



August 16, 2021

Robert Flores, Principal Planner  
Riverside County Planning Department  
4080 Lemon Street  
Riverside, CA 92501

*Sent via Email*

**Re: Riverside County 6th Cycle Housing Element Update Policy and Program Recommendations**

Dear Mr. Flores:

Thank you for the opportunity to provide feedback on Riverside County's draft 6th Cycle Housing Element update. After a review of the draft, we have identified a number of areas where we believe the County can take further action to promote fair and equitable housing for Riverside County residents. Our comments are listed below.

**I. Release the Draft Housing Element for Public Review Before Submission to HCD**

On July 8, 2021, Riverside County released its draft 6th Cycle Housing Element update for public review and concurrently submitted the same draft for review to the Department of Housing and Community Development (HCD). HCD's own Affirmatively Furthering Fair Housing Guidance states that, "Drafts of the housing element should be made available to the public for review and comment with ample time before submission to the Department of Housing and Community Development (HCD) for review." (p. 10.) By simultaneously releasing the draft Housing Element for review by HCD and the public, the

County has not met its requirement to diligently outreach to the community during its Housing Element Development process.

## **II. Comprehensive Polanco Park Permitting Program**

We commend the County for including a Polanco Parks Program to streamline the mobile home park permitting process and provide rehabilitation loans to owners of unpermitted parks. Below are our recommendations for ensuring this program is comprehensive and proactive in preventing future Polancos from falling into disrepair.

### *A. Three Year Moratorium on Fines and Code Enforcement*

In order to encourage park owners to participate in the program, the County should establish a three year moratorium on any potential fines and code enforcement. This will ensure the program is affordable and accessible to all Polanco Park owners.

### *B. Create an Eastern Coachella Valley Polanco Park Housing Directory*

Given the number of dilapidated unpermitted mobile home parks in the Eastern Coachella Valley, the County Housing Authority should work with Polanco Park owners to map these parks and assess their individual needs. The directory could also serve as a way to identify potential parks for the Polanco Park Program.

### *C. Polanco Property Management Education Program*

We recommend the Riverside County Transportation Land Management Agency (TLMA) in partnership with HCD create a Polanco Park Property Management Education Program to work directly with Polanco Park owners. This program could help owners with mobile home Residency Law, grant availability, technical assistance for compliance with state requirements including mobile home registration and annual operating permits and best practices for property management.

### *D. Mobile Home Replacement*

Due to the large number of dilapidated mobile homes in County's disadvantaged communities, we suggest Riverside County proactively seek additional funding for mobile home replacement in DACs through state and local funds. We also recommend the County perform a 10-year assessment on mobile homes in the HCD database to determine if the mobiles in the County are habitable and safe according to state regulation. For a more long term solution the County should work with the California Department of Housing and Community Development to develop more efficient ways of replacing mobile homes.

## **III. Community Participation in Regional Housing and Community Development**

### *A. Housing Element Advisory Committee*

We request the County establish a housing element advisory committee to advise the Planning Department, Housing Authority, Transportation and Land Management, and the Riverside County Board of Supervisors on developing, implementing, and evaluating the various housing element policies and programs. This committee should be made up of at least 10 diverse stakeholders such as community based organizations, community members from disadvantaged communities (DACs), farmworkers, immigrants and other groups with special housing needs. This committee would play an important role in ensuring the County is actively implementing housing element priorities in an equitable manner.

#### *B. Restructure Eastern Coachella Valley Community Councils*

Residents of the Eastern Coachella Valley have repeatedly expressed concern with the current structure of the County's community council system. Among others, the primary concern of residents is the lack of a democratic system to elect the council's board and representatives. Traditionally, community councils are chartered by the County and led by the community. They are important spaces for encouraging public participation in the decision-making process and promoting leadership within the County's communities. In Riverside County's case, the fact that the 4th District Supervisor has the discretion to add and remove members to the council board undermines the idea of a community-led space. Even if the appointed members reside in the community.

