



CITY OF SANTEE

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January 11, 2013

Mr. Wayne Chiu, P.E.
Regional Water Quality Control Board San Diego Region
9174 Sky Park Court, Suite 100
San Diego, Ca 92123

SUBJECT: DRAFT REGIONAL MUNICIPAL PERMIT

Dear Mr. Chiu,

I am writing to express the City of Santee's general support for the revised comments being submitted on behalf of the San Diego County Copermittees.

One issue that we would like to highlight is the inference from the inventory requirements (E.5.a.1(vii)) that mobile home parks can be regulated by the City. The Mobile Home Parks Act preempts the City's ability to regulate within a mobile home park, except for specifically enumerated areas where regulation is allowed. (Health & Safety section 18500: County of Santa Cruz v. Waterhouse (2005) 127 Cal.App.4th 1483, 1495.) The City is allowed to regulate, pursuant to its police powers, only the following:

- (1) Zones where parks may be located,
- (2) Park perimeter walls or enclosures on public street frontage,
- (3) Signs,
- (4) Access
- (5) Vehicle parking,
- (6) Certain uses for parks,
- (7) Construction and use of equipment and facilities located outside of manufactured home or mobile home used to supply gas, water, or electricity thereto
- (8) Permit to use a manufactured home or mobile home outside a park,
- (9) Local building permit to construct an accessory structure for a manufactured home or mobile home when the manufactured home or mobile home is located outside a mobile home park
- (10) Setback and separation requirements governing the installation of a manufactured home, mobile home, or mobile home accessory structure or building installed outside of a mobile home park.

Letter to Regional Board
January 11, 2013

As you can see from the above summary, the City is restricted in its ability to require best management practice (BMP) implementation , or even to conduct inspections in mobile home parks. We therefore recommend that these types of development not be inventoried for inspection and BMP retrofitting.

We appreciate the opportunity to constructively participate in the development of this permit and hope that the RWQCB will continue the discussion with us as we progress towards permit approval.



Pedro Orso Delgado, P.E.
Deputy City Manager/Director of Development Services