO AN ANGLE; THENCE SOUTH 56 DEGREES 12' EAST 58.17 FEET TO AN ANGLE; THENCE NORTH 73 DEGREES 17' EAST 3.89 FEET TO A STATION; THENCE NORTH 56 DEGREES 12' WEST 60.64 FEET TO AN ANGLE; THENCE NORTH 76 DEGREES 08' WEST 11.98 FEET TO AN ANGLE; THENCE SOUTH 73 DEGREES 17' WEST 51.04 FEET TO A STATION ON THE EASTERN LINE OF SAID CAPITOLA AVENUE; THENCE ALONG SAID LAST MENTIONED LINE SOUTHERLY, CURVING TO THE LEFT FROM A TANGENT BEARING SOUTH 9 DEGREES 22' 37" EAST WITH A RADIUS OF 480.00 FEET THROUGH AN ANGLE OF 0 DEGREES 57' 41" FOR A DISTANCE OF 8.05 FEET TO THE PLACE OF BEGINNING. (AFFECTS PARCELS ONE AND TWO HEREINBEFORE DESCRIBED.)

PARCEL FOUR:

LOTS 2, 3, 20, 21 AND 22, AS SHOWN UPON THAT CERTAIN MAP ENTITLED, "SUBDIVISION NO. 1 OF WELCH'S ADDITION TO CAPITOLA," FILED FOR RECORD OCTOBER 18, 1930, IN MAP BOOK 25, PAGE 14, RECORDS OF SANTA CRUZ COUNTY.

APN: 035-141-33

(End of Legal Description)

**[REMAINDER OF PAGE INTENTIONALLY BLANK]**

Figure 3: Assessor Map

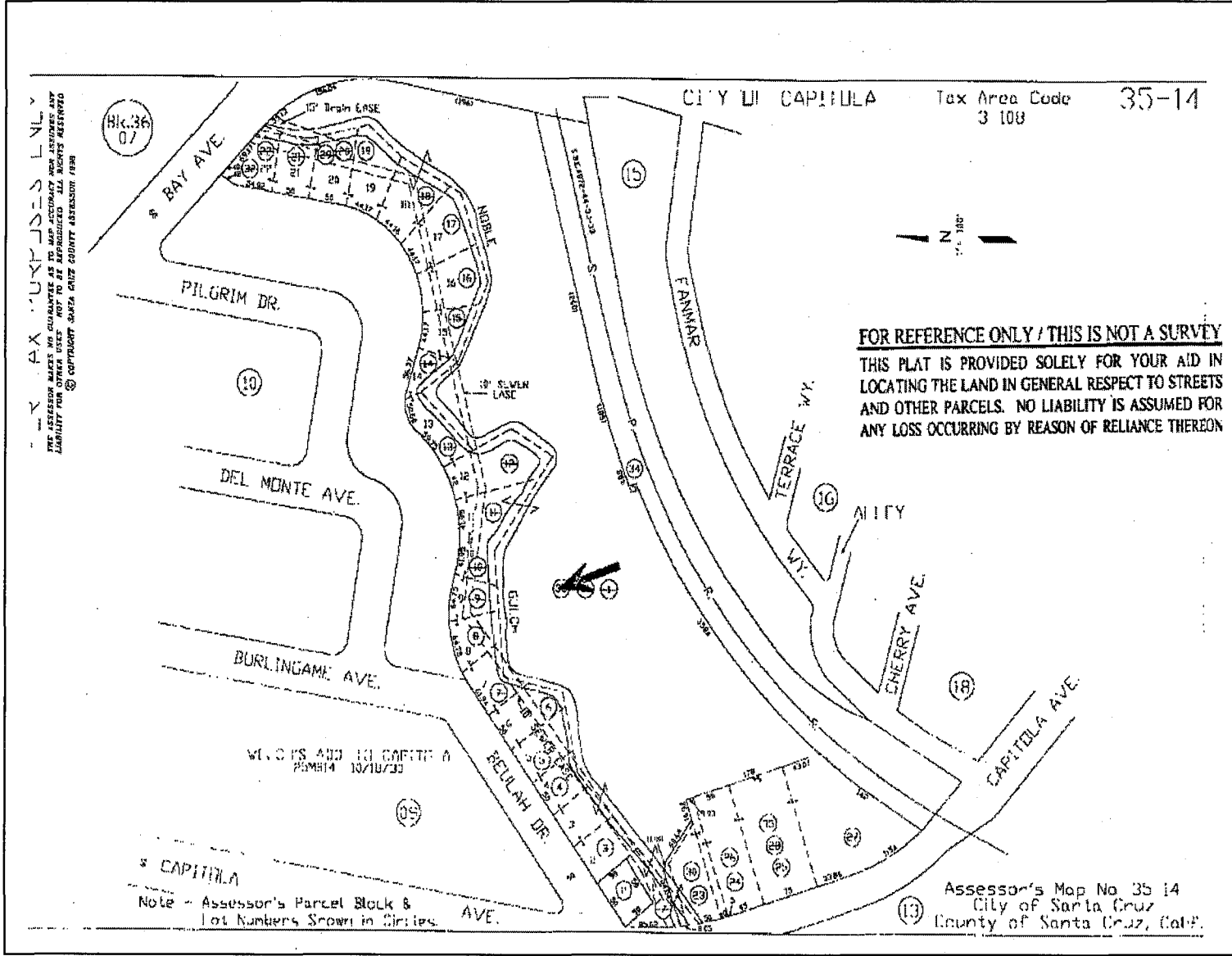
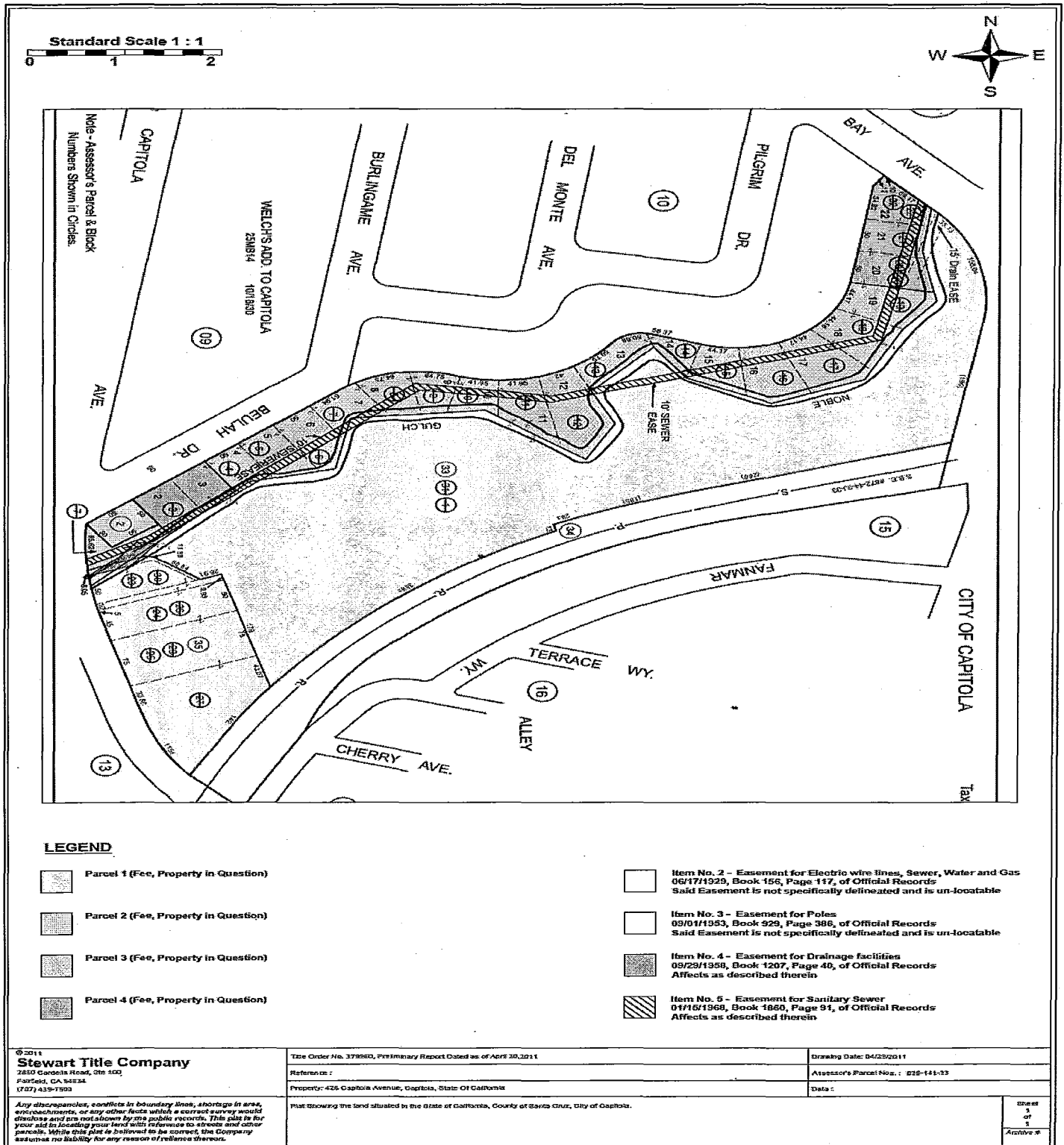










Figure 4: Plotted Easements



LEGEND

-  Parcel 1 (Fee, Property in Question)
-  Parcel 2 (Fee, Property in Question)
-  Parcel 3 (Fee, Property in Question)
-  Parcel 4 (Fee, Property in Question)

-  Item No. 2 - Easement for Electric wire lines, Sewer, Water and Gas 09/17/1929, Book 156, Page 117, of Official Records Said Easement is not specifically delineated and is un-locatable
-  Item No. 3 - Easement for Poles 09/01/1953, Book 929, Page 386, of Official Records Said Easement is not specifically delineated and is un-locatable
-  Item No. 4 - Easement for Drainage facilities 03/23/1958, Book 1207, Page 48, of Official Records Affects as described therein
-  Item No. 5 - Easement for Sanitary Sewer 01/15/1968, Book 1860, Page 91, of Official Records Affects as described therein

© 2011
Stewart Title Company
 2850 Carolina Road, Ste 102,
 Fairfield, CA 94524
 (707) 439-1900

Title Order No. 378960, Preliminary Report Dated as of APR 20, 2011

Drawing Date: 04/29/2011

Reference:
 Property: 426 Capitola Avenue, Capitola, State Of California

Assessor's Parcel No.: 025-141-33
 Date:

Any discrepancies, conflicts in boundary lines, shortages in area, encroachments, or any other facts which a correct survey would disclose and are not shown by this plan are for your aid in locating your land with reference to streets and other parcels. While this plan is believed to be correct, the Company assumes no liability for any reason of reliance thereon.

Plot showing the land situated in the State of California, County of Santa Cruz, City of Capitola.

Sheet
 1
 of
 1
 Archive #

Demographic and Housing Characteristics

City of Capitola

The current population estimate by the State of California Department of Finance Demographic Research Unit for the City of Capitola is 10,198 persons, which represents a 1% increase in the City's population between 2009 and 2010.

In order to understand the present demographic characteristics of the City, OPC consulted the recently released 2010 Census data. Presently, the data is limited. OPC analyzed the data available and found it to be inaccurate as presented (essentially the numbers do not add up) when attempting to quantify certain characteristics such as the age of households and occupied housing units. More accurate data would assist in comparing the demographics in the Park to that of the City at large.

Deeming the 2010 data set as unreliable, OPC has not quoted these statistics. However, it can be said that Capitola trends toward small, tenant occupied households. It can also be said that a large constituent of the population is trending towards 55 or older. An analysis of the 2000 Census appears to support these assumptions.

The 2000 Census showed that Capitola had an approximate population of 10,033 persons. The majority (83%) of the population was white. Fifty-two percent of the total population was female and 48% were male. The median age of persons in Capitola was 38 years.

In 2000, Capitola's housing stock was estimated at 5,309 housing units. Within those units were approximate 4,692 households with an average household size of 2.11 persons. Thus, approximately 617 housing units were either vacant or were utilized as vacation units on a temporary basis.

Of the occupied housing units, 53% of them were occupied by renters. Fifty-one (51) percent of households were described as non-family with 37% of that group being over the age of 55. Within the family household category, 27% were over the age of 55. Nearly one-third (32%) of Capitola Households in the 2000 Census were comprised of persons 55 or older.

Pacific Cove Mobile Home Park

Data Collection Methodology

Between July 26 and August 17, 2011, OPC met with or spoke by phone with owners and occupants of the coaches. Of the 36 potential respondents, 33 responded to meet with OPC in person or speak by phone. Direct, in-person interviews were conducted on the site August 4-6 and 11-13.

Enquiries made of those occupants included household size and composition; ages of all household members; primary language spoken in the home; disabilities and health problems, if any; and, preferences related to replacement housing location (See copy of residential interview form at **ATTACHMENT 1**).

Of those responding and making themselves available for an interview, only one household refused to provide any demographic data. In other cases, information was provided on a limited number of questions.

Demographic Information Including Occupancy

Population and Housing Tenure

Based on the responses to the survey, OPC found approximately 43 persons occupied the coaches either part-time or full-time. Tables 1 and 2 shown earlier in this report on pages 13 and 23 respectively describe the occupancy types (full-time owner, part-time owner, absentee owner or tenant occupancy) in aggregate form (Table 1) and by space (Table 2).

Age and Special Needs of Occupants

Thirty-six persons in 24 households responded to the question regarding their age or their age range. Table 3 displays the distribution of the responses. The park has a high senior (over the age of 62) population. A limited number of children were identified as living in the park.

Table 3: Age of Occupants

Age Range	# Responded	%
0-17	2	6%
18-30	1	3%
31-40	4	11%
41-50	0	0%
51-60	10	28%
61-70	8	22%
71-80	6	17%
81 +	5	14%
Total	36	100%

In terms of special needs, a range of concerns were identified in the survey responses. Ten households indicated they have a disability or other special needs. These needs will be taken into consideration in the process of assisting displacees locate to replacement housing.

Income

Based on the results of OPCs relocation survey (or interviews), income information was provided by 11 occupants. Seven (7) of the mobile homes are occupied by low income households (those earning 80% or less of the Area Median Income) and four (4) were moderate income and above (those earning 80% - 120% and greater than 120% respectively of the Area Median Income). Income data for the remaining occupants will be required to calculate their maximum relocation benefits.

Stated income information was provided by six home owners and five home renters. An analysis of this income against the adjusted household income for Santa Cruz County to derive percentage of area median income (AMI) for these households is shown in Table 4 below. The range of the incomes in terms of AMI ranged from as little as 13% to as high as 159%.

Table 4: Stated Income Distribution

Threshold Category	AMI % Range	# of HHs
Extremely low	0-30%	4
Very Low	30-50%	3
Low	50-80%	0
Moderate	80-120%	3
Above Moderate	120% +	1
Total Respondents		11

Prior to any mandatory displacement income verification documentation such as tax returns or pay stubs will be required to calculate relocation benefits. Should a displacee refuse to provide such information, any relocation rental assistance will be calculated on the difference between their displacement and replacement rent, which may result in a lower benefit than what the displacee may qualify otherwise to receive.

Housing (Coach) Information

In addition to the City hiring OPC to prepare the RIR and Relocation Plan, Desmond, Marcello and Amster (DM&A) was hired to appraise the coaches owned by private parties. DM&A worked closely with OPC during the interview process and prepared their appraisal concurrently with OPC's preparation of this plan. DM&A's report is made a part of the document, as **ATTACHEMENT 10**. A distribution of unit type (by number of bedrooms) is shown below in Table 5.

Table 5: Stated Unit Size

Unit Size	#	%
1 BR	10	32%
2 BR	18	61%
3 BR	2	6%
Total Responses	30	100%

Length of Occupancy and Space Rent Distribution

Based on the survey responses and the City's rent roll, a distribution of the range of rents was derived as shown in the Table 6 below.

Table 6: Space Rent Distribution

Rent Range	Total	%
\$100 - \$199	22	61%
\$200 - \$299	7	19%
\$300 - \$399	0	0%
\$400 - \$499	1	3%
\$500 - 599	0	0%
\$600 - \$699	2	6%
\$700 - \$799	1	3%
\$800 - \$899	0	0%
\$900 - \$999	1	3%
\$1,000 +	2	6%
Total	36	100%

Based on data reported by the owners and occupants of the coaches, and a review of lease information the range in length occupancy at the Park spans from 31 years (1980) to less than a year (2011). A table of occupancy dates is shown in Table 7 below. This table also displays the rents reported by the City and the tenants.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

Table 7: Reported Length of Occupancy and Rent

Space #	Coach Owner/Tenant	Lease Date	Reported Move In Date	Rent Per City Rent Roll	Rent Reported by Tenant
40		5/5/2005	2005	\$ 154.21	\$ 174.00
42		6/10/1998		\$ 144.22	
43	Owner	6/10/1998		\$ 137.44	
43	Tenant	1/7/2005	2006	Not Applicable	\$ 1,050.00
45		7/20/2006	2006	\$ 420.00	\$ 600.00
47		5/24/1999	1999	\$ 142.08	\$ 235.00
48		3/8/2010		\$ 176.47	
49		6/10/1998		\$ 137.71	\$ 278.00
50		9/27/1995	1995	\$ 133.11	\$ 171.61
53		1/5/1999	1983	\$ 155.37	\$ 250.00
54		1/25/2001		\$ 193.42	\$ 267.00
56		6/10/1998	1981	\$ 139.32	\$ 226.00
57		3/4/2011	2011	\$ 600.00	\$ 600.00
59		10/17/2006		\$ 169.63	
60		9/18/1998	1998	\$ 180.04	\$ 283.99
62		2/17/2005	2004	\$ 190.50	\$ 300.00
63		6/10/1998	1997	\$ 152.35	\$ 230.00
64		6/10/1998	1963	\$ 127.93	\$ 240.00
65		12/21/2010	2011	\$ 1,000.00	\$ 1,000.00
66	Tenant		2011	Not Applicable	\$ 900.00
66	Owner	9/26/2006	2006	\$ 187.92	\$ 302.00
67	Owner	7/24/2009		\$ 180.33	\$ 180.00
67	Tenant		2011	Not Applicable	\$ 800.00
68		8/28/2004	1991	\$ 184.26	\$ 300.00
69		6/10/1998	1996	\$ 152.35	\$ 215.00
71		5/1/2008	2008	\$ 160.34	\$ 166.00
74			1983	\$ 179.62	\$ 224.00
75			1983	\$ 181.63	\$ 181.63
76			2006	\$ 207.72	\$ 207.72
77			1979	\$ 181.63	\$ 228.00
78		6/14/1998		\$ 181.63	\$ 235.00
80			1993	\$ 600.00	\$ 650.00
81		8/9/2002		\$ 735.00	\$ 735.00
82			1993	\$ 169.63	\$ 169.63
83		Not Available	Not Provided	\$ 188.84	\$ 300.00
84			1980	\$ 247.80	\$ 247.80

Coach Characteristics and Conditions of Coaches

DM&A's appraisal report shows the characteristics of the coaches subject to this RIR including the known and or stated age, manufacturer, square footage and improvements to the coach. Of critical concern is whether or not the coaches are in condition to move to another park or parcel of land.

DM&A's appraisal work found that only 2 of 30 coaches appraised could be moved. Further explanation of this can be found in its appraisal report.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

DRAFT

B. REPLACEMENT HOUSING RESOURCES

A resource survey was conducted during the week of August 22, 2011 to identify available comparable, decent, safe and sanitary units in relative proximity to the Project site. In addition, a survey of mobile parks within a 20 mile and 25 to 50 mile radius was conducted (See Housing and Parks Survey – ATTACHMENT 4).

A brief description of the findings related to mobile homes and condominiums for sale as well as these types of housing for rent is shown below. Apartments and single-family homes for rent were also included in the survey. Additionally a description of the park findings has also been provided.

It should be noted that the residents will have the ability to use their relocation assistance in the purchase, or rental of a mobile home or other types of housing including rental apartments, single family homes and condominiums. Listings may increase or decrease at a point in the future. Specific referrals will be based upon the choices indicated by the residents to OPC.

Housing for Sale

Mobile Homes

A survey of mobile home listings on October 24, 2011 found 39 mobile homes for sale in Santa Cruz County. Most units were found in Capitola (8) and Santa Cruz (26). Most are within 5 miles of Pacific Cove. The median list price for the coach is \$62,800 and the median space rent is \$650. Investigation of these spaces included non-rent controlled parks. The median age is 19 years and the median square footage is 612. Listings for these properties are shown in ATTACHMENT 4.

This is compared to a median age of 44 years old and 522 square feet at Pacific Cove. Thus the available replacement stock tends to be newer and larger than what's found at Pacific Cove.

It is notable that the space rent associated with these comparable coaches for sale is higher in many cases; however, as described later in this report, the differential in this space rent is compensable for a period of up to 42 months for eligible displacees.

Condominiums

An alternative to a mobile home required to be surveyed in the Muni Code is condominiums. A survey of condominium listings on October 24, 2011 found eleven condominiums for sale in Santa Cruz County. The median list price of the survey is \$230,000 and the median square footage is 809; median Home Owners Associations (HOA) fees are \$340 per month. Units were located in Capitola, Santa Cruz, Aptos and Soquel. Listings are shown in ATTACHMENT 4.

Housing for Rent

Mobile Homes and Other Types of Rental Housing

At the time of the survey, only two mobile homes were found for rent in the area with a median rent of \$1,375. A mix of apartments, duplex and four-plex units and cottages were located for rent in the Capitola area including Santa Cruz and Aptos. Forty units of housing were found with a median rent of \$1,295 and a median security deposit of \$1,525. Listings are shown in ATTACHMENT 4.

A resource available to low-income seniors earning 60% or less of AMI is the Bay Avenue Senior Apartment in Capitola located at 750 Capitola Avenue. First Community Housing recently completed major renovations and development of new units at the property. Further information can be provided to qualifying residents by OPC during the implementation phase of this relocation project; however, interested

seniors over the age of 62 are encouraged to secure a place on the wait list by contacting the property management at 831-464-6435.

Comparable Mobile Home Parks

Approximately 71 mobile home parks, comparable to Pacific Cove, were located within 20 miles of the Park. A distribution of the parks by location and median space rent is provided below in Table 8 below. Information related to the restrictions on relocating mobile homes to these parks has been provided in Attachment 4 where possible.

Table 8: Parks within 20 Miles

Location	# of Parks	Median Space Rent
Aptos	6	\$267
Capitola	7	\$270
San Lorenzo Valley	4	\$255
Santa Cruz	28	\$300
Scotts Valley	6	\$305
Soquel	9	\$326
Watsonville	11	\$363

In addition to those parks within 20 miles of Pacific Cove, an additional survey of parks within a radius of 25 of 50 miles was also conducted. More than 47 parks were located. These parks are located in Santa Clara, Monterey and San Benito Counties. Should a displacee identify that he or she would like information on one of these parks OPC will work with them to obtain it. Descriptions of these parks are shown in ATTACHMENT 4.

C. CONCURRENT RESIDENTIAL DISPLACEMENT

There are no projects now, or planned in the immediate future, which will substantially impact negatively upon the efforts and ability of the City to relocate the displacee households from the Project site.

Capitola is largely built out and does not have any substantial redevelopment projects in progress that would potentially eliminate housing units from the limited stock in the City, which would reduce the inventory of potential replacement units within the City.

Capitola features, as previously stated, numerous mobile home parks. One of these parks, Castle has been going through a repositioning and rehabilitation planning processes with the City to ensure that it is maintained as a stable source of affordable housing in Capitola. Castle was recently sold to Millennium Housing. Millennium is contractually obligated by the City to rehabilitate the park and reserve 86 of the 108 spaces in the park for very-low to moderate income households.

The City of Capitola will invest \$2 million dollars in the project and over 40 of the spaces have been reserved as the replacement housing resource under the Mello Act for a potential closure of Pacific Cove. Further details about Mello Act replacement housing requirements are provided in the Replacement Housing Plan prepared by OPC that accompanies this plan.

D. TEMPORARY HOUSING

There is no anticipated need for temporary housing. Should such a need arise temporary housing will conform to all applicable laws and requirements.

E. PROGRAM ASSURANCES AND STANDARDS

Services will be provided to ensure that displacement does not result in different, or separate treatment of households based on race, nationality, color, religion, national origin, sex, marital status, familial status, disability or any other basis protected by the federal Fair Housing Amendments Act, the Americans with Disabilities Act, Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, the California Fair Employment & Housing Act, and the Unruh Act, as well as any otherwise arbitrary or unlawful discrimination.

No one will be displaced without a minimum of one hundred eighty (180)-days written Notice and, per Section 6042 of the guidelines, without being offered comparable replacement housing.

“Comparable” housing takes into account factors such as: decent, safe, and sanitary (as defined in Code of Regulations § 6008[d] of the Guidelines); comparable as to the number of bedrooms, living space, and type and quality of construction of the acquired unit but not lesser in rooms or living space than necessary to accommodate the displaced household; in an area that does not have unreasonable environmental conditions; not generally less desirable than the acquired unit with respect to location to schools, employment, health and medical facilities, and other public and commercial facilities and services; and within the financial means of the displaced household as defined in section 6008, subdivision (c)(5) of the Guidelines.

The relocation program to be implemented by the City conforms to the standards and provisions set forth in Government Code section 7260 et seq., the Guidelines, California Health and Safety Code section 33410 et eq., (if applicable), and all other applicable regulations and requirements. In addition, those requirements set forth by State law for mobile home park closures will be followed, as addressed in the following section.

F. STATE MOBILEHOME PARK CLOSURE LAWS

This section outlines the requirements that must be met under state law to legally close a mobile home park in California.

Both Government Code Section 65863.7 and Civil Code Chapter 2.5- Section 798.56 set forth requirements that must be met prior to mobile home park closure. These statutes apply to both publicly-owned and privately-owned parks.

California & Capitola Mobile home Park Closure Law

Government Code Sections 65863.7 and 65863.8 impose special impact report and notice requirements in connection with mobile home park closures, and provide for local governments to require mitigation of park closure impacts in certain instances.

1. Conversion Impact Report

Government Code Section 65863.7(a) requires that, prior to the *conversion* of a mobile home park to another use, or prior to *closure* of a mobile home park, the person or entity proposing the change in use shall file a report on the impact of the closure on the displaced residents of the park.

Per 17.90.030 of the City of Capitola Municipal Code, which is in compliance with State law, the RIR is required to address the following:

- i) A detailed description of the description of any proposed or change of use;
- ii) Timetable for conversion of the park;
- iii) A legal description of the park;

- iv) The number of spaces, length of occupancy by the current occupant of each space and current rental rate for each space;
- v) The date of manufacture and size of each mobile home;
- vi) Appraisals addressing the relevant issues identified by the community development director (see 17.90.30 (f) for further information regarding the appraisal requirements);
- vii) Results of questionnaires to all homeowners/occupants regarding including their occupancy tenure (owner/renter), ages of occupants, disabilities, cost incurred by the owner to improve the home and the amount and relevant terms of any remaining mortgage. Responses to such questions are completely voluntary;
- viii) Purchase price of condominiums and rental rates for apartments in the area;
- ix) A list of comparable mobile home parks with 20 miles of the park and within between 25 and 50 miles (see 17.90.30 (I) for further information regarding the requirements of this survey of comparable parks);
- x) Estimates of from two moving companies for the movement of the mobile homes
- xi) Proposed mitigation measures to mitigate the adverse impacts of the conversion; and
- xii) Identification of a relocation specialist.

This RIR satisfies the requirements specified for a "Conversion Impact Report."

Pursuant to Section 65863.7(i), if the closure of the park is the result of a decision by a local governmental entity to *not* renew a conditional use permit or zoning variance, or is the result of any other zoning or planning decision, the local government agency is deemed to be the person proposing the change in use for purposes of preparing the Report.

In *this* case, the City of Capitola is the entity proposing the closure of the park.

2. Mitigation Measures

Pursuant to Government Code Section 65863.7(e) and, whether or not a hearing is scheduled, the City Council of Capitola (or its otherwise delegated advisory agency) shall review the report, and *may* require, as a condition of the change, that the owner take steps to mitigate any adverse impact of the park closure on the ability of displaced park residents to find adequate housing in a mobile home park, which shall not exceed the "reasonable costs of relocation"; a term which is generally interpreted to be the moving costs associated with relocating a mobile home to a new site. Eligible households will be entitled to benefits as set forth in this Plan.

3. Notice requirements

Pursuant to Government Code Section 65863.8, a local government may not take action on an application for change in use of a mobile home park unless, at least thirty (30) days prior to the action, the local government has informed the applicant in writing of the requirements of Civil Code Section 798.56 (discussed below) and all applicable local regulations requiring the applicant

to notify park residents of the proposed change. No action can be taken on the application until the applicant has verified that park residents have been informed of the change in use.

City of Capitola Municipal Code (17.90.40) requires that the applicant must cause the submission of a draft RIR with a written statement to the Community Development Director (Director) that it is being filed pursuant to Government Code Section 65863.7.

Per 17.90.070, upon the filing of the RIR, the Director shall advise the applicant in writing whether it is complete. The Director shall then set a time, date and place for a hearing before the Planning Commission not later than 60 after the date of acceptance.

Not less than 30 days prior to the scheduling public hearing before the Planning Commission, the park owner shall, by certified mail or personal delivery, provide (transmit) the registered legal owner of each mobile home as well as each resident, a copy of the RIR and notice of the Planning Commission hearing. Not less than 15 days prior to the Planning Commission hearing, the owner of the park shall file verification that the requirements for transmittal have been met. The commission must, by resolution, shall render its findings and recommendation to the city council within 95 days of the acceptance of the application for closure being deemed complete.

Within 45 days of receipt of the Planning Commissions the recommendation, a date for hearing the application before the City Council shall be set. Within 80 days of the date of the Planning Commission decision, the City Council shall, by resolution, render its findings and decision.

Termination of Park Occupancy Due to Park Closure

Civil Code Section 798.56 sets forth the required "just cause(s)" for termination of tenancy in a mobile home park. Subsection (g) specifies that change of use of the park, or any portion thereof, is a reason for termination of tenancy, provided the following requirements have been met:

- (1) The management gives the homeowners at least fifteen (15) days written notice that the management will be appearing before a local governmental board, commission, or body to request permits for a change of use of the mobile home park;
- (2) If, permits are required for a change in use, then after all permits requesting a change of use have been approved by the local governmental board, commission, or body the mobile home management shall give the homeowners six (6) months or more written notice of termination of tenancy. If the change of use requires no local governmental permits, then notice shall be given twelve (12) months or more prior to the management's determination that a change of use will occur. The notice shall disclose, and describe in detail the nature of the change of use;
- (3) Should a potential new owner of a coach or occupant of a space seek to take up tenancy in the mobile park, the mobile park management shall give that proposed owner or occupant written notice prior to that owner or occupant taking residency in the park that the management is requesting a change of use before local governmental bodies or that a change of use request has been granted; and,

- (4) The notice requirements for termination of tenancy set forth in Civil Code Sections 798.56 and 798.57 shall be followed if the proposed change actually occurs (Civil Code Section 798.56[g]).

Civil Code Section 798.56(h) *additionally* requires that the impact report required pursuant to Government Code Section 65863.7 shall be given to the homeowners or residents at the same time that notice is required as described in (2), above.

The City will be applying for a Coastal Permit in order to close the Park. Given that a permit is required to close the park, per Civil Code Section 798.56, sub-section G requires that the City provide residents and owners of Pacific Cove at least a six month Termination of Tenancy Notice.

G. RELOCATION ASSISTANCE PROGRAM

A relocation representative from **Overland, Pacific & Cutler, Inc.**, is available to assist any displaced household having questions in regard to relocation and/or assistance in relocating.

Staff may be contacted by calling, **Toll Free: 1.877.972.8908**, during the hours of 9:00 a.m. to 6:00 p.m., Monday through Friday.

The relocation offices are located at:

**Overland, Pacific & Cutler, Inc.
7901 Oakport Street, Suite 4800
Oakland, CA 94621-2089**

A comprehensive relocation assistance program, with technical and advisory assistance, will be provided to the households proposed to be displaced. This assistance will satisfy both California Relocation Law and the mitigation required pursuant to Government Code Section 65863.7(i). Close and frequent contact will be maintained with each household.

In addition to distribution of Informational Brochures (See **ATTACHMENT 5**), advisory assistance will be directed to include procedures:

1. To fully inform eligible project occupants of the nature of, and procedures for obtaining relocation assistance and benefits;
2. To determine the needs of each residential displacee eligible for assistance;
3. To provide an adequate number of appropriate housing referrals. The Guidelines require a minimum of three (3) referrals to comparable, decent, safe and sanitary housing units within a reasonable time *prior to* displacement, and require assurance that no residential occupant is required to move without a minimum of one hundred eighty (180) day's written notice to vacate;
4. To provide current, and continuously updated, information concerning replacement housing opportunities;
5. To connect with special assistance in the form of referrals to governmental and social service agencies, if needed.
6. To provide assistance that does not result in different, or separate treatment due to race, color, religion, national origin, sex, sexual orientation, marital status or other arbitrary circumstances;

7. To supply information concerning federal and state housing programs and other governmental programs providing assistance to displaced persons;
8. To assist each eligible person to complete applications for benefits.
9. To make relocation benefit payments in accordance with State of California Guidelines, including the provisions of the Last Resort Housing sections, where applicable;
10. To inform all persons subject to displacement of City of Capitola policies with regard to eviction and property management; and,
11. To establish and maintain a formal grievance procedure for use by displaced persons seeking administrative review of City of Capitola decisions with respect to relocation assistance.

H. CITIZEN PARTICIPATION/PLAN REVIEW

A critical component of the planning process and the development of RIR and Relocation Plan is outreach to those impacted by closure, namely the owners of the coaches (mobile home) and the occupants be they owner occupants or tenant occupants of the homes.

To initiate this process, OPC mailed a General Information Notice (GIN) on June 22, 2011 to all known owners and occupants of the coaches. The GIN informed them that a meeting would be held on July 13, 2011. The GIN was mailed certified and first class mail. The meeting would explain the potential closure of the park and the resident's rights to potential relocation benefits. Twenty-one persons attended the meeting. Copies of notices sent to park residents and owners have been provided as ATTACHMENT 10 of this plan.

The meeting open to all residents was followed by an invitation to all owners and residents to meet with OPC and DM&A for an interview to gain information regarding their household composition and relocation needs as well as for an inspection of the property to inform the appraiser of the coach. These letters were mailed both certified and first class mail to the known mailing addresses for the owners and occupants on July 21, 2011.

As previously stated, between July 26 and August 17, 2011, OPC and DM&A met with or spoke by phone with occupants and owners at Pacific Cove.

Requirements under Government Code Sections 65863.7, 65863.8 and Civil Code Section 798.56 will also be followed as addressed above. Section 6012 (Citizen Participation) of the California Code of Regulations, Title 25, Chapter 6, will be adhered to in both the spirit and letter of the law by City and OPC in implementing the Relocation Program. City will ensure the following:

1. Full and timely access to documents relevant to the relocation program;
2. Provision of technical assistance necessary to interpret elements of the relocation plan and other pertinent materials;
3. Copies of this Plan shall be available for review within thirty (30) days prior to approval by the City. The City will receive comments from displacees and other interested persons regarding this Plan;
4. A general notice of this Plan shall be provided to *all* prospective displacees of the proposed project. This Plan shall be made available for circulation for information and review by interested citizen groups, state and county agencies, and all persons affected by the project;
5. The right to submit written, or oral comments and objections, including the right to submit written comments regarding the Relocation Plan and

to have these comments attached to the Plan when it is forwarded to the City of Capitola for final approval;

6. Upon receipt of public comments, the Plan will be reviewed to ensure that it is feasible; that it complies with applicable environmental standards and locally-adopted rules and regulations governing relocation; and,
7. Upon completion of all reviews, the Plan will be presented for approval by the City.

I. RELOCATION BENEFIT CATEGORIES

Relocation benefits will be provided in accordance with the provisions of the State of California Relocation Law, Government Code Section 7260 et. seq., Title 25, Chapter 6, Relocation Assistance and Real Property Acquisition Guidelines. Benefits will be paid to eligible displaced persons upon submission of required claim forms and documentation in accordance with approved procedures.

Specific eligibility requirements and benefit plans will be detailed on an individual basis with all displacee households. In the course of personal interviews and follow-up visits, each displacee will be counseled as to available options and the consequences of any choice with respect to financial assistance.

Chapter 6, of Title 25 of the California Code of Regulations contains the relocation regulations published by the California Department of Housing and Community Development ("HCD") that apply to state and local agencies. Section 6008(g) defines a "dwelling" as *'. . . the place of permanent or customary and usual abode of a person including . . . a mobile home.*

In order to alleviate hardships for tenants who must pay additional move-in costs (such as first and last month's rent, credit check costs and other security deposits),

City will provide advance benefit payments to assist qualified displacees in securing replacement housing units.

Requests for advance payments will be expeditiously processed to help avoid the loss of desirable and appropriate replacement housing.

Residential Moving Expense Payments

The subject households will be eligible to receive a payment for moving expenses for personal property. Payments will be made based upon *either*: **1.** a fixed room count schedule; or, **2.** an invoice for actual reasonable moving expenses not to exceed the reasonable cost for accomplishing such activity.

- 1) **Fixed Payment** – A fixed payment for moving expenses based on the number of rooms containing furniture or other personal property to be moved. The fixed moving payment will be based upon the most recent Federal Highway Administration schedules maintained by the California Department of Transportation (See: **ATTACHMENT 6 – Fixed Payment Moving Schedule**).

