

SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM: 3.2  
(ID # 20995)

MEETING DATE:  
Tuesday, January 10, 2023


FROM : SUPERVISOR V. MANUEL PEREZ:

SUBJECT: SUPERVISOR MANUEL PEREZ: Initiation of an amendment to Ordinance No. 348 (Land Use) to consider amending certain definitions and adding development regulations and processing requirements for Agricultural Employee Housing Developments. All Districts. [\$25,000 Total Cost – General Fund / NCC 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. **ADOPT** an order initiating an amendment to Ordinance No. 348 (Land Use) that would establish regulations and processing requirements for Agricultural Employee Housing Developments; and
2. **DIRECT** the Planning Department and County Counsel to prepare and process the amendment to Ordinance No. 348 (Land Use).

ACTION:

  
Supervisor V. Manuel Perez, Supervisor 4th. District 1/4/2023


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MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Spiegel, seconded by Supervisor Perez and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Gutierrez  
Nays: None  
Absent: None  
Date: January 10, 2023  
xc: Fourth District, Co.Co., Planning

Kimberly Rector  
Clerk of the Board

By:   
Deputy

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<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$25,000	\$0	\$25,000	\$0
<b>NET COUNTY COST</b>	\$25,000	\$0	\$25,000	\$0
<b>SOURCE OF FUNDS:</b> General Fund / NCC 100%			<b>Budget Adjustment: No</b>	
			<b>For Fiscal Year: 22/23</b>	

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

The County's Land Use Ordinance (Ord No. 348), includes provisions for allowing "Employee Housing" within certain zones and under certain conditions. Under the California Health and Safety Code, two separate sections provide for additional options to employee housing as it relates to farmworkers. Section 17021.6 (Polanco Bill), allows for a "Polanco Housing Development" up to a maximum of 12 dwelling units and is intended to be a by-right / ministerial planning process. Section 17021.8 (Rivas Bill), provides for an "Agricultural Employee Housing Development" up to a maximum of 36 dwelling units, similarly as a by-right / ministerial process; however, the eligibility and operational requirements are more stringent. Some of the location requirements include ensuring the development is not located within a floodplain, delineated earthquake fault zone, conservation areas, or other potential physical hazard areas. To ensure the ongoing operations and use of the housing is maintained as farmworker housing, the management team is required to be a State certified "Qualified Operator" that manages the development under similar rules as a Home Owners Association ("HOA"). The dwelling units are also required to be maintained as affordable through deed restrictions, for a period of time no less than 55 years.

Although the County has previously approved Polanco Parks, pursuant to what State law allows, there is a need to amend Ordinance No. 348, to specifically include these two types of housing opportunities. Through the establishment of definitions, eligibility criteria, operating requirements, and processing provisions, confusion surrounding these two different types of farmworker housing, will be reduced.

**Initiation Process**

The Board of Supervisors Policy No. A-67 requires initiation of an ordinance amendment by the Board of Supervisors with the adoption of an order by an affirmative majority vote. If initiated, the proposed amendment to Ordinance No. 348 will begin the land use review process which includes the applicable environmental analysis, public review and input, and public hearings before the Planning Commission and then the Board of Supervisors.

**Impact on Residents and Businesses**

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This proposed ordinance amendment would result providing a pathway for two additional housing development types, specifically for the much needed farmworker housing. The amendment would lay out the processing and eligibility requirements for Polanco Parks and Agricultural Employee Housing Developments, codifying the States additional housing opportunities at the local level. There will be a positive impact on residents and businesses, who have a need to support their farmworkers through new housing.

**Additional Fiscal Information**

The total cost to complete this ordinance amendment is approximately \$25,000 – funded through NCC budget allocation. The planning process for this Project has commenced and will be completed this fiscal year. The above costs include funds spent on public outreach, drafting the ordinance amendment, environmental considerations, and public hearings.