

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT****DIVISION OF CODES AND STANDARDS**

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**INFORMATION BULLETIN 2005-10 (MP, SOP)**

**TO:            Mobilehome Park Operators  
                Special Occupancy Park Operators  
                Mobilehome Park Local Enforcement Agencies  
                Mobilehome and Special Occupancy Parks Interested Parties  
                City and County Building Officials  
                Division Staff**

**SUBJECT:    CHANGES TO THE MOBILEHOME PARK AND SPECIAL OCCUPANCY  
                PARK REGULATIONS, INCLUDING LOT LINE APPROVALS**

This Information Bulletin announces changes to the California Code of Regulations, Title 25, Division 1, Chapter 2, Mobilehome Parks and Installations; and Chapter 2.2, Special Occupancy Parks that became effective July 22, 2005. In addition to incorporating specific amendments for the July 1, 2004 regulations recommended by the general public, local enforcement agencies and HCD staff, significant additional amendments were made to clarify and implement recent statutory changes relating to the creation, alteration, movement, or shifting of lot lines in parks.

Legislation enacted in 2003, Chapter 815, Statutes of 2003 (Senate Bill 54 - Dunn), included amendments to Health and Safety Code sections 18610.5 of the Mobilehome Parks Act and 18872.1 of the Special Occupancy Parks Act which became operative July 1, 2005, regarding requirements for creating and changing lot lines within parks. The new law removes the requirement to obtain written authorization from the local planning agency for lot line changes within parks. Additionally, the amendments require a new approval process for the creation, alteration, movement, or shifting of lot lines within a park, to include application for permit from the enforcement agency along with specific supporting documentation and fees.

For reference purposes, attached to this Information Bulletin are portions of the new regulations applicable to lot line changes in mobilehome and special occupancy parks. The complete text of the regulations, including the new regulations, may be obtained from HCD's website at <http://www.hcd.ca.gov/codes/mp> and shortly from the Office of Administrative Law (OAL) website at <http://ccr.oal.ca.gov/>. Please note that this Information Bulletin does not represent a complete digest of all the amendments resulting from these new regulations.

The following information summarizes most additions and amendments made to the regulations:

### **Requirements for Lot Line Creation and Change**

- Statutory amendments require an applicant proposing to create or change a lot line in a park to obtain a permit from the enforcement agency. The new regulations define the requirements; specify the written authorizations, specific procedures and documents required to obtain the permit; and detail the notification requirements. Additionally, a permit fee, authorized by the new law, is incorporated and is consistent with other fee-related services contained in the regulations.
- New definitions are added in the regulations for “Lot Line Creation” and “Lot Line Change” in sections 1002 (I) and 2002 (I) and read as follows:

Lot Line Creation “The initial establishment of a lot line for a new lot.” The provisions for creating a new lot or new park are already specified in the regulations in section 1020.6 for mobilehome parks and in section 2020.6 for special occupancy parks. The requirements for permanently marking those lots are specified in sections 1104 and 2104 respectively.

Lot Line Change “The alteration, movement, or shifting of a lot line for an existing lot.” The new procedures for lot line changes are the focus of this Information Bulletin.

### **Additional Regulatory Amendments to the Mobilehome and Special Occupancy Parks Acts**

- Additional definitions include clarification of permit requirements for grading; installation of factory-built housing in mobilehome parks; park electrical system requirements; and water distribution system pressure and testing requirements.
- Clarifying requirements include roadway widths for parks constructed prior to September 15, 1961; the location of LPG tanks; the applicability of installation requirements for commercial modulares within parks; the distinction between unit separations versus setbacks; the enclosing of required exits on MH-units; and stairway requirements.
- Other amendments include energy requirements for cabanas; firewall locations for garages and storage buildings; the weight of awnings or carports attached to MH-units; allowance of wood awning or carport posts up to the lot line; and the width of stairways located at the carport side.

