



**ATTACHMENT A**  
**PROPOSED SAN MARCOS MUNICIPAL CODE UPDATE,**  
**TITLE 20, CHAPTER 20.270**

## CHAPTER 20.270 SENIOR MOBILEHOME PARK OVERLAY ZONE

### Section 20.270.010 Purpose of Chapter

The Senior Mobilehome Park Overlay Zone (S-RMHP) is intended to preserve a variety and balance of housing types within the City of San Marcos, and to provide assurances that existing Senior Mobilehome Parks within the Senior Mobilehome Park Overlay Zone will remain available to seniors, as will any Senior Mobilehome Parks established and brought into the Senior Mobilehome Park Overlay Zone in future.

### Section 20.270.020 Applicability

The provisions of this chapter shall be applicable to all existing and future Senior Mobilehome Parks in San Marcos. Figure 20.270-1 establishes the existing Senior Mobilehome Parks subject to the Senior Mobilehome Park Overlay. The provisions of this chapter shall prevail in all cases where regulatory conflicts exist between this chapter and any other chapter of this Zoning Ordinance.

### Section 20.270.030 Definitions

- A. "Mobilehome Park" has the same meaning as in Section 20.600.150 of this Code, as may be amended from time to time, which currently defines "Mobilehome Park" as any parcel, area, or tract of land, or portion thereof where two (2) or more mobilehome lots are rented, leased, or offered for rent or lease to accommodate mobilehomes used for human habitation.
- B. "Senior Mobilehome Park" means a mobilehome park in which at least eighty (80) percent of the spaces are occupied by, or intended for occupancy by, at least one person who is fifty-five (55) years of age or older.

### Section 20.270.040 Designation

The Senior Mobilehome Park Overlay Zone shall be designated by the symbol (S-RMHP) on the City of San Marcos Zoning Map. The (S-RMHP) designation applies to the seven Senior Mobilehome Parks that exist in the City as of the effective date of this section, and to Senior Mobilehome Parks established in the City after the effective date of this section subject to the Overlay Zone. The seven Senior Mobilehome Parks in the City as of the effective date of this section are:

Park Name	Address	Assessor's Parcel Number
El Dorado Mobilehome Park	1515 Capalina Rd, San Marcos, CA 92069	772-191-11-01 TO 93
Lakeview Mobile Estates	809 Discovery St, San Marcos, CA 92078	772-210-62-01 TO 97; 772-210-63-01 TO 16
Palomar Estates East	650 S Rancho Santa Fe Rd, San Marcos, CA 92078	772-210-30-01 TO 98; 772-210-31-01 TO 98; 772-210-32-01 TO 98; 772-210-33-01 TO 78
Palomar Estates West	1930 W San Marcos Blvd, San Marcos, CA 92078	772-210-34-01 TO 95; 772-210-35-01 TO 96; 772-210-36-01 TO 96; 772-210-37-01 TO 96; 772-210-38-01 TO 92

Rancho Vallecitos Mobile Estates	3535 Linda Vista Dr, San Marcos, CA 92078	772-190-24-01 TO 79; 772-190-25-01 TO 70; 772-190-26-01 TO 98; 772-190-27-01 TO 55
San Marcos Mobile Estates	1145 E Barham Dr, San Marcos, CA 92078	772-283-14-01 TO 97; 772-283-15-01 TO 97; 772-283-16-01 TO 71
Valle Varde Estates	1286 Discovery St, San Marcos, CA 92078	221-210-47-01 TO 95; 772-210-48-01 TO 55

**Section 20.270.050 Senior Occupancy Requirement**

At least eighty (80) percent of the spaces in Senior Mobilehome Parks must be occupied by at least one person fifty-five (55) years of age or older. This senior occupancy requirement does not apply to or affect ownership of a mobilehome unit. As long as at least one resident of a mobilehome in a Senior Mobilehome Park is fifty-five years of age or older, the senior occupancy requirement is satisfied as to that mobilehome, whether or not the owner of the mobile home is fifty-five years of age or older.

**Section 20.270.060 Limitations on Rentals**

Spaces and mobilehomes in the Senior Mobilehome Park Overlay Zone shall be rented only to occupants who meet the senior occupancy requirements set forth in section 20.270.050 of this section; provided, however, that the occupants of a space or mobilehome who do not meet the senior occupancy requirement have rented a space and/or mobilehome in a Senior Mobilehome Park before the effective date of this section and continue to occupy that space and/or mobilehome following the effective date of this section, they shall be allowed to remain in that Senior Mobilehome Park, and provided further that when such occupant(s) cease to occupy that space and/or mobilehome, the mobilehome and space shall be rented to occupants who meet the senior occupancy requirement in section 20.270.050 of this chapter.

**Section 20.270.070 Minimum Design and Performance Standards**

The advertising, leases, rental agreements, and park rules and regulations for spaces in a mobilehome park in the Senior Mobilehome Park Overlay Zone (S-RMHP) shall provide that the park is a Senior Mobilehome Park.

**Section 20.270.080 Certification**

Each Senior Mobilehome Park shall have procedures for verifying that it qualifies as a Senior Mobilehome Park under applicable federal and/or state law and this section, including documentation establishing that at least 80 percent of the mobilehomes or spaces in the Mobilehome Park are occupied by at least one resident who is 55 years of age or older in accordance with section 20.270.050 of this chapter. These procedures shall require regular updates, through surveys, affidavits, or other means of updating the initial information supplied by the occupants of the mobile home park. Such updates must take place at least once annually and information shall be gathered on a per space basis. A summary of this occupancy verification documentation shall be available for inspection upon reasonable notice and request by City officials. Verification documentation records shall be retained and available for inspection for a period of six years from the date of creation.

The operator of each Mobilehome Park in the Senior Mobilehome Park Overlay Zone shall, on an annual basis, provide to the City's Housing Director or equivalent a certification that the subject Senior Mobilehome Park is in compliance with the senior occupancy requirement of this section, in substantially the following form:

"I [name] hereby certify, under penalty of perjury in accordance with California law that there is at least one occupant 55 years of age or older in [number of units] units of the total [number of units in the park] units in the [name of the Senior Mobilehome Park] Senior Mobilehome Park. This certification is based on my personal knowledge of the residents, evidence provided to me in the form of official government documents containing specific information about the current age of the residents, resident affidavits, or age certifications made by residents in their current lease agreements."

The City's Housing Director or equivalent shall establish the deadline for filing the annual certification, which, to the extent possible, shall be coordinated with the timing of filings as may be required pursuant to the City's mobilehome rent stabilization program.

### Section 20.270.090 Violations

Failure to comply with the requirements of this section shall constitute a violation of the San Marcos Municipal Code and be subject to enforcement and the remedies provided for in chapters 1.08 through 1.14.

Figure 20.270-1

