

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS, CALIFORNIA AMENDING SECTION 17.08.120 “MANUFACTURED HOMES” OF CHAPTER 17.08 “RESIDENTIAL DISTRICTS” OF TITLE 17 “ZONING” OF THE DESERT HOT SPRINGS MUNICIPAL CODE REGARDING REGULATIONS FOR THE INSTALLATION OF MANUFACTURED HOMES

WHEREAS, the City of Desert Hot Springs (“City”) is a charter city organized pursuant to Article XI of the California Constitution; and

WHEREAS, currently Section 17.08.120 of the Desert Hot Springs Municipal Code permits the installation of manufactured homes, as defined, within certain residential districts; and

WHEREAS, California Government Code Section 65852.3 states in part, that every city, including charter cities, in their discretion, “[m]ay preclude installation of a manufactured home in zones specified in this section if more than 10 years have elapsed between the date of manufacture of the manufactured home and the date of the application for the issuance of a permit to install the manufactured home in the affected zone”; and

WHEREAS, the City Council recognizes that manufactured homes play an important role in securing adequate housing within the City; and

WHEREAS, the City Council desires to limit the age of manufactured homes which may be installed in a residential district to promote the aesthetic quality of neighborhoods, minimize the devaluation of communities due to repair costs and upkeep, and to maintain safe building standards for manufactured homes; and

WHEREAS, the City Council finds that this Ordinance is consistent with the General Plan; and

WHEREAS, the City Council finds that this Ordinance would promote the public interest, health, safety, convenience, and welfare of the City; and

WHEREAS, the City’s Planning Commission held a public hearing on June 9, 2020, considered this Ordinance, and made a positive recommendation to the City Council; and

WHEREAS, the City Council concluded the public hearings and considered this Ordinance; and

WHEREAS, the City Council determines that this Ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the CEQA Guidelines, because this Ordinance does not have the potential for causing a significant effect on the environment and it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Desert Hot Springs as follows:

Section 1. **RECITALS**

That the foregoing recitals are true and correct and are herein adopted by this reference.

Section 2. **AMENDMENT OF SECTION 17.08.120 "MANUFACTURED HOMES" OF CHAPTER 17.08 "RESIDENTIAL DISTRICTS" OF TITLE 17 "ZONING" OF THE DESERT HOT SPRINGS MUNICIPAL CODE**

Section 17.08.120 ("Manufactured homes") of Chapter 17.08 ("Residential Districts") of Title 17 ("Zoning") is hereby amended to read in its entirety as follows:

Section 17.08.120 Manufactured homes.

A. Conditions. A manufactured home may be installed on a foundation on any lot in the City that is zoned to permit the construction of a conventional single-family dwelling, if it meets the following conditions:

1. The manufactured home shall be certified under the national Mobilehome Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 et seq.) and shall bear a California insignia or Federal label as required by Section 18550(b) of the Health and Safety Code.

2. The foundation system shall meet the requirements of Section 18551 of the Health and Safety Code as amended or applicable.

3. The manufactured home shall have a roof overhang of not less than 16 inches with a minimum 12-inch gable overhang, unless it is determined that it is not compatible to the neighborhood in which the manufactured home is being located.

4. The manufactured home shall have non-reflecting roofing material and siding material that is compatible with the neighborhood in which the manufactured home is to be located.

5. The manufactured home shall comply with architectural standards as required for all single family architecture as required in Chapter 17.08.260.

65- Ancillary structures, including the required garage, shall be designed in a manner that is architecturally compatible with the main structure in terms of design and the use of walls/roofs/trellises, fence/wall connections, and/or landscaping. ~~A garage compatible to the neighborhood in which the manufactured home is being installed shall be constructed.~~

76. The manufactured home shall be used only as a single family residential use and shall comply with all the ~~setback and height~~ **residential development standards** of the zone in which it is located.

8. No manufactured home shall be newly installed on a lot in a permitted residential district if more than ten (10) completed years have elapsed between the date of manufacture of the manufactured home and the date of the application for the issuance of a permit to install the manufactured home in the affected zone. Notwithstanding, a manufactured home more than ten (10) years old which is already installed shall not be affected by subsection (A)(7).

Section 3. SEVERABILITY

That, should any provision, section, paragraph, sentence or word of this ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this ordinance as hereby adopted shall remain in full force and effect.

Section 4. GENERAL PLAN CONSISTENCY FINDINGS

The City Council finds this amendment is consistent and compatible with the General Plan.

Section 5. GENERAL FINDINGS

The City Council finds this Ordinance is not detrimental to the public interest, health, safety, convenience, or welfare of the City.

Section 6. REPEAL OF CONFLICTING PROVISIONS

That all the provisions of the Municipal Code as heretofore adopted by the City of Desert Hot Springs that are in conflict with the provisions of this ordinance are hereby repealed.

Section 7. AMENDING OF BAIL SCHEDULE

That the City Attorney's Office is hereby directed to determine whether this ordinance necessitates amendment of the City's Bail Schedule and to cause such necessary amendments to be made and filed with the local branches of the Superior Court of the County of Riverside.

Section 8. **EFFECTIVE DATE**

That this ordinance shall be effective thirty days after the second reading of the ordinance.

Section 9. **CERTIFICATION**

That the City Clerk shall certify to the passage of this ordinance and shall cause the same to be published according to law.

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PASSED AND ADOPTED by the City Council of the City of Desert Hot Springs at a regular meeting held on the ____ day of _____, 2020 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Scott Matas, Mayor

ATTEST:

Jerryl Soriano, City Clerk

APPROVED AS TO FORM:

Jennifer A. Mizrahi, City Attorney