Questions or comments regarding these new mobilehome and special occupancy park requirements should be directed to the Department’s Mobilehome and Special Occupancy Parks Program at (916) 445-9471 or by email at [bharward@hcd.ca.gov](mailto:bharward@hcd.ca.gov) .



Kim Strange  
Deputy Director  
Division of Codes and Standards

Attachment

## Title 25, Chapter 2, Mobilehome Parks and Installation Regulations.

### § 1105. Lot Line Changes.

(a) Compliance with this section shall be required for any lot line change within a park. Compliance with subsections (b), (c) and (e) of this section shall not be required for any lot line creation; however, notwithstanding any other provision of this chapter, a lot line creation shall comply with the requirements of section 1020.6.

(b) The park owner or operator shall submit to the enforcement agency an application for a permit to construct, on a form designated by that agency, for a lot line change, along with all of the following:

(1) three (3) copies of a detailed plot plan with an identified date of preparation and measurements, indicating both the existing and proposed locations of the lot lines, which shall include all of the following:

(A) the locations of and distances between any units, accessory buildings or structures, or other built improvements on the affected lots (such as patios or parking areas), within ten (10) feet of the current and proposed lot lines;

(B) the distances from all existing and proposed lot lines of the lots on which those units, buildings or structures, or other improvements are located;

(C) the number of lots affected;

(D) the addresses or other identifying characteristics of those affected lots;

(E) proof of delivery of copies of the plot plan to all the registered owners of the units on the affected lots by registered or certified mail, sent by at least first class mail; and

(F) the type(s) of marking(s) used to designate the existing and proposed lot line locations.

(2) the names and residence addresses of the registered owners of the units on the lots affected by the lot line change and the addresses or other identification of their units' lots if different than the residence address;

(3) a copy of the original written authorization, signed and dated by each of the registered owners of the units on the lots affected by the lot line change, that includes the following statement:

I, [*name of registered owner(s)*], have received a copy of the plot plan dated [*date of plot plan*] proposing to change a lot line affecting the lot where my unit is located and I/we approve of the proposed change in the location of the lot line(s) as detailed on the plot plan.

(4) a written statement signed and dated by the park operator or the operator's agent that the lot line change is substantially consistent in all material factors with both of the following:

(A) all health and safety conditions imposed by the local government as a condition of the initial construction of that space or the park; and

(B) prior applicable local land use requirements for the park; and

(5) the applicable permit fee as specified in section 1020.7 of this chapter.

(c) When the department is the enforcement agency and the number of lots in the park is increased or decreased by the change in lot lines pursuant to this section, the applicant shall deliver a written notice to the local planning agency, by personal delivery or by registered or certified mail, of the proposed change in the number of lots prior to or concurrent with its submission of the application to the department and provide a statement attesting to that delivery and the proof of delivery by either a stamped receipt or the proof of service by registered or certified mail. The notice shall include one copy of all the information required by paragraphs (1) through (4) of subsection (b) and the office address of the department's area office performing the inspection.

(d) The enforcement agency shall perform an on-site inspection prior to approval of a lot line change or creation, in order to ensure consistency with this chapter and the application. Any existing lot line markings shall remain in place until after approval by the enforcement agency for the lot line change. At the time of inspection the applicant, or his or her designee, shall permanently mark the new lot line or lot lines pursuant to section 1104 of this chapter and eradicate any preexisting lot line markings. No approval shall be given for lot line changes without identification to the satisfaction of the enforcement agency of the existing lot line locations.

(e) Following approval of the lot line change by the enforcement agency, the enforcing official shall sign and date the submitted plot plan signifying its approval. Copies of that approved plot plan shall then be given by the applicant to the registered owners of the units on all the affected lots.

(f) No lot line shall be created, moved, shifted, or altered if the lot line creation or change will place a unit or accessory building or structure in violation of any provision of this chapter or any other applicable provision of law.