- Or -

- 2) **Actual Reasonable Moving Expense Payments** - The displaced households may elect to have a licensed, professional mover perform the move; if so, the displacing entity will pay for the actual cost of the move up to fifty (50) miles, and all reasonable charges for packing, unpacking, insurance, utility connection charges and the cost directly related to displacement of modifying personal property to adapt it to the replacement location. The payment will be made directly to the mover or as a reimbursement to the displaced household.

Rental Assistance/Down Payment Assistance

Owner-Occupants of mobile homes who established residency at Pacific Coves Mobile Home Park for a period of *one hundred eighty (180)* days prior to acquisition by City will be entitled to a 'Replacement Housing Payment' (RHP) pursuant to 49 C.F.R., Part 24, Section 24.502, not to exceed twenty two thousand five hundred dollars (\$22,500.) *and*, Rental Assistance to cover any "pad rent" differential, in addition to their Moving Expenses.

Displaced households which are residential tenants *or* owners and have established residency (*primary* residence) within the Project site for a minimum of *ninety (90)* days are, pursuant to 49 C.F.R., Part 24, Section 24.503, entitled to an amount not to exceed five thousand two hundred fifty dollars (\$5,250.) as a Rental Assistance Payment (RAP); *and*, a moving expense payment.

Except in the case of 'Last Resort Housing' situations, Replacement Housing Payments (RHP) to 180-Day owners and, Rental Assistance Payments (RAP) to Ninety (90)-Day owners and tenants, will be limited to the maximums noted above.

The calculation will be based upon the *monthly* housing need (space/rent differential) over a forty-two (42) month period, consistent with Section 6104 of the Guidelines. In addition, households may opt to apply the amount to which they are entitled toward the purchase of a replacement unit (Guidelines section 6104).

If a household chooses to purchase a replacement home rather than rent, the household will have the right to request a lump sum payment of the entire balance to which they are entitled.

Mobile home Replacement Housing Payments

Section 6112 of the Guidelines describes the payments to which the residents are entitled, based upon the status of the resident's acquired dwelling and the resident's replacement dwelling.

Section 6102 of the Guidelines outlines the benefits payable to a displaced owner who: (1) owned and resided in a mobile home for at least 180 days prior to the initiation of negotiations; and, (2) purchased and occupied a replacement dwelling within one (1) year *subsequent to* the date on which the individual received final payment for the mobile home.

Only primary, owner-residents are eligible for §6102 benefits. Non-resident, “second home” owners, who have a *different primary* residence, are *not* eligible for these benefits.

A household that owns a mobile home and rents the site – or, “pad” – upon which the Mobile Home is located must receive the following payment:

1. If a manufactured home is not available, the amount necessary to purchase a conventional, non-manufactured replacement dwelling up to \$22,500. (Explained below) (§6112 [c] [5] [a]); or,
2. The amount necessary to purchase a replacement manufactured home (up to \$22,500) *and* the amount necessary to lease, rent, or make a down payment on a replacement site (up to \$5,250.) (§6112 [c] [5] [b]). (The above amount shall not exceed the difference between the mobile home’s acquisition price *paid to* the owner/displacee, and the actual price of the replacement housing); or,
3. If the household elects to *rent* a replacement mobile home and site or, “conventional” housing, the amount required to do so – up to \$5,250. – with the site rent included in the calculation (§6112 [c] [5] [c]).

If a mobile home owner-occupant purchases a replacement mobile home *or* conventional home, the benefits described in 1. and 2., above, are established in order to compensate for the following costs:

- (1) Increased interest costs for the replacement dwelling financing;
- (2) Reasonable expenses incident to the purchase of the replacement dwelling; or,
- (3) The cost of re-habilitating an otherwise unsafe dwelling.

Owner-Occupants of mobile homes will be eligible for Rental Assistance to cover “pad rent” differential as calculated above pursuant to the rental assistance payment formula.

Mobile home owner-occupants who wish to *rent* a replacement dwelling, instead of purchasing, will be entitled to Rental Assistance Payments using “economic rent” in the calculations, in an amount not to exceed their Purchase Price Differential (PPD) payment.

A sample calculation for determining rental assist payments to replace a dwelling unit is shown below. The figures used are reflective of the sample displacement rents provided by the City and the median rents from the Housing Resources Survey described in Section B of this plan on page 39.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

1. Rent of Displacement Unit	\$1,100	Displacement Rent plus Utility Costs
or		
2. Ability to Pay	\$1,000	30% of the Gross Household Income
3. Lesser of lines 1 or 2	\$1,000	
Subtracted From:		
4. Actual New Rent	\$1,200	Actual New Rent including Utility Allowance
or		
5. Comparable Rent	\$1,395	Determined by Agency; <u>includes</u> Utility Allowance
6. <u>Lesser</u> of lines 4 or 5	\$1,200	
7. Yields Monthly Need:	\$200	Subtract line 3 from line 6
Rental Assistance	\$ 8,400	Multiply line 7 by 42 months

Last Resort Housing Payment

There is a sufficient amount of "comparable replacement housing" per the attached housing survey (See **ATTACHMENT 4**). Although there are a sufficient *number* of potential replacement dwellings for the mobile home owners, it would appear that most may well exceed the statutory limit of twenty two thousand five hundred dollars (>\$22,500.) for a Replacement Housing Payment. There would appear, therefore, to be a need to provide Last Resort Housing Payments.

The California Code of Regulations (CCR), Title 25, Division 1, Chapter 6, at Article 4. Last Resort Housing, Section 6139 provides that, if comparable replacement housing is not available to a displacee (whether because of physical availability, condition, or affordability), City must either terminate the acquisition *or*, provide Pacific Cover RIR/Relocation Plan

comparable replacement housing (called 'Last Resort Housing').

Last Resort Housing *payments* are authorized by statute if affordable "comparable replacement housing" cannot be found for the displaced tenant households (i.e., housing at a cost not greater than thirty percent [$>30\%$] of the household's average monthly income).

In such cases, payments may be made beyond the five thousand two hundred fifty dollar (\$5,250.) statutory maximum for "Ninety [90]-Day Owners" and, tenants), up to forty two (42) months worth of rental assistance. The supplemental increment beyond \$5,250 may be paid in installments or in a lump sum at the discretion of City.

In the event of federal participation in the project through *either* the CDBG or HOME program(s), the period of rental assistance payments will be established at sixty (60) months for those tenant households which qualify by income category. Mobile Home *owner-occupants* may also be eligible for "Last Resort Housing" payments, if comparable housing can not be found within the twenty two thousand five hundred dollar (\$22,500) statutory maximum, as a Purchase Price Differential (PPD) payment. It will be the policy of City to make "lump sum" payments, as required, for down payment assistance. Rental Assistance Payments will be provided in two (2), equally blended installments.

This type of situation is likely to develop among low-income households and/or in environments where Project area rents are particularly *low* versus rents elsewhere within the community. A combination of factors - which would include, in relation, the income levels of project site tenants; project site rents; and, a *potentially* high cost of replacement rent - will create the need for last resort housing payments.

Summary of Relocation Benefits

Table 9 outlines the benefits for which the mobile home occupants may be eligible:

Table 9: Summary of Relocation Benefits Summary

Relocation Benefits and Amounts		Pre-2000 Occupant			Post-2000 Occupant		
Benefit Type	Amount	Full-time Owner	Part-time Owner	Tenant	Full-time Owner	Part-time Owner	Tenant
Actual and reasonable cost of moving home to replacement site.	Fixed Payment or Actual & Reasonable Expenses	Yes	Yes	Not Applicable	No	No	No
Fair Market Value of Mobile Home Only	Based on Appraised Value	Yes	Yes	Not Applicable	Yes	Yes	Not Applicable
Purchase Price Differential (PPD) - Difference Between the Acquisition Cost & Replacement Cost of New Mobile Home	Up to \$22,500 Unless Last Resort Housing Payments Are Required	Yes	No	Not Applicable	No	No	Not Applicable
Rental Assistance Payment - (RAP) - (Space Rent) - Difference Between the Displacement and Replacement Space Rent	Up to \$5,250 unless Last Resort Housing Payments Are Required	Yes	No	Not Applicable	No	No	No
Rental Assistance Payment - (RAP) - (Dwelling Rent) - Difference Between the Displacement and Replacement Dwelling Rent	Up to \$5,250 unless Last Resort Housing Payments Are Required	Yes - owners can convert PPD to RAP	No	Yes	No	No	No
Last Resort Housing Payments	Amount Required Over PPD or RAP for Displacee to Replace Housing	Yes	No	Yes	No	No	No

J. PAYMENT OF RELOCATION BENEFITS

No household will be displaced until "comparable" housing is offered as defined in Section 6008, subdivisions (c) and (d) of the Guidelines. Relocation staff will inspect any replacement units to which referrals are made to verify that they meet all the standards of decent, safe, and sanitary as defined in Section 6008, subdivision (d) of the Guidelines. Relocation benefits will be made in a timely manner.

Claims and supporting documentation for relocation benefits must be filed with City within eighteen (18) months from:

1. The date the claimant moves from the acquired property; *or*,
2. The date on which final payment for the acquisition of real property is made, whichever is *later*.

The procedure for the preparation and filing of claims and the processing and delivery of payments will be as follows:

1. Claimant(s) will provide all necessary documentation to substantiate eligibility for assistance.
2. Assistance amounts will be determined in accordance with the provisions of Federal and California Relocation Law.
3. Required claim forms will be prepared by relocation personnel in conjunction with claimant(s). Signed claims and supporting documentation will be submitted by relocation personnel to City.
4. City will review, and approve claims for payment, or request additional information.
5. City will issue benefit checks which will be available at OPC

offices for retrieval by Claimants or by delivery, unless circumstances dictate otherwise.

6. Final payments will be issued after confirmation that the Project area premises have been completely vacated, and actual residency at the replacement unit is verified.
7. Receipts of payment will be obtained and maintained in the relocation case file.

K. RELOCATION TAX CONSEQUENCES

In general, relocation payments are *not* considered income for the purpose of the Internal Revenue Code of 1986, or the Personal Income Tax Law, Part 10 of the Revenue and Taxation Code. The above statement on tax consequences is *not* intended to be provision of tax advice by City or their Agents, Consultants, Employees or Assigns.

Displacees are encouraged to consult with their own tax advisors concerning the tax consequences of relocation payments. According to the Social Security Administration, relocation benefits do not impact S.S.I. payments, however lump sum payments *may* trigger reviews during asset searches. Further information regarding relocation benefits and their impact upon Social Security benefits is available from OPC.

L. APPEALS POLICY

The appeals policy will follow the standards described in Section 6150 et seq. of the Guidelines. Should federal funds be used in the project, the appeals process will follow Sub-part A 24.1 of the URA.

Briefly stated, displacees will have the right to ask for administrative review when

there is a complaint regarding rights to relocation and relocation assistance, as to:

1. Eligibility;
2. The amount of payment;
3. The failure to provide comparable replacement housing referrals;
or,
4. City of Capitola landlord management practices.

M. EVICTION POLICY

Eviction by City is permissible only as a last alternative. With the exception of persons considered to be in unlawful occupancy, a displaced person's eviction does not affect eligibility for relocation assistance and benefits. Relocation records must be documented to reflect the specific circumstances surrounding the eviction.

Eviction by the City may be undertaken only for one or more of the following reasons:

1. Failure to pay rent, except in those cases where the failure to pay is due to the lessor's failure to keep the premises in habitable condition; is the result of harassment or retaliatory action; or, is the result of a discontinuation or substantial interruption of services which cannot be reasonably mitigated by lessor;
2. Performance of a dangerous or illegal act in the unit by lessee, its guests or invitees or, any combination thereof;
3. A Material breach of the rental agreement and failure to correct said breach within 30 days of notice;

4. Maintenance of a nuisance, and failure to abate within a reasonable time following notice;
5. Refusal to accept one of a reasonable number of offers of replacement dwellings;
6. A requirement under State or local law or emergency circumstances that cannot be prevented by reasonable efforts on the part of the Lessor.

N. PARK CLOSURE AND RELOCATION TIMELINE

Should the City Council vote to close the Park, it is expected that the after a 30 day review of this report the following general schedule will be followed. This schedule is subject to change. All impacted residents will receive ample notification of the progress of the activities required. All dates shown below are subject to change.

- November 1 – Distribution of RIR to Public
- November 17, 2011 – Public hearing to answer questions regarding RIR
- December 1, 2011 – Hearing to Review and Recommend RIR to City Council by Planning Commission
- December 8, 2011 – Hearing and Consideration of RIR by City Council

The following dates are tentative, subject to Council consideration of the RIR

- January 2012 – Issuance of 180-Day Notice of Park Closure & Commencement of Relocation Advisory Service Provision
- April 2012 – Issuance of 90 Day Notice to Vacate per CRAL
- July 2012 – Closure of Pacific Cove Mobile Home Park

O. ESTIMATED PARK CLOSURE AND RELOCATION COSTS

The City anticipates utilizing financial assistance provided through various sources including the City's General fund. Other sources may include Federal funds.

The **preliminary cost estimate for the park closure** including relocation benefits, acquisition of coaches and the demolition of the coaches is estimated at **\$2.1 million**.

A preliminary estimate of the data, based on the move in dates collected, 14 residents and owners are eligible to receive monetary relocation assistance for replacement housing.

A detailed estimate is shown in Table 10. Per the requirements of 17.90.30 (K), OPC has received two bids from trailer movers for planning purposes. A description of these bids is also shown below and in ATTACHMENT 7. A median of the bids was used to assess the cost of demolishing the coaches and hauling off them off-site.

Because of the long period of implementation, changes in circumstances and incomplete information on some of the households, the City will budget a reserve for unanticipated contingencies.

DRAFT

Table 10: Park Closure Cost Estimate

Relocation/Closure Cost Category	Legal Citation	Description of Cost	Cost Estimate
Purchase Price Differential Paid to Eligible Full-time Owner Occupant *	6112 and 6102 - Title 25 California Relocation Assistance Guidelines	Differential between the cost of a replacement home and the acquisition price of the coach up to a maximum of \$22,500	\$1,157,550
Rental Assistance Payments for Space Rental Differential for Eligible Full-time Owner Occupants	6112 and 6104 - Title 25 California Relocation Assistance Guidelines	Differential between the rent of a replacement mobile home space in a park and the displacement space rent multiplied by 42 months	\$79,012
Rental Assistance Payments to Renter Occupants (Including Last Resort Housing Payments per 6120 & 6139 of Title 25)	6112 and 6104 - Title 25 California Relocation Assistance Guidelines	Differential between the rent of a replacement home and the displacement rent multiplied by 42 months	\$140,616
Moving Assistance Payments	6090 - Title 25 California Relocation Assistance Guidelines	Fixed move payment schedule as determined by the Federal Highways Administration and adopted by Caltrans	\$34,200
Sub-total of Relocation Costs			\$1,411,378
Fair Market Value of the Acquisition of Private Coaches	6182 - Title 25 California Relocation Assistance and Real Property Acquisition Guidelines	Based on appraisal prepared by DM&A	\$159,725
Coach Demolition and Haul off Cost			\$340,000
Sub-total of Relocation and Closure Cost			\$1,911,103
Contingency (10%)			\$191,110
Total Estimated Closure Cost (Less Consulting Fees)			\$2,102,213

Mobile Home Move Quotes

OPC obtained two move bid quotes for the movement of mobile homes up to 100 miles from the Park. Bids were received from JP Mobile Movers and Baxter Mobile Movers. Bids were received for both single-wide and double wide moves. These quotes provide pricing for moving and re-installing the coach and all accessories including awning and porches. A comparison of the bids and a median cost is shown below in Table 11.

Table 11: Mobile Move Bid Results

Firm	Coach Type	
	Single-wide	Double-wide
Baxter	\$5,000	\$10,000
JP Mobile	\$7,000	\$12,000
Median Cost	\$6,000	\$11,000

DRAFT

TABLE OF ATTACHMENTS

Attachment 1:	Residential Interview Form	68
Attachment 2:	Income Category Limits for Santa Cruz County	69
Attachment 3:	Coach Characteristics	70
Attachment 4:	Housing Resource Survey	74
Attachment 5:	Sample Informational Brochure	93
Attachment 6:	Fixed Payment Moving Schedules	100
Attachment 7:	Mobile Home Move Quotes/Bids	101
Attachment 8:	Letters to Community Development Director Regarding RIR	106
Attachment 9:	Communication to Persons Impacted	110
Attachment 10:	Appraisal Report	116

ATTACHMENT 1: SAMPLE RESIDENTIAL INTERVIEW FORM

Interview Date: _____ Site Move-In: _____ Initiation of Negotiations: _____ Interviewer: _____

Head of Household _____
 Address: _____ # _____

 Site Telephone # _____ Work/Cell # _____
 Fax # _____ Email _____

Social Security Number : _____

DISPLACEMENT STATISTICS

Dwelling Type _____ Approx. Sq.Ft. _____
 Approximate Age of Unit: _____ yrs. _____
 # Bedrooms _____ # Bathrooms _____ # Rooms _____ Laundry Fac.
 Garage Carport Pets: If so, describe _____

Mobile Home: Size: _____ ft x _____ ft
 Year: _____ Model: _____ Pad Rent: \$ _____

OCCUPANCY / FINANCIAL INFORMATION

Occupancy Status: Own Rent
 Condition of unit : Excellent Good Fair Poor
 Home business? _____ Description _____
 Do you rent out any rooms in the dwelling? Yes No
 If so, names: _____
 If so, is person or persons considered part of household? Yes No

Owners: Mortgage Own Clear
 Monthly Payment: Principal \$ _____
 Loan Balance(s) as of _____ : \$ _____
 Loan Type: Fixed Variable Annual % Rate _____
 Loan Type: Fixed Variable Annual % Rate _____
 Original Date(s) of Current Loan(s) : _____
 Rem. Loan Term _____ Months Rem. Loan Term _____ Months

Renters: Total Monthly Rent: \$ _____ Landlord _____
 Written Agreement Date _____
 M/M Lease Vacant/No Contact
 Unit Furnished Unit Unfurnished Security Deposit? \$ _____
 If Sect.8, Total Tenant Rent. \$ _____
 Caseworker: _____
 Telephone #: _____

OTHER:

ETHNICITY:

- White Asian
- Hispanic/Latino
- African American
- Other _____

PRIMARY LANGUAGE:

- English Spanish
- Other: _____

SPECIALIZED NEEDS:

- AFDC / TANF, Pension SS, SSI
- Other Public Assistance (ask for Entitlement Letter)
- Elderly Household
- Handicapped Household:

Describe: _____

Need Barrier-Free: Yes No

Own Car? Yes No

Need access to public transportation?

Describe mode: _____

Need to live near medical facilities? Describe location: _____

Other Special needs or services requested:
 Describe: _____

Monthly Utilities: Which _____

Gas: Tenant Owner

Electricity: Tenant Owner

Water: Tenant Owner

Other: _____

Appliances Owned by Tenant:

- Stove Refrigerator W/D
- Other _____

Are all occupants planning to move at the same time, and to the same replacement dwelling?
 Yes No

Please explain:

Household Members	Sex	Age	Move-in date	Income	Relationship/ Employer/School
1	M F				
2	M F				
3	M F				

ATTACHMENT 2: INCOME LIMITS – SANTA CRUZ COUNTY (2011)

The following figures are approved by the U.S. Department of Housing and Urban Development (H.U.D.) for use in the **County of Santa Cruz** to define and determine housing eligibility by income level.

Income Category	Number of Persons Per Household							
	1	2	3	4	5	6	7	8
Extremely Low	\$21,200	\$24,200	\$27,250	\$30,250	\$32,700	\$35,100	\$37,550	\$39,950
Very Low	\$35,300	\$40,350	\$45,400	\$50,400	\$54,450	\$58,500	\$62,500	\$66,550
Lower	\$56,500	\$64,550	\$72,600	\$80,650	\$87,150	\$93,600	\$100,050	\$106,500
Median	\$60,050	\$68,650	\$77,200	\$85,800	\$92,650	\$99,550	\$106,400	\$113,250
Moderate	\$72,050	\$82,650	\$92,650	\$102,950	\$112,200	\$119,400	\$127,650	\$135,900

Figures are per the California Department of Housing and Community Development, July 13, 2011.

DRAFT

Pacific Cove Mobile Home Park – Subject Mobile Homes Data Sheet

Space Number	Type of Home	Condition	Movable?	Home Manufacturer/Model	Year of Manufacture	Total Square Feet of Home	Number of Bedrooms	Number of Bathrooms	Adjusted Price per Square Foot	Reported Purchase Price (Per Owner)	Reported Purchase Date (Per Owner)
40	Travel Trailer	A	Yes	Arctic Fox	N/I – Est. 1990's	236	1	1	\$101	N/I	N/I
42	Manufactured Home	A	No	N/A	N/I – Est. 1990's	560	N/I	N/I	\$87	N/I	N/I
43	Manufactured Home	A	No	N/A	1982	716	2.5	1	\$96	N/D	1982
47	Mobile Home	A	No	Nashua	1960 (Approx)	423	1	1	\$116	N/D	1999
48	Mobile Home	F/P	No	Castaway	N/I – Est. 1960's	240	1	1	\$90	N/I	N/I
49	Mobile Home	G	No	Jewel	1950's (approx)	432	1	1	\$124	N/D	1982
50	Mobile Home	A/G	No	Anderson	1956	336	1	1	\$125	N/D	1995
53	Manufactured Home	A/G	No	Skyline/Palm Manor	1988	880	2	2	\$115	33,122	1988
54	Mobile Home	A/G	No	Champion	1968	1178	2.5	2	\$100	165,000	2002 (approx)

N/A – Information not available at time of interview
 N/D- Not Disclosed
 N/I – Not Interviewed

A - Average
 F - Fair
 G - Good
 P - Poor

ATTACHMENT 3: COACH CHARACTERISTICS

Space Number	Type of Home	Condition	Movable?	Home Manufacturer/Model	Year of Manufacture	Total Square Feet of Home	Number of Bedrooms	Number of Bathrooms	Adjusted Price per Square Foot	Reported Purchase Price (Per Owner)	Reported Purchase Date (Per Owner)
56	Mobile Home	A	No	Paramount	1956	640	2	1	\$95	N/D	Approx. 1971
57	Manufactured Home	G	No	Golden West	1995	1176	2	1	\$111	70,000	1998
59	Mobile Home	A	No	Universal	1965	970 (Reported by Owner)	2.5	1	\$98	115,000	2006
60	Mobile Home	A/G	No	National	1964	900	2	2	\$100	N/D	1989
62	Mobile Home	G	No	Lancer	1981	800	2	2	\$110	135,000	2004
63	Mobile Home	A/F	No	Champion	N/A – Est. 1970's	528	1	1	\$80	60,000 (Approx)	1997
64	Mobile Home	A	No	Angel	1956	516	2	1	\$96	Paid \$4,500 on top of trade with city	1982
66	Mobile Home	A	No	Westbrook	1974	576	2	1	\$90	N/D	2006
67	Mobile Home	A/F	No	Champion	1971	570	1	1	\$82	Grandmother paid \$12,000 in 1978. Christine paid \$60,000 in 2008	2008

N/A – Information not available at time of interview
 N/D- Not Disclosed
 N/I – Not Interviewed

A - Average
 F - Fair
 G - Good
 P - Poor

Space Number	Type of Home	Condition	Movable?	Home Manufacturer/Model	Year of Manufacture	Total Square Feet of Home	Number of Bedrooms	Number of Bathrooms	Adjusted Price per Square Foot	Reported Purchase Price (Per Owner)	Reported Purchase Date (Per Owner)
56	Mobile Home	A	No	Paramount	1956	640	2	1	\$95	N/D	Approx. 1971
57	Manufactured Home	G	No	Golden West	1995	1176	2	1	\$111	70,000	1998
59	Mobile Home	A	No	Universal	1965	970 (Reported by Owner)	2.5	1	\$98	115,000	2006
60	Mobile Home	A/G	No	National	1964	900	2	2	\$100	N/D	1989
62	Mobile Home	G	No	Lancer	1981	800	2	2	\$110	135,000	2004
63	Mobile Home	A/F	No	Champion	N/A - Est. 1970's	528	1	1	\$80	60,000 (Approx)	1997
64	Mobile Home	A	No	Angel	1956	516	2	1	\$96	Paid \$4,500 on top of trade with city	1982
66	Mobile Home	A	No	Westbrook	1974	576	2	1	\$90	N/D	2006
67	Mobile Home	A/F	No	Champion	1971	570	1	1	\$82	Grandmother paid \$12,000 in 1978. Christine paid \$60,000 in 2008	2008

N/A - Information not available at time of interview
 N/D - Not Disclosed
 N/I - Not Interviewed

A - Average
 F - Fair
 G - Good
 P - Poor

Space Number	Type of Home	Condition	Movable?	Home Manufacturer/Model	Year of Manufacture	Total Square Feet of Home	Number of Bedrooms	Number of Bathrooms	Adjusted Price per Square Foot	Reported Purchase Price (Per Owner)	Reported Purchase Date (Per Owner)
68	Mobile Home	A/F	No	Star	1967	1040	3	1	\$80	N/D	1991
69	Mobile Home	A/G	No	Melody	1967	860	2	2	\$104	N/D	1996
71	Mobile Home	A/F	No	Nashua	1962	348	2.5	1	\$105	N/D	1964
74	Mobile Home	A/G	No	Fleetwood Homes	1961	380	1	1	\$111	N/D	1983
75	Mobile Home	A	No	Champion	1965	500	2	1	\$100	N/D	1976
76	Mobile Home	A/G	No	Casa Loma	1966	1080	2	1	\$95	115,000	2006
77	Mobile Home	F	No	Fleetwood Homes	1970's	480	2	1	\$85	N/D	1979
78	Mobile Home	A	No	SilverCrest	1971	648	1	1	\$90	15,000	1975
80	Manufactured Home	G	Yes	Champion (Infinity Limited)	2004	836	3	2	\$126	\$58,000	2003/ 2004
82	Mobile Home	G	No	Imperial	1967	540	1	1	\$109	N/D	1999/ 2000
83	Manufactured Home	G	No	N/A	N/A- Est. 1980's	1040	2	2	\$100	N/D	N/A
84	Mobile Home	A	No	Royal Lancer	1974	1440	2	2	\$80	N/D	1980

N/A - Information not available at time of interview
 N/D- Not Disclosed
 NI - Not Interviewed

A - Average
 F - Fair
 G - Good
 P - Poor

ATTACHMENT 4: COMPRABLE PARK & HOUSING RESOURCES

DRAFT

MOBILE HOMES FOR SALE

Address	City	Listing Price	BR	BA	Year	Park	Square Feet	Size	Space Rent	Restrictions
220 Mar Vista #54	Aptos	\$97,000	2	2	1966	Blue Pacific	706	SW	\$557	Co-op Park
1099 38th #17	Capitola	\$33,500	2	1	1970	Castle Mobile Estates	600	SW	\$650	All age park
1099 38th #82	Capitola	\$35,500	2	2	1971	Castle Mobile Estates	612	SW	\$650	All age park
1099 38th Ave #39	Capitola	\$49,900	2	1	1970	Castle Mobile Estates	800	SW	\$650	All age park
750 47th #55	Capitola	\$65,000	2	1	1967	Surf and Sand	720	SW	\$1,300	
750 47th AV #5	Capitola	\$68,000	2	1	1954	Surf and Sand	750	SW	\$350	
750 47th #41 #41	Capitola	\$69,000	2	1	1963	Surf and Sand	550	SW	\$350	
750 47th ST #53	Capitola	\$69,500	2	1.5	1963	Surf and Sand	816	SW	\$500	
750 47th #35	Capitola	\$89,000	2	1	1962	Surf and Sand	470	DW	\$350	All age park
6831 hwy 9 #6	Felton	\$65,000	1	1	1997	Fall Creek	588	DW	\$360	
2395 Delaware #189	Santa Cruz	\$15,999	2	2	1973	DeAnza	1316	DW	\$2,195	40+ to own
2395 Delaware AV #120	Santa Cruz	\$18,300	2	2	1990	DeAnza	1500	DW	\$1,715	40+ to own
170 West Cliff DR #41	Santa Cruz	\$19,995	0	1	2001	Clearview Court	288	DW	\$665	All age park
170 West Cliff #74	Santa Cruz	\$24,900	1	1	1970	Clearview Court	480	DW	\$735	All age park
2395 Delaware AV #173	Santa Cruz	\$29,999	1	2	1971	DeAnza	1664	DW	\$2,850	40+ to own
2395 Delaware AV #155	Santa Cruz	\$33,333	2	2	1971	DeAnza	1440	DW	\$2,865	40+ to own
2120 N Pacific #45	Santa Cruz	\$39,000	1	1		Coop Park		SW	\$357	Space Only

2120 N Pacific #30	Santa Cruz	\$42,000	1	1		Coop Park		SW	\$359	Space Only
170 W Cliff DR #39	Santa Cruz	\$47,500	1	1		Clearview Court	480	SW	\$765	All age park
2120 Pacific AV #38	Santa Cruz	\$49,000	1	1	1958	Coop Park	410	SW	\$349	Co-op Park
1040 38th AV #37	Santa Cruz	\$54,500	1	1	1973	Shangri La	576	SW	\$362	62+
2395 Delaware #81	Santa Cruz	\$54,900	2	2	1971	DeAnza	1733	DW	\$2,500	40+ to own
1625 Brommer ST #24	Santa Cruz	\$60,000	1	1	1990	Live Oak Park	400	SW	\$350	
1099 38th AV #45	Santa Cruz	\$60,000	2	1	1970	Castle Mobile Estates	860	DW	\$650	All age park
720 26th Ave #27	Santa Cruz	\$60,000	2	2	1960	Pleasure Point	850	SW	\$304	
1099 E 38th AV #19	Santa Cruz	\$62,800	2	1.5	1971	Castle Mobile Estates	720	SW	\$550	All age park
560 30th AV #38	Santa Cruz	\$69,000	1	1	1962	Snug Harbor	480	SW	\$330	
2565 Portola DR #12	Santa Cruz	\$74,900	1	1	1958	Ocean Breeze	400	SW	\$360	
2395 Delaware AV #78	Santa Cruz	\$75,000	2	2	2006	DeAnza	1180	DW	\$2,500	40+ to own
2630 Portola DR #35	Santa Cruz	\$84,000	1	1	2008	Trailer Haven	393	SW	\$281	All age park
1730 Commercial WY #14	Santa Cruz	\$85,000	1	1	2009	Pacific Family	432	SW	\$335	All age park
890 38th AV #92	Santa Cruz	\$89,000	3	2	1961	Opal Cliffs	825	SW	\$630	
1555 Merrill St #39	Santa Cruz	\$94,500	2	1	1994	Shoreline Estates	728	SW	\$328	
998 38th #28	Santa Cruz	\$95,000	2	2	1969	Ranchito	940	DW	\$232	62+
1555 Merrill St #148	Santa Cruz	\$95,000	2	2	1970	Shoreline	960	DW	\$350	55+
1555 Merrill St #164	Santa Cruz	\$99,000	2	2	1970	Shoreline	1150	DW	\$350	55+

444 Whispering Pines DR #99	Scotts Valley	\$76,000	2	2	1973	Vista Del Lago	1440	DW	\$795	All age park
999 Old San Jose Rd #82	Soquel	\$62,000	2	1	1968	Carriage Acres	944	DW	\$360	All age park
2630 Orchard ST #40	Soquel	\$99,000	2	2		Country Villa	1050	DW	\$484	
Median Data		\$62,800			1992	612			\$650	

DRAFT

CONDOS FOR SALE

Address	City	BR	BA	Listing Price	HOA	Sqft
41 GRANDVIEW ST #01402	Santa Cruz, CA 95060	1	1	\$199,500	\$310	692
1925 46TH AV #145	Capitola, CA 95010	2	1	\$200,000	\$340	990
308 RIVER ST #E31	Santa Cruz, CA 95060	2	1	\$219,900	\$370	797
323 BROADWAY #C2	Santa Cruz, CA 95060	1	1	\$229,000	\$407	1028
318 SOQUEL AV #D1	Santa Cruz, CA 95062	2	2	\$230,000	\$407	1180
755 14TH AV #108	Santa Cruz, CA 95062	2	1	\$230,000	\$211	799
1925 46TH AV #139	Capitola, CA 95010	2	1	\$240,000	\$340	775
1925 46TH AV #136	Capitola, CA 95010	2	1	\$244,000	\$315	790
930 PONSELLE LN #4	Capitola, CA 95010	2	1	\$245,000	\$325	819
4203 STARBOARD CT	Soquel, CA 95073	3	1	\$249,000	\$316	
3050 MARLO CT #2	Aptos, CA 95003	2	1	\$251,500	\$380	1050
Median Data				\$230,000	\$340	809

NON-MOBILE HOME RENTALS

Address	City	Type	Bed	Bath	Rent	Deposit	Pets
9012 SOQUEL DRIVE, #2	Aptos	Apt	1	1	\$895	\$1,295	Cats
1901 KINSLEY ST. #8	Santa Cruz	Apt	1	1	\$925	\$1,425	Cats
123 Pearl Street #5	Santa Cruz	Apt	1	1	\$960	\$1,460	No
701 Beach Street	Santa Cruz	Apt	1	1	\$975		
2623 Porter St	Soquel	Apt	1	1	\$985	\$1,100	No
Taylor Way	Santa Cruz	Cottage	1	1	\$995		Yes
229 MAR VISTA #B	Aptos	Fourplex	1	1	\$1,025	\$1,525	Cats
3912 Portola Drive	Capitola	Apt	1	1	\$1,040	\$1,500	
119 Clay St #1	Santa Cruz	Apt	1	1	\$1,050	\$800	No
E. Walnut St. at Soquel Dr.	Santa Cruz	Cottage	1	1	\$1,100	\$1,200	Cats
850 Rosedale Ave	Capitola	Apt	1	1	\$1,135	\$1,000	No
212 San Jose Avenue	Capitola	Apt	1	1	\$1,195		No
Merced ave	Santa Cruz	Duplex	1	1	\$1,200		
208 Terrace Way #3	Santa Cruz	Apt	1	1	\$1,250	\$1,875	Cats
315 Riverview Avenue, #3	Capitola	Cottage	1	1	\$1,250	\$500	unk
41st. Ave	Capitola	Apt	1	1	\$1,295		
Balboa Ave. at Cabrillo Ave.	Capitola	Apt	1	1	\$1395-1 adult \$1450 - 2 adults		Yes, under 10lbs
1925 46th ave, #31	Capitola	Condo	1	1	\$1,400		No
22625 East Cliff Drive	Santa Cruz	Condo	1	1	\$1,445	\$1,000	No
2655 Mar Vista D	Aptos	Apt	2	1	\$1,240	\$1,860	No
Barson St. at Ocean St.	Santa Cruz	Fourplex	2	1	\$1,250	\$1,800	No
514 Laverne Ave #B	Aptos	Duplex	2	1	\$1,275	\$1,500	No
600 CABRILLO PARK CT. #15	Soquel	Townhouse	2	1.5	\$1,295	\$1,895	Cats
2939 PARK AVENUE #3	Soquel	Apt	2	1	\$1,295	\$1,895	Cats
121 Grant St #16	Santa Cruz	Apt	2	1	\$1,325	\$1,200	No
174 Searidge Ct #D	Aptos	Apt	2	1	\$1,350	\$1,200	No
810 Balboa Ave #C	Capitola	Apt	2	1	\$1,375	\$1,200	No
1545 San Andreas Rd	Aptos	Duplex	2	1	\$1,395	\$1,900	No

4440 Diamond Street 3	Capitola	Condo	2	1	\$1,400	\$2,000	No
408 Village Circle	Santa Cruz	House	2	1	\$1,450		
1542 Dolphin	Aptos	Townhouse	2	1.5	\$1,500	\$2,250	No
Valencia rd. at Trout gulch rd.	Aptos	Cottage	2	1	\$1,500	\$1,500	Cats
801 Brommer #B	Santa Cruz	Duplex	2	2	\$1,550	\$2,325	No
180 Dakota Ave #18	Santa Cruz	Condo	2	1	\$1,600	\$2,400	No
1630 Merrill Street	Santa Cruz	Apt	2	1	\$1,645		Yes
304 Cliff Street	Santa Cruz	Apt	2	1	\$1,650	\$1,650	No
725 Capitola Ave	Capitola	Condo	2	1.5	\$1,650	\$2,475	Cats
132 Marina	Aptos	House	2	1	\$1,695	\$2,550	No
6111 Abbey	Aptos	Townhouse	2	1.5	\$1,700	\$2,550	No
2906 Mattison Lane	Santa Cruz	Cottage	2	1	\$1,750	\$2,625	Cats
Median Data					\$1,295	\$1,525	

DRAFT

MOBILE HOMES FOR RENT

Address	City	Type	Bed	Bath	Rent	Deposit	Pets
Brown Gables Rd at Hwy 9	Santa Cruz	Mobile Home	1	1	\$1,000.00	\$1,500.00	Cats
Plum st at Rosedale	Capitola	Mobile Home	2	2	\$1,750.00	Neg.	Cats

DRAFT

MOBILE HOME PARKS WITHIN 20 MILES

LOCATION	PARK NAME	ADDRESS	CONTACT	APPROXIMATE SPACE RENT/FEES	AGE	PETS	DISTANCE FROM SUBJECT PARK	TYPE	Replacement Coaches
SANTA CRUZ	Antonelli	2655 Brommer Ave Santa Cruz	831-476-3951	\$ 160.00	55+	On approval	2.4	**	
	Beach Comber	2627 Mattison Ln Santa Cruz	831-475-6923	\$ 261.00	All	On Approval	3.0	***	
	Blue & Gold	1255 38th Ave. Santa Cruz	831-475-1620	\$ 330.00	All	Max 20 pounds	1.8		
	De Anza	2395 Delaware St. Santa Cruz	831-423-8660	\$ 1,640.00	55+	On Approval	7.9		
	El Rio	2120 Mattison Ln Santa Cruz	831-423-9494	\$ 330.00	All	Max 30 pounds	2.8	***	
	Homestead	2335 Brommer St. Santa Cruz	831-476-7616	\$ 110.00	55+	On Approval	2.4	**	
	Live Oak	1225 17th Ave. Santa Cruz	831-732-7477	\$ 330.00	All	On Approval	2.4		
	Ocean Breeze	2565 Portola Dr. Santa Cruz	831-479-9662	\$ 215.00	All	On Approval	1.8		

Pleasure Point	720 26th Ave. Santa Cruz		\$ 291.00	All	Max 35 pounds	1.9		
Ranchito	998 38th Ave. Santa Cruz	831-476-0723	\$ 232.00	62+	On Approval	1.5		
Shangri-La	1040 38th Ave. Santa Cruz	831-475-7494	\$ 340.00	62+	On Approval	1.6		
Shoreline Estates	1555 Merrill St. Santa Cruz	831-475-7031	\$ 350.00	55+	On Approval	2.8		
Snug Harbor	560 30th Ave. Santa Cruz	831-475-4464	\$ 284.00	All	Max 35 pounds	1.8		
Sorrento Oaks	800 Brommer St. Santa Cruz	831-476-0101	\$ 130.00	55+	On Approval	3.3	**	
Voyage West	3710 Gross Rd. Santa Cruz	831-476-1523	\$ 327.00	All	On Approval	1.2		
Villa Santa Cruz	2435 Felt Street Santa Cruz	831-475-0900	\$ 135.00	All	Max 28 pounds	2.4	***	
Bay Mobile Home Park	925 38th Ave. Santa Cruz	831-475-7899	\$ 288.00	All	On Approval	1.4		Currently no vacancies. All replacement coaches must not be over ten (10) years old (or receive a special exemption from the Park Owner in cases where the coach is in exceptionally good condition)

								and meet all current HCD requirements at the time of installation.
Bell Harbor Mobile Home Park	3300 Portola Dr. Santa Cruz	831.234.1346	\$ 300.00	All	On Approval	1.6		
Clearview Court Mobile Home	170 West Cliff Dr. Santa Cruz	831-423-5855	\$ 665.00	All	On Approval	7.2		
Garden Lane Mobile Home Park	692 38th Ave. Santa Cruz	831-722-7864	\$ 300.00	All	On Approval	1.4		
Pine Knoll Mobile Home Park	2546 Capitola Road, Santa Cruz	831-475-0559	\$ 322.00	All	Max 35 pounds; no cats	1.7		
Pleasant Acres Mobile Home Park	1770 17TH AVE, San Cruz	831-475-1012	\$ 224.00	All	On Approval	3.1		
Trailer Haven Mobile Home Park	2630 Portola Drive, Santa Cruz	831-475-7322	\$ 250.00	All	On Approval	1.8		
Pacific Family	1730 Commercial Way, Santa Cruz	831-476-7651	\$ 355.00	All	On Approval	2.4	***	All replacement coaches must not be over ten (10) years old (or receive a special exemption from the Park Owner in cases where the coach is in exceptionally good condition) and meet all current HCD requirements at the time of installation.

