

Communication from Public

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Council File No: 25-0843
Comments for Public Posting: response to Community Impact Statement submitted by Arleta Neighborhood Council.

Dear Councilmembers and City Attorney,

I submit this letter as a formal rebuttal to the Community Impact Statement (CIS) adopted by the Arleta Neighborhood Council on January 20, 2026, in support of Interim Control Ordinance No. 188753 under Council File 25-0843.

The CIS relies on language and assertions that are not only unsupported by evidence, but that improperly and unlawfully conflate **permitted, regulated Recreational Vehicle (RV) Parks** with **unpermitted street encampments**. This conflation is legally incorrect and creates a discriminatory framework that exposes the City to significant state and federal civil rights liability.

1. RV Parks and Street Encampments Are Distinct Land Uses Under the Law

A **lawful RV park** is a permitted land use subject to:

- State oversight by the California Department of Housing and Community Development (HCD)
- Title 25 of the California Code of Regulations
- Fire, health, sanitation, building, and utility compliance
- Ongoing inspections, site management, and operational rules

By contrast, **street encampments** are unpermitted uses of the public right-of-way and fall under municipal enforcement and law enforcement authority, not land use regulation.

The CIS repeatedly attributes alleged criminal and public health conditions associated with unregulated street activity to **permitted RV parks**, despite these being legally and operationally separate categories. This is a fundamental legal error and cannot serve as a valid basis for land use policy or an interim control ordinance.

2. The CIS Uses Character-Based and National-Origin Framing, Not Land Use Standards

The CIS describes RV residents and vehicles as “suspicious personnel,” “foreign encampment vehicles,” and associates them broadly with burglary, narcotics activity, and violent or destructive behavior.

This language does not address:

- Zoning performance standards

- Health or safety code violations
- Site-specific environmental or operational impacts
- Regulatory noncompliance

Instead, it targets the **perceived identity and character of prospective residents**, rather than any objective land use criteria.

3. Federal Fair Housing Law Applies to RV Park Residents

Under the **Fair Housing Act (42 U.S.C. §§ 3601–3619)**, it is unlawful to enact or enforce housing policies that discriminate, either directly or through disparate impact, against protected classes, including but not limited to:

- People with disabilities
- Families with children
- Individuals based on national origin
- Low-income residents relying on nontraditional housing forms

RV parks function as **long-term housing** for seniors, disabled residents, working families, and individuals priced out of the conventional housing market. Policies justified through generalized fear, stereotypes, or assumptions about criminality tied to a class of residents create a legally actionable discriminatory effect.

4. California Law Prohibits Housing Denials Based on Subjective Public Opposition

California's **Housing Accountability Act (Gov. Code § 65589.5)** and **SB 330** expressly prohibit local governments from denying, delaying, or freezing housing approvals based on:

- Public opposition
- Generalized fears
- Unsupported claims about future residents
- Assertions not grounded in objective, written health or safety standards

The CIS provides no site-specific studies, no regulatory findings, and no documented violations tied to any permitted RV park. It relies entirely on generalized and speculative claims about people who might live in RVs.

That is precisely the type of justification courts have repeatedly rejected as unlawful “subjective community opposition.”

5. Discriminatory Framing Creates Legal Exposure for the City

When legislative or administrative actions are supported by narratives portraying prospective residents as inherently criminal, dangerous, or “foreign,” the City risks:

- Fair Housing Act enforcement actions
- Claims under the California Unruh Civil Rights Act
- Disparate impact litigation
- State Housing Accountability Unit (HAU) intervention

An interim control ordinance or permit freeze supported by this type of record is legally vulnerable.

6. RV Parks Address the Stated Public Safety Concerns — They Do Not Create Them

Permitted RV parks:

- Provide regulated, sanitary, and managed housing
- Reduce street encampments by offering lawful alternatives
- Improve safety through utilities, fire access, and on-site oversight
- Keep residents connected to schools, healthcare, and employment

If the City’s objective is genuinely public safety and neighborhood stability, the rational policy response is **more regulated housing options**, not fewer.

Request for Administrative Record

I respectfully request that this rebuttal be entered into the official administrative record for **Council File 25-0843** and distributed to all Councilmembers, the PLUM Committee, the City Attorney’s Office, and any department relying on the CIS in support of Ordinance No. 188753.

Land use regulation must be grounded in **objective standards, lawful authority, and factual findings** — not in rhetoric that targets the people who would live in housing rather than the housing itself.

Respectfully,

Doug Ross