NOTE: Authority cited: Sections 18300, 18610, and 18612, Health and Safety Code. Reference: Sections 18501, 18610, 18610.5, and 18612, Health and Safety Code.

## Title 25, Chapter 2.2, Special Occupancy Parks Regulations.

### § 2105. Lot Line Changes.

(a) Compliance with this section shall be required for any lot line change within a park. Compliance with subsections (b), (c) and (e) of this section shall not be required for any lot line creation; however, notwithstanding any other provision of this chapter, a lot line creation shall comply with the requirements of section 2020.6.

(b) The park owner or operator shall submit to the enforcement agency an application for a permit to construct, on a form designated by that agency, for a lot line change, along with all of the following:

(1) three (3) copies of a detailed plot plan with an identified date of preparation and measurements, indicating both the existing and proposed locations of the lot lines, which shall include all of the following:

(A) the locations of and distances between any units, accessory buildings or structures, or other built improvements on the affected lots (such as patios or parking areas), within ten (10) feet of the current and proposed lot lines;

(B) the distances from all existing and proposed lot lines of the lots on which those units, buildings or structures, or other improvements are located;

(C) the number of lots affected;

(D) the addresses or other identifying characteristics of those affected lots;

(E) proof of delivery of copies of the plot plan to all persons with registration or rental agreements with the park having units on the affected lots by registered or certified mail, sent by at least first class mail; and

(F) the type(s) of marking(s) used to designate the existing and proposed lot line locations.

(2) the names and residence addresses of the persons with registration or rental agreements with the park having units on the lots affected by the lot line change and the addresses or other identification of their units' lots if different than the residence address;

(3) a copy of the original written authorization, signed and dated by each of the persons with registration or rental agreements with the park having units on the lots affected by the lot line change, that includes the following statement:

I, [*name of persons with registration or rental agreements with the park*], have received a copy of the plot plan dated [*date of plot plan*] proposing to change a lot line affecting the lot where my unit is located and I/we approve of the proposed change in the location of the lot line(s) as detailed on the plot plan.

(4) a written statement signed and dated by the park operator or the operator's agent that the lot line change is substantially consistent in all material factors with both of the following:

(A) all health and safety conditions imposed by the local government as a condition of the initial construction of that space or the park; and

(B) prior applicable local land use requirements for the park; and

(5) the applicable permit fee as specified in section 2020.7 of this chapter.

(c) When the department is the enforcement agency and the number of lots in the park is increased or decreased by the change in lot lines pursuant to this section, the applicant shall deliver a written notice to the local planning agency, by personal delivery or by registered or certified mail, of the proposed change in the number of lots prior to or concurrent with its submission of the application to the department and provide a statement attesting to that delivery and the proof of delivery by either a stamped receipt or the proof of service by registered or certified mail. The notice shall include one copy of all the information required by paragraphs (1) through (4) of subsection (b) and the office address of the department's area office performing the inspection.

(d) The enforcement agency shall perform an on-site inspection prior to approval of a lot line change or creation, in order to ensure consistency with this chapter and the application. Any existing lot line markings shall remain in place until after approval by the enforcement agency for the lot line change. At the time of inspection the applicant, or his or her designee, shall permanently mark the new lot line or lot lines pursuant to section 2104 of this chapter and eradicate any preexisting lot line markings. No approval shall be given for lot line changes without identification to the satisfaction of the enforcement agency of the existing lot line locations.

(e) Following approval of the lot line change by the enforcement agency, the enforcing official shall sign and date the submitted plot plan signifying its approval. Copies of that approved plot plan shall then be given by the applicant to the persons with registration or rental agreements with the park having units on all the affected lots.

(f) No lot line shall be created, moved, shifted, or altered if the lot line creation or change will place a unit or accessory building or structure in violation of any provision of this chapter or any other applicable provision of law.

NOTE: Authority cited: Sections 18865, 18872.1, and 18872.2 Health and Safety Code. Reference: Sections 18872, 18872.1, and 18872.2, Health and Safety Code.