Bay Village	825 35th Ave., Santa Cruz	831-475-7899	\$ 275.00	All	On Approval	1.6		Currently no vacancies. All replacement coaches must not be over ten (10) years old (or receive a special exemption from the Park Owner in cases where the coach is in exceptionally good condition) and meet all current HCD requirements at the time of installation.
Opal Cliff	890 38th Ave. Santa Cruz	831-475-7899	\$ 470.00	All	On Approval	1.4		Currently no vacancies. All replacement coaches must not be over ten (10) years old (or receive a special exemption from the Park Owner in cases where the coach is in exceptionally good condition) and meet all current HCD requirements at the time of installation.
Yacht Harbor Manor	1190 7th Ave. Santa Cruz	831-475-5150	\$ 365.00	All	Max 35 pounds	3.3		
DRAFT								
CAPITOLA	Castle Mobile Home Park	1099 38th Ave. Santa Cruz	831-475-7334	\$ 600.00	All	Max 20 pounds	1.6	
	Tradewinds	4160 Jade St. Capitola	831-475-6740	\$ 110.00	55+	On Approval	1.1	**
	Brookvale Terrace	300 Plum St. Capitola	831-475-9499	\$ 190.00	All	Max 45 pounds	0.4	**

Cabrillo Estates	930 Rosedale Ave. Capitola	831-475-4312	\$ 300.00	All	On Approval	1.1		
Loma Vista	4425 Clares St. Capitola	831-476-3165	\$ 348.00	55+	On Approval	1.1		
Surf & Sand	750 47th Ave. Capitola	831-475-5815	\$ 270.00	55+	On Approval	0.8		
Turner Lane	920 Capitola Av. Capitola	831-475-0252 under new ownership	\$ 150.00	All	Max 20 pounds	0.5		
Wharf Manor	2155 Wharf Road Capitola		\$ 418.00	All	On Approval	1.2		

SOQUEL	Alimur	4300 Soquel Dr., Soquel	831-475-0252	\$ 307.00	All	Max 20 pounds	1.8	***	
	Carriage Acres	999 Old San Jose Rd. Soquel	831-475-6653	\$ 360	All	Max 40 pounds	1.8		
	Cliffwood Heights	3200 Cliffwood Dr. Soquel	831-475-3366	\$ 90.00	55+	On Approval	1.6	**	
	Country Villa	2630 Orchard, Soquel	831-475-5530	\$ 525.00	All	On Approval	1.2		

Old Mill	3060 Porter St. Soquel	831-475-6696	\$ 450.00	All	On Approval	1.1		
Orchard Lane	2750 Orchard St. Soquel	831-475-4464	\$ 326.00	All	Max 35 pounds	1.1		
Rodeo Estates	100 N. Rodeo Gulch Soquel	831-476-6242	\$ 405.00	55+	Max 35 pounds	1.9		
Soquel Glenn	5300 Soquel Dr. Soquel	831-476-5044	\$ 272.00	55+	On Approval	1.3		
Soquel Trailer	4150 Soquel Dr. Soquel	831-475-4463	\$ 300.00	All	On Approval	1.5		

APTOS	Aptos Knolls	600 Trout Gulch Aptos	831-688-4422	\$ 550.00	55+	Max 25 pounds	4.1	
	Aptos Pines	7515 Freedom Blvd. Aptos	831-688-5444	\$ 150.00	All	On Approval	5.7	*
	Blue Pacific	220 Mar Vista Dr. Aptos	831-688-3090	\$ 343.00	All	Max 20 pounds	2.8	
	Ocean View	21 Windemere Ln Aptos	831-688-6346	\$ 161.00	55+	On Approval	3.2	
	Palm Terrace	2711 Mar Vista Dr. Aptos	831-688-4831	\$ 475.00	All	Max 35 pounds	3.0	
	Seacliff	2700 Mar Vista Dr. Aptos	831-688-6824	\$ 191.00	55+	On Approval	3.0	**

SCOTTS VALLEY	Monteville	552 Bean Creek Rd., Scotts Valley	831-438-1309	\$ 170.00	55/45+	On Approval	8.9	*
---------------	------------	-----------------------------------	--------------	-----------	--------	-------------	-----	---

Mountain Brook	6011 Scotts Valley Dr., Scotts Valley	831-439-9286	\$ 325.00	All	On Approval	10.0	***	
Spring Lakes	225 Mt. Hermon Rd., Scotts Valley	831-438-2407	\$ 175.00	55+	Max 20 pounds	8.5	**	
Forest Hills	4121 Scotts Valley Dr., Scotts Valley (income restricted)	831-438-2750	\$ 285.00	All	Cats only	8.5		
Scotts Valley	5344 Scotts Valley Dr.	831-761-9151	\$ 370.00	All	On Approval	9.8		
Vista Del Lago	444 Whispering Pines, Scotts Valley	831-438-4840	\$ 619.00	All	On Approval	8.6		
SAN LORENZO VALLEY								
Fall Creek	6831 Highway 9, Felton	831-335-7599	\$ 285.00	55+	On Approval	11.7		
Redwoods on River	265 Brown Gables Rd., Ben Lomond	831-336-5182	\$ 180.00	All	On Approval	14.9		
Sequoia Villa	12540 Central Ave., Boulder Creek	831-338-6586	\$ 230.00	All	On approval	17.2		
Smithwoods	Kelldon Dr., Felton	831-335-4321	\$ 279.00	55+	On Approval	9.8		
WATSONVILLE / CORRALITOS								
Colonial Manor	525 Airport Blvd. Watsonville	831-724-1036	\$ 294.00	55+	On Approval	12.3		

Freedom	1954 Freedom Blvd. Watsonville	831-458-3013	\$ 200.00	All	On Approval	12.4		
Green Valley Village	501 Green Valley Rd. Watsonville	831-722-6766	\$ 310	All	On Approval	14.2		
Meadows Manor	49 Blanca Lane Watsonville	831-724-1841	\$ 400.00	All	On Approval	13.7		
Monterey Vista	144 Holm Rd. Watsonville	831-722-6698	\$ 375.00	55+	On Approval	11.7		
Moss Landing	1900 Salinas Rd. Watsonville	831-724-1900	\$ 310.00	All	On Approval	18.2		
Pinto Lake	789 Green Valley Rd. Watsonville	831-724-3333	\$ 350.00	All	Max 20 pounds	15.4		
Portola Heights	1007 Freedom Blvd. Watsonville	831-724-4909	\$ 436.00	All	Max 25 pounds	13.4		
Rancho Cerritos	2120 Kralj Dr. Watsonville	831-722-5391	\$ 415.00	All	On Approval	10.0		
Rancho Corralitos	270 Hames Rd. Corralitos	831-722-6515	\$ 425.00	55+	Max 15 pounds	9.8	**	

NOTE: * space rents vary due to coach size and location and change annually

* Resident Owned Park with individual parcel numbers

** Resident Owned Park with shares

*** Resident Owned Park CO-OP

Converting to Resident-owned.

MOBILE HOME PARKS WITHIN 25 AND 50 MILES

Jnits	Age	Park Name	Address	City	State	Phone	Distance From Subject Park
196	All	FRIENDLY VILLAGE OF MILPITAS	120 DIXON LANDING RD	MILPITAS	CA	408-263-1120	42.1
45	All	JOHNSVILLE MOBILE HOME PARK	1504 S MAIN ST	MILPITAS	CA	408-262-1593	38.4
145	All	MOBILODGE OF MILPITAS MH PARK	1515 N MILPITAS BLVD	MILPITAS	CA	408-262-2484	41.8
82	All	FAIRVIEW MOBILE MANOR	2900 FAIRVIEW RD	HOLLISTER	CA	831-637-7953	42.5
235	All	MISSION OAKS MOBILE HOME PARK	1401 SAN JUAN RD	HOLLISTER	CA	831-637-6311	38.3
178	All	PACIFIC MOBILE ESTATES	500 W TENTH ST	GILROY	CA	408-842-8300	36.1
121	All	WAGON WHEEL MOBILE VILLAGE	8282 MURRAY AVE	GILROY	CA	408-842-6240	37.8
54	All	ACE MOBILE HOME COMMUNITY	2800 MONTEREY RD	SAN JOSE	CA	408-225-3204	36.7
64	All	BELLA ROSA MOBILE LODGE	1500 VIRGINIA PL # 146	SAN JOSE	CA	408-923-3066	37.1
418	All	CALIFORNIA HAWAIIAN MH PARK	3637 SNELL AVE	SAN JOSE	CA	408-227-0330	34.8
440	All	CARIBEES MOBILE HOME PARK	411 LEWIS RD	SAN JOSE	CA	408-629-0624	36.3
618	All	CASA DEL LAGO MOBILE HOME PARK	2151 OAKLAND RD	SAN JOSE	CA	408-432-1323	38.6
433	All	CHATEAU LA SALLE	2681 MONTEREY HWY	SAN JOSE	CA	408-298-3230	36.3
200	All	COLONIAL MOBILE MANOR	3300 NARVAEZ AVE	SAN JOSE	CA	408-269-4404	33.5
182	All	COYOTE CREEK MOBILE HOME PARK	2580 SENTER RD	SAN JOSE	CA	408-279-0925	36.8
221	All	GOLDEN WHEEL PARK	1450 OAKLAND RD	SAN JOSE	CA	408-453-3575	36.5

62	All	HILTON MOBILE PARK	661 BONITA AVE	SAN JOSE	CA	408-297-2363	36.6
187	All	HOMETOWN EASTRIDGE	1955 QUIMBY RD	SAN JOSE	CA	408-251-1401	39
108	All	LA BUONA VITA-MOBILE PARK	445 N CAPITOL AVE	SAN JOSE	CA	408-923-3119	39.2
265	All	LAMPLIGHTER SAN JOSE	4201 N FIRST ST	SAN JOSE	CA	408-321-9331	41
541	All	MAGIC SANDS PARK	165 BLOSSOM HILL RD	SAN JOSE	CA	408-225-1010	35
400	All	MILL POND MOBILE HOME PARK	2320 CANOAS GARDEN AVE	SAN JOSE	CA	408-267-9790	34.8
81	All	MOBILE HOME MANOR	1300 E SAN ANTONIO ST	SAN JOSE	CA	408-294-6789	36.6
344	All	MONTEREY OAKS MOBILE HOME PARK	6130 MONTEREY HWY	SAN JOSE	CA	408-225-1475	37.6
107	All	MOSS CREEK MOBILE HOME PARK	2929 ABORN SQUARE RD	SAN JOSE	CA	408-274-5600	40.3
108	All	MOUNTAIN SHADOWS MH PARK	633 SHADOW CREEK DR	SAN JOSE	CA	408-269-9090	33.8
144	All	MOUNTAIN SPRINGS MH PARK	625 HILLSDALE AVE	SAN JOSE	CA	408-266-7611	34.3
102	All	OLD ORCHARD MOBILE PARK	2135 LITTLE ORCHARD ST	SAN JOSE	CA	408-292-4359	35.5
186	All	QUAIL HOLLOW MOBILE HOME PARK	1445 S BASCOM AVE	SAN JOSE	CA	408-371-0116	29.9
95	All	REDWOOD MOBILE HOME PARK	2745 MONTEREY HWY	SAN JOSE	CA	408-227-8591	36.1
166	All	RIVER GLEN MOBILE PARK	2150 ALMADEN RD	SAN JOSE	CA	408-269-2367	33.9
120	All	SAN JOSE MOBILE HOME PARK	540 BONITA AVE	SAN JOSE	CA	408-292-9694	36.5
121	All	SAN JOSE ONE MOBILE HOME PARK	1350 PANOCHÉ AVE	SAN JOSE	CA	408-293-9317	36.8
148	All	SAN JOSE VERDE MOBILE HOME PARK	555 UMBARGER RD	SAN JOSE	CA	408-295-3342	37.1

45	All	GREEN PARROT MOBILE HOMES PARK	835 KIMBALL AVE	SEASIDE	CA	831-394-0222	36.6
68	All	TRAILER TERRACE MOBILE PARK	1206 LA SALLE AVE OFC	SEASIDE	CA	831-392-1934	34.8
		SEASIDE MOBILE ESTATES	1146 BIRCH AVE	SEASIDE	CA	831-394-0700	35.1
		TRAILER HARBOR	905 KIMBALL	SEASIDE	CA	831-394-7559	36.6
		HILBY HEIGHTS PARK	1528 HILBY AVE	SEASIDE	CA	418-394-7951	37.3
138	All	MOORPARK MOBILE HOME PARK	501 MOORPARK WAY	MOUNTAIN VIEW	CA	650-968-4358	38.8
141	All	NEW FRONTIER MOBILE HOME PARK	325 SYLVAN AVE	MOUNTAIN VIEW	CA	650-967-1725	38.5
206	All	SAHARA MOBILE VILLAGE	191 E EL CAMINO REAL	MOUNTAIN VIEW	CA	650-968-7891	37.5
144	All	SUNSET ESTATES MOBILE HOME PARK	433 SYLVAN AVE	MOUNTAIN VIEW	CA	650-968-2222	38.4
143	All	T L MOBILE HOME PARK	440 MOFFETT BLVD	MOUNTAIN VIEW	CA	650-968-4848	39.6
84	All	CYPRESS SQUARE MOBILE HOME PARK	347 CARMEL AVE	MARINA	CA	831-384-9151	30
61	All	EL CAMINO MOBILE HOMES PARK	3320 DEL MONTE BLVD	MARINA	CA	831-384-8241	29.1
99	All	EL RANCHO MOBILE HOME PARK	356 RESERVATION RD	MARINA	CA	831-384-8141	29.8
69	All	LAZY WHEEL MOBILE HOME PARK	304 CARMEL AVE	MARINA	CA	831-384-9421	29.9
83	All	MARINA DEL MAR MOBILE HOME PARK	3128 CRESCENT AVE # 73	MARINA	CA	831-384-8180	29.8
310	All	MONTE DEL LAGO MOBILE HOME PARK	13100 MONTE DEL LAGO	CASTROVILLE	CA	831-633-3729	25

ATTACHEMENT 5: SAMPLE INFORMATIONAL STATEMENT

GENERAL INFORMATION

- I. ASSISTANCE IN LOCATING A REPLACEMENT DWELLING
- II. MOVING BENEFITS
- III. REPLACEMENT HOUSING PAYMENT - TENANTS AND CERTAIN OTHERS
- IV. REPLACEMENT HOUSING PAYMENT - HOMEOWNERS
- V. QUALIFICATION FOR AND FILING OF RELOCATION CLAIMS
- VI. LAST RESORT HOUSING ASSISTANCE
- VII. RENTAL AGREEMENT
- VIII. APPEAL PROCEDURES - GRIEVANCE
- IX. TAX STATUS OF RELOCATION BENEFITS
- X. ADDITIONAL INFORMATION AND ASSISTANCE AVAILABLE

I. GENERAL INFORMATION

The mobile home coach in which you now live is in an area – 'Pacific Cove Mobile Home Park' – to be improved by the City of Capitola (City). As the project schedule proceeds in the future, it will be necessary for you to move from your dwelling. You will be notified in a timely manner as to the date by which you must move.

Please read this information, as it will be helpful to you in determining your eligibility for and the amount of relocation benefits under federal and/or state law. We suggest you save this informational statement for reference.

The City has retained the services of Overland, Pacific & Cutler, Inc., a qualified professional relocation firm, to assist you. The firm is available to explain the program and benefits. Their address and telephone number is:

**Overland, Pacific & Cutler, Inc.
7901 Oakport Street, Suite 4800
Oakland, California 94621-2089
Telephone: 877.972.8908**

PLEASE DO NOT MOVE PREMATURELY. THIS IS NOT A NOTICE TO VACATE YOUR DWELLING. However, if you desire to move sooner than required, you must contact your representative with Overland, Pacific & Cutler, Inc., so you will not jeopardize any benefits to which you might otherwise be eligible.

This is a general informational brochure only, and is not intended to give a detailed description of either the law or regulations pertaining to City=s relocation assistance program.

II. ASSISTANCE IN LOCATING A REPLACEMENT DWELLING

The City, through its representatives, will assist you in locating a comparable replacement dwelling by providing referrals to appropriate and available housing units. You are encouraged to actively seek such housing yourself.

When a suitable replacement dwelling unit has been found, your relocation consultant will carry out an inspection and advise you as to whether the dwelling unit meets decent, safe and sanitary housing requirements. A decent, safe and sanitary housing unit must provide adequate space for its occupants; proper weatherproofing; and, sound heating, electrical and, plumbing systems. Your new dwelling must pass inspection before relocation assistance payments can be authorized.

III. MOVING BENEFITS

If you must move as a result of displacement by the City, you will receive a payment to assist in moving your personal property, including the mobile home coach which you own. There are two types of moving payments. You have the option of selecting either one of the following types of moving payments:

A. Fixed Moving Payment

A Fixed Moving Payment is based upon the number of rooms you occupy and whether or not you own your own furniture. The payment is based upon a schedule approved by the City and ranges, for example, from four hundred dollars (\$400.00) for one (1) furnished room to two thousand one hundred fifty dollars (\$2,150.00) for eight rooms in an unfurnished dwelling (For details see the Table following).

Your relocation representative will inform you of the amount you are eligible to receive if you choose this type of payment.

FIXED MOVING SCHEDULE - CALIFORNIA (effective 2005)

Occupant Owns Furniture		Occupant Does NOT Own Furniture	
1 room	\$625.00	1 room	\$400.00
2 rooms	\$800.00	Each Additional Room	\$65.00
3 rooms	\$1,000.00		
4 rooms	\$1,170.00		
5 rooms	\$1,425.00		
6 rooms	\$1,650.00		
7 rooms	\$1,900.00		
8 rooms	\$2,150.00		
Each Additional Room	\$225.00		

If you select a fixed payment, you will be responsible for arranging for your own move and the City will assume no liability for any loss or damage of your personal property.

B. Actual Moving Expense (Professional Move)

If you wish to engage the services of a licensed commercial mover and have the City pay the cost directly, you may claim the ACTUAL cost of moving your personal property up to fifty (50) miles. Your relocation representative will inform you of the number of competitive moving bids (if any) which may be required, and assist you in developing a scope of services for City approval.

IV. REPLACEMENT HOUSING PAYMENT - TENANTS AND CERTAIN OTHERS

You may be eligible for a payment of up to five thousand two hundred fifty dollars (\$5,250.00) to assist you in renting or purchasing a comparable replacement dwelling. In order to qualify, you must either be a tenant who has occupied your present dwelling for at least Ninety (90) days prior to City of Capitola acquisition of the property; or, an owner who has occupied your dwelling for between Ninety (90) and one hundred eighty (180) days prior to City of Capitola acquisition of the property.

A. Rental Assistance. If you qualify, and wish to rent your replacement dwelling, your rental assistance benefits will be based upon the difference, over no less than a forty-two (42) month period, between the rent you must pay for a comparable replacement dwelling; and, the lesser of your current rent or thirty percent (30%) of your gross monthly household income. You will be required to provide your relocation representative with monthly rent and household income verification prior to the determination of your eligibility for this payment.

- Or -

B. Down-payment Assistance. If you qualify, and wish to **purchase** a home as a replacement dwelling, you can apply up to the total amount of your rental assistance payment towards the down-payment and non-recurring incidental expenses. Your relocation representative will clarify procedures necessary to apply for this payment.

V. REPLACEMENT HOUSING PAYMENT - HOMEOWNERS

A. If you owned, and occupied a dwelling for at least 180 days prior to May 2000, you *may* be eligible to receive a payment of up to twenty two thousand five hundred dollars (\$22,500.00) to assist you in purchasing a comparable replacement unit in the event you are *unable* to relocate your coach to another park.

If you owned, and occupied a *non-relocatable* displacement dwelling for at least 90 days but not more than 180 days immediately prior to the date of the City's purchase, you may be eligible for a payment of up to five thousand two hundred fifty dollars (\$5,250.00). This payment is intended to cover the following items:

1. **Purchase Price Differential** – An amount which, when added to the amount for which City purchases your property, equals the lesser of the actual cost of your replacement dwelling; *or*, the amount determined by City as necessary to purchase a comparable replacement dwelling. Your relocation representative will explain both methods to you.
2. **Mortgage Interest Differential** – The amount which covers the *increased interest* costs, if any, required financing a replacement dwelling. Your relocation representative will explain limiting conditions.
3. **Incidental Expenses** – Those one time costs incidental to purchasing a replacement unit, such as escrow fees, recording fees, and credit report fees. Recurring expenses such as prepaid taxes and insurance premiums are not compensable.

B. Rental Assistance Option – If you are an owner-occupant and choose to *rent* rather than purchase a replacement dwelling, you may be eligible for a rental assistance payment of up to \$5,250.00. The payment will be based on the difference between the fair market rent of the dwelling you occupy and the rent you must pay for a comparable replacement dwelling.

If you receive a rental assistance payment, as described above, and *later* decide to purchase a replacement dwelling, you may apply for a payment equal to the amount you would have received if you had initially purchased a comparable replacement dwelling, *less* the amount you have already received as a rental assistance payment.

VI. QUALIFICATION FOR AND FILING OF RELOCATION CLAIMS

To qualify for a Replacement Housing Payment, you must rent or purchase, and occupy a comparable replacement unit **within one year from the later** of the following:

1. For a *tenant*, the date you move from the displacement dwelling;
2. For an *owner-occupant*, the date you receive final payment for the displacement dwelling, or, in the case of condemnation, the date the full amount of estimated just compensation is deposited in court; or
3. The date City fulfills its obligation to make available comparable replacement dwellings.

All claims for relocation benefits must be filed with the City **within eighteen (18) months** from the date on which you receive final payment for your property, or the date, on which you move, whichever is later.

VII. LAST RESORT HOUSING ASSISTANCE

If comparable replacement dwellings are not available when you are required to move, or if replacement housing is not available within the monetary limits described above, City will provide Last Resort Housing assistance to enable you to rent, or purchase a replacement dwelling on a timely basis. Last Resort Housing assistance is based on the individual circumstances of the displaced person. Your relocation representative will explain the process for determining whether or not you qualify for Last Resort assistance.

If you are a tenant, and you choose to purchase rather than rent a comparable replacement dwelling, the entire amount of your rental assistance and last resort eligibility must be applied toward the down-payment of the home you intend to purchase.

VIII. RENTAL AGREEMENT

Except for the causes of eviction set forth below, no person lawfully occupying the park will be required to move without having been provided with at least Ninety (90) days written notice from the City. Eviction will be undertaken only in the event of one or more of the following infractions:

- A.** Failure to pay rent; except in those cases where the failure to pay is due to the lessor's failure to keep the premises in habitable condition, is the result of harassment or retaliatory action or is the result of discontinuation or substantial interruption of services within the reasonable control of lessor;
- B.** Performance of dangerous or illegal act in the unit by lessee, its guests or invitee's or, any combination thereof;
- C.** A Material breach of the rental agreement and failure to correct breach within thirty (30) days of written notice;
- D.** Maintenance of a nuisance and failure to abate within a reasonable time following notice;
- E.** Refusal to accept one of a reasonable number of offers of replacement dwellings; or
- F.** The eviction is required by State or local law and cannot be prevented by reasonable efforts on the part of the public entity.

IX. APPEAL PROCEDURES - GRIEVANCE

Any person aggrieved by a determination as to eligibility for a relocation payment, or the amount of a payment, may have her/his claim reviewed or reconsidered in accordance with City's appeals procedure. Complete details on appeal procedures are available upon request from City.

X. TAX STATUS OF RELOCATION BENEFITS

California Government Code Section 7269 indicates no relocation payment received shall be considered as income for the purposes of the Personal Income Tax Law, Part 10 (commencing with Section 170 01) of Division 2 of the California Revenue and Taxation Code, or the Bank and Corporation Tax law, Part 11 (commencing with Section 23001) of Division 2 of the California Revenue and Taxation Code. Furthermore, federal regulations (49 CFR Part 24, Section 24.209) also indicate that no payment received under this part (Part 24) shall be considered as income for the purpose of the Internal Revenue Code of 1954, which has been redesignated as the Federal Internal Revenue Code of 1986. The preceding statement is not tendered as legal advice in regard to tax consequences, and displacees should consult with an independent tax advisor or legal counsel to determine the current status of such payments.

XI. ADDITIONAL INFORMATION AND ASSISTANCE AVAILABLE

Those responsible for providing you with relocation assistance hope to assist you in every way possible to minimize hardships involved in relocating to a new home. Your cooperation will be helpful and greatly appreciated. If you have any questions at any time during the process, please do not hesitate to contact your relocation representative.

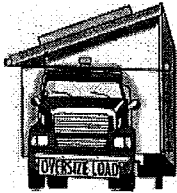
**ATTACHMENT 6: FIXED RESIDENTIAL MOVE SCHEDULE FOR PERSONAL
PROPERTY (MOBILE HOME EXCLUDED)**

FIXED MOVING SCHEDULE			
Mobile Homes			
Occupant owns furniture		Occupant does NOT own furniture	
1 room	\$625.00	1 room	\$400.00
2 rooms	\$800.00	each additional room	\$65.00
3 rooms	\$1,000.00		
4 rooms	\$1,175.00		
5 rooms	\$1,425.00		
each additional room	\$225.00		

DRAFT

ATTACHEMENT 7: MOBILE HOME MOVE BIDS

DRAFT



Baxter Mobile Home Transport, Inc

2540 Burlwood Dr
Modesto, CA 95355

www.baxtermobilehometransport.com

Estimate

Date	Estimate #
8/22/2011	533

Contractor's License # 867503

Phone #	Fax #
209-544-8212	209-544-2285

Name / Address
Linh Inokuchi linokuchi@opcservices.com 510-924-3013 510-638-3081

Job

Description	Amount
Prepare double mobile home for transport located in Capitola, CA. Provide axles and tires if necessary.	3,000.00
Transport home within 100 mile radius.	3,000.00
Set up home. Block & level	4,000.00
Total	\$10,000.00



Baxter Mobile Home Transport, Inc

2540 Burlwood Dr
Modesto, CA 95355

www.baxtermobilehometransport.com

Estimate

Date	Estimate #
8/22/2011	532

Contractor's License # 867503

Phone #	Fax #
209-544-8212	209-544-2285

Name / Address
Linh Inokuchi linokuchi@opcservices.com 510-924-3013 510-638-3081

Job

Description	Amount
Prepare single mobile home for transport located in Capitola, CA. Provide axles and tires if necessary.	1,500.00
Transport home within 100 mile radius.	1,500.00
Set up home. Block & level	2,000.00
Total	\$5,000.00



Free Mobile Home and Manufactured Housing Advertising for Buying, Selling and Renting.

Thank you for visiting our website and participating in our free estimate to move a mobile home. This information is only available by doing so....

Below is average pricing to move a mobile home within 100 miles. Only the transporting would increase every 100 miles.

Additional cost would be:

- expando or room addition.
- permit processing (installation permits -not transit permits)
- Utility disconnection and connections.
- Extra wide loads - requires pilot cars with flashing lights
- Difficult delivery or pick-up. Obstructions - fences, mailboxes, trees - requires special rolling equipment.
- Installation in a mobile home park - because of bracing requirements

Mobile Home Only	Takedown	Transporting	Setup
Singlewide	\$800	\$800	\$1,200
Doublewide	\$2,400	\$1,600	\$3,500
Triplewide	\$4,000	\$2,400	\$5,000

Awning or Carport	Small length 20 ft.	Medium length 40 ft.	Full length 60 ft.
Takedown	\$300	\$400	\$550
Setup	\$500	\$750	\$1,000

Porch	Small length 20 ft.	Medium length 40 ft.	Full length 60 ft.
Takedown	\$300	\$600	\$900
Setup	\$500	\$950	\$1,300

Skirting	Wood	Aluminum	Vinyl
Takedown	\$300	\$300	\$300
Setup	\$900	\$400	\$400

Here is another way to estimate moving your mobile home 100 miles with everything included. Permit process, utility connections and disconnections, foundations or required bracing. Everything.

Complete Move	Mobile Home Only	Mobile Home with Accessories
Singlewide	\$3,500	\$7,000
Doublewide	\$7,500	\$12,000
Triplewide	\$10,000	\$14,000

\$299 Complete Project Estimate

Visits to meet with you, the mobile home to be moved and the location where it's to be installed.

To confirm pickup and delivery access for obstacles and clearances.

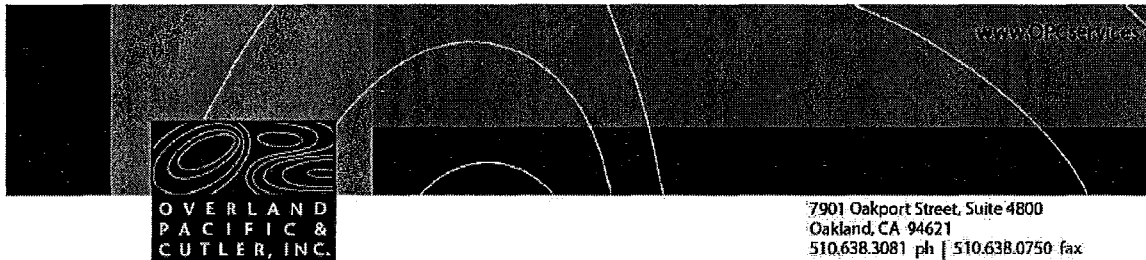
Draft a site plan of the proposed mobile home as it would sit on the lot or space.

Submit proposed plans to local planning dept or authority for approval and fees estimate.

Then you receive a written Complete Project Estimate so both are feel confident about

**ATTACHMENT 8: LETTERS SUBMITTED TO COMMUNITY DEVELOPMENT
DIRECTOR REGARDING RIR PREPARATION**

DRAFT



June 9, 2011

Derek Johnson
Community Development Director
City of Capitola

RE: Waiver of Appraisal of City owned Coaches at Pacific Cove and Identification of Appraisal Issues

Dear Mr. Johnson:

As you are aware the City of Capitola (the City) is contemplating the closure/change of use of the Pacific Cove Mobile Home Park. Overland, Pacific and Cutler (OPC) has been retained by the City to prepare the Relocation Impact Report as well as the necessary relocation plan and replacement housing plan.

Section 17.90.030 (f) of the City of Capitola Municipal Code requires appraisal of those mobile homes which cannot be moved as the result of a park closure or change of use.


Pacific Cove contains 42 mobile home spaces, of which 10 spaces are occupied by City owned mobile homes. The 32 privately owned coaches clearly require appraisal to determine the value should the closure or change of use require acquisition of coaches not moveable due to their age or condition to an alternate location i.e another park.

Given that the City owns the remaining 10 coaches (in addition to owning the park and seeking the closure/change of use), is it necessary to appraise those coaches to meet the requirements of Section 17.90.030 (f) of the City of Capitola Municipal Code?

In addition, pursuant to Capitola Municipal Code Section 17.90.030(F), I am requesting your identification of relevant issues that should be addressed in the appraisal.

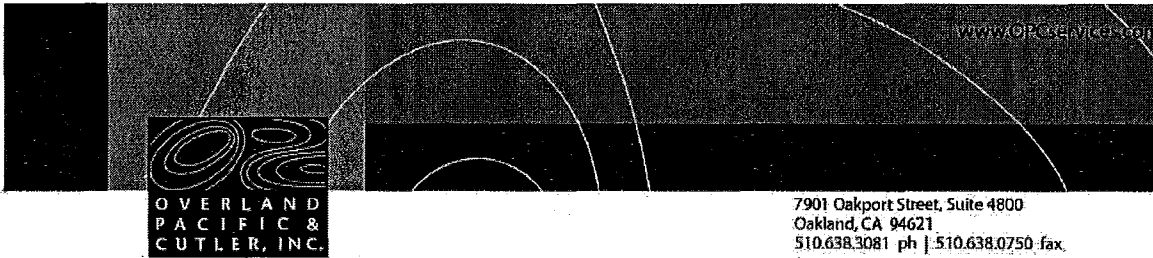
As the owner the City would have the right to salvage the coaches and retain the proceeds from such salvage; or if moveable, sell the coaches or have them moved to an alternate location. The City may wish to have the coaches appraised for its own planning purposes, however, for the purposes of the Relocation Impact Report the appraisal does not seem warranted; the current occupants would however, receive relocation benefits under California Relocation Law if they qualify.

Sincerely,



Chad K. Wakefield
Project Manager
Overland, Pacific and Cutler

DRAFT



August 25, 2011

Derek Johnson
Community Development Director
City of Capitola
Delivered via email to: djohnson@ci.capitola.ca.us

RE: Waiver of requirement 17.90.030 (h)

Dear Mr. Johnson:

As you are aware the City of Capitola (the City) is contemplating the closure/change of use of the Pacific Cove Mobile Home Park (the Park). Overland, Pacific and Cutler (OPC) have been retained by the City to prepare the Relocation Impact Report (RIR) as well as the necessary relocation plan and replacement housing plan.

Section 17.90.030 (h) of the City of Capitola Municipal Code requires that the names and mailing addresses of each eligible resident, mobile home tenant, mobile home resident, resident mobile home owner and legal owner of a mobile park in the park be included in the RIR.

I am requesting a waiver for the inclusion of this information in the RIR. It would be expected that this report will become public information. It is our belief that the identities of the persons potentially impacted by this closure should be kept confidential. OPC believes in taking all appropriate measures to protect the privacy of the persons we work with and we as a practice do not identify specific persons in our planning reports and documents that are subject to become public information. Exclusion of this information will assist us in protecting the privacy of those persons potentially impacted.

Additionally we seek approval to exclude the names and addresses of the persons potentially impacted by the closure in other required areas of the RIR including the Appraisal reports per 17.90.030 (f).

As an alternative we will include language that states the range and amount of spaces covered in the report. Additionally there are other areas to be addressed in the RIR that help to identify the specific impacts without expressly revealing the identities of the persons impacted.

The persons potentially impacted by this potential closure have been identified. Outreach has been made to all residents, owners and tenants in the park for the RIR. To date we have completed interviews with 35 of 38 potentially impacted persons and have made numerous follow up attempts with the three outstanding impacted persons; and we will make attempts during the required 30 day review and comment period to interview them.

All impacted persons will be notified of the availability of the RIR and relocation plan, thus there is no concern of these persons being unaware of the process, potential impacts to them, benefits, services and types of compensation that will be available to them should the park be closed. Additionally, eligibility interviews will be required should the Park be approved for closure by the Capitola City Council. The impacted persons have also been informed that it's their right to seek the assistance and advice of any professionals they may need to help them evaluate the potential impacts, benefits, services and compensation should the park be closed.

To this end we believe that there is no benefit to including the names and addresses of the impacted persons in the RIR. We believe that there are no persons who may be impacted that are unaware of the potential closure and thus the additional step of identifying them in the RIR is believed to be un-necessary and has no informative value.