In order to democratize and center community voices in our local community councils, we ask the County to work with residents to modify the A-21 Policy document. Potential changes to the bylaws would include requiring members to the council board be elected by the community, setting an election schedule, and requiring certain seats be held by underrepresented community members.

#### *C. Review Housing Review Committee Efficacy*

We ask that the Riverside County Transportation and Land Management Agency evaluate the efficacy of the Housing Review Committee. This committee should be a community centered space to discuss, design and implement housing solutions. So far, the space has proven ineffective at centering community priorities.

#### *D. Community Outreach During Housing Element Development Process*

In the Housing Element Appendix, the County states that of the 126 people who completed the online survey, 118 were English-language responses and 7 were Spanish responses. They also noted that during the in-person workshop, 11 of the 65 attendees utilized the Spanish break-out room. Given that approximately 50% of Riverside County Residents are Hispanic and 34% are native Spanish speakers, a Spanish language response rate of 5% does not appear representative of the County's population.

Additionally, the County notes that it attended several Community Council and Municipal Advisory Committee meetings during the outreach process. However, there is no mention of how well these meetings were attended or any analysis on the effectiveness of these spaces for holistic outreach. Overall, it seems like the county has not properly engaged vulnerable populations.

#### **IV. Expand Tenant Protections**

##### *A. Landlord/Tenant Dispute Mediation Board*

We recommend Riverside County Housing Authority create a landlord/tenant dispute mediation board to hear disputes submitted by tenants for issues such as rent increases, eviction threats, notice requirements, and other habitability concerns. This body would serve as a neutral third party that ensures a fair process for solving disputes and to prevent landlord harassment

##### *B. Pass, Fund, and Implement a Right to Legal Counsel Program*

We ask the County to pass a “legal right to counsel” ordinance that includes legal aid, tenants rights education, active and consistent outreach to the community on new legislation, and emergency payments through rental assistance to keep tenants housed. Considering the end of the eviction moratorium and the fact that many families are still being impacted by the effects of COVID, it is more important than ever to ensure low-income tenants have access to all legal representation necessary to stay housed.

##### *C. County-run rental subsidy programs prioritizing undocumented and mixed-status families*

Riverside County should allocate resources to create a new rental subsidy program for undocumented and mixed status families. These two groups are not eligible for federal aid and often have the lowest incomes along with the highest need for affordable housing. The County must create their own flexible publicly-run subsidy program to complement the federally-run voucher programs.

##### *D. Emergency Housing Program*

Many of Riverside County’s most vulnerable residents often find themselves at risk of homelessness due to eviction, retaliation threats, and habitability issues. Riverside County Housing Authority must allocate resources to fund an ongoing emergency housing program to temporarily house residents who have become homeless.

##### *E. Rent Control & Just Cause for Eviction*

Currently, only tenants who own their mobile home and rent their space have Just Cause protections under the Mobile Home Residency Law. Tenants who rent both their mobile home and the space can be evicted for no reason so long as they receive adequate notice. Riverside County must establish a local Just Cause ordinance to cover residents that currently lack these protections.

We also request Riverside County establish a fair and comprehensive rent control ordinance that includes various housing types such as single-family homes, apartments, and mobile home parks. The current *Mobile Home Park Rent Stabilization Ordinance of the County of Riverside* only protects mobile home parks that were built before January 1, 1990 from unreasonable space rent adjustments. The Riverside County Housing Authority should work directly with housing advocates, community organizations, and

the broader community to update the above ordinance or explore a more comprehensive ordinance to fit the current needs of tenants.

#### **V. Sizes of Sites in Inventory Analysis**

HCD's Housing Element Sites Inventory Guidebook states that sites identified to accommodate housing for lower income households should be between 0.5 to 10 acres in size to ensure development is feasible. If an identified site is outside this range, the County must provide an analysis that demonstrates the County has developed sites of similar size in the prior planning period, evidence that the site is capable of accommodating lower income housing, or prove an affordable housing development has been proposed or approved for the site.

