

2020 Zoning Cleanup – January 7, 2021

Exhibit 5

Frequently Asked Questions – Emergency Shelters (Chapters 19.150, 19.205 and 19.400)

1. Why are changes proposed to the way emergency shelters are regulated?

In Riverside, the only zoning district in which emergency shelters are permitted by right (meaning without the requirement for special permits or approvals such as a CUP) is the Emergency Shelter (ES) Overlay Zone. Every other zoning district, including all of the Base Zones (such as R-1, R-3, Commercial, etc.), either prohibits emergency shelters altogether or requires the granting of a discretionary use permit to establish one.

Before an emergency shelter can be permitted by right, a rezoning process, including a recommendation from Planning Commission and approval by City Council, has to apply the ES Overlay Zone to a property. This rezoning is a discretionary action that can be denied.

The current process conflicts with State Housing Element law, which requires that the City identify at least one zoning district where no such discretionary approval is required to establish an emergency shelter. The City could potentially be exposed to litigation as a result. Additionally, the current process hampers the City's ability to quickly and effectively respond to the ongoing crisis of homelessness.

2. How will this affect existing and future emergency shelter operations?

Existing emergency shelters operating in compliance with the applicable rules and regulations will not be affected by the proposed changes. For future emergency shelters, the permitting process may change, depending on where they are located.

In the Industrial (I) Zone, no special Planning approval (such as a Conditional Use Permit) would be required to establish an emergency shelter—although all other regulations related to safety and security must still be met. In other zones, either a CUP or MCUP will be required, depending on the size of the facility and the particular zone. Certain zones will continue to prohibit emergency shelters.

3. Why is the Industrial (I) Zone recommended for by-right emergency shelter uses?

The Industrial (I) Zone presents the most suitable balance between the need to locate emergency shelters within reasonable proximity to needed services and resources – such as healthcare and transit – and the need to ensure that shelters in closer proximity to commercial areas and residential neighborhoods do not create compatibility issues. In many locations, the Industrial zone is already buffered from the most sensitive land uses by more intense commercial or transportation corridors. Finally, the type of development found in the Industrial (I) Zone tends to lend itself well to conversion to this type of use, often with minimal need for major alteration to structures and sites.

4. What zoning districts were considered?

Other industrial zones, such as the Business & Manufacturing Park (BMP) or Airport Industrial (AI) were considered, but ultimately dismissed due to the large-scale nature of established

development patterns, relative remoteness from needed services, and land use compatibility and safety concerns primarily related to airport operations.

Commercial, mixed-use and residential zones were not considered because of potential compatibility issues. However, an emergency shelter may be established in many of these zones, provided that the required CUP or MCUP is granted.

5. What safeguards are in place for surrounding properties and businesses?

Emergency shelters in the Industrial (I) Zone must still comply with site location, operational and development standards that are included in the Code. This includes minimum separation requirements between shelter facilities to avoid overconcentration, approval of security and management plans to verify adequate measures are in place, and the requirement for on-site, indoor waiting and intake areas to minimize disruption to surroundings. Compliance with these requirements would be verified prior to issuance of any building permit and could be grounds for Code Enforcement action if noncompliance occurs.

6. How many Emergency Shelters are in the City that would be affected (public/private)? What are they zoned?

There are three existing emergency shelters in the City. One is located on City-owned land zoned Industrial (I) (Path of Life Ministries, Hulen Place campus). Another is located on County-owned land zoned Public Facilities (PF) (Operation SafeHouse, Hayes and Myers Streets) . The third is located on privately owned land zoned Single Family Residential (R-1-7000) (ICare Shelter, Van Buren Boulevard between Garfield Street and California Avenue).

7. How many parcels in the Industrial (I) zoning district are potentially affected?

There are approximately 696 parcels in the Industrial (I) zoning district, totaling approximately 778 acres of land.