We respectfully request your review of this matter and waiver of this requirement in the RIR.

Sincerely,

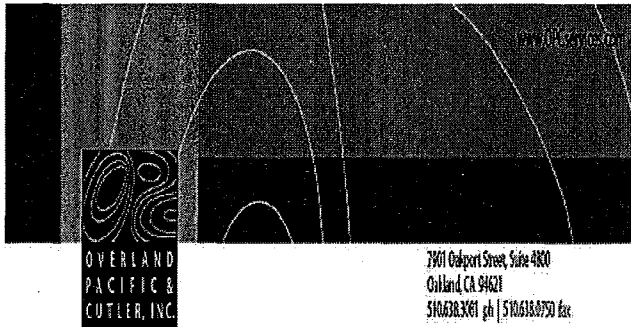


Chad K. Wakefield
Project Manager
Overland, Pacific and Cutler

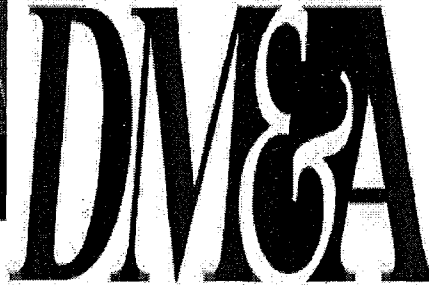
DKL

**ATTACHMENT 9: COMMUNICATION TO POTENTIALLY
IMPACTED PERSONS**

DRAFT



7901 Oakport Street, Suite 400
Oakland, CA 94621
510.638.3361 ph | 510.618.0750 fax



July 21, 2011

Name
Address
City/State/Zip Code

Re: Pacific Cove Mobile Home Park Relocation Impact Report Interview and Inspection

Dear Pacific Cove Space Resident and/or Property Owner:

As you may be aware, The City of Capitola (called here the "City"), the owner of the Pacific Cove Mobile Home Park (called here the "Park"), is considering Park closure and cessation of use. If this occurs you will be displaced from the Park.

Per the requirements of California Government Code Section 65863.7 and 66427.4 (called here the Government Code) and Chapter 17.90 of the City of Capitola Municipal Code (called here the "Municipal Code"), the City, is required to prepare a Relocation Impact Report (called here the "RIR"). Copies of these Codes have been enclosed with this letter. Additional information can be found on-line through the Department of Housing and Community Development Mobile Home Ombudsman at the following link <http://www.hcd.ca.gov/codes/ol/faqPage.html>.

In order to meet the specific requirements of 17.90.030 of the Municipal Code, the City must have Appraisals prepared and conduct a survey of the residents of the Park's occupants.

The City has hired Overland, Pacific and Cutler (called here "OPC") to prepare the RIR and Desmond, Marcello and Amster (called here "DM&A") to prepare the appraisals, which will help to inform the RIR. In addition OPC will also be preparing a Replacement Housing Plan under the Mello Act and Relocation Plan under California Relocation Assistance Law.

Representatives from OPC and DM&A will be available at the Park on the following dates to conduct inspections for the appraisals and interviews for the RIR survey. Appointments are expected to last approximately 45 minutes and as a means to minimize any inconvenience to your time, OPC and DM&A would like to meet with you during the same appointment.

- August 4-6, 2011
 - We'll also make ourselves accessible August 11-13 if you are unavailable the previous week
 - You may schedule a telephonic appointment between August 1 and August 16, 2011

The inspection consists of measuring the exterior of your home, a brief inspection of the interior and taking a few pictures. The survey will consist of questions regarding the persons occupying the property, their income and their relocation needs.

Prior to your interview appointment, please gather the following information, if available;

- Certificate of Title
- Bill of Sale
- Information regarding the Make, Model, Serial Number and Year of your home
- Recent invoices for any improvements to your home
- Space rent amount
- Date of Purchase and amount paid
- Coach mortgage amount/ monthly payments
- Income information
- Current utility bills

It is our intention that our interview is conducted with minimal inconvenience to you. Your preparation of the above requested information will help us to expedite this process.

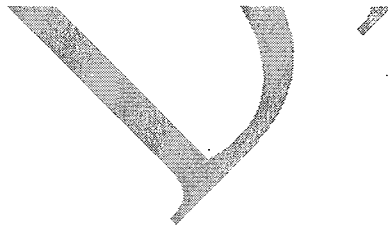
Marcus Pigrom, ASA and Steven Hjelmstrom, ASA are the appraisers that will be conducting the interviews/inspections. Linh Inokuchi and John Morris from OPC will be conducting the relocation interviews.

Per the Government Code, Municipal Code and California Mobile Park Residency Law, your participation is voluntary. However, we respectfully request your participation to the fullest extent possible. Please keep in mind that if you do not participate in this process the initial valuation of your property and the calculation of any relocation benefits may be negatively impacted.

If you are not the registered owner of the home you occupy, please forward this letter to the owner of the home or leave us a message with the name and telephone number for the owner of the home as soon as possible. If you rent the home we will still need to conduct a relocation interview with you to assist us in determining the relocation assistance you may be eligible for including relocation rental assistance for replacement housing.

Please note that DM&A is an independent appraiser and OPC is an independent consultant and neither firm is employees of the City of Capitola. In addition, we have no professional, personal or financial interests regarding our conclusions of values of your home and the particulars of the relocation needs.

Please contact Linh Inokuchi from OPC at (800) 400-7356 or via email at linokuchi@opcservices.com to schedule an in person relocation interview and appraisal inspection appointment as soon as possible. Marcus Pigrom from DM&A can be contacted directly for a telephonic appraisal interview at (310) 216-1400. Please contact Linh for a telephonic relocation interview.



We thank you in advance for your time and cooperation in this process.

Sincerely,



Chad K. Wakefield
Project Manager
Overland, Pacific and Cutler



Marcus Pigrom, ASA
Senior Manager
Desmond, Marcello and Amster

DRAFT



General Information Notice

Residential Occupant to Be Displaced

June 22, 2011

<<HEAD-OF-HOUSEHOLD>> and All Other Occupants
<<MAILING ADDRESS>>

Dear Occupants:

The City of Capitola (called here the "City") is considering Park closure at the property you currently occupy and/or own at <park address> for the **Pacific Cove Mobile Home Park Project** (Project). This notice is to inform you of your rights under State law. If the City closes the property and you are displaced for the Project, you will be eligible for relocation assistance under the California Relocation Assistance Law (Sec 7260 et. seq. of the CA Government Code).

However, you do not have to move now.

This is not a notice to vacate the premises or a notice of relocation eligibility.

The City has retained the professional firm of **Overland, Pacific & Cutler, Inc. (OPC)** to represent the City and assist in the relocation process.

You should continue to pay your monthly pad rent to your landlord because failure to pay your pad rent and meet your obligations as a tenant may be cause for eviction and loss of relocation assistance. You are urged not to move or sign any agreement to purchase or lease a unit before receiving formal notice of eligibility for relocation assistance. If you move or are evicted before receiving such notice, you will not be eligible to receive relocation assistance. Please contact us before you make any moving plans.

If you rent your coach, you should continue to pay your monthly rent to your landlord because failure to pay rent and meet your obligations as a tenant may be cause for eviction and loss of relocation assistance. You are urged not to move or sign any agreement to purchase or lease a unit before receiving formal notice of eligibility for relocation assistance. If you move or are evicted before receiving such notice, you will not be eligible to receive relocation assistance. Please contact us before you make any moving plans.

If the City closes the property and you are eligible for relocation assistance, you will be given advisory services, including referrals to replacement housing, and at least 90 days advance written notice of the date you will be required to move. You would also receive a payment for moving expenses and may be eligible for financial assistance to help you rent Pacific Cover RIR/Relocation Plan

115

or buy a replacement dwelling. Any person aggrieved by a determination as to eligibility for, or the amount of, a payment authorized by the City's Relocation Assistance Program may have the appeal application reviewed by the City in accordance with its appeals procedure. Complete details on appeal procedures are available upon request from the City.

Again, this is not a notice to vacate and does not establish eligibility for relocation payments or other relocation assistance. If the City decides not to close the property, you will be notified in writing.

If you have any questions about this or any other relocation issues, please contact me at the address and the phone number below.

Also, in an effort to provide you with the best possible information and explanations of your relocation rights, I would like to invite you to a residents meeting on **Wednesday, July 13, 2011 at 6 P.M. at:**

**The City of Capitola
Community Room
420 Capitola Avenue
Capitola, CA 95010**

Sincerely,



**Chad Wakefield
Project Manager
Overland, Pacific & Cutler, Inc.
7901 Oakport Street, Suite 4800
Oakland, CA 94621
Phone 510.638.3081
Toll- Free 866.972.8908
cWakefield@opcservices.com**

ATTACHEMENT 10: APPRAISAL REPORT

DRAFT

REPLACEMENT HOUSING PLAN

Pacific Cove Mobile Home Park Closure

Prepared for

The City of Capitola

By



**7901 Oakport Street, Suite 4800
Oakland, CA 94621
(877)972-8908**

SEPTEMBER, 2011

TABLE OF CONTENTS

I.	INTRODUCTION	3
II.	PROJECT DESCRIPTION AND LOCATION	5
III.	UNITS TO BE REPLACED	8
IV.	LOCATION OF REPLACEMENT HOUSING	12
V.	FINANCING THE REPLACEMENT HOUSING	15
VI.	NON-APPLICABILITY OF ARTICLE XXXIV OF THE CALIFORNIA CONSTITUTION	16
VII.	TIMETABLE FOR REPLACEMENT HOUSING	17
VIII.	SUMMARY	18

I. INTRODUCTION

The *City of Capitola* (the City) is considering closure of the Pacific Cove Mobile Home Park (the Park). It has been determined that there as many as 41 coaches (aka mobile homes or travel trailers), which are either occupied or vacant yet occupiable residential units, in total placed on 44 spaces within the Park. These coaches would need to be either relocated or acquired and demolished in order to close the park and change its use.

Based on preliminary interviews with current Park occupants, 10 of the coaches are known to be occupied by 'Very Low' to 'Moderate' income households and, per state law, these units would need to be replaced by the City, if feasible. An additional nine coaches are suspected to be occupied by persons of at the most, Moderate income. The remaining coaches are occupied by households of 'Above Moderate' income and need not be replaced by the City.

California Government Code Section 65590 (known as the Mello Act) requires that when residential units (including mobile homes) occupied by Very Low to Moderate income persons are demolished or converted to other uses within a Coastal Zone such as Capitola, the City is required to adopt a replacement housing plan, if such a plan is feasible.

The plan should identify the project and the negative impact it will have on the affordable housing resources and make provisions for how the affordable housing units to be lost as a result of the project will be replaced on the site. If it is not feasible to replace the units one-for-one, the plan should explain the reasons why it is not feasible and set forth alternative solutions for replacing the housing within the Coastal Zone or within three miles of the site.

In addition to complying with Mello Act requirements, this plan shall also identify existing affordable housing resources in the area that may have capacity to provide housing to those persons displaced by the park closure project.

This *Replacement Housing Plan* (the Plan) has been prepared for the City because 1)
On March 24, 2011, the Park sustained damages caused by a heavy storm. That event
Replacement Housing Plan

has raised concerns that long-term residential use of the Park is not safe or physically viable or economically viable; **2)** On April 29, 2011 the City Council unanimously voted to explore the possibility of closing the Park; and **3)** a Relocation Impact Report (RIR) will be prepared to provide the City Council with information to properly consider the Park's closure. Should the City Council approve the Park's Closure a 180 Day Notice will be issued and the Park residents would be displaced including at least 10 Very Low to Moderate Income households.

This Plan describes the following:

- 1) The proposed Project;
- 2) The general location of units for 'Very Low', 'Lower' and 'Moderate' income persons which will, or may be removed or destroyed as a result of the Project;
- 3) The general location and intentions for the development/provision of replacement housing;
- 4) The means of financing such development of replacement housing;
- 5) The schedule for the construction of replacement housing; and,
- 6) The time period for which these units will remain affordable.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

II. PROJECT DESCRIPTION AND LOCATION

PROJECT DESCRIPTION

The City, as the owner of the Pacific Cove Mobile Home Park (the Park), is considering the closure of the Park and in connection with that closure it would potentially acquire 30 privately owned coaches and demolishing those coaches along with 11 coaches it owns and rents to private parties and other entities. The future use of the Park has not been determined, however, there are no plans to develop new residential dwellings on the property.

As a result of this proposed closure – and, it's removal of 'Very Low-to-Moderate' income housing - a replacement housing plan is required under state law under the Mello Act.

PROJECT LOCATION

The City of Capitola is an incorporated municipality (1949) in Santa Cruz County, California, with an *estimated* population, as of 2010 (according to the State of California Department of Finance Demographic Research Unit), of 10,198 people, (see **Figure 1**).

The Project site which is the subject of this Plan is located at 426 Capitola Avenue, directly north of the Southern Pacific railway and adjacent to Capitola City Hall, near Capitola Village and the Monterey Bay. Area detail is shown in **Figure 2**.

Regional and site-specific maps are to be found on the following pages.

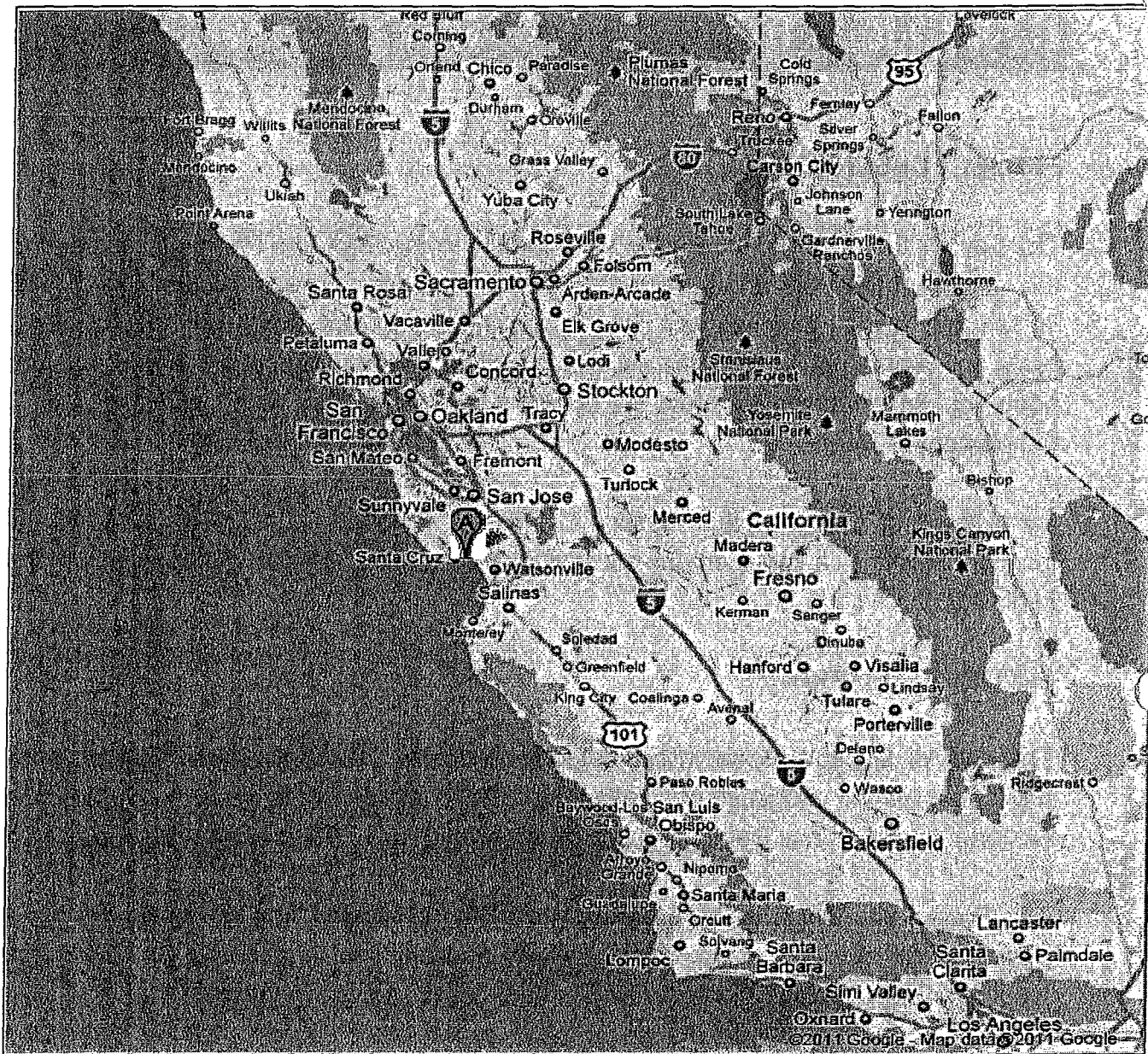


Figure 1: Regional Project Location



Figure 2: Specific Project Location

III. UNITS TO BE REPLACED

SURVEY METHODOLOGY

The City of Capitola hired Overland, Pacific and Cutler (OPC) to prepare the required planning documents for the proposed Park closure including the Relocation Impact Report (RIR) and this Replacement Housing Plan.

Between July 26 and August 17, 2011, OPC met with or spoke by phone with owners and occupants of the coaches. Direct, in-person interviews were conducted on the site August 4-6 and 11-13. A total of 36 Park occupants and absentee mobile owners were identified and 33 of those persons, or persons representing them, were interviewed.

During these interviews, 11 households were willing to provide income information. Table 1 below shows a distribution of the stated income categories by owner (both part-time and full-time) and renter occupants.

Table 1: Distributions of Stated Income Category

Housing Tenure	Income Category				
	Extremely Low	Very Low	Low	Moderate	Above Moderate
Full-time Owner Occupant	2	0	3		
Part-time Owner Occupant				1	1
Renter	2	1		1	
Total	4	1	3	2	1

Table 2 below shows the distribution of all potential persons impacted according to their stated housing tenure. From a comparison of the income information collected to the overall impacts shown in Table 3 below, income information is needed for an additional 16 displacees. Stated part-time residents and those who are absentee owners are excluded from the need to replace their housing because the Park is not their primary residence.

Table 2: Stated Housing Tenure

Occupancy Type/Response	#
Part-time Owner Occupied	8
Full-time Owner Occupant	13
Absentee Owner - Coach Not Occupied	3
Not Responsive	6
Total Private Owners	30
Total Tenants	6
Total Potential Displacees	36

Table 3: Analysis of Variance in Data

Housing Tenure Class	Income Provided	Total Impacted
Full-time Owner Occupant	5	14
Part-time Owner Occupant	2	8
Absentee Owner	0	4
Renter	4	6
Tenure Not Stated	0	4
Total	11	36

For planning purposes, it is assumed that 10 full-time owners and renters who did not provide income information fall within the Moderate income category and that six persons who did not state their housing tenure fall within the Above Moderate income category.

By discounting all part-time owners, absentee owners and un-stated tenure classifications, this Replacement Housing Plan is only concerned with 20 units. Thus the City would need to propose the provision of a source of replacement housing for 20 units.

REPLACEMENT HOUSING REQUIREMENTS

Pursuant to the provisions Government Code Section 65590 (b) and Article 4, Section 6124 and 6130 of Title 25 of the California Relocation Assistance and Real Property Acquisition Guidelines (the Guidelines), the City is required to make available 100% of the required replacement units at an affordable housing cost to households *in the same, or a lower income category* (i.e., 'Very Low', 'Lower' and 'Moderate' income standard) as those households which would be displaced.

INCOME CLASSIFICATION BY HUD STANDARD

California Health & Safety Code Sections 50079.5 and 50105 provide that the 'Extremely Low', 'Very Low', 'Lower' and, 'Moderate' income limits established by the United States Department of Housing and Urban Development (HUD) are the state limits for those same income categories.

Sections 50079.5 and 50105 direct the State Department of Housing & Community Development (HCD) to publish the income limits. HUD released new income limits in April 2011 and these limits are currently in place for the current calendar year. Accordingly, HCD filed with the Office of Administrative Law, amendments to Section 6932 of Title 25 of the California Code of Regulations. The amendments contained the currently applicable HUD income limits, prepared by HCD pursuant to Health and Safety Code Section 50093.

Table 4, following, provides the latest annual definition of those Federal, State-adopted income categories, for Santa Cruz County, to define and determine housing eligibility, by income level, for certain programs; which limits will be utilized in this Replacement

Housing Plan for determining which units, by bedroom count, will be required to be made available for households in the 'Very Low', 'Lower' and 'Moderate' income categories.

Table 4: Santa Cruz County Income Limits

Income Category	Number of Persons Per Household							
	1	2	3	4	5	6	7	8
Extremely Low	\$21,200	\$24,200	\$27,250	\$30,250	\$32,700	\$35,100	\$37,550	\$39,950
Very Low	\$35,300	\$40,350	\$45,400	\$50,400	\$54,450	\$58,500	\$62,500	\$66,550
Lower	\$56,500	\$64,550	\$72,600	\$80,650	\$87,150	\$93,600	\$100,050	\$106,500
Median	\$60,050	\$68,650	\$77,200	\$85,800	\$92,650	\$99,550	\$106,400	\$113,250
Moderate	\$72,050	\$82,650	\$92,650	\$102,950	\$112,200	\$119,400	\$127,650	\$135,900

Figures are per the California Department of Housing and Community Development, July 13, 2011.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IV. LOCATION OF REPLACEMENT HOUSING

The City has one primary option available to provide all of the needed replacement housing to mitigate the impact of the Project. The implementation of the proposed Project will result in the removal of as many as 19 "affordable" residential dwelling units. A description of this option as well as an analysis of potential resources under the Mello Act is shown below.

Primary Replacement Housing Option

Capitola features numerous mobile parks. One of these parks, Castle (aka Castle Mobile Estates), which is located within Capitola's coastal zone has been going through a repositioning and rehabilitation planning processes with the City to ensure that it is maintained as a stable source of affordable housing in Capitola.

The sale of Castle was recently approved to Millennium Housing. Millennium is contractually obligated to rehabilitate the park and reserve 86 of the 108 spaces in the park for very-low to moderate income households. The City of Capitola will invest \$2 million dollars in the project and over 40 of the spaces have been reserved as replacement housing for a potential closure of Pacific Cove.

Castle is located at 1099 38th Avenue in Capitola. This park is approximately 1.5 miles from Pacific Cove. This resource alone would allow the City of Capitola to meet its obligation under the Mello Act to provide as many as 20 spaces, which could provide housing to persons ranging from Extremely Low (0-30% AMI) to Moderate (80-120% AMI).

Alternative Options Available

An alternative resource available to low-income seniors earning 60% or less of AMI is the Bay Avenue Senior Apartment in Capitola located at 750 Capitola Avenue. First Community Housing (FCH) recently completed major renovations and development of new units at the property. The City of Capitola assisted financially in the rehabilitation and redevelopment of the property.

Analysis of Potential Sites and Properties

Vacant land and properties in Capitola and Santa Cruz County, which may be developed or redeveloped for residential purposes, is extremely scarce. OPC conducted a survey of land listed for sale on September 5, 2011. Table 5 below shows the results of that survey.

Table 5: Analysis of Land Survey

Address	Location	Present Use	Potential Use	Lot Size (AC)	Listed Sale Price	Distance from Site
5000 Cliff Dr	Capitola	Hotel (10 rooms)	Conversion to SRO or Redevelopment. No Plans approved or being considered.	0.07	\$2,495,000	0.4 miles
514 Frederick St.	Santa Cruz	Single-family rental property	Listed as approved subdivision map for 4 townhomes.	0.26	\$599,000	0.9 miles
Gaviota Street	Aptos	Vacant beach front land	Listed as having a plot for 30 lots (condominium), with no entitlements	12.7	\$49,000,000	6.7 miles
44 Front Street	Santa Cruz	Vacant land	Listed as tentative map approved for 3 condos (1 penthouse, 1 commercial and 1 other residential condo)	0.08	\$549,000	7 miles
Total *			Unit Potential: 46	13.11	\$1,144,413	

* Land shown as average price per unit for land acquisition cost

Of the sites, two (5000 Cliff Drive and 514 Frederick) may be feasible sites for the development of affordable replacement housing within the guidelines of the Mello Act. They are within three miles of the Park. The existing use and the entitlements could yield 10 single-room occupancy (SRO) units and four townhomes.

The 5000 Cliff Drive property is not a feasible option in its present condition. As an existing hotel the most feasible conversion program would be to convert it to an SRO facility. However, these types of units would not be comparable to any unit that is subject to demolition at Pacific Cove. In order for 5000 Cliff Drive to be a feasible site for replacement housing, the existing hotel rooms would have to be converted to a minimum of one bedroom apartments or the site would have to be razed. An in-depth study on the development potential under Capitola's zoning ordinance would need to be undertaken to determine how many units could be developed on the 3,000 square foot site.

This site and the 514 Frederick Street property would require the City of Capitola to identify a developer to acquire, finance and develop the properties as it does not have the capacity to undertake these functions.

The site located in Aptos is not economically feasible to be developed as affordable housing for numerous reasons including its list price and the potential development cost associated with developing the ocean fronting property. Land entitlements are also assumed to be difficult to acquire for a project at the density that would make a project feasible.

The 44 Front Street property has land entitlements; however, the development program approved for those entitlements is not a match for the replacement housing needed. In order for this site to be feasible it would need to be re-entitled, the potential to do so is unknown and the City faces the same challenge it would with the 514 Frederick property.

V. FINANCING REPLACEMENT HOUSING

As previously stated, the City of Capitola will invest \$2 million towards replacement housing in order to satisfy the replacement housing requirements under the Mello Act. This investment will be made in the form of rental subsidies and assistance with development cost for the rehabilitation and stabilization of Castle Mobile Estates, for which the City has contractually obligated itself. This investment further assists the City satisfy requirements under Article 4 of the Guidelines.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

VI. NON-APPLICABILITY OF ARTICLE 34 OF THE CALIFORNIA CONSTITUTION

Article 34 of the California Constitution pertains to any ' . . . Public Housing Project.' Pursuant to Article 34, Section 1, no . . . 'Low rent housing project . . . ' is to be developed, constructed or acquired in *any way* by *any state public body* – which includes cities, counties, districts, authorities, agencies or any other subdivision or public entity of the state – until, or unless a majority of the qualified electors of the city, town or county, in which it is proposed the 'low rent housing project' be developed, constructed or acquired, voting upon the issue, *approve* such project by voting *in favor* at either an election held for that purpose or a special or general election.

For the purposes of Article 34 the term 'low rent housing project means . . .'

' . . . any development composed of urban or rural dwellings, apartments or other living accommodations for persons of low income, financed in whole or in part by the Federal Government or a state public body or to which the Federal Government or a state public body extends assistance by supplying all or part of the labor, by guaranteeing the payment of liens, or otherwise. For the purposes of this Article only there shall be excluded from the term "low rent housing project" any such project where there shall be in existence on the effective date hereof, a contract for financial assistance between any state public body and the Federal Government in respect to such project.'

In this instance the replacement housing being developed and constructed pursuant to the activities described in this Replacement Housing Plan does not require the approval of the voters of the City of Capitola pursuant to Article 34 of the California Constitution. Neither ownership, nor rental housing are, or will be, "low rent housing projects" either as defined at Article 34 or Section 37001 (b) of the California Health & Safety Code. All such replacement housing will be privately owned, and will *not* be exempt from real property taxes as would otherwise be the case in the event of public ownership, and will not be financed with direct, long-term financing from a public body. The City will *not* "develop, construct, or acquire" housing as described in Section 1 of Article 34 of the State Constitution, as it will only be providing authorized assistance, and monitoring construction by imposition of mandated, or authorized conditions.

VII. TIME TABLE FOR REPLACEMENT HOUSING

The City will provide for the construction and/or rehabilitation of replacement housing units sufficient to address the replacement requirements of affordable housing discussed in *this* Plan. The City anticipates utilizing a number of the housing units, required pursuant to this Plan, for those households of 'Extremely Low' to 'Moderate' income.

The City expects replacement housing units to be available prior to the eventual closure of Pacific Cove.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

VIII. SUMMARY

In summary, as many as 30 dwelling units will be removed as a result of the proposed Project. Based on the dwelling units to be removed for the proposed Project, the City will displace as many as 19 Extremely Low to Moderate income households.

The City will satisfy its Mello Act replacement housing obligation through assisting in the rehabilitation of Castle Mobile Estates, which is within the Coastal Zone and also within three miles of the Park. This rehabilitation project will make up to 40 units available to those persons displaced by the closure of Pacific Cove including an estimated 19 Extremely Low to Moderate income households.

The above actions will yield the required number of replacement dwelling units and meet the other provisions under the Mello Act and the Guidelines.

The City recognizes its legal and community responsibilities in this matter and has made a sincere, good faith effort to accomplish these goals. The City retains its option to successfully use other approaches and strategies not discussed herein to fulfill its replacement housing obligations in a timely manner.

[END OF DOCUMENT]

SUMMARY APPRAISAL REPORT OF
THIRTY
MANUFACTURED HOMES, MOBILE HOMES AND TRAILERS
AT
PACIFIC COVE MOBILE HOME PARK
426 CAPITOLA AVENUE
CAPITOLA, CALIFORNIA

PREPARED FOR THE
CITY OF CAPITOLA

Effective Date of Value

March 23, 2011

Prepared By

DESMOND, MARCELLO & AMSTER

6060 Center Drive, Suite 825
Los Angeles, California 90045
Tel. (310) 216-1400
Fax (310) 216-0800

225 Bush Street, 16th Floor
San Francisco, California 94104
Tel. (415) 439-8390
Fax (415) 449-3643

Toll Free No. (888) 240-5184
www.dmavalue.com



Desmond, Marcello & Amster, LLC
Valuation and Litigation Consultants

6060 Center Drive, Suite 825
Los Angeles, CA 90045
Tel : (310) 216-1400
Fax: (310) 216-0800
Toll Free: (888) 240-5184

225 Bush Street, 16th Floor
San Francisco, CA 94104
Tel : (415) 439-8390
Fax: (415) 449-3643

www.dmavalue.com

September 15, 2011

Mr. Jaime Goldstein
City Manager
City of Capitola
420 Capitola Avenue
Capitola, CA 95010

Re: *Summary Appraisal Report of Thirty Manufactured Homes, Mobile Homes and Trailers at Pacific Cove Mobile Home Park Located at 426 Capitola Avenue, Capitola, California Prepared for the City of Capitola File No.: 3353/01A(3)*

Dear Mr. Goldstein:

As you requested, Desmond, Marcello & Amster ("DM&A") has made an investigation and analysis of thirty manufactured homes, mobile homes and trailers (collectively referred to as "Subject Mobile Homes") at the Pacific Cove Mobile Home Park ("the Subject Park"), located at 426 Capitola Avenue, Capitola, California.

The effective date of value utilized herein is March 23, 2011.

The purpose of this appraisal is to provide an estimate of the two following fair market values of the thirty manufactured homes, mobile homes and trailers that are the subject of this report: (1) fair market value of the Subject Mobile Home in place as of March 23, 2011, and (2) fair market value of the Subject Mobile Home only as of March 23, 2011.

The intended use or function of this appraisal is to assist the City of Capitola and its representatives with information for the relocation impact report as a result of the City's consideration of the park closure. This appraisal report was prepared in conformance with Section 17.90.030 and Chapter 17.90 of the City of Capitola Municipal Code, California Government and Civil Codes, and Mobile Home Residency Law. Furthermore, appraisal procedures were guided by the Uniform Standards of Professional Appraisal Practice (USPAP).

Based upon our investigation and analysis, and in reliance upon the information provided, it is our opinion that the fair market values in place, and the fair market values of the Subject Mobile Homes appraised herein, as of the effective dates of value indicated are as follows:

SUMMARY OF FAIR MARKET VALUES

<u>SPACE NUMBER</u>	FAIR MARKET VALUE IN PLACE (ROUNDED) AS OF MARCH 23, <u>2011</u>	FAIR MARKET VALUE OF MOBILE HOME ONLY (ROUNDED) AS OF MARCH 23, <u>2011</u>
40	\$24,000	\$9,000
42	\$48,500	\$6,800
43	\$66,250	\$6,300
47	\$49,000	\$1,150
48	\$21,500	\$525
49	\$53,500	\$1,250
50	\$42,000	\$675
53	\$101,000	\$12,750
54	\$118,000	\$10,500
56	\$61,000	\$1,500
57	\$130,000	\$9,250
59	\$95,000	\$2,500
60	\$90,000	\$4,750
62	\$88,000	\$5,500
63	\$42,000	\$3,750
64	\$49,500	\$1,350
66	\$52,000	\$3,100
67	\$47,000	\$3,250
68	\$83,000	\$3,650
69	\$89,500	\$3,500
71	\$34,500	\$700
74	\$42,000	\$725
75	\$50,000	\$1,000
76	\$102,500	\$7,300
77	\$41,000	\$1,200
78	\$58,000	\$5,550
80	\$105,000	\$31,500
82	\$59,000	\$2,800
83	\$104,000	\$12,250
84	\$115,000	\$12,000

Mr. Jaime Goldstein
September 15, 2011
Page 3

In our files are retained a report copy, worksheets, field notes, maps, and other data upon which our conclusions are based.

Respectfully submitted,

DESMOND, MARCELLO & AMSTER

ML/bc

G:\users\F & E\Capitola\3353-01A Pacific Cove Mobile Home Park.doc

TABLE OF CONTENTS

	<u>Page</u>
LETTER OF TRANSMITTAL	
APPRAISER CERTIFICATION	
GENERAL DATA	1
PROPERTY APPRAISED	1
PURPOSE AND INTENDED USE	1
VALUATION/REPORT DATE	1
DESCRIPTION OF THE ASSETS APPRAISED	1
KEY ASSUMPTIONS	2
DEFINITION OF FAIR MARKET VALUE	2
APPRAISAL DEFINITIONS	3
ENVIRONS	4
ACCESSIBILITY	4
SOURCES OF INFORMATION	5
UNDERLYING REAL PROPERTY DATA	6
PROPERTY OWNER (LAND)	6
LOCATION	6
ASSESSOR'S PARCEL NUMBERS	6
PRESENT USE	6
PHYSICAL DESCRIPTION	6
VALUATION	7
INTRODUCTION	7
APPLICATION OF THE SALES COMPARISON APPROACH	8
SUMMARY AND CONCLUSIONS	9
ADDENDA	
PACIFIC COVE MOBILE HOME PARK - SUBJECT MOBILE HOMES DATA SHEET	
SUBJECT MOBILE HOMES PHOTOGRAPHS	
COMPARATIVE SALES DATA SHEET	
COMPARATIVE SALES PHOTOGRAPHS	
CONTINGENT AND LIMITING CONDITIONS	
CURRICULUM VITAE	

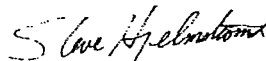
APPRAISER CERTIFICATION

We certify that, to the best of our knowledge and belief:

- the statements of fact contained in this report are true and correct.
- the reported analyses, opinions and conclusions are limited only by the reported assumptions and limiting conditions, and are our personal, impartial and unbiased professional analyses, opinions and conclusions.
- we have no present or prospective interest in the property that is the subject of this report, and no personal interest with respect to the parties involved.
- our engagement in this assignment was not contingent upon developing or reporting predetermined results.
- we have no bias with respect to any property that is the subject of this report or to the parties involved with this assignment.
- our compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of the appraisal.
- our analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice of The Appraisal Foundation and the Principles of Appraisal Practice and Code of Ethics of the American Society of Appraisers.
- we have made personal inspections of the property that is the subject of this report.
- no one has provided significant personal property appraisal assistance to the persons signing this certificate.



Marcus Pigrom, ASA
Senior Manager



Steven Hjelmstrom, ASA

GENERAL DATA

PROPERTY APPRAISED

The property appraised in this report consists of thirty manufactured homes, mobile homes and trailers located within the Pacific Cove Mobile Home Park in Capitola, California. The homes located at space numbers 41, 45, 46, 51, 55, 65, 70, 72, 73, 79, and 81 are not included as part of this appraisal. It is our understanding that these homes are owned by the City of Capitola. In addition, three vacant spaces, also owned by the City of Capitola, have been omitted from this appraisal.

The Subject Mobile Homes have been valued assuming a 100% ownership interest without consideration for any encumbrances against the property appraised.

PURPOSE AND INTENDED USE

The purpose of this appraisal is to provide an estimate of the following fair market values of the thirty manufactured Subject Mobile Homes that are the subject of this report: (1) fair market value of the Subject Mobile Home in place as of March 23, 2011, and (2) fair market value of the Subject Mobile Home only as of March 23, 2011.

In the event of the City of Capitola's future decision to close the park, the values of the Subject Mobile Homes, in their current place, would be significantly impacted and in most cases, completely negated. Therefore, it is the intended use or function of this appraisal to provide the City of Capitola and its representatives with information and support in determining compensation to the subject home owners as a result of the acquisition or relocation of the Subject Mobile Homes, due to a potential closure of the Subject Park.

VALUATION/REPORT DATE

The effective date of value of March 23, 2011 corresponds to the day before the flood which caused significant damage to the mobile home park. We conducted our inspections of the subject mobile homes on August 4-6, 11, and 12, 2011. We have made the assumption that as of the effective date of value of this report, the mobile homes appraised were in place at the subject location and were in a condition similar to their condition at the time of our August 4-6, 11 and 12, 2011 inspections. As a result of the effective date of value preceding the flood, any damage to the mobile homes resulting from the flood were not considered for the purposes of this report. In addition, the effective date of value utilized in this report also precedes the City of Capitola's city council decision to consider the park's closure on April 28, 2011, and subsequent necessity for the preparation of a Relocation Impact Report. The report date on the accompanying letter corresponds to the final date of report preparation.