Of the sites identified for the Eastern Coachella Valley, one is smaller than 0.5 acres and five are larger than 10 acres. However, the County did not provide any of the required analysis to demonstrate that these sites are actually feasible for affordable housing development. We ask the County to provide the required analysis for these sites in a future revision of the Housing Element update.

#### **VI. Actively Seek Funding for Water and Wastewater Expansion in Disadvantaged Communities**

Housing goal H 1.5 in the Housing Element states that the County will, "Encourage the development of higher-density, multifamily housing in locations where adequate infrastructure and public services are planned or are available." Unfortunately, water and wastewater infrastructure in the Eastern Coachella Valley is extremely limited. We recommend that in addition to exploring locations that already have infrastructure, the County commits to identifying potential funding sources for infrastructure expansion as well.

Additionally, the county should identify disadvantaged communities struggling with natural contaminants and if consolidation is not possible, seek funding for interim water solutions and well rehabilitation assistance.

#### **VII. Prioritize Affordable Housing Developments In Unincorporated Areas**

The draft housing element notes that the Eastern Unincorporated areas of Riverside County have a vacancy rate of 42% due to the large number of vacation homes. Given that many people in the Eastern Coachella Valley are forced to live in often inhumane conditions due to the lack of affordable housing, these vacancy rates are unacceptable. The County must prioritize the development of permanent, affordable housing in these areas to meet the demand of the local population.

Potential actions the County could take are creating local sources of funding for affordable housing developments through the use of general funds, setting higher tax rates on vacation homes, and regularly applying for state and federal grants.

**VIII. Environmental Resilience**

In order to ensure alignment across the housing and land-use elements and to strengthen the climate resilience of communities in Riverside County, we ask the county to consider the following recommendations and comments.

*A. Weatherization of Mobile Home Parks*

Although mobile homes are one of the most popular forms of housing in the Eastern Coachella Valley, they are also one of the housing types that are least prepared for the effects of climate change. Rising temperatures will only increasingly strain the already substandard electrical infrastructure of many mobile home parks across Riverside County and lead to even more frequent power outages. The County should develop plans to weatherize or replace mobile homes and park infrastructure so that they are more resistant to the surrounding environment.

*B. Consider Transformative Climate Communities and other Community Plans*

When looking to develop policies and programs for environmental resilience, the County should reference community plans such as the Eastern Coachella Valley’s Action Plan For Climate Resilience and others that were made in collaboration with community residents.

*C. Analysis of Environmental Health Factors*

The housing element draft recognizes that many of the unincorporated communities in Riverside County are EJ communities which are low income areas disproportionately affected by environmental risks. And while the County makes reference to the Healthy Communities Element for policies to mitigate the health risks in these communities, there is no analysis on the specific health risks associated with the sites identified for the

**IX. Promote Inclusionary Housing**

Action 1.7e of Riverside County’s current housing element states, “*the County will explore the adoption of a local inclusionary housing program. The program could include requiring developers of certain types of housing developments to construct inclusionary affordable units or, in limited circumstances where the County deems construction of inclusionary units to be impractical, pay an in-lieu fee, or donate land to subsidize affordable housing development.*” The current draft 6th Cycle housing element evaluation of this goal noted that in March 2021, the County adopted “Ordinance No. 348.4950 to establish requirements for providing a residential and special-needs housing density bonus or other incentives.” While a density bonus is definitely a step in the right direction, it is not enough to address the urgent need for more affordable housing in Riverside County. We ask that the County follow up on action item 1.7e and propose an inclusionary housing ordinance to the community by the middle of the planning cycle.

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The 6th Cycle Housing Element update requires Riverside county to affirmatively further fair housing by including policies and programs that both combat patterns of segregation and transform areas of poverty into areas of opportunity. We hope that our comments assist Riverside County in achieving this vision for fair and affordable housing for all residents.

A separate letter has also been submitted to the California Department of Housing and Community Development with further comments.

Sincerely,

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Accountability**

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