Communication from Public

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Date Submitted:	09/25/2025 09:33 AM
Council File No:	25-0843
Comments for Public Posting:	see attached comments

Subject: Proposed RV Parks ICO — a weaponized pause, not a lawful safety measure

Honorable Councilmembers,

This ICO does not solve a safety problem. It **targets the ministerial approval path in LAMC §14.00(A)7** and **imposes a citywide freeze** on permits. The record shows the "pause" is to reconcile definitional conflicts (**LAMC §12.03 vs. §14.00(A)7**), not to address an imminent danger. That is **policy clean-up**, not an emergency.

No "proliferation." The motion claims a "proliferation" of RV park permits. The facts say otherwise: in the last **three years there have been exactly two approvals—both ours**. There is no surge to justify an urgency freeze. This underscores that the ICO is **not** a safety measure; it is a **weapon** in **Councilmember McOsker's** campaign to block a **ministerial** project that meets the law.

Selective history isn't evidence. Staff claims the **12 performance standards** in **§14.00(A)7** were "last updated over 20 years ago." Even if that text dates back, **§14.00 was reviewed and amended recently**—including adoption of **§14.00(B) Alternative Compliance** (operative **January 22, 2024**)—and the City has **actively applied** these standards in 2024–2025. If there were a genuine **immediate threat**, it should have been raised then. Using the "20 years" line now to justify an **urgency** moratorium is post-hoc pretext.

Title 25 (state preemption). The "health and safety" issues cited are **in-park systems**—sewer, water, electrical, drainage, fire protection, accessibility—regulated by **Title 25 (SOPA)** under **HCD**. Zoning can decide **where** a park belongs; it **cannot** commandeer **Title 25** to justify a land-use freeze. If there is a compliance issue, the lawful path is **HCD enforcement**, not a blanket moratorium. The City also **cannot impose its own in-park standards** beyond the **limited powers** the Legislature provided in **HSC §18865**; overstepping that authority does **not** create a valid "health and safety" emergency.

Court order controls §12.03 vs. §14.00(A)7. The Los Angeles Superior Court held that once **§14.00(A)7**'s objective standards are met, the City has a **ministerial duty** to issue permits; where **§12.03** conflicts, **§14.00(A)7** controls. Using an ICO to re-litigate that outcome is an **unlawful end-run** around a judicial determination.

Housing context—be consistent. The City invokes the **Recreational Vehicle Park Occupancy Law (RVTOL)** and enforces **TAHO** and the **RSO** for residents living in RVs **in RV/mobilehome parks**. That framework treats these residents as **tenants** and these parks as **housing**, not transient lodging. **Because the City's own tenant-protection framework already shows this is housing**, any blanket freeze functions as a **housing moratorium** and must meet **SB 330** (imminent health-and-safety findings supported by substantial evidence and **prior HCD approval**) or it is **void**.

Mobilehome parks left in limbo. The ICO claims to pause approvals "under **§14.00(A)7**," yet the operative ban only names **RV parks** and gives **no direction** for **mobilehome parks**—even though **§14.00(A)7 covers both**. That ambiguity invites **selective enforcement**. If mobilehome parks are included, the ordinance must say so, tie definitions to **state law**, and comply with **SB 330**. If excluded, it must say so and provide a **reasoned basis**. Arbitrary line-drawing is not lawful.

No grandfathering; requested protections ignored. The draft **omits a grandfather clause** protecting **approved or deemed-complete projects**. We **formally requested** such language in writing to the **City Attorney** (to preserve vested approvals, exempt Title-25 maintenance/repairs, and allow ministerial issuance where standards are met). The ICO **ignores** those safeguards and **retroactively weaponizes** a pause against projects that already satisfied **§14.00(A)7**.

Separation of powers matters. Councilmember McOsker's personal dislike of **§14.00(A)7** does not authorize interference with a **ministerial** permit. The duty here is **administrative, not discretionary**. Deploying an urgency ordinance to sidestep a ministerial pathway—especially after a **court confirmed** the City must issue the permits—is an attempt to **circumvent judicial intervention**. Policy disagreements belong in a normal code-amendment process, not in an emergency freeze aimed at undoing a ministerial, court-confirmed approval.

This ICO is being used as a weapon. From the start, our company has been portrayed as doing something wrong when we have not. Construction was halted on a **ministerial** project using false statements, followed by stall tactics designed for maximum financial harm. **Councilmember McOsker** has shown bias, violated City ordinances and state law, and ignored the people this park serves while favoring a small group of opponents—waiting to act until construction was nearly complete to inflict the greatest damage. **Every report and determination, as well as a court order, say the same thing**: we met the standards and have a **legal right** to our permits. This is not an emergency; it is a **weaponized pause** aimed at compliant housing.

Bottom line: Finish code reconciliation through normal legislation and **process §14.00(A)7 projects ministerially**. Do not weaponize an urgency ordinance to stop lawful housing.

Sincerely,

Doug Ross