DESCRIPTION OF THE ASSETS APPRAISED

The Subject Mobile Homes range in estimated age from seven to 55 years, and from approximately 236 square feet to 1,440 square feet in size. Eleven of the Homes have additions ranging in size from approximately 42 square feet to 528 square feet. More information regarding each Subject Home is included in the Addenda of this report.

Industry

Manufactured homes, mobile homes and trailers can usually be acquired in the secondary marketplace through used manufactured and mobile home dealers, brokers, and private parties.

KEY ASSUMPTIONS

For the purposes of this appraisal:

1. We have made the assumption that all additions, alterations and all other improvements related to the Subject Mobile Homes are legally permissible.
2. We have assumed that the Subject Mobile Homes are considered to be personal property and we have appraised them as such.
3. We have not inspected the interiors of three of the Subject Mobile Homes, located at space numbers 40, 42, and 48. This was because the owners of these mobile homes either failed to respond or refused access to their homes. We have assumed that the quality and condition of the interiors of these homes is commensurate with the quality and condition of the exterior of the home.
4. We have relied on information from various sources, including, but not limited to, the Subject Home owners and occupants, government agencies, the NADA Manufactured Housing Cost Guide, real estate brokers and realtors. We assume this information to be true and accurate.
5. For the purpose of developing the "fair market values in place" included herein, we have assumed that the Subject Mobile Homes could be bought and sold in place without unusual external interference or influence, (i.e. impediments that are not customarily required by mobile home parks similar to the Subject Park).
6. We have made the assumption that the Subject Mobile Homes are compliant with all federal, state and local laws and ordinances and are free of all hazardous materials.

If these assumptions or conditions are other than as assumed herein, our conclusions of value may be different.

DEFINITION OF FAIR MARKET VALUE

For the purposes of this report, we have defined fair market value in place and fair market value as:

The fair market value of the property appraised is the most probable price on the date of valuation that would be agreed to by an impartial seller, being willing to sell but under no particular or urgent necessity for so doing, nor obliged to sell, and an impartial buyer, being ready, willing, and able to buy but under no particular necessity for so doing, each dealing with the other with full knowledge of all the uses and purposes for which the property is reasonably adaptable and available.

APPRAISAL DEFINITIONS

Replacement Cost New

The current cost of a similar new property having the nearest equivalent utility as the property being appraised, as of a specific date. [Source: American Society of Appraisers, *Principles of Valuation*]

Depreciation

A loss in value from all causes, including factors of deterioration and functional and/or economic obsolescence, as of a specific date. [Source: American Society of Appraisers, *Principles of Valuation*]

Effective Age

The apparent age of an asset in comparison with a new asset of like kind. It is often calculated by deducting the Remaining Useful Life of an asset from the Normal Useful Life. [Source: American Society of Appraisers, *Principles of Valuation*]

Estimated Remaining Life

The period over which an item, or groups of items are estimated to remain in use. [Source: American Society of Appraisers, *Principles of Valuation*]

The Cost Approach

The appraiser adjusts the replacement cost (new) of the asset being appraised for the loss in value caused by physical deterioration, functional obsolescence, and economic obsolescence. The Cost Approach is based on the principle of substitution: a prudent buyer will not pay more for an asset than the cost of acquiring a substitute property of equivalent utility. [Source: American Society of Appraisers, *Valuing Machinery and Equipment*]

The Market Data or Sales Comparison Approach

The appraiser adjusts the prices that have been paid for assets comparable to the asset being appraised, equating the comparables to the subject. [Source: American Society of Appraisers, *Valuing Machinery and Equipment*]

The Income Approach

The appraiser determines the present value of the future economic benefits of owning the property. [Source: American Society of Appraisers, *Valuing Machinery and Equipment*]

Manufactured Home

A factory built modular home that complies with federal building codes administered by the U.S. Department of Housing and Urban Development and was built after June 15, 1976.

Mobile Home

A factory built modular home produced before June 15, 1976.

Trailer

A furnished vehicle designed to be drawn by a truck or automobile and used when parked as a dwelling.

Add On

Any addition to the livable space of a manufactured or mobile home that was prefabricated or constructed on site and was built to local and state building requirements.

Site Improvements

For the purposes of this report, "site improvements" are defined as:

Items affixed to the unit situs, with the intent of being permanent, which may include fencing, enclosures, canopies, hardscaping, landscaping, and minor miscellaneous items, but not including utilities and their conduits and the underlying real property.

ENVIRONS

The Subject Park is located on Capitola Avenue, approximately three quarters of a mile south of CA State Route 1 in the City of Capitola, Santa Cruz County, California. The park is built on slightly sloped ground in a ravine. Amenities in the park include a laundry facility.

The neighborhood is developed with predominately multi-residential uses. Ample retail and consumer services are readily available within one-half mile of the Subject Park.

ACCESSIBILITY

The Subject Park has access to vehicular traffic via Capitola and Bay Avenues, which connects to the greater Santa Cruz County area.

SOURCES OF INFORMATION

In preparing this appraisal, we have considered many sources of information including, but not limited to, the following:

- Inspections of the subject manufactured homes, mobile homes and trailers at the Subject Park;
- Identification of each subject manufactured home, mobile home, trailer and inventory of observable components and accessories;
- Personal and telephonic interviews with the accessible subject manufactured homes, mobile home and trailer owners;
- Conversations with and information on file from various sources knowledgeable regarding the manufactured home industry. They include, but are not limited to, the following:
 - N.A.D.A. Manufactured Housing Cost Guide
 - Multiple Listing Service
 - Patty Kindig, David Lyng Real Estate
 - Bryan Mackenzie, Coldwell Banker
 - Samuel Su, Realty World - Todd Su & Associates
 - Charlie Su, Realty World - Todd Su & Associates; and
- Review of market data on file in the DM&A library.

UNDERLYING REAL PROPERTY DATA

PROPERTY OWNER (LAND)

The City of Capitola

LOCATION

426 Capitola Avenue
Capitola, California

PRESENT USE

The present use is as a 44-space trailer, mobile home and manufactured home park. Of the 44 spaces, 14 are owned by the City of Capitola, three of which are vacant. The remaining thirty homes are the Subject Mobile Homes valued herein.

PHYSICAL DESCRIPTION

Land

Shape:	S- Shaped
Area Occupied:	Approximately 4 acres
Topography:	Slightly sloped ravine
Accessibility:	Legal vehicular access from Capitola and Bay Avenues

VALUATION

INTRODUCTION

The purpose of this appraisal is to estimate the fair market value in place of the Subject Mobile Homes for acquisition or relocation purposes. In addition, we have provided estimates of the fair market value of the Subject Mobile Homes as of March 23, 2011, which corresponds to the day before the flood and the City of Capitola's decision to consider closure of the park on April 28, 2011.

Fair market value in place and fair market value of the Subject Mobile Homes only represents the investment that would be required to replace existing assets in their present form and condition using valuation methodology which considers the manner in which the homes are acquired and put in use. In other words, fair market value in place and fair market value of the Subject Mobile Homes only are the values of the asset, designed to fit the specific requirement, in an amount which ownership would be justified, given alternative investment opportunities, by a prudent investor contemplating retention of the asset in its present economic employment.

There are three fundamental techniques applied to the valuation of assets. These techniques are based on the cost to acquire (Cost Approach), the cost at which the asset may change hands in the marketplace (Market Data or Sales Comparison Approach), and the present worth of expected future cash flows (Income Approach). The principle of substitution is important to the development and application of the three approaches.¹ This principle provides that a prudent investor will pay no more for an asset, property, or business than he would be required to pay for a replacement serving as a reasonable substitute of equal utility.

The Cost and Income Approaches were considered but not utilized. The Cost Approach is not sufficiently accurate in the valuation of assets such as the Subject Mobile Homes. Value conclusions derived from the Cost Approach are not representative of the marketplace in which homes similar to the subjects commonly exchange in. Utilization of the Cost Approach in this case would be strictly an academic exercise and would not yield significant results toward a conclusion of fair market value in place and fair market value. The Income Approach was also considered but not utilized to reach a conclusion of value. This was due to a less than sufficient amount of empirical data available in the subject marketplace that would be required to yield a meaningful conclusion of value. Therefore, this appraisal has relied upon the Sales Comparison Approach.

Our research indicates that several factors are important in the valuation of trailers, manufactured and mobile homes. These include, but are not limited to, the type of home, size, age, quality, condition, number of bedrooms and bathrooms, the presence of an addition, and upgrades such as decks, carports, canopies, landscaping, yards, upgraded flooring, upgraded bathroom fixtures, washer/dryers, etc. All of the relating mobile home factors and upgrades were noted from our physical inspections/home owner interviews and were considered in the valuation of every mobile home appraised. The subjects are approximately seven to 55 years old in age and below average to good in quality and condition. Eleven of the Subject Mobile Homes have an addition.

¹ "The Principle of Substitution" *Real Estate Appraisal Terminology*, Byrl N. Boyce, Ph. D., Page 201

Furthermore, the location within the park, quality, condition, space rents, park amenities, and restrictions of a park are significant factors relevant to the "in place value" of park homes.

APPLICATION OF THE SALES COMPARISON APPROACH

Fair Market Value in Place

We implemented an MLS (Multiple Listing Service) search (10 mile radius from the Subject Site) in order to research the greater Capitola area marketplace for transactions involving mobile homes and trailers comparable to the subjects. The range of transaction dates that we examined was October 2010 through May 2011. We reviewed data from 16 sales results. In almost all cases, the sales were located in communities that are in our opinion, comparable to the homes in Pacific Cove Mobile Home Park.

We considered rent control issues, the general quality of life, and desirability of the communities that yielded sales transactions. In our opinion, it would be inappropriate to consider sales from outside of the County of Santa Cruz, except for use as a very broad point of reference. Neither qualitative nor quantitative adjustments to sales transactions located outside of the County of Santa Cruz would yield meaningful values comparable to the subjects, due to the overly unique nature of the Subject Location. Such "guesses" would be highly speculative in nature and we consider them inappropriate for this assignment.

In our opinion, the 16 comparative sales included in this report (see Comparative Sales Data Sheet in the Addenda) represent the most appropriate available, relative to the Subject Mobile Homes, as of the effective date of value. This data was obtained from interviews we conducted with real estate brokers and realtors familiar with the subject marketplace and comparable sales data from the MLS.

The comparative sales that we have utilized are all located within 2.5 miles of the Subject Park and are listed as follows: Blue & Gold Mobile Home Park, Pleasant Acres Mobile Home Park, Snug Harbor Mobile Home Park, Carriage Acres Mobile Home Park, Opal Cliffs Mobile Home Park, Alimur Mobile Home Park, Castle Mobile Home Park, and Cabrillo Mobile Home Park. We considered these sales to be "arm's length" transactions. There have been no transactions within the subject park in the last year.

We have given considerable thought and consideration to data and opinions provided to us by the real estate brokers and realtors that we interviewed (See Sources of Information above). We have utilized the 16 comparable sales included in the Addenda, in order to aid us in establishing "benchmarks of value". Lastly we have considered the individual features of the Subject Mobile Homes listed above, relative to each other and to the comparative sales herein. A summary of the fair market values in place of the Subject Mobile Homes concluded from this analysis is provided below.

The comparable sales transactions that were utilized in our valuation analysis include homes that were sold exclusively on an "in place" basis. As such, the values include related site improvements. Therefore, our conclusions of value for the Subject Mobile Homes include related site improvements.

Fair Market Value – Mobile Home Only

We utilized the NADA Manufactured Housing Guide in order to form our fair market value conclusions. NADA guidebooks are a compilation of empirical sales data from the national and relevant regional market places to assist us with estimates of the fair market values of the Subject Mobile Homes. We utilized available relevant data gathered from inspections and home owner interviews. In the limited cases where information was unavailable, assumptions based on our physical inspections were used. It is our opinion, that NADA was the most reliable available source of fair market value of the Subject Mobile Homes as of the date of this report.

SUMMARY AND CONCLUSIONS

The application of the Sales Comparison Approach provides an indication of value. Based upon the application of this approach to the various Subject Mobile Homes appraised herein, our opinions of the fair market values in place and fair market values, as of the effective dates of value indicated below are as follows:

<u>SPACE NUMBER</u>	<u>FAIR MARKET VALUE IN PLACE (ROUNDED) AS OF MARCH 23, 2011</u>	<u>FAIR MARKET VALUE OF MOBILE HOME ONLY (ROUNDED) AS OF MARCH 23, 2011</u>
40	\$24,000	\$9,000
42	\$48,500	\$6,800
43	\$66,250	\$6,300
47	\$49,000	\$1,150
48	\$21,500	\$525
49	\$53,500	\$1,250
50	\$42,000	\$675
53	\$101,000	\$12,750
54	\$118,000	\$10,500
56	\$61,000	\$1,500
57	\$130,000	\$9,250
59	\$95,000	\$2,500
60	\$90,000	\$4,750
62	\$88,000	\$5,500
63	\$42,000	\$3,750
64	\$49,500	\$1,350
66	\$52,000	\$3,100
67	\$47,000	\$3,250
68	\$83,000	\$3,650
69	\$89,500	\$3,500
71	\$34,500	\$700
74	\$42,000	\$725
75	\$50,000	\$1,000
76	\$102,500	\$7,300
77	\$41,000	\$1,200
78	\$58,000	\$5,550

<u>SPACE NUMBER</u>	FAIR MARKET VALUE IN PLACE (ROUNDED) AS OF <u>MARCH 23, 2011</u>	FAIR MARKET VALUE OF MOBILE HOME ONLY (ROUNDED) AS OF <u>MARCH 23, 2011</u>
80	\$105,000	\$31,500
82	\$59,000	\$2,800
83	\$104,000	\$12,250
84	\$115,000	\$12,000

ADDENDA

Pacific Cove Mobile Home Park – Subject Mobile Homes Data Sheet

Space Number	Type of Home	Condition	Movable?	Home Manufacturer/Model	Year of Manufacture	Total Square Feet of Home	Number of Bedrooms	Number of Bathrooms	Adjusted Price per Square Foot	Reported Purchase Price (Per Owner)	Reported Purchase Date (Per Owner)
40	Travel Trailer	A	Yes	Arctic Fox	N/I – Est. 1990's	236	1	1	\$101	N/I	N/I
42	Manufactured Home	A	No	N/A	N/I – Est. 1990's	560	N/I	N/I	\$87	N/I	N/I
43	Manufactured Home	A	No	N/A	1982	716	2.5	1	\$96	N/D	1982
47	Mobile Home	A	No	Nashua	1960 (Approx)	423	1	1	\$116	N/D	1999
48	Mobile Home	F/P	No	Castaway	N/I – Est. 1960's	240	1	1	\$90	N/I	N/I
49	Mobile Home	G	No	Jewel	1950's (approx)	432	1	1	\$124	N/D	1982
50	Mobile Home	A/G	No	Anderson	1956	336	1	1	\$125	N/D	1995
53	Manufactured Home	A/G	No	Skyline/Palm Manor	1988	880	2	2	\$115	33,122	1988
54	Mobile Home	A/G	No	Champion	1968	1178	2.5	2	\$100	165,000	2002 (approx)

N/A – Information not available at time of interview
 N/D- Not Disclosed
 N/I – Not Interviewed

A - Average
 F - Fair
 G - Good
 P - Poor

Space Number	Type of Home	Condition	Movable?	Home Manufacturer/Model	Year of Manufacture	Total Square Feet of Home	Number of Bedrooms	Number of Bathrooms	Adjusted Price per Square Foot	Reported Purchase Price (Per Owner)	Reported Purchase Date (Per Owner)
56	Mobile Home	A	No	Paramount	1956	640	2	1	\$95	N/D	Approx. 1971
57	Manufactured Home	G	No	Golden West	1995	1176	2	1	\$111	70,000	1998
59	Mobile Home	A	No	Universal	1965	970 (Reported by Owner)	2.5	1	\$98	115,000	2006
60	Mobile Home	A/G	No	National	1964	900	2	2	\$100	N/D	1989
62	Mobile Home	G	No	Lancer	1981	800	2	2	\$110	135,000	2004
63	Mobile Home	A/F	No	Champion	N/A – Est. 1970's	528	1	1	\$80	60,000 (Approx)	1997
64	Mobile Home	A	No	Angel	1956	516	2	1	\$96	Paid \$4,500 on top of trade with city	1982
66	Mobile Home	A	No	Westbrook	1974	576	2	1	\$90	N/D	2006
67	Mobile Home	A/F	No	Champion	1971	570	1	1	\$82	Grandmother paid \$12,000 in 1978. Christine paid \$60,000 in 2008	2008

N/A – Information not available at time of interview
N/D- Not Disclosed
N/I – Not Interviewed

A - Average
F - Fair
G - Good
P - Poor

Space Number	Type of Home	Condition	Movable?	Home Manufacturer/Model	Year of Manufacture	Total Square Feet of Home	Number of Bedrooms	Number of Bathrooms	Adjusted Price per Square Foot	Reported Purchase Price (Per Owner)	Reported Purchase Date (Per Owner)
68	Mobile Home	A/F	No	Star	1967	1040	3	1	\$80	N/D	1991
69	Mobile Home	A/G	No	Melody	1967	860	2	2	\$104	N/D	1996
71	Mobile Home	A/F	No	Nashua	1962	348	2.5	1	\$105	N/D	1964
74	Mobile Home	A/G	No	Fleetwood Homes	1961	380	1	1	\$111	N/D	1983
75	Mobile Home	A	No	Champion	1965	500	2	1	\$100	N/D	1976
76	Mobile Home	A/G	No	Casa Loma	1966	1080	2	1	\$95	115,000	2006
77	Mobile Home	F	No	Fleetwood Homes	1970's	480	2	1	\$85	N/D	1979
78	Mobile Home	A	No	SilverCrest	1971	648	1	1	\$90	15,000	1975
80	Manufactured Home	G	Yes	Champion (Infinity Limited)	2004	836	3	2	\$126	\$58,000	2003/ 2004
82	Mobile Home	G	No	Imperial	1967	540	1	1	\$109	N/D	1999/ 2000
83	Manufactured Home	G	No	N/A	N/A- Est. 1980's	1040	2	2	\$100	N/D	N/A
84	Mobile Home	A	No	Royal Lancer	1974	1440	2	2	\$80	N/D	1980

N/A – Information not available at time of interview
N/D- Not Disclosed
N/I – Not Interviewed

