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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, AUTHORIZING THE TEMPORARY USE AND PLACEMENT OF 64 SQUARE FOOT EMERGENCY HOMELESS SHELTERS AT THE HULEN CAMPUS AND PARKING LOT UNTIL TITLE 16 IS AMENDED AND DIRECTING STAFF NOT TO PURSUE ANY VIOLATIONS RELATED TO PLACEMENT OR OCCUPANCY REGARDING SAID SHELTERS.

WHEREAS, on December 5, 2018, the City Council adopted Resolution No. 23387, a resolution declaring that a “shelter crisis” exists in the City of Riverside (“City”), pursuant to Government Code section 8698 et seq., finding that a significant number of persons in the City are without the ability to obtain shelter and such condition has resulted in a threat to the health and safety of those persons; and

WHEREAS, California Government Code Section 8698.1 provides that, upon a declaration of a shelter crisis, the provisions of any state or local regulatory statute, regulation or resolution prescribing standards of housing, health, or safety, as applied to public facilities, shall be suspended to the extent that strict compliance would in any way prevent, hinder, or delay the mitigation of the effects of the shelter crisis; and

WHEREAS, California Government Code Section 8698.2 provides that, upon a declaration of a shelter crisis, a city may allow persons unable to obtain housing to occupy designated public facilities (including facilities leased by the City) for the duration of the crisis; and

WHEREAS, Resolution No. 23387 designated Hulen Campus as a Designated Public Facility; and

WHEREAS, on December 17, 2019, the City Council adopted Resolution No. 23530 finding that a need still exists for additional shelter beds as the number of beds currently available is insufficient for the number of unsheltered persons; and

WHEREAS, Resolution No. 23530 also expanded the Designated Public Facility to designate all properties owned, operated, leased, and/or maintained by the City or the Housing Authority of the City of Riverside, or any of the City’s subordinate agencies, as Designated Public Facilities; and

WHEREAS, there is an immediate need to provide Unsheltered Persons with temporary shelter and overnight sleeping accommodations, hereby referred to as “Emergency Housing” and further defined in Title 16 of the Riverside Municipal Code (“RMC”); and

1 WHEREAS, the City, with the recent amendments to Title 16 of the RMC, adopted the State
2 of California’s Building Standards for Emergency Housing, which currently requires Emergency
3 Housing to have an interior floor area of not less than 70 square feet for one occupant; and

4 WHEREAS, there are currently available to the City for immediate delivery Emergency
5 Housing that are 64 square feet; and

6 WHEREAS, the City Council at its meeting at its January 21, 2020, directed staff to allow
7 Emergency Housing to be located at the Hulen Campus, including its parking lot and also directed
8 staff to amend Title 16 of the RMC to allow for 64 square foot Emergency Housing; and

9 WHEREAS, Government Code section 8698 et seq., in conjunction with Health and Safety
10 Code sections 17958.7 and 18941.5, allows for the City to amend the California Building Standards,
11 including those for Emergency Housing, based on express findings due to local climatic, geological
12 or topographical conditions; and

13 WHEREAS, in order to preserve and protect the life, health and property of unsheltered
14 persons while the amendments to Title 16 are being drafted for City Council approval, and because
15 there is currently available Emergency Housing at 64 square foot, this Resolution is being adopted to
16 allow for the deviation of Title 16.

17 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Riverside,
18 California, as follows:

19 Section 1: That the above recitals are found to be true and correct and are hereby
20 incorporated herein as if stated in full.

21 Section 2: That the deviation from Title 16 of the Riverside Municipal Code as to the
22 minimum square footage of Emergency Housing is of urgent necessity for the preservation and
23 protection of life, health and property. As such the City Council hereby authorizes the purchase and
24 use of Emergency Housing of 64 square feet to be used and placed at the Hulen Campus, including
25 its parking lot.

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