A - Average
F - Fair
G - Good
P - Poor

PACIFIC COVE MOBILE HOME PARK

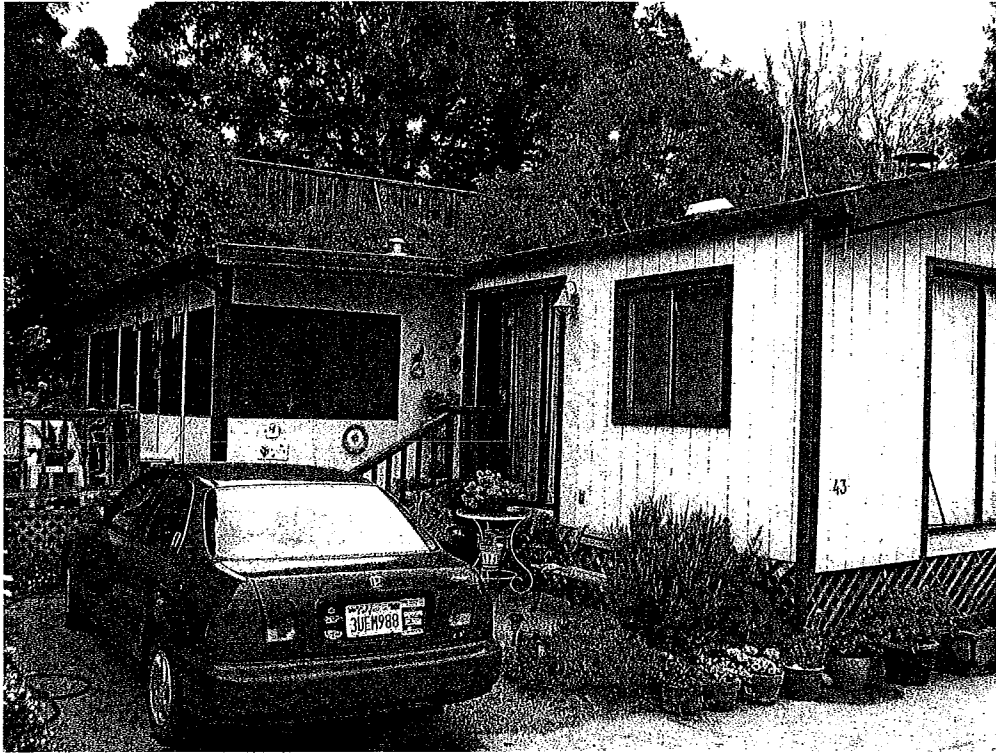


UNIT #40

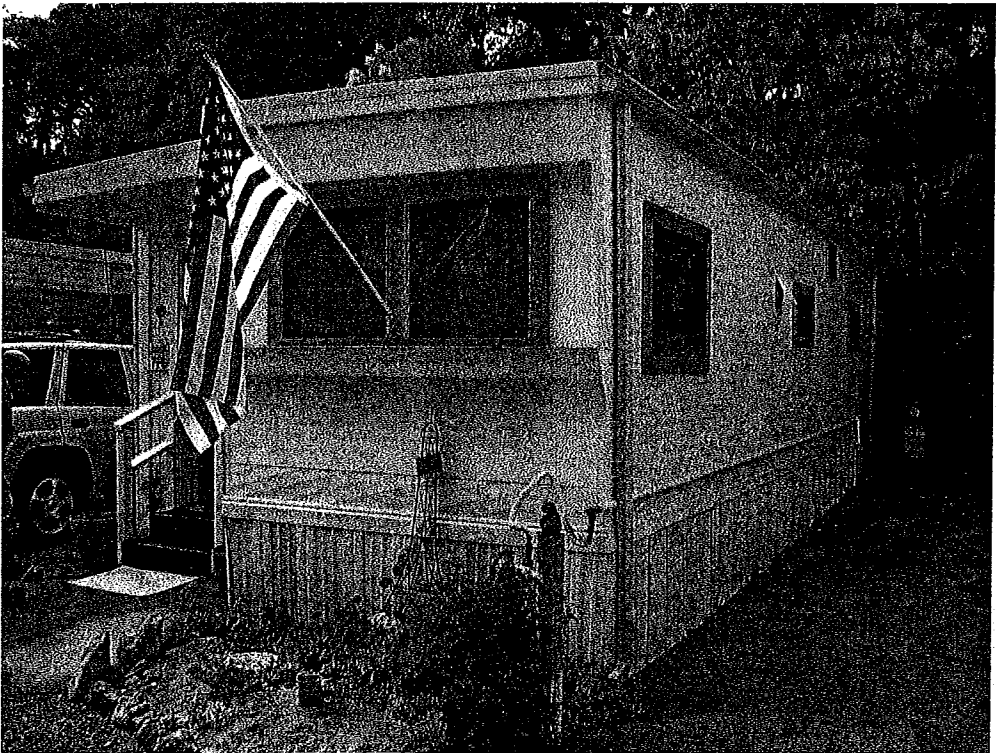


UNIT #42

PACIFIC COVE MOBILE HOME PARK



UNIT #43



UNIT #47

PACIFIC COVE MOBILE HOME PARK

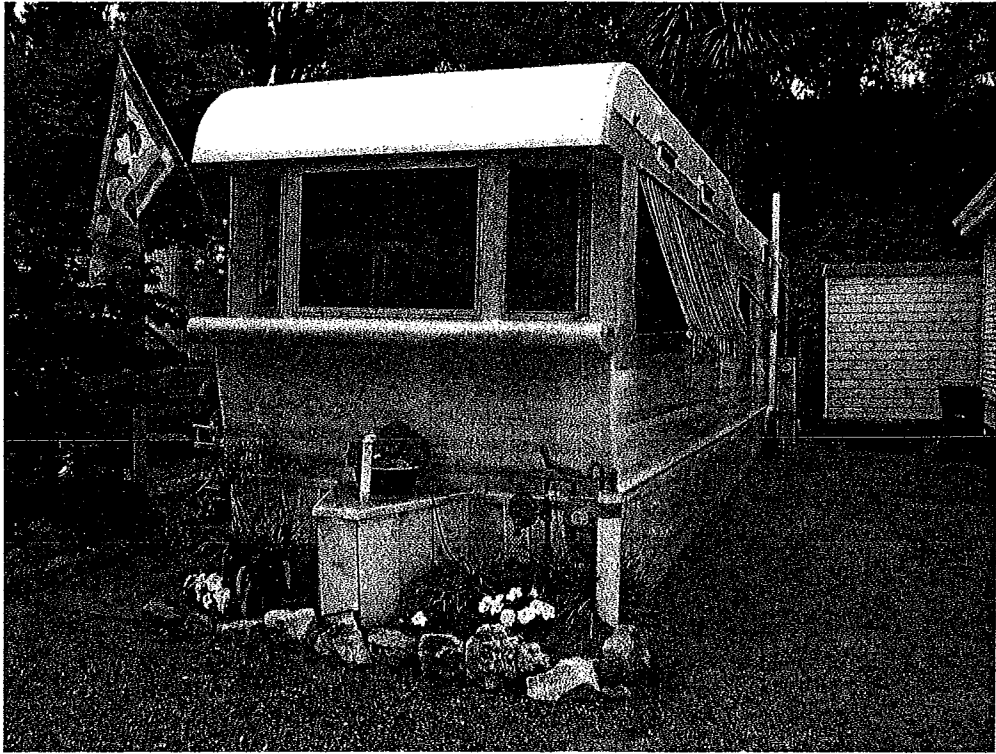


UNIT #48

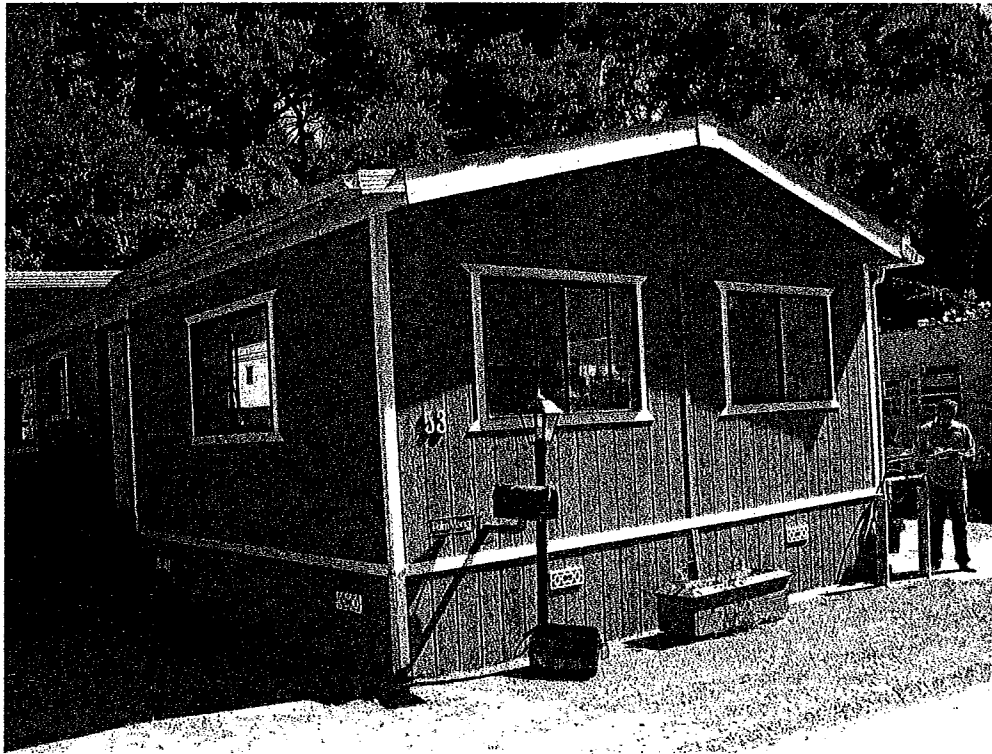


UNIT #49

PACIFIC COVE MOBILE HOME PARK

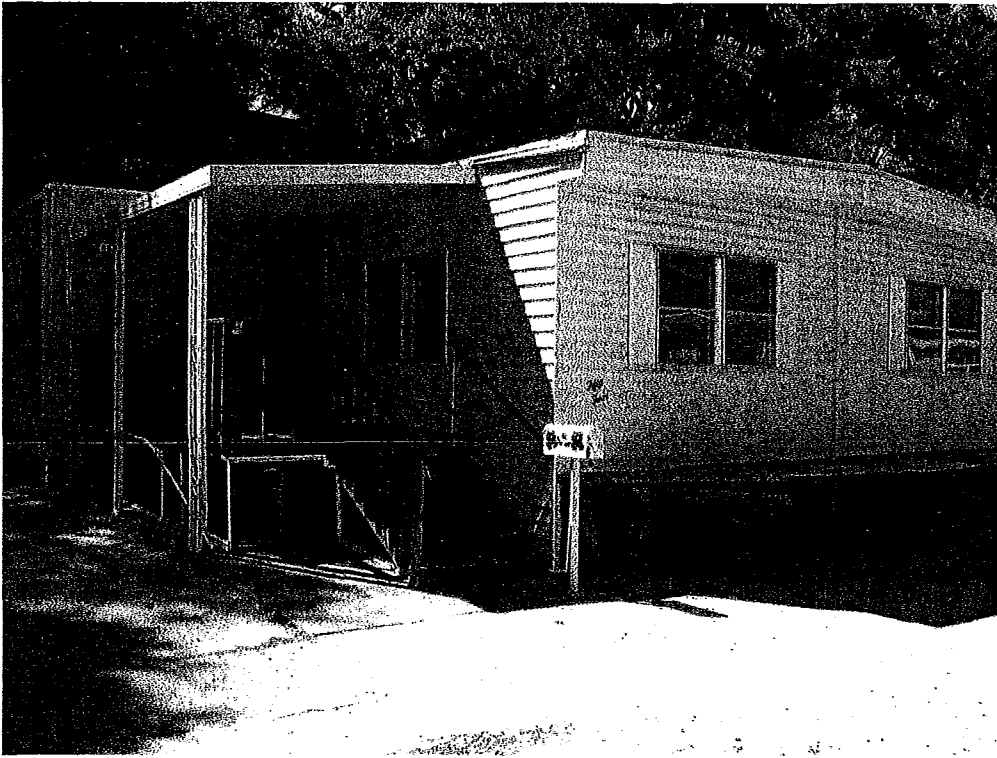


UNIT #50

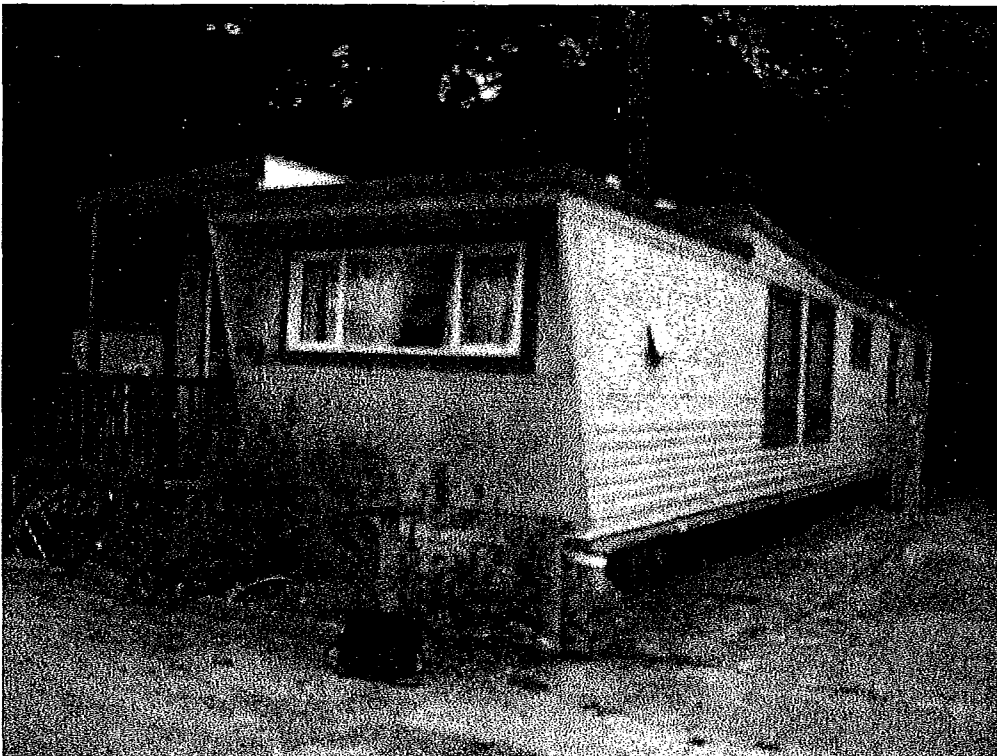


UNIT #53

PACIFIC COVE MOBILE HOME PARK

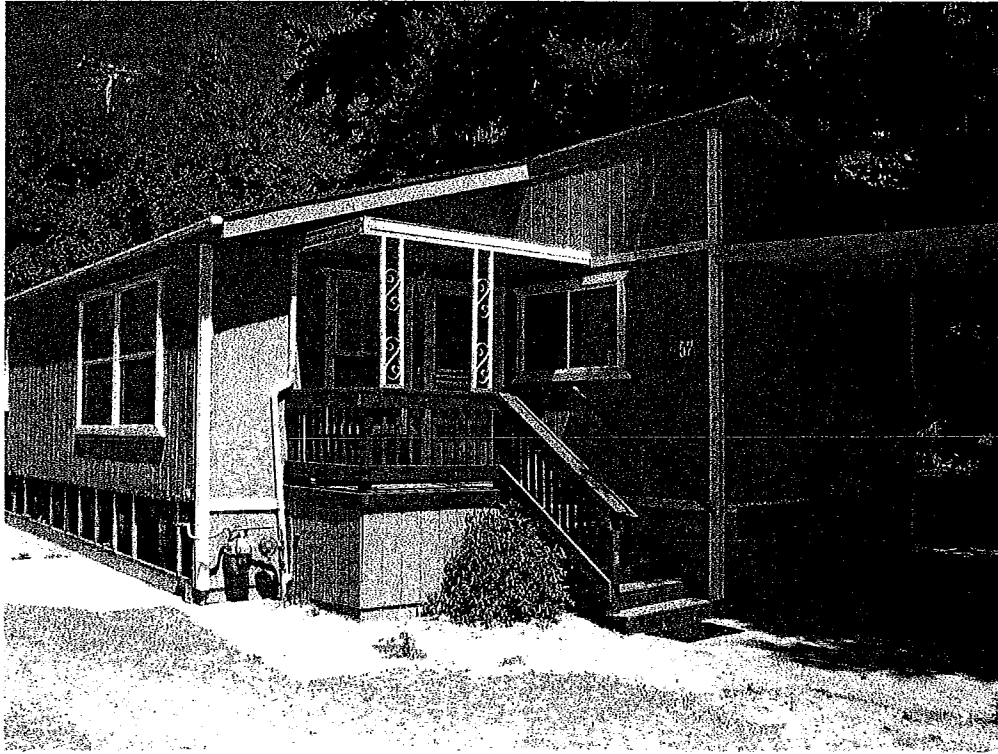


UNIT #54



UNIT #56

PACIFIC COVE MOBILE HOME PARK

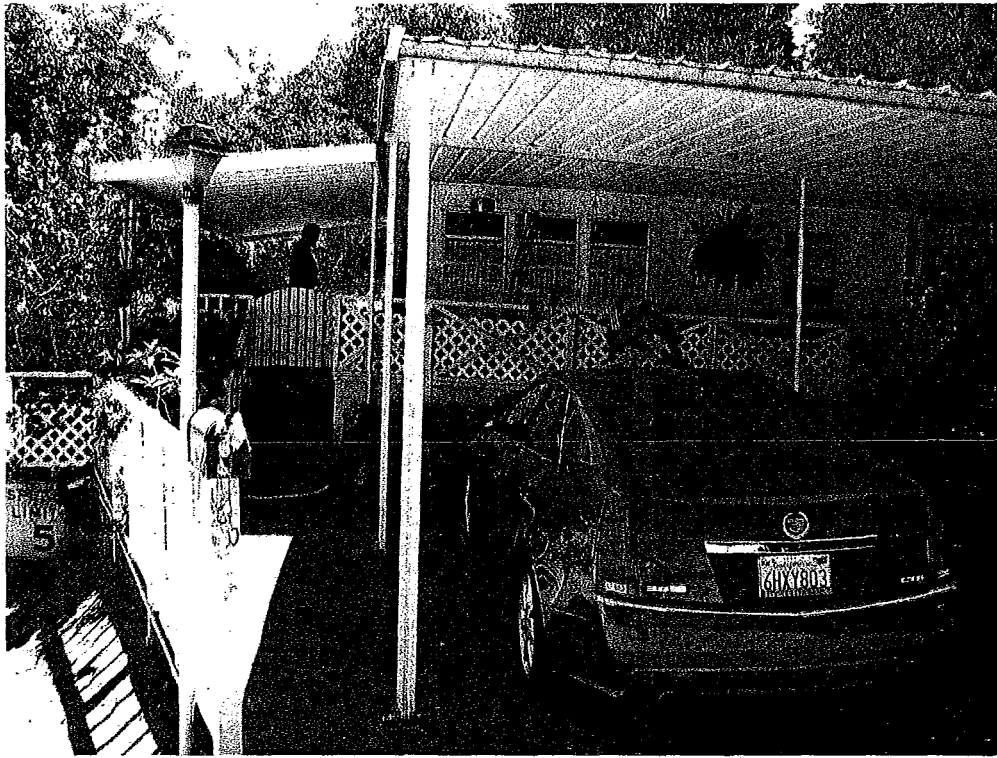


UNIT #57

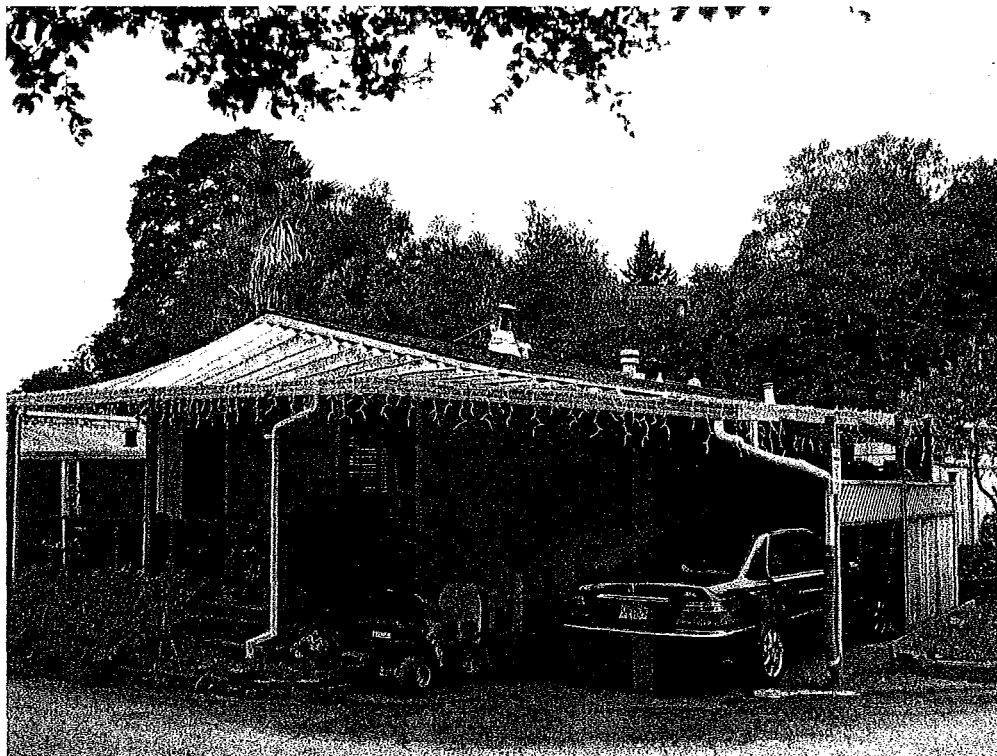
PHOTO NOT AVAILABLE

UNIT #59

PACIFIC COVE MOBILE HOME PARK

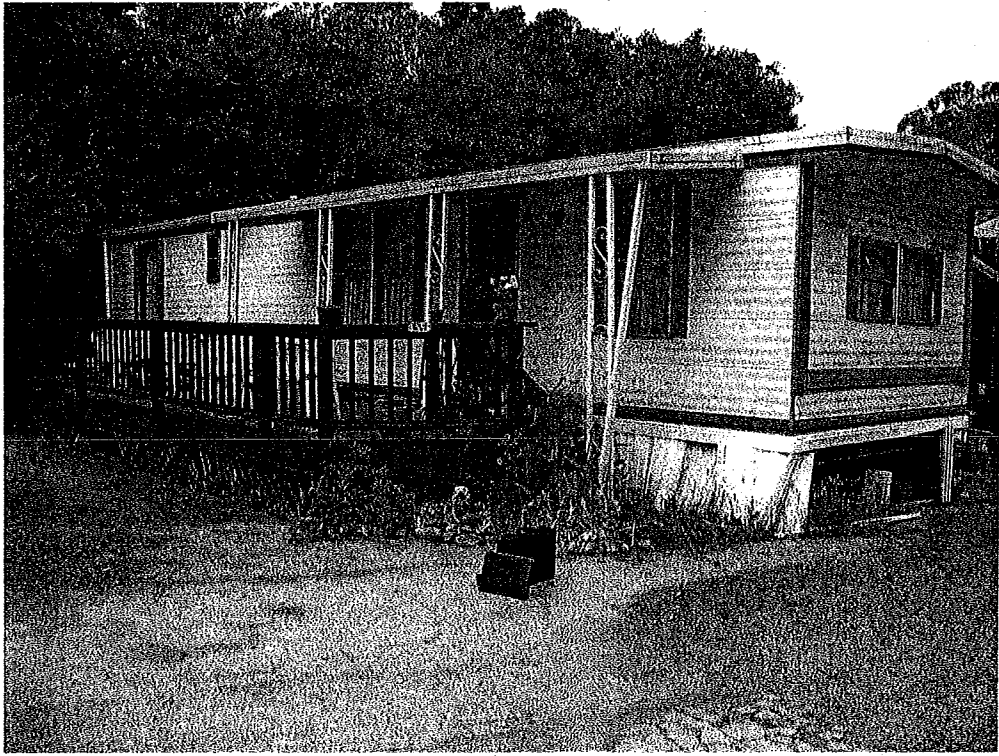


UNIT #60



UNIT #62

PACIFIC COVE MOBILE HOME PARK

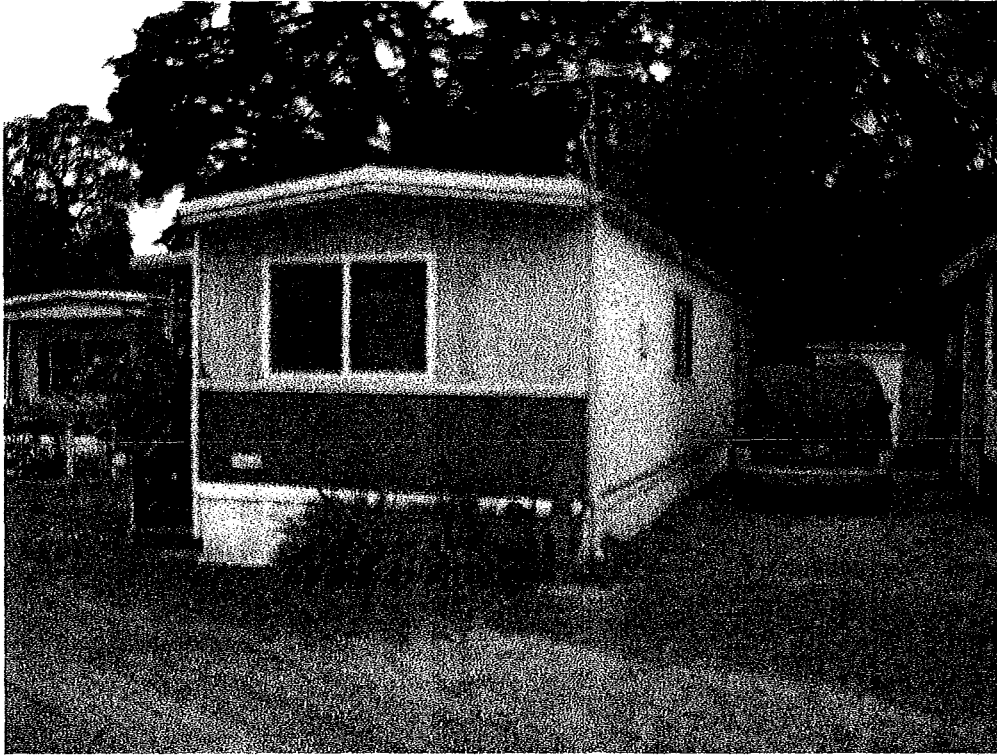


UNIT #63

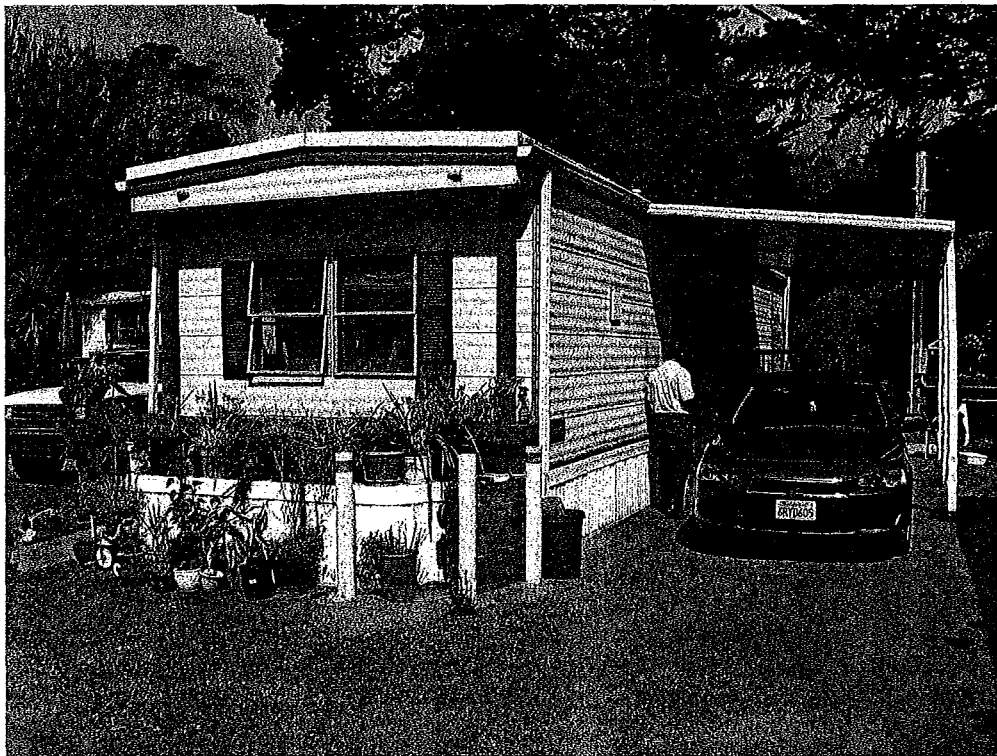


UNIT #64

PACIFIC COVE MOBILE HOME PARK

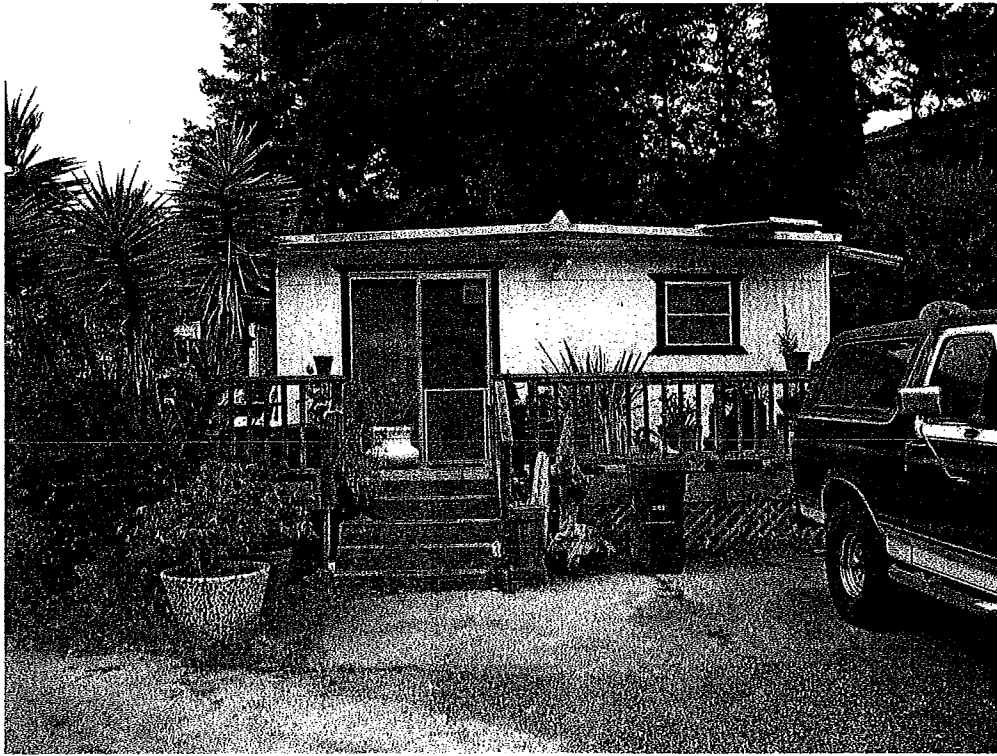


UNIT #66



UNIT #67

PACIFIC COVE MOBILE HOME PARK

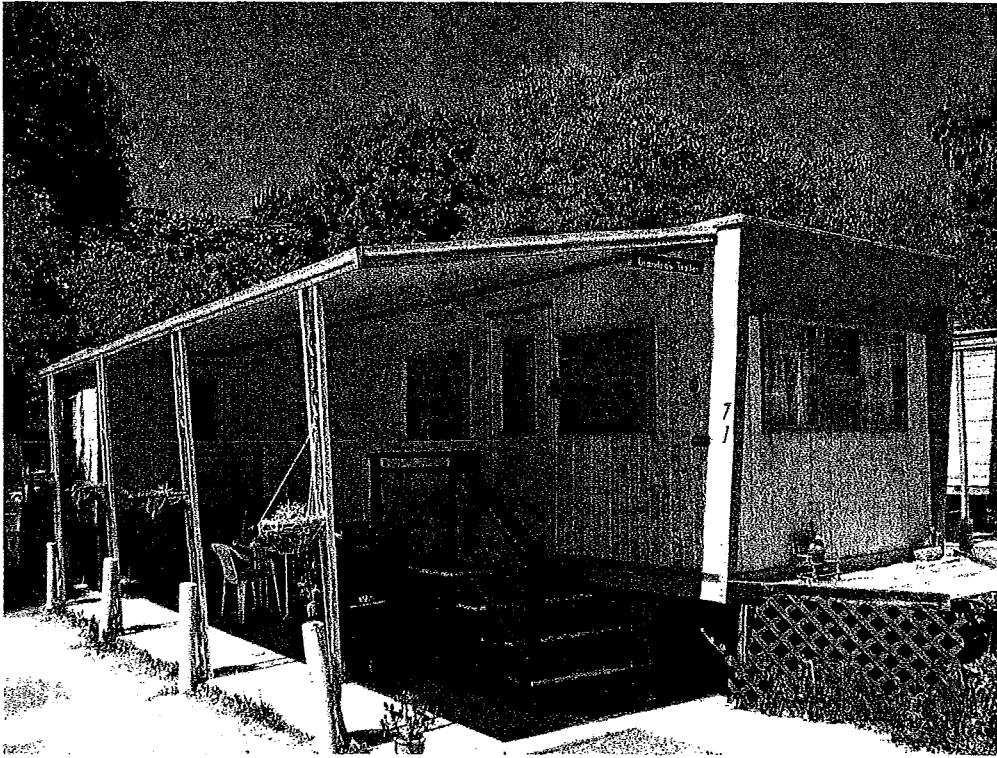


UNIT #68

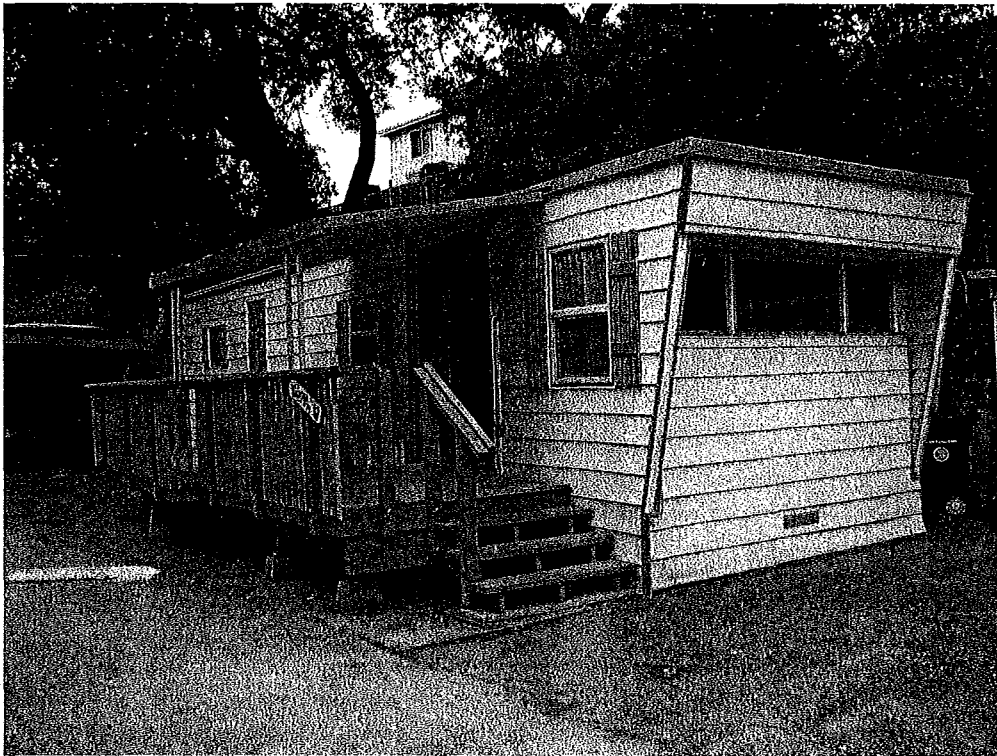


UNIT #69

PACIFIC COVE MOBILE HOME PARK

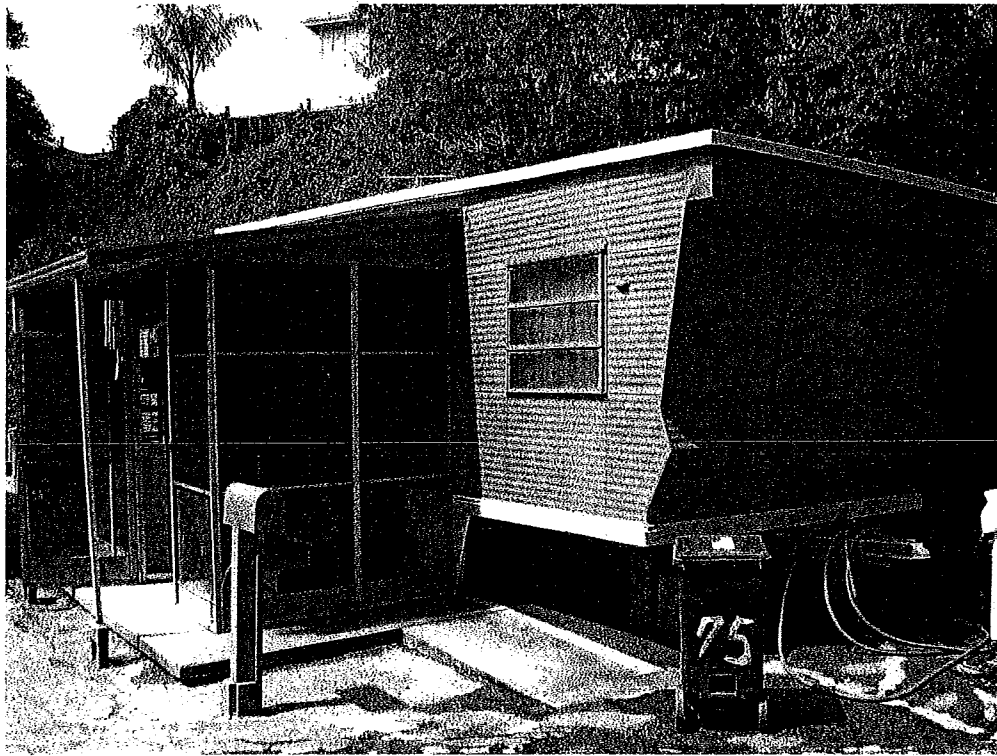


UNIT #71

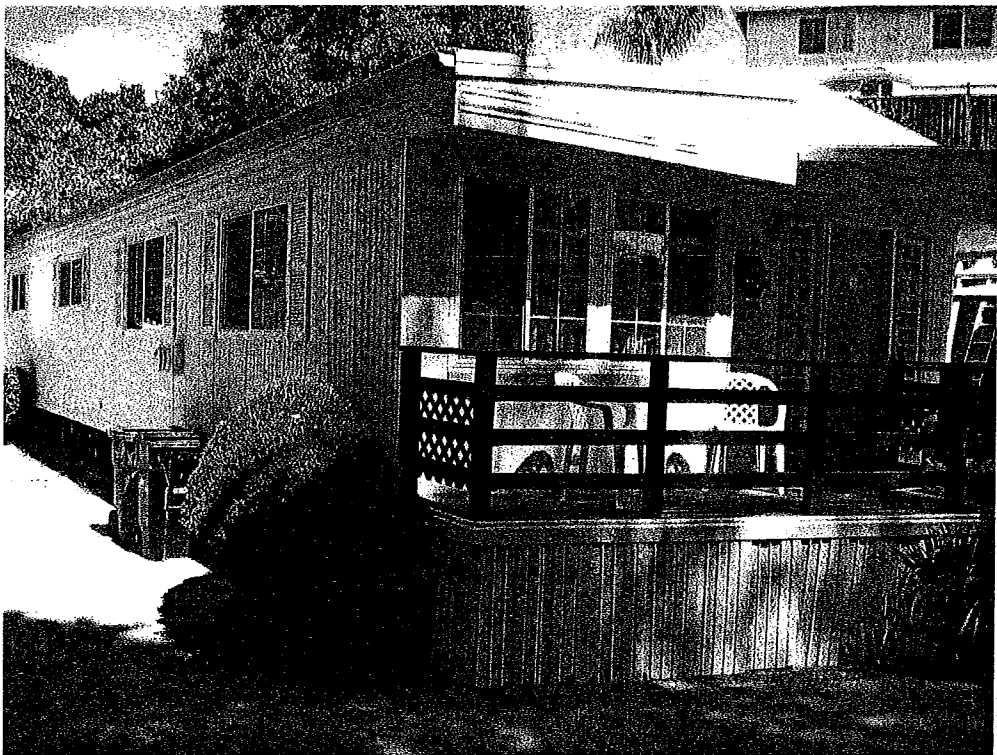


UNIT #74

PACIFIC COVE MOBILE HOME PARK

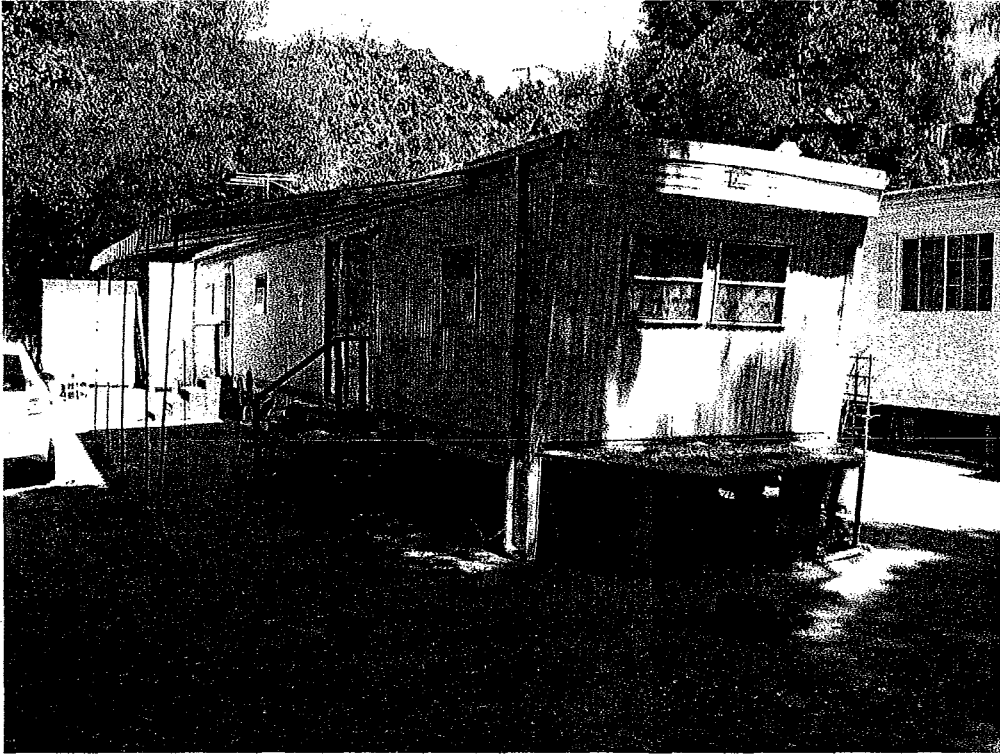


UNIT #75

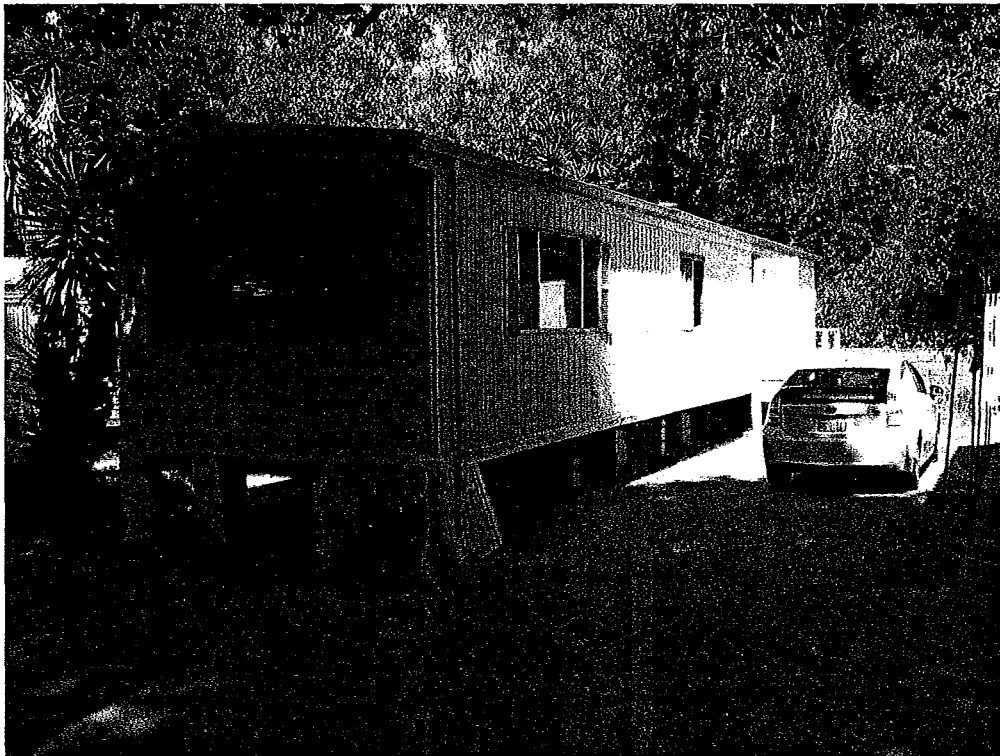


UNIT #76

PACIFIC COVE MOBILE HOME PARK

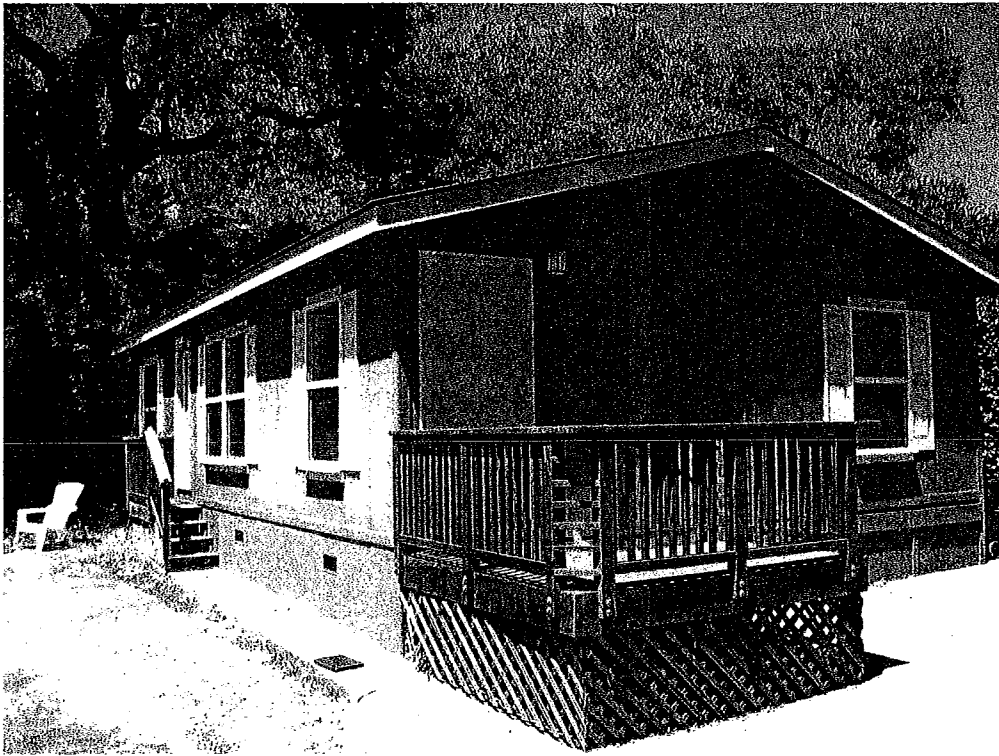


UNIT #77

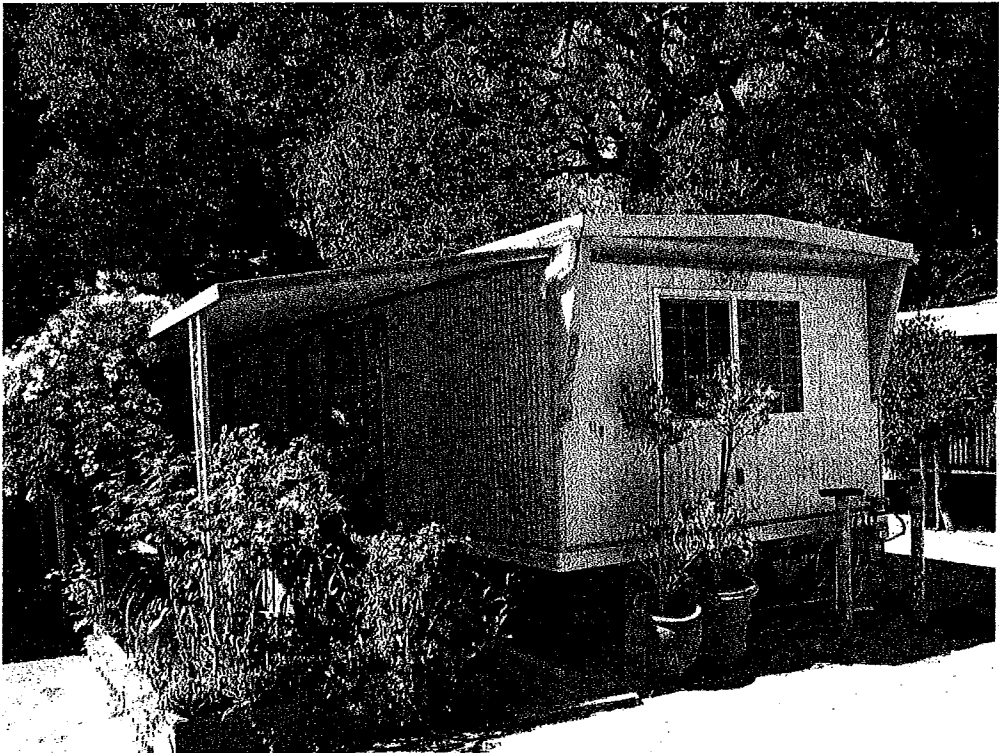


UNIT #78

PACIFIC COVE MOBILE HOME PARK

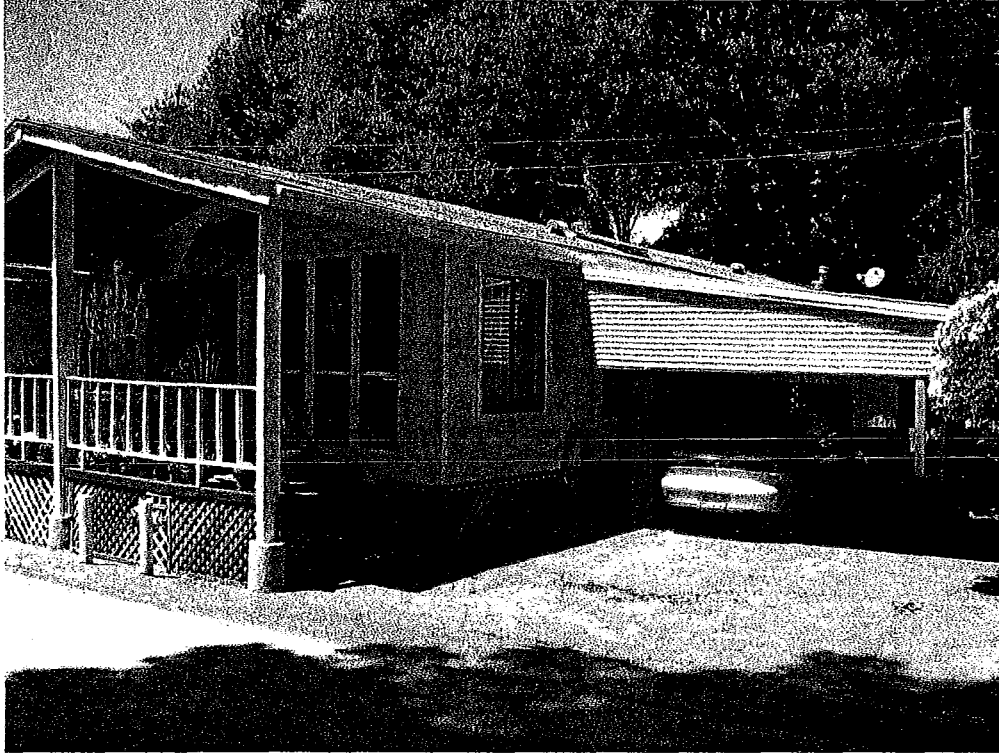


UNIT #80

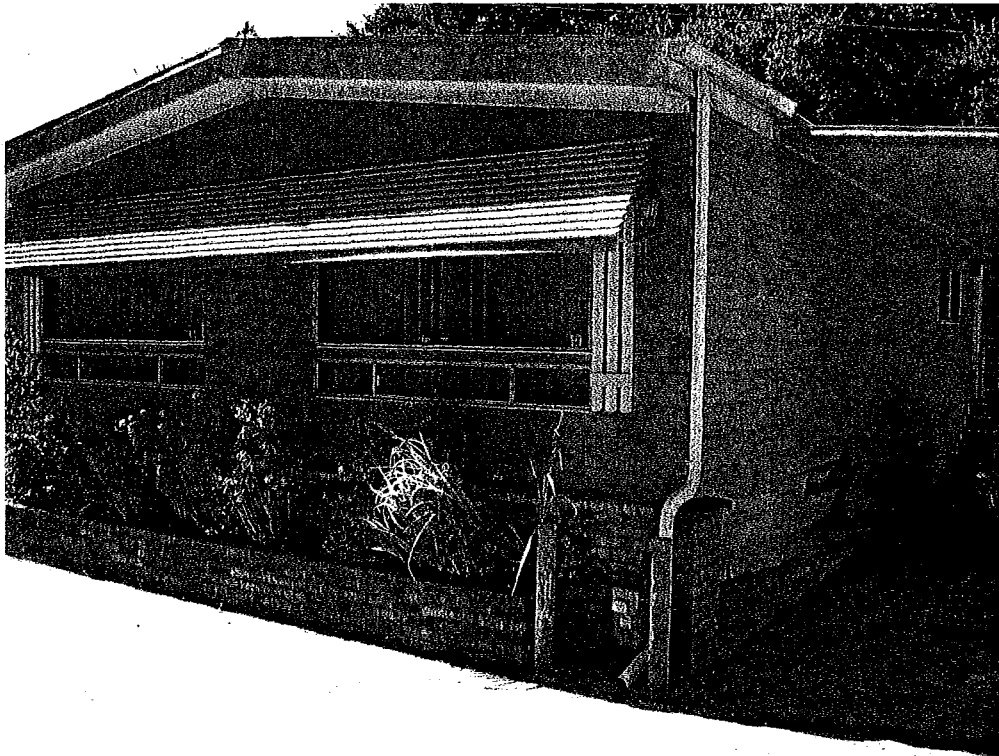


UNIT #82

PACIFIC COVE MOBILE HOME PARK



UNIT #83

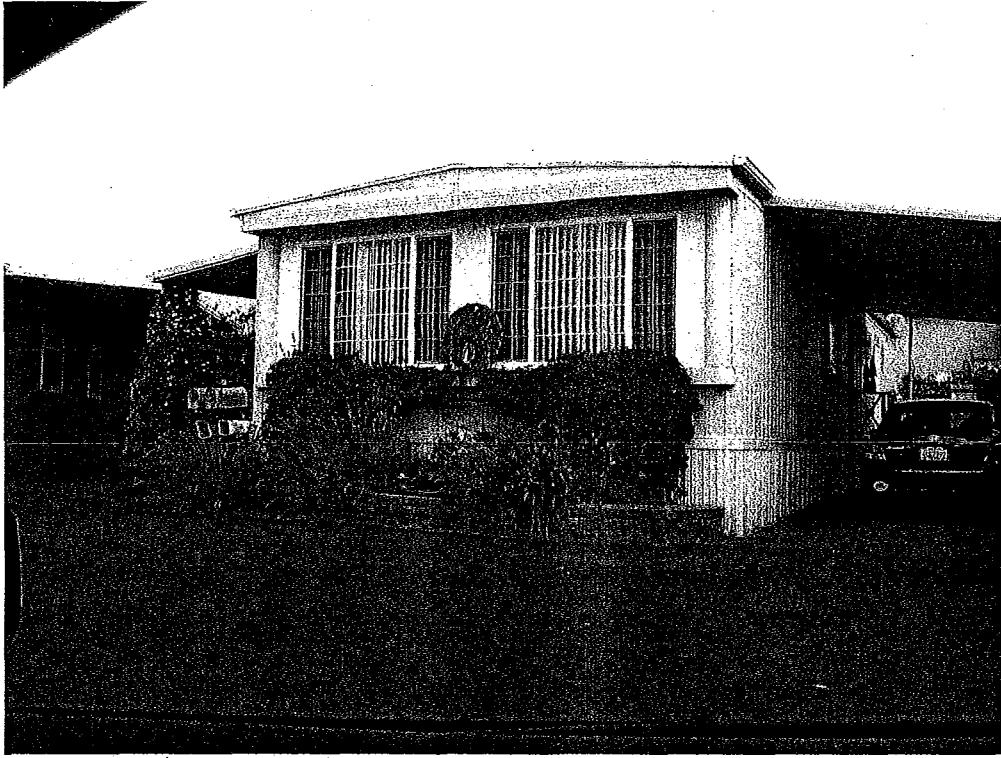


UNIT #84

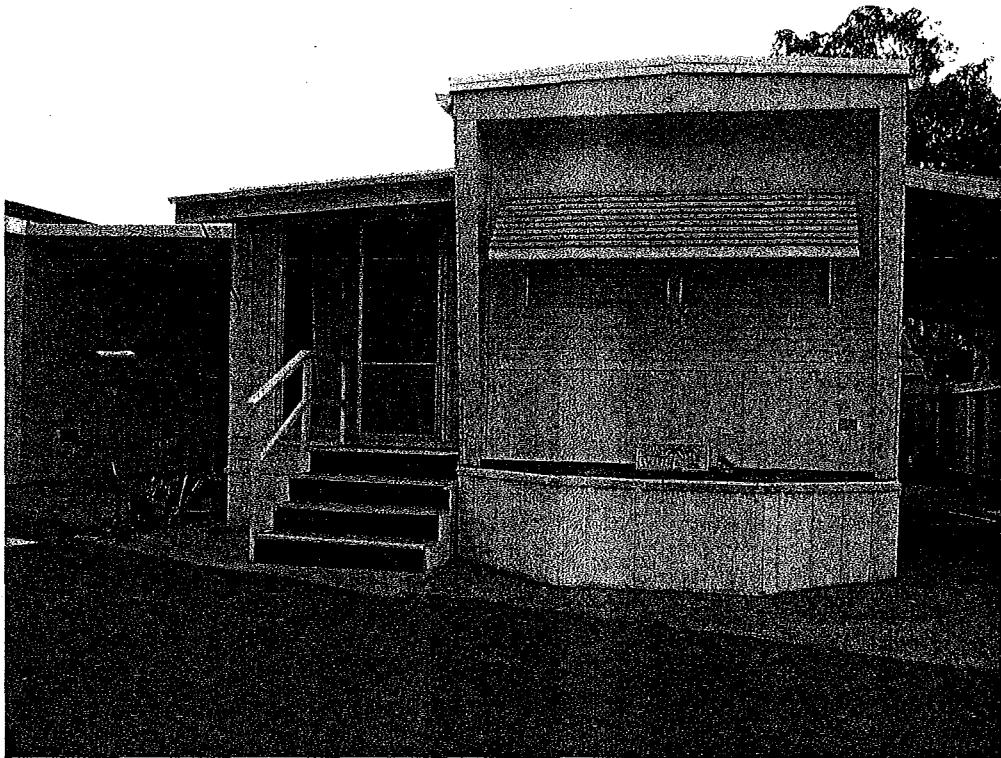
COMPARATIVE SALES DATA SHEET

Sale No.	Park	Park Type	Space No.	Overall Condition	Sale Price	Sale Date	Year	Manufacturer/Model	Bed/Bath	Total Sq.Ft.	Adjusted Price/Sq.ft.	Size
1	Blue & Gold Mobile Home Park	Family	106	Good	105,000	May-11	1969	Golden West	2,2	1040	\$100.96	Double Wide
2	Blue & Gold Mobile Home Park	Family	85	Average	61,000	Jan-11	1963	NA	1,1	460	\$132.61	Single
3	Pleasant Acres Mobile Home Park	Family	46	Good	55,000	Oct-10	1991	NA	1,1	650	\$84.62	Single
4	Snug Harbor Mobile Home Park	Family	23	Average	59,000	Dec-10	1957	NA	2,1	506	\$116.60	Single
5	Carriage Acres Mobile Home Park	Family	18	Excellent	95,000	Apr-11	2007	Fleetwood	1,1	645	\$147.29	Single
6	Carriage Acres Mobile Home Park	Family	94	Good	97,389	Jun-11	2003	Lake Springs	2,1	726	\$134.14	Single
7	Carriage Acres Mobile Home Park	Family	92	Average/Good	45,000	Aug-10	1981	Concord	1,1	518	\$86.87	Single
8	Snug Harbor Mobile Home Park	Family	9	Average	47,500	Nov-11	1966	Imperial	1,1	456	\$104.17	Single
9	Opal Cliffs Mobile Home Park	Family	23	Average	50,000	Dec-10	1961	N/A	1,1	400	\$125.00	Trailer
10	Alimur Mobile Home Park	Family	71	Average	40,000	Jun-11	1958	NA	1,1	680	\$58.82	Single
11	Carriage Acres Mobile Home Park	Family	41	Average	95,000	Nov-10	1968	NA	2,2	980	\$96.94	Double Wide
12	Castle Mobile Home Park	Family	64	Average	99,500	Sep-10	1971	Lancer	2,1	880	\$113.07	Double Wide
13	Castle Mobile Home Park	Family	25	Average	75,000	May-11	1974	NA	2,1	900	\$83.33	Double Wide
14	Blue & Gold Mobile Home Park	Family	104	Excellent	195,000	May-11	2010	NA	3,2	1,326	147.06	Double Wide
15	Cabrillo Mobile Home Park	Family	54	Good	145,000	Oct-10	1998	NA	3,2	1,040	139.42	Double Wide
16	Blue & Gold Mobile Home Park	Family	110	Good	190,000	Sep-10	1999	Karsten	3,2	1,152	164.93	Double Wide

COMPARATIVE SALES PHOTOGRAPHS

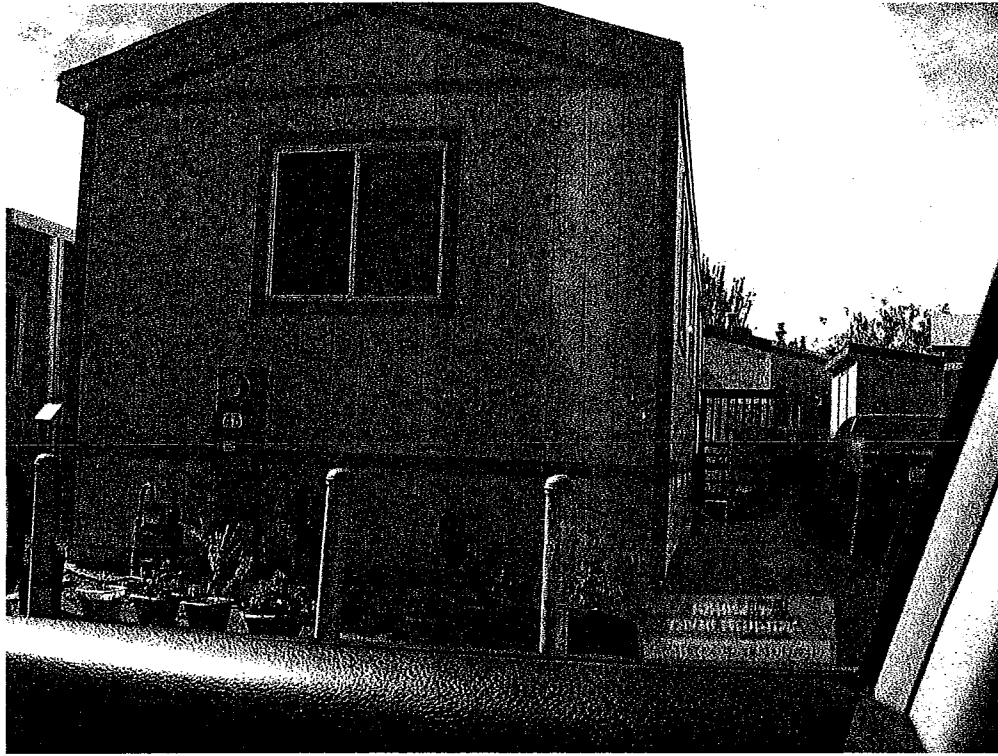


NO. 1 - BLUE & GOLD MOBILE HOME PARK



NO. 2 - BLUE & GOLD MOBILE HOME PARK

COMPARATIVE SALES PHOTOGRAPHS



NO. 3- PLEASANT ACRES MOBILE HOME PARK

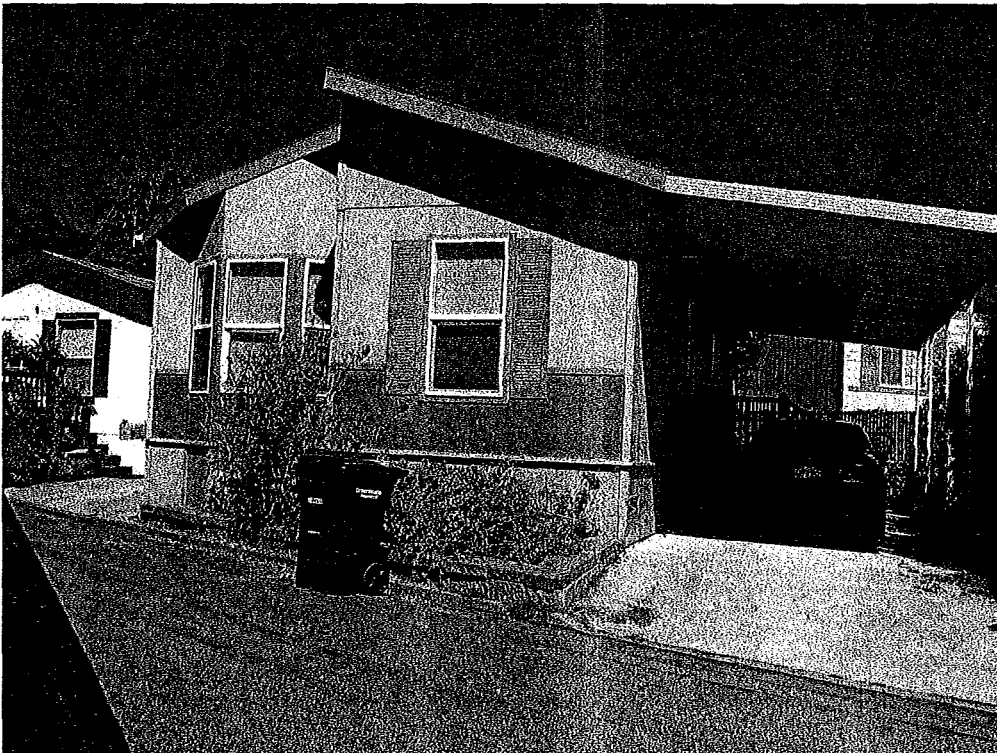


NO. 4 - SNUG HARBOR MOBILE HOME PARK

COMPARATIVE SALES PHOTOGRAPHS



NO. 5 - CARRIAGE ACRES MOBILE HOME PARK

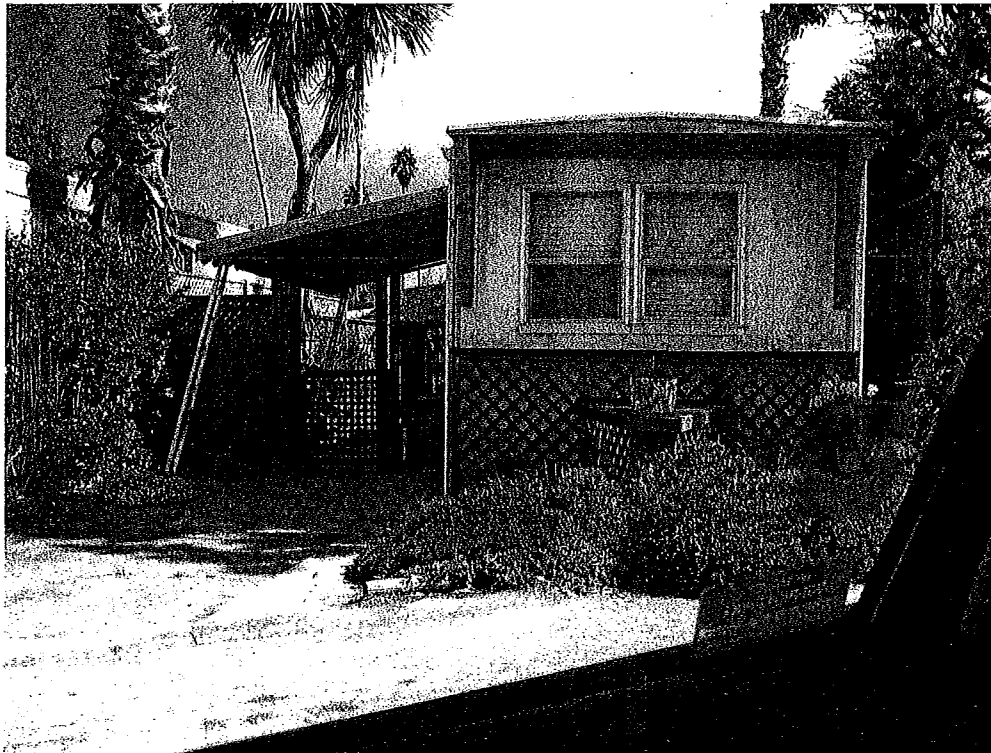


NO. 6 - CARRIAGE ACRES MOBILE HOME PARK

COMPARATIVE SALES PHOTOGRAPHS



NO. 7 - CARRIAGE ACRES MOBILE HOME PARK



NO. 8 - SNUG HARBOR MOBILE HOME PARK

COMPARATIVE SALES PHOTOGRAPHS

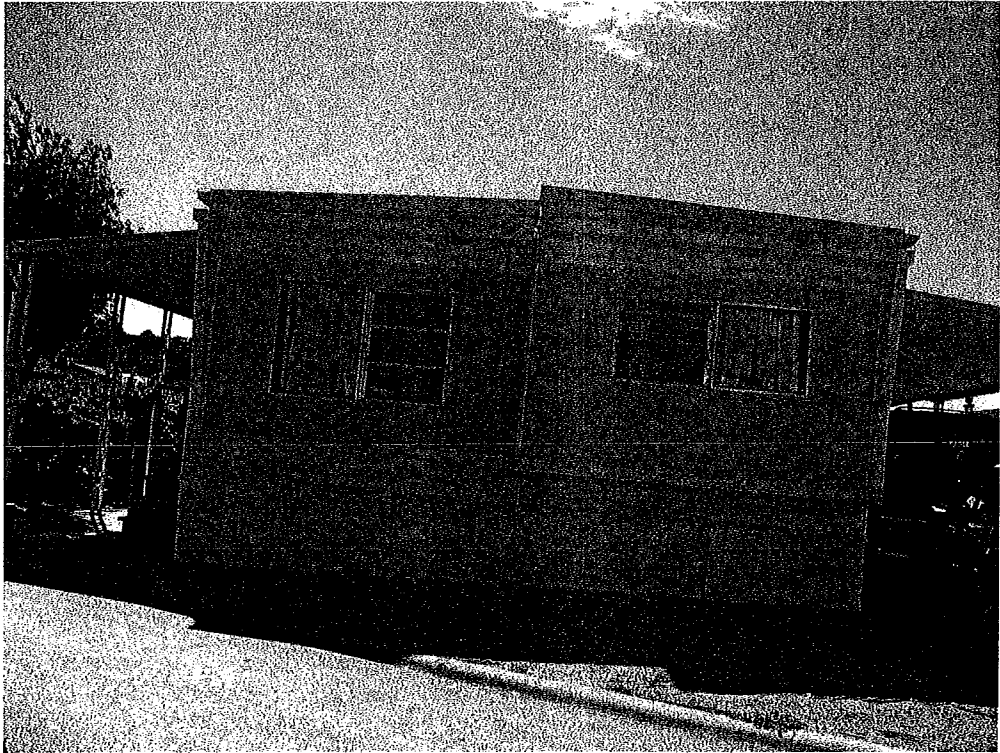
PHOTOGRAPH NOT AVAILABLE

NO. 9 – OPAL CLIFFS MOBILE HOME PARK



NO. 10 – ALIMUR MOBILE HOME PARK

COMPARATIVE SALES PHOTOGRAPHS

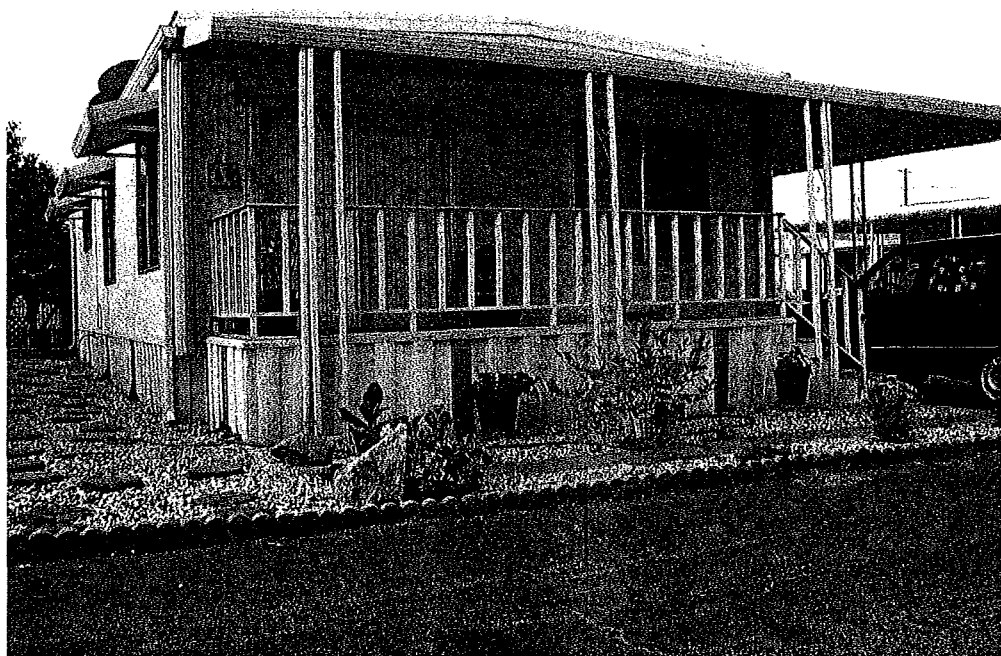


NO. 11 - CARRIAGE ACRES MOBILE HOME PARK



NO. 12 - CASTLE MOBILE HOME PARK

COMPARATIVE SALES PHOTOGRAPHS



NO. 13 - CASTLE MOBILE HOME PARK



NO. 14 - BLUE & GOLD MOBILE HOME PARK

COMPARATIVE SALES PHOTOGRAPHS

PHOTOGRAPH NOT AVAILABLE

NO. 15 – CABRILLO MOBILE HOME PARK



NO. 16 – BLUE & GOLD MOBILE HOME PARK

CONTINGENT AND LIMITING CONDITIONS

- (1) No responsibility can be taken by the appraiser for the inability of the owner(s) of this business to sell the subject assets at the appraised value.
- (2) No responsibility can be taken for the accuracy of information on the ownership of the assets appraised. All information was provided by the business owner(s) or their representative and is assumed to be correct. No warranty is given as to the accuracy of such information.
- (3) Disclosure of the contents of this appraisal report is governed by the bylaws and regulations of the American Society of Appraisers and the Uniform Standards of Professional Appraisal Practice (USPAP).
- (4) No responsibility is assumed for matters legal in nature.
- (5) No liabilities were considered. Value conclusions are free and clear of liens, easements and encumbrances.
- (6) The fee for this appraisal report does not contemplate appearance in court or before other governmental agencies as an expert witness. However, Desmond, Marcello & Amster will appear if prior arrangements are made. Expert witness testimony will be compensated for at the appraisers' professional fee rates.
- (7) This appraisal and its conclusion are subject to review upon presentation of data which is undisclosed or not available at this writing.
- (8) Neither all nor any part of the contents of this report, particularly as to the conclusion, the identity of the appraiser, or reference to the American Society of Appraisers, shall be conveyed to the public through advertising, public relations, news or other media without the prior written consent and approval of the appraiser.
- (9) No responsibility is taken for changes in market conditions and no obligation is assumed to revise the final report to reflect events or conditions which occur subsequent to the date hereof.
- (10) Full compliance with all applicable federal, state, and local environmental, zoning and similar laws and regulations is assumed, unless otherwise stated.
- (11) The results of this appraisal including the opinion of value are made only for the stated effective date of value and the purpose stated, and shall not be used for any other purpose.

- (12) It is assumed that all required licenses, certificates of occupancy, consents, or other legislative or administrative authority from any federal, state or local government or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.
- (13) The existence of hazardous substances, including without limitation, asbestos, polychlorinated biphenyls, petroleum leakage, or agricultural chemicals, which may or may not be present on the property, or other environmental conditions, were not called to our attention nor were we aware of such during our inspection. We have no knowledge of the existence of such materials on or in the property unless otherwise stated. We are not qualified to test for such substances or conditions. If the presence of such substances, such as asbestos, urea formaldehyde foam insulation, or other hazardous substances or environmental conditions may affect the value of the property, the value estimate is predicated on the assumption that there is no such condition on or in the property or in such proximity thereto that it would cause a loss in value. No responsibility is assumed for any such conditions, nor for any expertise or engineering knowledge required to discover them.
- (14) You agree to indemnify and hold harmless Desmond, Marcello & Amster from and against any and all liabilities, damages, costs and expenses (including attorneys' fees) which may be incurred by Desmond, Marcello & Amster as a result of any action(s) brought against us in connection with our report.
- (15) Acceptance of and/or use of this appraisal report constitutes acceptance of the foregoing general assumptions and limiting conditions.

DESMOND, MARCELLO & AMSTER
TANGIBLE ASSET VALUATION SPECIALISTS

THE FIRM: GENERAL DESCRIPTION

Since 1968, Desmond, Marcello & Amster has provided clients in both the public and private sectors with expertise in the valuation of closely-held businesses, professional practices, and specific tangible and intangible assets, such as furniture, fixtures and equipment and goodwill. Since the enactment of the California Eminent Domain Law of 1976, DM&A has specialized in providing valuation services for eminent domain proceedings.

Desmond, Marcello & Amster has completed over one thousand appraisals under the California Eminent Domain Law, for both government agencies and private parties. The valuation analysts at DM&A work in conjunction with condemning agencies, business owners, attorneys, relocation agents, acquisition agents, developers, and real property appraisers to provide defensible value opinions. Since 1976, DM&A has provided litigation support in condemnation cases with unparalleled success in the courtroom.

DM&A is staffed to provide its eminent domain clients a full breadth of valuation services. This multi-disciplinary capability enables DM&A to address complex valuation issues involving furniture, fixtures and equipment.

Desmond, Marcello & Amster offers the following eminent domain valuation services:

- Exposure estimates of goodwill loss and fixtures and equipment value for budgeting purposes;
- Preliminary fixture and equipment and goodwill loss studies;
- Comprehensive appraisal reports of goodwill loss, and fixtures and equipment;
- Analysis of precondemnation damages and inverse condemnation claims;
- Assistance in negotiating settlements;
- Expert witness testimony; and
- Educational seminars on goodwill loss valuation issues.

Litigation support services include:

- Assistance in developing questions for depositions and interrogatories;
- Review of opposing appraisals;

- Assistance in coordinating other key witnesses;
- Outlining examination for direct testimony and cross examination; and
- Development of rebuttal testimony.

PROFESSIONAL AFFILIATIONS AND DESIGNATIONS

Individual staff members of Desmond, Marcello & Amster are associated with the following:

American Society of Appraisers (Members and Candidates)
CFA Institute (Member)
International Right of Way Association (Member)
American Institute of Certified Public Accountants (Member)
California Society of Certified Public Accountants (Member)
Institute of Management Accountants (Member)

PUBLICATIONS

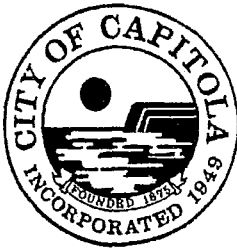
DM&A publishes the *Compensable Business Loss Review*, a technical newsletter first released in 1988. The *Review* covers a wide array of eminent domain topics including valuation, acquisition, relocation and legal issues.

LECTURES AND SEMINARS

Firm members regularly conduct seminars for public agencies, professional appraisal organizations and law firms on how to appraise goodwill loss under §1263.510 of the California Eminent Domain Statute. DM&A was chosen by the California Redevelopment Association as the goodwill loss trainer for the Redevelopment Institute's Property Acquisition Workshop.

EDUCATION

Members of the firm hold graduate and undergraduate degrees from the academic institutions of Harvard, Wharton (University of Pennsylvania), University of Michigan, Claremont McKenna College, Loyola Marymount University, University of Southern California, and California State University, Long Beach. All firm members are regularly involved in continuing education courses in finance, accounting and valuation.



ATTACHMENT G

CITY OF CAPITOLA
420 CAPITOLA AVENUE
CAPITOLA CALIFORNIA 95010
TELEPHONE/ TDD 831 475-7300
FAX 831 479-8879

NOTICE OF NON-ENTITLEMENT TO RELOCATION BENEFITS

Under certain circumstances, owners/residents of mobilehomes situated in mobilehome parks owned by a public agency are entitled to "relocation benefits" when and if the public agency decides to close the mobilehome park and put the mobilehome park property to a different use. Generally speaking, however, relocation benefits are only extended to tenants of the mobilehome park who owned or resided in their mobilehomes *prior to the time* that the public agency acquired the mobile home park.

The City of Capitola purchased the Pacific Cove Mobilehome Park in 1985. Given this fact, under the applicable California administrative regulations which govern relocation benefits, you will be considered a "post acquisition tenant" meaning that you purchased your mobilehome and undertook residency in Pacific Cove Mobilehome Park on a date following the City's purchase of that park. As set forth in your Lease Agreement, you have been notified that you are renting your mobilehome space in Pacific Cove Mobilehome Park on a "month to month tenancy" basis meaning that your tenancy in the Pacific Cove Mobilehome Park is subject to termination on 30 days notice from the City. The City has held ongoing discussions regarding the ultimate intention to devote the Pacific Cove Mobilehome Park to another use, most likely in the nature of some type of City Hall facilities expansion given the fact that the Pacific Cove Mobilehome Park is contiguous to the Capitola City Hall property.

In summary, you are hereby notified that you are assuming a mobilehome ownership/tenancy interest in a mobilehome park owned by the City of Capitola which should not be considered permanent given the City's decision and plans to put that property to another use in the foreseeable, but as of this date indefinite, future. Given the fact that you are assuming the afore-referenced interest in the Pacific Cove Mobilehome Park with knowledge that the City's ownership of the park predates your interest and with further knowledge of the City's prior plans to ultimately devote the Pacific Cove Mobilehome Park property to another use which precludes the property's ongoing use as a permanent mobilehome park, you are hereby notified that you will not be entitled to relocation benefits if and when you are required to vacate the Pacific Cove Mobilehome Park in order to allow that park property to be put to the anticipated public use.

If you have questions concerning this Notice or your rights upon notice of termination of tenancy for the City's "public use" purposes, you should confer with an attorney who specializes in mobilehome tenancy law. You should be notified also, however, that the process the City must undertake in order to close the Pacific Cove Mobilehome Park is a detailed, fully public participatory process and that you will receive ample notice of the park closure proceedings before they are undertaken and will have the opportunity to review all final documents prepared in connection with those proceedings pursuant to the requirements of State law.

We hereby acknowledge receipt of the above Notice.

Dated: _____

Name: _____

Dated: _____

Name: _____



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: NOVEMBER 22, 2011 (AGENDA: DECEMBER 1, 2011)

SUBJECT: **403 LOMA AVENUE** **#11-105** **APN: 036-092-17**
Conditional Certificate of Compliance to re-establish a previously existing lot line, including partial demolition of a single-family residence and construction of a new single-car garage and parking in the R-1 (Single-Family Residence) Zoning District.
Environmental Determination: Categorical Exemption
Property Owner: Gayle Clemson, filed 10/5/11
Representative: Richard Emigh

APPLICANT'S PROPOSAL

The applicant is requesting a Certificate of Compliance to re-establish a previously existing lot line, thereby establishing two legal lots of record. In order to accomplish this, a portion of the existing single-family residence that currently straddles the lot line must be demolished. Additionally, a new single-car garage and two new parking spaces are proposed on the remainder lot in order to meet the minimum parking requirements of the Zoning Code. The use is consistent with the General Plan, Zoning Ordinance and the Local Coastal Plan.

ARCHITECTURAL AND SITE REVIEW COMMITTEE

On October 26, 2011, the Architectural and Site Review Committee reviewed the application. The Committee's comments are as follows:

- Senior Planner Ryan Bane requested a copy of the original subdivision map to determine the original lot configurations.
- Historian Kathryn Gualtieri indicated that the existing house is not historic and would not be eligible for consideration as a potential historic resource.
- Public Works Director Steve Jesberg requested that the street names be clearly labeled and that the hedge at the intersection be cut to city standards (30"). He also stated that he would not support the proposed tandem parking accessed from the corner of Loma and Younger.

DISCUSSION

The applicant owns three legal lots of record at the corner of Loma and Younger Avenue. The current parcel contains a single-family residence that straddles all three properties, in addition to a detached carport and detached office studio that was recently approved to be converted to a secondary dwelling unit.

Conditional Certificate of Compliance

The applicant is requesting a Certificate of Compliance to establish three legal lots of record. From the information provided, staff is able to support a position that the original parcels were separately and lawfully created in May 1925 as lots 2, 4 and 6 (block B) as part of *McCormick's Addition to Capitola* subdivision map (Attachment B). The three lots have been combined under one ownership and assessor's parcel number (036-092-17), but retain their status as lots of record.

The existing single-family house currently straddles all three lots, prohibiting the owner from separately selling off any of the parcels. In order to sell off the most northerly parcel (Lot 6), the applicant is proposing to demolish the portion of the existing house that straddles the previously existing lot line and reestablish the legal lot of record. A condition of approval will be that the portion of the structure that straddles the lot line be removed prior to reestablishment of the previous property line and development of the lot. Once this is completed, the result will be two separate parcels, one being an 80'x100' lot with the original single-family house, secondary dwelling unit, and a proposed detached garage. The other being the 40'x100' original lot 6 which can be developed as an independent parcel.

Parking

Per the Zoning Ordinance, parking requirements are based on gross square footage. With a 1,675 square foot house, a 441 square foot secondary dwelling unit, and a 440 square foot carport, the existing site requires a minimum of three off-street parking spaces, one of which must be covered. This requirement is currently being met with the existing carport and driveway which is located on lot 6. However, with the proposed certificate of compliance to reestablish lot 6 as an independent parcel, the existing carport and driveway will no longer be connected with the single-family house on lots 2 and 4.

In order for the remaining lots (lots 2 and 4) to continue to meet the minimum parking requirements, the applicant is proposing to construct a one-car detached garage as well as two off-street parking spaces. The 308 square foot detached garage will be located to the rear of the lot with access from an existing alleyway. The 20' alley is located on a shared ingress/egress easement. The proposed garage meets the minimum interior dimensions, as well as setback and height requirements.

In addition to the garage, two uncovered off-street parking spaces are proposed in order to meet the parking requirements. The applicant is proposing two alternatives:

Alternative A: Two tandem spaces accessed from the corner of Loma and Younger Avenue, along the side yard of the existing house (See sheet 1 of project plans).

Alternative B: Two side by side spaces accessed from Younger Avenue (See sheet 2 of project plans).

The applicant prefers Alternative A; however staff cannot support it due to the proximity of the driveway to the street corner. Staff therefore recommends parking Alternative B.

RECOMMENDATION

Staff recommends the Planning Commission **approve** application #11-105 with parking Alternative B, subject to the following conditions and based upon the following findings.

CONDITIONS

1. The project consists of a Conditional Certificate of Compliance to re-establish a previously existing lot line, including partial demolition of a single-family residence and construction of a new single-car garage and parking at 403 Loma Avenue.
2. Prior to the recordation of the Conditional Certificate of Compliance, the applicant shall submit new/revised legal descriptions for the two lots for review by the Community Development Director.
3. The portion of the existing house that straddles the lot line to be reestablished shall be removed prior to the recordation of the Certificate of Compliance.
4. Any significant modifications to the size or exterior appearance of the main house or garage structure must be approved by the Planning Commission.
5. Utilities shall be underground.
6. The hedge at the intersection of Loma and Younger Avenue shall be cut to city standards, 30" in height.
7. Hours of construction shall be Monday to Friday 7:30AM – 9:00PM, and Saturday 9:00AM – 4:00PM, per city ordinance.
8. Prior to granting of final occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Zoning Administrator or Community Development Director.

FINDINGS

- A. **The application, subject to the conditions imposed, will secure the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**

Community Development Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project to separate existing lots of record conforms to applicable provisions of the Subdivision Map Act and of local ordinances enacted pursuant thereto. The project conforms to the development standards of the R-1 (Single Family Residence) Zoning District. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance, General Plan and Local Coastal Plan.

- B. **The application identifies two legal lots of record consistent with the Subdivision Map Act.**

The Planning Commission finds that the three lots located at 403 Loma Avenue (currently Assessor's Parcel Number 036-092-17) were each created, in accordance with the Subdivision Map Act and local ordinances enacted pursuant thereto.

- C. **This project is categorically exempt under Section 15305 and 15301 of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.**

Section 15305 of the CEQA Guidelines exempts minor alterations to land use limitations which do not change the density or land use of the subject site. This project involves a Certificate of Compliance for three legal lots of record consistent with the City's requirement that only one residence be permitted per lot in the R-1 zone district. Section 15301 of the CEQA Guidelines exempts construction of accessory structures that are less than 10,000 square feet. This project involves construction of a detached garage in an urban area and is considered infill development. No adverse environmental impacts were discovered during the review of the proposed project.

Report Prepared By: Ryan Bane
Senior Planner

Attachment A – Current Assessor's Parcel Map

Attachment B – McCormick's Addition to Capitola Subdivision Map, dated May 1925
Full size plan only

Attachment C – Project Plans

Attachment D – Conditional Certificate of Compliance

FOR TAX PURPOSES ONLY

THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
© COPYRIGHT SANTA CRUZ COUNTY ASSESSOR 1997

CITY OF CAPITOLA

Tax Area Code
3-108

36-09



Bk.35
14

Note - Assessor's Parcel & Block
Numbers Shown in Circles.

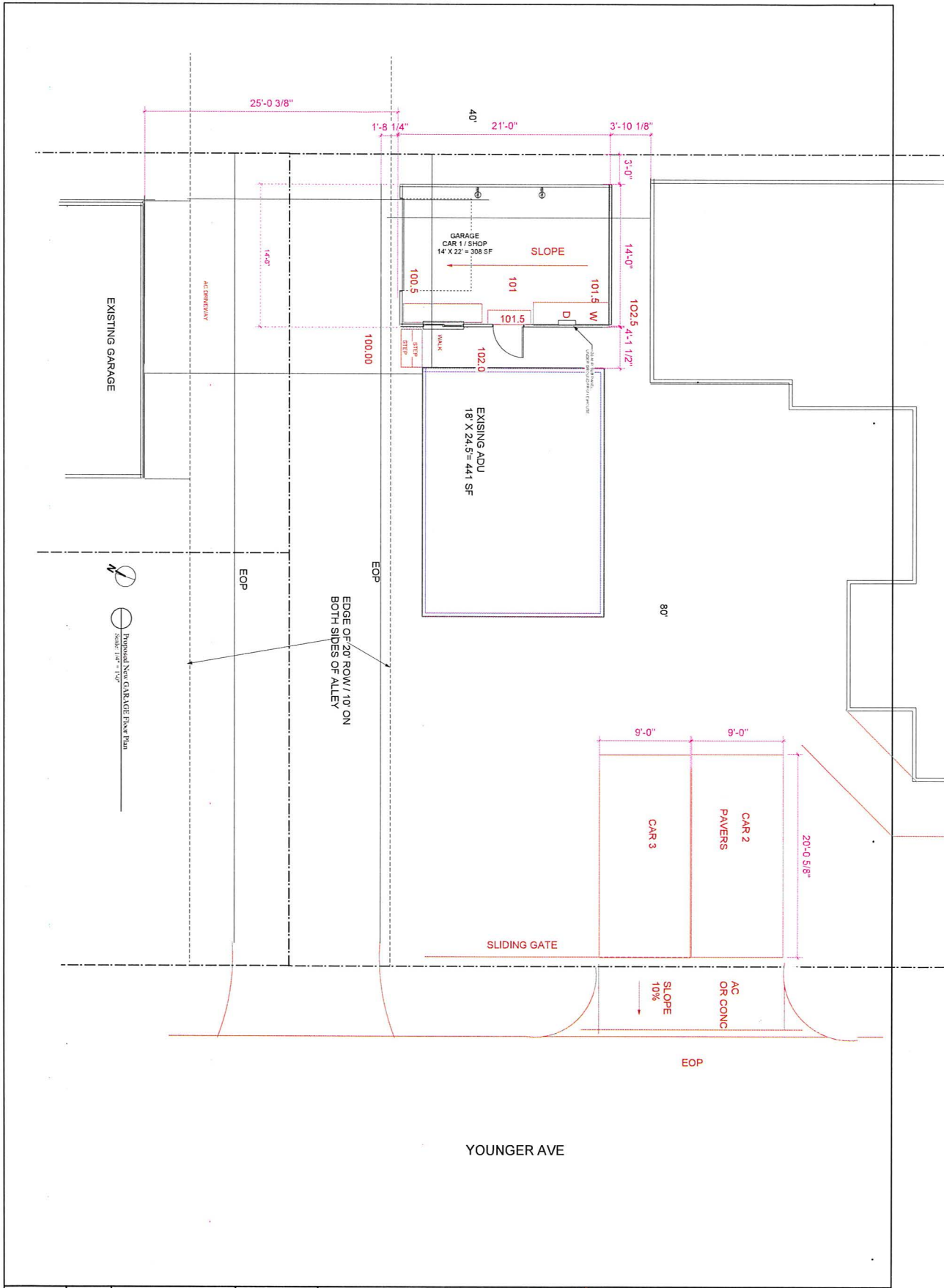
Assessor's Map No. 36-09
City of Capitola
County of Santa Cruz, California


Electronically drawn 5/6/97 rw
Rev 1/14/88 CB (CA Consolidation)
Rev 9/31/88 CB (SPPM25, 4-33 to 36)
Rev 2/25/89 CB (Split lots, 7-20 & 21)
Rev 7/12/87 CB (7-00294922, LBA 4-42 & 43)

ATTACHMENT A

FULL SIZE PLAN ONLY

PREVIOUSLY DISTRIBUTED TO THE PLANNING COMMISSION



A-1 <small>4 OF 10 SHEETS</small>	<small>DRAWN BY: REE</small> <small>CHECKED BY: JLD</small> <small>DATE: 10-20-11</small>	NEW GARAGE & PARKING @ 403 LOMA, Capitola Ca. 95010 for Gaye Clenson APN: 036-092-17	<small>OWNER INFO</small>	SITE PLAN		RICHARD L. EMIGH A.I.B.D. DRAFTING, DESIGNING & LAND USE ANALYSIS
						413 Capitola Avenue Capitola, CA 95010 Phone: 831-479-1452 Fax: 831-479-1476

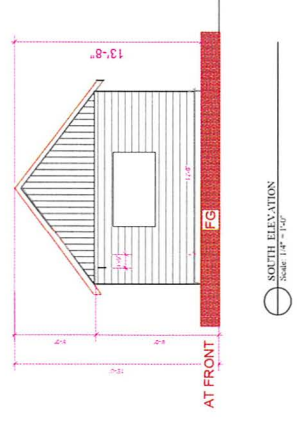
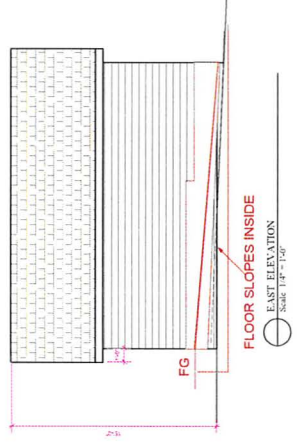
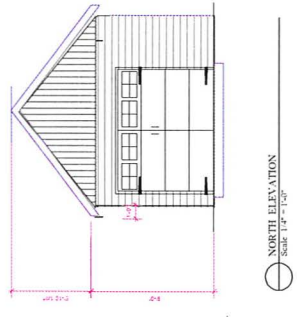
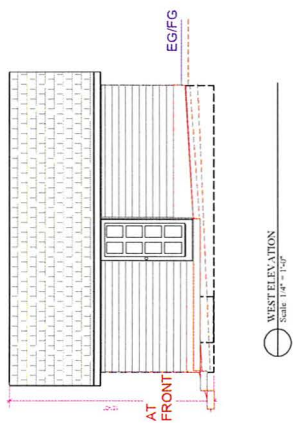
A-2

NEW GARAGE & PARKING
APN: 036-02-17
APN: 036-02-17
56010 for Gray Hansen
403 LOMA, Capitola, CA
OWNER INFO

GARAGE
ELEVATIONS

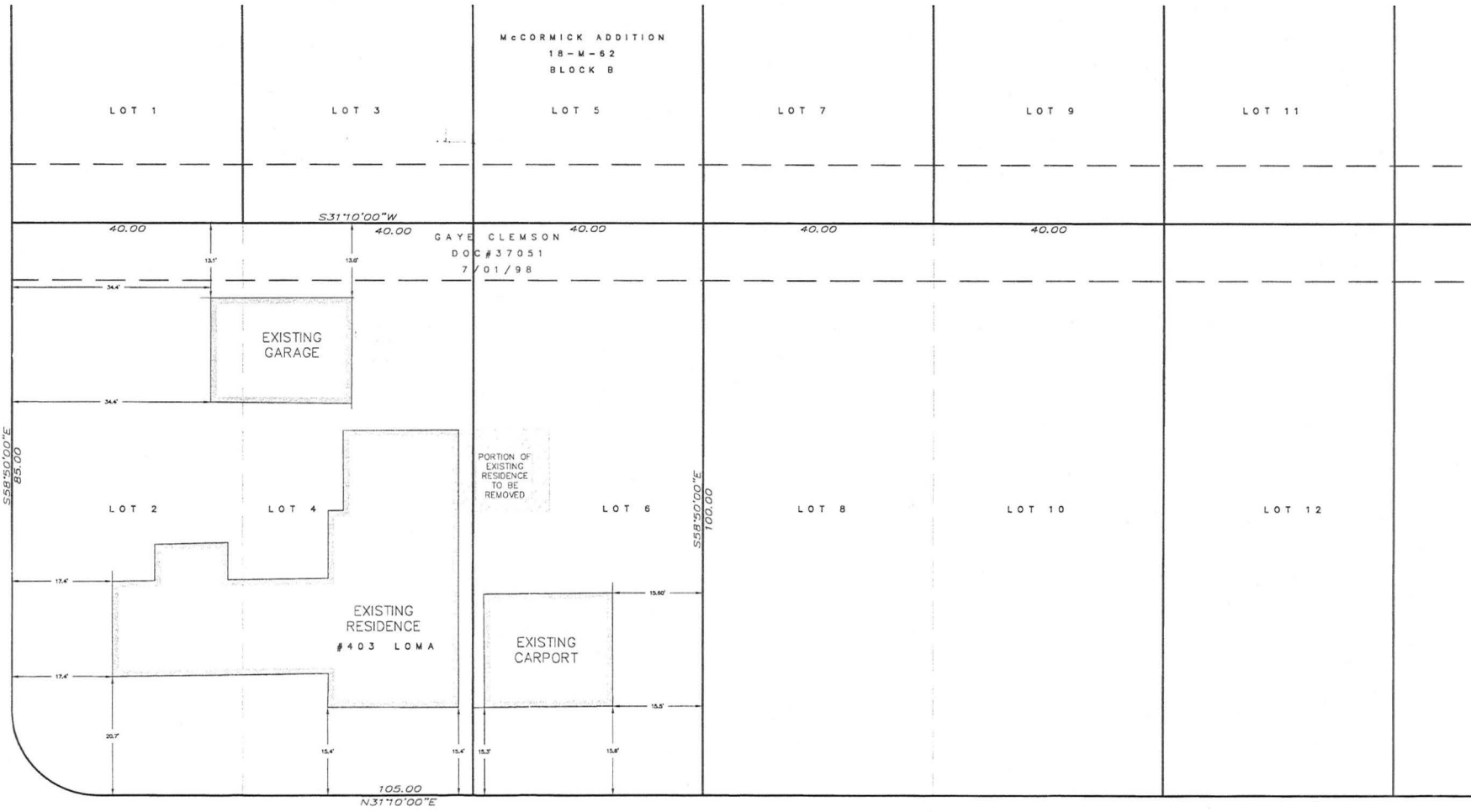


RICHARD L. EMIGH
A.I.B.D.
DRAFTING, DESIGNING & LAND USE ANALYSIS
413 Capitola Avenue
Capitola, CA 95010
Phone: 831-479-1452
Fax: 831-479-1476





YOUNGER AVENUE

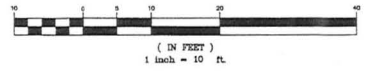


LOMA AVENUE

BASIS OF BEARINGS
 BEARINGS ARE BASED UPON THE SOUTHEASTERN BOUNDARY OF MONTEREY AVENUE AS SHOWN ON THAT MAP FILED IN VOLUME 18 OF MAPS AT PAGE 62, SANTA CRUZ COUNTY RECORDS, AND ESTABLISHED BETWEEN ORIGINAL MONUMENTS FOUND AT THE BLOCK CORNERS OF BLOCK B

= NORTH 31°10'00" EAST

GRAPHIC SCALE



APN : 036-092-17		REVISIONS	
UPDATED 6/3/11			
DUNBAR and CRAIG LICENSED LAND SURVEYORS 1011 CEDAR STREET, SANTA CRUZ, CA 95060 P.O. BOX 1018, SANTA CRUZ, CA 95061 (408) 425-7533		SURVEY MAP OF LOTS 2, 4 & 6 BLOCK B MCCORMICKS ADDITION (18-M-62) Situate in CITY OF CAPITOLA County of Santa Cruz, State of California	
LS NO. 5615	RENEWAL DATE 9/30/2012	JOB NO. 2011-080	SHEET
SCALE : 1 INCH = 10 FEET	DRAWN: CGD	CHECKED:	IND: 239
DATE: JAN 1999	FIELDWORK: M RADOVAN	ACAD NO. 2011-080.dwg	FILE NO.
			ONE OF ONE

RECORDING REQUESTED BY:
City of Capitola

WHEN RECORDED MAIL TO:

City of Capitola
Community Development Department
420 Capitola Avenue
Capitola, CA 95010

(Space above this line for recorders use)

Conditional Certificate of Compliance
(Division 2 of Title 7, Section 66499.35, California Government Code)

The City of Capitola, based on information available at this time, has determined that the real property described below has not been divided or resulted from a division in compliance with the Subdivision Map Act of provisions or the City of Capitola Subdivision Ordinance.

Property Owner(s) of Record: Gaye Clemson
(as shown on the latest
equalized assessment roll)

Record Data for Subject Property: "McCormick's Addition to Capitola, Being a part of Soquel Rancho, Santa Cruz Co., California, Subdivided in May 1925.

Assessor's Parcel Number: 036-092-17

Reason for Noncompliance

The subject parcel currently contains a single-family home that encroaches on the property line that separated former lots 036-092-15, and 036-092-16. In order to reestablish the lot line, the portion of the existing house that straddles the lot line shall be removed.

Required Condition

1. The two lots will not become lots of record until the portion of the existing house that straddles the lot line is removed.

THIS CERTIFICATE RELATES ONLY TO ISSUES OF COMPLIANCE OR NONCOMPLIANCE WITH THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES ENACTED PURSUANT THERETO. THE PARCEL DESCRIBED HEREIN MAY BE SOLD, LEASED, OR FINANCED WITHOUT FURTHER COMPLIANCE WITH THE SUBDIVISION MAP ACT OR LOCAL ORDINANCE ENACTED PURSUANT THERETO. DEVELOPMENT MAY REQUIRE ISSUANCE

OF A PERMIT OR PERMITS, OR OTHER GRANT OR GRANTS OF APPROVAL. THIS CONDITIONAL CERTIFICATION OF COMPLIANCE SHALL NOT CONSTITUTE A DETERMINATION THAT SAID PARCELS ARE BUILDABLE OR ARE ENTITLED TO BUILDING PERMITS OR OTHER DEVELOPMENT APPROVALS WITHOUT FULFILLMENT AND IMPLEMENTATION OF THE ABOVE-ENUMERATED CONDITIONS AND COMPLIANCE WITH THE PROVISIONS OF ALL OTHER CITY OF CAPITOLA ORDINANCES AND REGULATIONS.

City of Capitola

Dated: _____

By: _____

Title: Ryan J. Bane, Senior Planner

STATE OF CALIFORNIA)
)ss
COUNTY OF SANTA CRUZ)

On _____, 2008, before me, _____,
notary public, personally appeared _____,
personally known to me (or proven to me on the basis of satisfactory evidence) to be the person
whose name is subscribed to the within instrument and acknowledged to me that he/she
executed the same in his/her authorized capacity, and that by his/her signature on the
instrument the person, or the entity upon behalf of which the person acted, executed the
instrument.

WITNESS my hand and official seal.

Signature: _____



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: NOVEMBER 22, 2011 (AGENDA: DECEMBER 1, 2011)

SUBJECT: **115 SAN JOSE AVENUE** **#11-100** **APN: 035-221-27**
 Reconsideration of a Planning Commission denial for Conditional Use Permit for a take-out restaurant with the sale and dispensing of alcohol in the CV (Central Village) Zoning District.
 Environmental Determination: Categorical Exemption
 Property Owner: Peter Dwares, owner/filed: 9/15/11

APPLICANT'S PROPOSAL

The applicant is requesting a Conditional Use Permit for a take-out restaurant with the sale and dispensing of alcohol to be located at 115-Q San Jose Avenue in the CV (Central Village) Zoning District. The use is consistent with the General Plan and Zoning Ordinance with the issuance of a Conditional Use Permit.

BACKGROUND

On October 20, 2011, the Planning Commission denied the requested Conditional Use Permit, stating that they could not support a use permit application with permission to serve alcohol without a specific tenant and defined use. An appeal was submitted by the applicant, and the item was scheduled for the next available City Council agenda. Following the submittal of the appeal, the applicant secured a tenant for the space, "*Thirsty Duck Ale House*". With this new information, staff recommends that the Planning Commission reconsider the application. Based on the adopted *Rosenberg's Rules of Order*, the following two things must happen to reconsider the application:

1. The *Rosenberg's Rules of Order* state that the Planning Commission can make a motion to reconsider the item at the meeting where the item was first voted upon or at the very next meeting of the body. However, since there has been a meeting since the original vote, the rules state that the Commission can vote to suspend the rules to reconsider at a later time. To suspend the rules and allow a motion to reconsider, the vote must pass by a two-thirds majority.
2. If the vote to suspend the rules passes, a motion to reconsider may only be made by a member of the Commission who voted in the majority on the original motion. In this case, this would be anyone except Commissioner Routh who was absent at that particular meeting. If the motion to reconsider passes, then the original matter is back before the Commission. The

matter may be discussed and debated as if it were on the floor for the first time, and a new original motion is in order.

If neither of these votes passes, then the application cannot be reconsidered and the original denial will be upheld.

DISCUSSION

The new proposed tenant is *Thirsty Duck Ale House*. They will sell a wide selection of micro brews from around the world along with a high end meat and cheese market. The pub will specialize in stews, chowders and appetizers that can be ordered to go, or for on-site dining. The proposed hours of operation are from 11:00AM to 11:00PM to accommodate to the lunch and dinner crowd. They expect to have no less than two employees on site at any time.

The subject 1,096 square foot commercial space is currently vacant, but was previously a retail use. Under the CV (Central Village) zoning district, a Conditional Use Permit is required for a take-out restaurant use, in addition to the permitting of the sale and dispensing of alcohol as part of the restaurant business. Due to the small size of the space, the majority of the business will be for “to go” orders, but will provide up to six seats for customers to eat at the restaurant.

Tenant improvements to the space include new interior finishes, kitchen equipment such as a new cook grill, food prep and storage area, service counter, in addition to a fireplace and seating for six. Exterior changes will be limited to the main exterior entry area facing the Esplanade. At this location, the applicant is proposing to enclose the 10’x7’ area that is currently under the overhang by installing a fixed window and glass entry doors. Mosaic tiles are also proposed on the existing posts in the entry area.

Alcohol Service

Under the CV (Central Village) zoning district, a Conditional Use Permit is required for “Businesses establishments that sell or dispense alcoholic beverages”. The applicant is proposing a Type 47 liquor license that authorizes the sale of beer, wine and distilled spirits as part of a restaurant use. Under the ABC license, suitable kitchen facilities must be maintained, and must make actual and substantial sales of meals for consumption on the premises.

Parking

A restaurant/take-out food establishment with six or fewer seats has the same requirement as a standard retail or office use, requiring a minimum of one space for every 240 square feet of gross floor area. With the previous retail use having the same parking requirement, there is no intensification of use and the existing parking is not affected.

RECOMMENDATION

Staff recommends the Planning Commission **approve** application #11-100, subject to the following conditions and findings:

CONDITIONS

1. The project approval consists of a Conditional Use Permit for a take-out restaurant with the sale and dispensing of alcohol at 115-Q San Jose Avenue.

2. Any significant modifications to the size or exterior appearance of the structure must be approved by the Planning Commission. Similarly, any significant change to the use itself, or the site, must be approved by the Planning Commission.
3. The application shall be reviewed by the Planning Commission upon evidence of non-compliance with conditions of approval or applicable municipal code provisions.
4. Business hours will be limited to 11:00AM – 11:00PM.
5. There shall be no more than six seats provided.
6. The applicant shall obtain approval for a Sign Permit through the Community Development Department. Proposed signage shall be consistent with the approved sign program.
7. Outdoor displays, sandwich board and other movable freestanding signs are prohibited.
8. Roof top equipment shall be screened from public view and fall within the allowable city permitted decibel levels. Any necessary roof screening is to match the material and color of the building as closely as possible. Plans for any necessary screening shall be submitted to the Community Development Department prior to, or in conjunction with, building permit submittal.
9. The applicant shall obtain a business license prior to operating the business.
10. Prior to granting of final occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Zoning Administrator or Community Development Director.

FINDINGS

A. The application, subject to the conditions imposed, will secure the purposes of the Zoning Ordinance and General Plan.

Planning Staff and the Planning Commission have reviewed the project and determined that the proposed business is an allowable use in the CV (Central Village) Zoning District with a Conditional Use Permit. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance, General Plan and Local Coastal Plan.

B. The application will maintain the character and integrity of the neighborhood.

Planning Department Staff and the Planning Commission have reviewed the project and determined that the proposed business will provide a needed service to Capitola and will not have a negative impact on the character and integrity of the neighborhood. Conditions of approval have been included to ensure that the project maintains the character and integrity of the area.

C. This project is categorically exempt under Section 15301 and 15311(a) of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.

The proposed project involves leasing of a portion of an existing commercial space with no expansion of use beyond what has currently existed. No adverse environmental impacts were discovered during project review by either the Planning Department Staff or the Planning Commission.

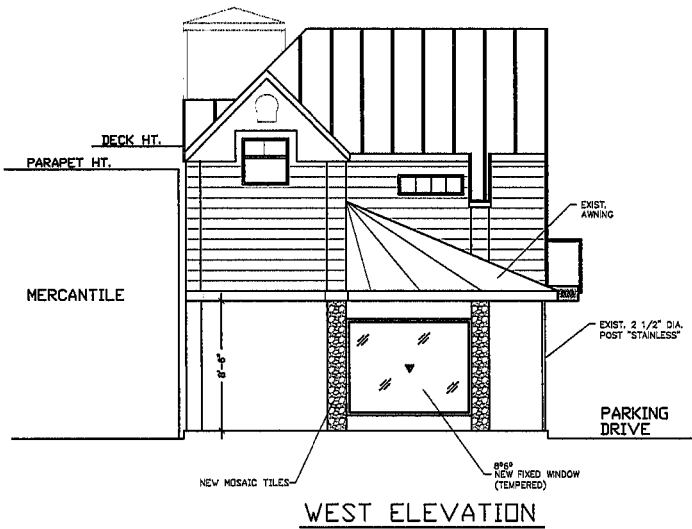
Report Prepared By: Ryan Bane
Senior Planner

Attachment A – Project Plans

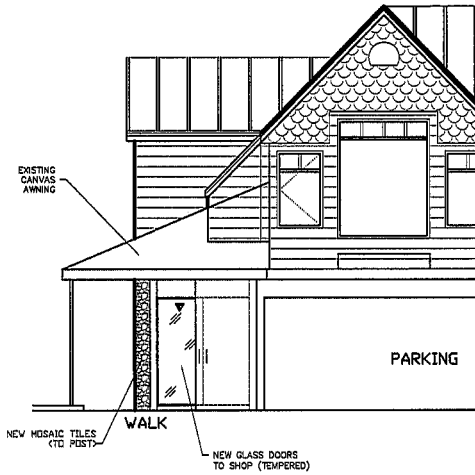
Attachment B – Project Description provided by the applicant, dated 11-1-11

Attachment C – October 20, 2011 Planning Commission Minutes

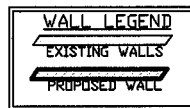
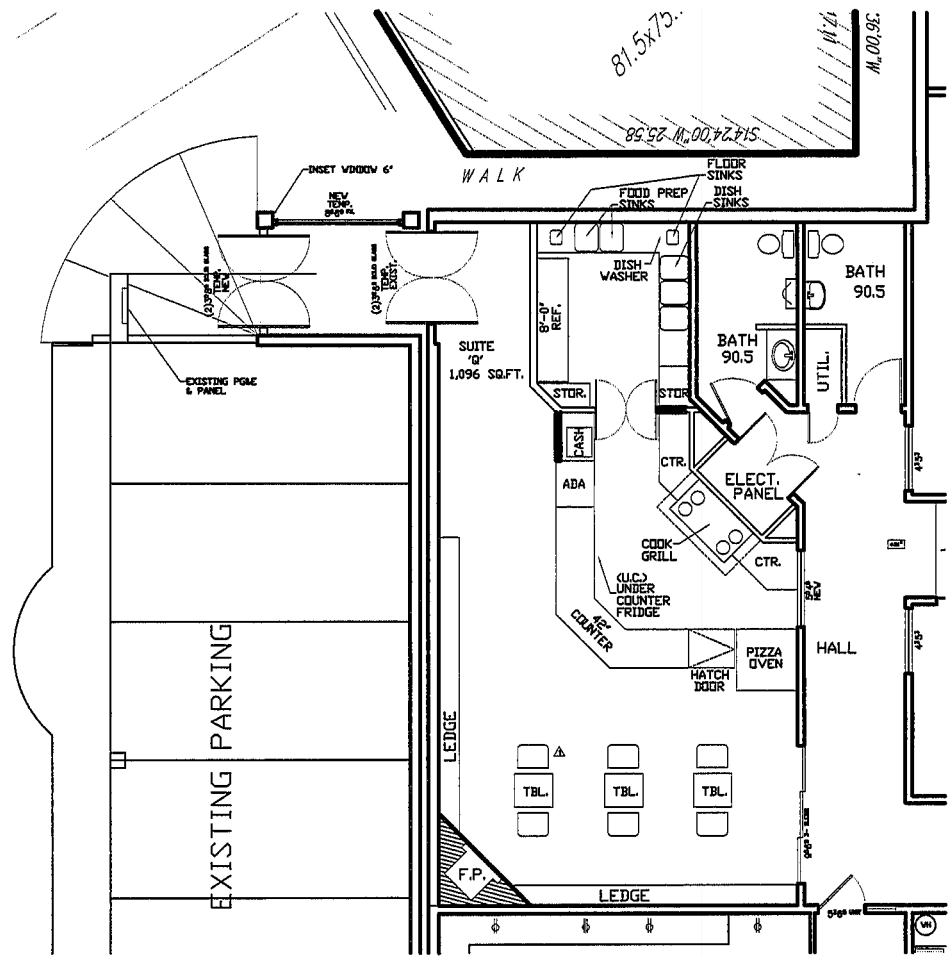
Attachment D – Letter of Concern from Capitola Hotel LLC



WEST ELEVATION



SOUTH ELEVATION
ESPLANADE



FLOORPLAN
 1/4"=1'-0"

06/28/11	08/13/11	10/11/11	08/18/11
08/13/11	10/11/11	08/18/11	
08/18/11			
08/18/11			
08/18/11			
08/18/11			
08/18/11			
08/18/11			
08/18/11			
08/18/11			

CAPITOLA MERCANTILE
 115 SAN JOSE AVE.
 CAPITOLA, CA
 APN 035-221-27

DENNIS NORTON
 HOUSE DESIGN AND
 PROJECT PLANNING
 778 S CAPITOLA AVE OFFICE, 4th FLOOR, 95018
 831-428-2222

PROPOSED SUITE Q
 TAKEOUT RESTAURANT

1/4"=1'-0"
 MERC
 07/13/10

4

11-1-2011

City of Capitola

Community Development Department

Planner Ryan Bane

Re: Application # 11-100, 115 San Jose Avenue, Space "Q" Capitola

Dear City of Capitola,

I would like to introduce myself and my business , "***Thirsty Duck Ale House,***" that I am excited about bringing to Capitola Village, this winter . I am the present owner of the successful "West End Pub" in Springfield, Oregon. Capitola Village appears to be a perfect setting for the selling of Micro Brews from around the world along with a high end meat and cheese market. You may choose to take your orders home or stay and taste our Brews onsite along with a sandwich and a bowl of soup.

We will also specialize in stews, chowders and appetizers. To be taken out or on site dining. Our hours of operation will be 11:00 AM till 11:00 to accommodate to the lunch and dinner businesses. We expect that there will be no less than two employees on site at any time.

We look forward to our new location in Capitola Village, and thank you for your consideration.

Mike McCreery

West End Pub

563 W. Centennial Blvd.

Springfield. OR. 97472

B. The application will maintain the character and integrity of the neighborhood.

Planning Department Staff and the Planning Commission have reviewed the project and determined that the proposed business will provide a needed service to Capitola and will not have a negative impact on the character and integrity of the neighborhood. Conditions of approval have been included to ensure that the project maintains the character and integrity of the area.

C. This project is categorically exempt under Section 15301 and 15311(a) of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.

The proposed project involves leasing of a portion of an existing commercial space with no expansion of use beyond what has currently existed. No adverse environmental impacts were discovered during project review by either the Planning Department Staff or the Planning Commission.

THE MOTION CARRIED ON THE FOLLOWING VOTE: AYES: COMMISSIONERS GRAVES, NEWMAN, SMITH AND CHAIRPERSON ORTIZ. NOES: NONE. ABSENT: ROUTH. ABSTAIN: NONE.

B. 115 SAN JOSE AVENUE

#11-100

APN: 035-221-27

Conditional Use Permit for a take-out restaurant with the sale and dispensing of alcohol in the CN (Neighborhood Commercial) Zoning District.

Environmental Determination: Categorical Exemption

Property Owner: Peter Dwares, owner/filed: 9/15/11

Representative: Dennis Norton Design

Community Development Director Johnson presented the staff report. He explained that the property owner is applying to secure permits for the vacant space and to attract a tenant through the entitlement process. The application is similar to the development project on Kennedy Drive.

Derek Van Alstine, representative, spoke in support of the application.

The public hearing was opened.

Christine Herberg, owner of Capitola Hotel, submitted a letter in opposition of applicant. She stated that the application is being considered prematurely without a specific business proposed.

The public hearing was closed.

Commissioner Newman stated that it is difficult to approve a use in the abstract without a specific tenant.

Commissioner Smith concurred with Commissioner Newman, noting that an actual tenant will define the space and details necessary for a complete review. She asked the representative if there was any potential tenant at this time.

Commissioner Graves acknowledged the letter the Commission received from the Capitola Hotel. He spoke with concerns about the lack of conditions addressing potential impacts of rooftop equipment. He was not supportive of the application without a specific tenant and use.

Chairperson Ortiz was concerned about the potential issues of use permit to allow a full service bar and only six tables with chairs, with several lineal feet of bar height ledges shown in the floor plan. This application was similar to the permit for the commercial development at Kennedy Drive. She did not support the application with alcohol sales and no specific tenant or use.

Derek Van Alstine, project representative, stated that there is not any potential tenant and this commercial space has been vacant for two years. This project application is an attempt to attract a tenant and reduce the business start up time. He requested the Commission continue the item so that the applicant can reformulate the design.

Chairperson Ortiz was not supportive of continuance. The applicant can appeal the Commission's decision to the City Council. The Planning Commission has unanimously agreed to not support a use permit application with permission to serve alcohol, without a specific tenant.

A MOTION WAS MADE BY COMMISSIONER NEWMAN AND SECONDED BY COMMISSIONER SMITH TO DENY PROJECT APPLICATION #11-100.

THE MOTION CARRIED ON THE FOLLOWING VOTE: AYES: COMMISSIONERS GRAVES, NEWMAN, SMITH AND CHAIRPERSON ORTIZ. NOES: NONE. ABSENT: ROUTH. ABSTAIN: NONE.

C. ZONING AMENDMENTS TO IMPLEMENT HOUSING ELEMENT ACTION ITEMS

The Planning Commission shall consider amendments to the Capitola Municipal Code to implement action items contained in the 2007-2014 Housing Element. These amendments are as summarized as follows:

1. Amend the Capitola Municipal Code to modify parking, lot size, height, and setback requirements to encourage secondary dwelling units.
2. Amend the Capitola Municipal Code to allow Single Room Occupancy (SRO) and Small Ownership Units (SOU) in the Community Residential, Neighborhood Commercial and Community Commercial Zone Districts.
3. Amend the Capitola Municipal Code to provide Community Development Director approval of reasonable accommodations for persons with disabilities.
4. Amend the Capitola Municipal Code to add emergency shelters as a principally permitted use in the Industrial Park Zone District.
5. Amend the Capitola Municipal Code to specify that transitional and supportive housing is a principally permitted use in all zone districts that allow residential uses.

Community Development Director Johnson introduced Marisa Lee, Intern. He gave a brief overview of the Housing Element action items.

Housing Projects Manager Foster and Intern Marisa Lee presented the staff report.

The Planning Commission echoed the GPAC's concerns about continued mandates from the State and interference in local land use issues.

Secondary Dwelling Units

The Commission had strong reservations about modifications to the parking requirements, revisions to setbacks, and allowing second story detached secondary dwelling units, but was supportive of reducing the minimum lot size for secondary dwelling units from 5,000 sq. ft. to 4,000 sq.ft. The Planning Commission suggested the City Council hold public meetings with Depot Hill and Jewel Box neighborhood residents prior to any ordinance adoption, as they would be most impacted by a change in minimum lot size.

Bane, Ryan

From: Capitola Hotel [Christine@CapitolaHotel.com]
Sent: Tuesday, October 18, 2011 2:10 PM
To: Bane, Ryan
Subject: Objection to Conditional Use Permit 115 San Jose Ave.

Dear City Planning Commission,

We understand an application has been made for a take-out restaurant with the sale of alcohol for the above unit in the Merchantile. We would like the Counsel to take note that the entrance to this unit is within a few feet from the windows for two of our guest rooms and within 30 feet or less of half of the guest rooms for the hotel.

While we support our neighbor in his search for a suitable tenant, we must object to the proposed use. In the past, this space has been rented by a retail store whose business and hours of operation did not conflict with the needs of the hotel. We believe that due to the extremely close proximity of this unit to the hotel, that a restaurant of any kind, and particularly a take-out restaurant that sells alcohol would create too much noise too close to the hotel.

Specifically, we are concerned about the following:

Request for Permit is premature: In the present case, we understand that there is no specific tenant proposed for the site. The application is being made by the owner in an attempt to attract a broader range of businesses to rent their space. We feel that the request is premature. It is not possible to evaluate the use until the specifics of the business are known. For example, the differences between the burdens posed by a deli, open only for lunch, would be drastically different than those of a bar and grill. A case by case determination of the specific restaurant proposed is necessary to adequately evaluate the proposed use. However, in the event that the counsel deems it appropriate to evaluate a restaurant in advance of knowing any specifics, we feel that any restaurant will result in an undue burden upon our business, for the following reasons:

Hours of operation: A restaurant serving breakfast or dinner will create too much noise in the early morning or late night hours and disturb the sleeping hours for guests of the hotel.

Hours of delivery: The entrance to this unit is within feet of guest room windows. Early morning deliveries of food would be very disturbing to the hotel's guests. Even though early morning deliveries are supposed to be prohibited, we still receive complaints from our guests that trucks arrive as early as 3am to deliver to restaurants across the street. Adding another restaurant within feet of the hotel would only increase this already unreasonable burden.

Bottle collection: We believe that the manner in which glass bottles are collected is not only unreasonable, but beyond ridiculous. The hotel already has to put up with glass bottles being chucked over the shoulder into the back of a truck as early as 8am across the street. The thought of this happening right outside our guest room windows is unbearable. We still fail to see why the recyclers are not required to have a ramp and wheel the bottles on a hand cart into the back of their truck. There is simply no reason that bottles should be allowed to be tossed into the back of a truck at any time of day in the middle of a city street. Glass breaks and an errant bottle could cut and injure a passerby, or damage adjacent vehicles. Why this obvious risk is not being considered is beyond comprehension. Adding a restaurant next to the hotel invites the recyclers to toss bottles even closer to our guest room windows.

Cleaning: Operating a restaurant is a dirty business.

Margaritaville and Paradise Beach Grill share a cleaning crew that starts work at 3am --- even though these early hours are unnecessary (neither business is open for breakfast). The cleaning crew brings out the trash at about 5am on collection mornings. This activity includes dumping bottles into canisters so they can then be tossed two at a time into the back of a truck later in the morning. The workers often stand outside, talking and smoking cigarettes in the very early morning. We have received complaints from our guests that the cleaning crew operates a leaf blower as early as 4am, even though this activity is clearly prohibited by City ordinances. Adding another restaurant so close to the hotel would amplify the already unreasonable amount of noise from cleaning activities.

Garbage Collection: We have been told that garbage must be collected early in the morning all year round, even though there are very few cars parked until after 10am on the Esplanade most of the year...the exception being during the height of summer. We believe that garbage collection could easily occur at 8am all year round. A restaurant produces much more garbage than a retail store, thus increasing the unnecessary burden already endured by the hotel from early garbage collection.

Odors: Our guest room windows are within feet of the proposed use. A restaurant will create odors from cooking and from trash that will be disturbing to our guests.

Loitering: Pizza My Heart, another take-out restaurant, is open late into the night. People often stand outside laughing and talking late at night which is disturbing to our guests. Having another take-out restaurant within feet of the hotel would result in additional late-night loitering at an even closer proximity to the hotel.

Public Drunkenness: After consuming alcohol at area bars and restaurants, patrons spill into the street in a very boisterous manner (probably because they are half deaf from enduring the ear piercing volume of the music allowed in some of these establishments). These establishments profit from these patrons, yet no effort is made or required of them to prevent the intoxicated party-goers from hanging out in the middle of the street, yelling obscenities, and disturbing the peace. In the past, the police would at least be present to preserve the peace. Now, they are only present if called and even then it takes them a long time to arrive. We appreciate the efforts of the police and understand that there is a balance necessary among the competing interests of the hotel and the bars and restaurants in the area. However we feel that the businesses who are profiting from selling alcohol should be responsible for the cost of ensuring that the drunken individuals do not disturb the area residents. Adding another establishment that sells alcohol right next to the hotel only adds to the problem and increases the noise and potential for fighting and disorderly behavior. The proposed use would be mere feet from the hotel, so there would be nothing to separate the hotel from the disturbances.

Entertainment Permits: Amplified music is prohibited without an entertainment permit. Allowing music late at night -- particularly live music and music with a driving bass -- is extremely noisy and disturbing to area residents and hotel guests. There is a fine line between creating a fun and entertaining environment that will attract patrons and overnight visitors, and creating an unreasonably noisy, even dangerous, location where drunken people roam the streets late into the night. While we appreciate the efforts made by the police and city officials in controlling late night behavior, we feel that the Village still strays too often to the later. We feel that changes to the manner that entertainment permits are granted would help resolve the issues still existing. Since the Village consists of both residential and commercial establishments, all establishments should be required to close earlier -- at 9 or 10pm on weeknights and midnight on weekends. Currently, permits are granted allowing live music as

late as 11pm on weeknights and 12:30am on weekends. Often, this cut-off is ignored by the establishments and music continues until 1am or later. The doors to Fog Bank and Margaritaville open and close all night while patrons come in and out of the establishments. Each time the doors open, a tidal wave of sound enters the street, disturbing the peace of anyone nearby.

Margaritaville is at least well insulated, so with their doors closed, the noise is not too noticeable. However, the Fog Bank lacks adequate insulation so the noise from their live bands and karaoke is very disturbing even with the doors closed. We believe that before an entertainment permit is granted, that the establishment should meet the following requirements: 1) be well insulated so as to contain the noise it is creating, 2) be air conditioned, so that the doors and windows can remain closed during business hours without suffocating it's patrons, 3) have double doors and that one set of doors be required to remain closed at all times so that the amount of noise coming into the streets is reduced as patrons enter and exit, 4) that the establishment should provide security (approved by the city police) to usher the patrons out of the area in a quiet, orderly manner. Furthermore, a juke box should be considered amplified music and before one is permitted, standards concerning hours of operation, insulation, ventilation and double doors should be established. Although we have repeatedly asked to be present when entertainment permits are considered, we are not notified. The permit process seems to be decided by the police chief without any ability to comment from area businesses and residents. We feel that since an entertainment permit results in a great burden to those in the immediate area, that businesses and residents in the immediate area where an entertainment permit is being considered should be notified and provided an opportunity to comment before entertainment permits are granted or renewed each year. A restaurant next to the hotel presents the potential for yet another entertainment permit being granted without notice or the opportunity to comment. With mere feet separating the hotel from the Merchantille, the granting of an entertainment permit would be devastating to the continued operation of the hotel.

Unknowns: By evaluating the site for use as a restaurant without having the specifics of the restaurant before it, the City Counsel is requiring us to guess at what behaviors may be unduly disturbing and pre-emptively request that they be denied. It is simply not possible to guess at all the possible problems that may result from an establishment without the specific nature of the business being known. Unless the counsel intends to deny the use in total, it should have a specific proposed tenant before it so that unknown disturbing uses are not inadvertently granted.

For all of the above reasons, we respectfully request that the proposed use for 115 San Jose Avenue be denied. We wish are neighbor well in his search for a tenant more suited to this location.

Respectfully Submitted,
Capitola Hotel LLC