ORDINANCE NO. 1126

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO AMENDING SAN ANSELMO MUNICIPAL CODE TITLE 10 (PLANNING AND ZONING), CHAPTER 3 (ZONING) TO ADD ARTICLE 19 (SINGLE ROOM OCCUPANCY REGULATIONS) TO IMPLEMENT A PROGRAM IN THE 2015-2023 GENERAL PLAN HOUSING ELEMENT BY ESTABLISHING REGULATIONS FOR SINGLE ROOM OCCUPANCY UNITS

WHEREAS, pursuant to Article XI, section 7 of the California Constitution and sections 36931 et seq. of the California Government Code, the Town Council may make and enforce within its limits all local, police, sanitary and other ordinances and regulations not in conflict with general laws;

WHEREAS, on May 12, 2015, the Town Council adopted the 2015-2023 General Plan Housing Element that included a policy H2.E to address the needs of extremely low income residents by amending the Zoning Ordinance to establish development standards for residential buildings containing single-room occupancy (SRO) units and allow SROs as a conditionally permitted use in commercial zoning districts;

WHEREAS, on June 18, 2018, the Town Planning Commission held a duly noticed public hearing on proposed regulations for single room occupancy units, reviewed and considered the staff report, other written reports, public testimony and other information contained in the record and recommended the Town Council adopt the proposed regulations; and

WHEREAS, on August 7, 2018, the Town Council held a duly noticed public hearing on the proposed regulations, reviewed and considered the staff report, other written reports, public testimony and other information contained in the record and;

NOW, THEREFORE, THE SAN ANSELMO TOWN COUNCIL DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. ENVIRONMENTAL REVIEW. The Town Council finds and determines that the adoption of this Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061 because it can be seen with certainty that there is no possibility that adoption of the ordinance may have a significant effect on the environment. (14 Cal. Code Regs. § 15061(b)(3)). Existing Town zoning allows for unlimited Single Room Occupancy residential uses in commercial districts and this ordinance limits the number of Single Room Occupancy developments that may be constructed within the Town. The ordinance reduces the number of required on site parking spaces for Single Room Occupancy uses that are affordable to very low-income residents. However, the exemption will result in fewer environmental impacts from construction of parking spaces. Extremely low-income residents have fewer vehicles and commercial districts where the units may be constructed are within walking distance of shopping, services and public bus transportation. The reduced parking requirements are not expected to result
in parking deficits, and parking deficits are an inconvenience to drivers but are not in and of themselves a significant physical impact on the environment.

**SECTION 2: ADOPTION OF AMENDMENTS TO MUNICIPAL CODE.**

Title 10 (Planning and Zoning), Chapter 3 (Zoning) of the San Anselmo Municipal Code is amended to add Article 19 as follows:

**Article 19 – Single Room Occupancy Regulations**

**Sec. 10-3.1901 – Single Room Occupancy Residential Housing.**

When allowed by Land Use Regulations Table 3A in the zone applicable to a site, a single-room occupancy residential housing facility (SRO) is subject to the requirements of this section. The provisions of this article are intended to provide opportunities for the development of permanent, affordable housing for small households and for people with special needs in proximity to transit and services and to establish standards for these small units.

(a) **Conditional Use Permit Required.** A Conditional Use Permit shall be obtained prior to use of any rooms or units for SRO purposes.

(b) **Location.** A single-room occupancy residential housing facility shall not be located within three hundred (300) feet of any other single-room occupancy residential housing, emergency shelter, or other similar program, unless such program is located within the same building or on the same lot.

(c) **Development Standards.**

(1) **Size.** Units shall have a maximum floor area of four hundred (400) square feet.

(2) **Occupancy limit.** Each unit shall accommodate a maximum of two persons.

(3) **Laundry Facilities.** Laundry facilities shall be provided in a separate room at the ratio of one washer and one dryer for every ten (10) units of fractional number thereof.

(4) **Bathroom.** An SRO unit is not required to but may contain partial or full bathroom facilities. If a full bathroom facility is not provided, common bathroom facilities shall be provided in accordance with the California Building Code for congregate residences with at least one full bathroom per floor.

(5) **Kitchen.** An SRO unit is not required to but may contain partial or full kitchen facilities. A full kitchen includes a sink, a refrigerator and stove, range top or oven. A partial kitchen is missing at least one of these appliances. If a full kitchen is not provided, common kitchen facilities shall be provided with at least one full kitchen. For projects with more than 10 units common kitchen facilities shall be provided with at least one full kitchen per floor.
(6) Code Compliance. SRO units shall comply with all requirements of the California Building Code. All units shall comply with all applicable accessibility and adaptability requirements.

(d) Facility Management. Twenty-four-hour on-site management must be provided at an SRO with seven or more units and shall include a dwelling unit designated for the manager. All SRO projects must have a management plan. The management plan shall contain management policies, maintenance plans, rental procedures, tenant rules, and security procedures.

(e) Parking. On-site parking must be provided as required for multi-family units. The Planning Commission may reduce parking requirements to one space per four units if the SRO is deed restricted for extremely low-income housing or if alternative transportation is provided, such as free car sharing on site or transit passes. With the exception of projects that allow only senior residents, projects with reduced parking shall provide one bicycle parking space per unit.

(f) Tenancy. Tenancy of SRO units shall not be for less than thirty (30) days.

SECTION 3:

Title 10 (Planning and Zoning), Chapter 3 (Zoning) of the San Anselmo Municipal Code, Section 10-3.301 Land Use Regulations Table 3A and Notes are amended to include the following:

<table>
<thead>
<tr>
<th>LAND USES</th>
<th>DISTRICT</th>
<th>R-1-H</th>
<th>R-1-C</th>
<th>R-1</th>
<th>R-2</th>
<th>R-3</th>
<th>P</th>
<th>C-1</th>
<th>C-2</th>
<th>C-L</th>
<th>C-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential – Single Room Occupancy Units(7)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(7) Reference Section 10-3.1901 of Article 19 of this Chapter.

SECTION 4. Title 10 (Planning and Zoning), Chapter 3 (Zoning) of the San Anselmo Municipal Code, Section 10-3.1701 Purpose and Intent is amended to include the following:

“Single Room Occupancy Units” are one-room units intended for occupancy by one or two individuals as their primary residence, which are occupied for periods not less than 30 days.

SECTION 5. SEVERABILITY. In the event that any court of competent jurisdiction holds any section, subsection, paragraph, sentence, clause or phrase in this Ordinance to be unconstitutional, preempted or otherwise invalid, the invalid portion shall be severed from this Ordinance and shall not affect the validity of the remaining portions of this Ordinance. The Town hereby declares that it would have adopted each section, subsection, paragraph, sentence, clause or phrase in this Ordinance irrespective of whether any one or more sections, subsections, paragraphs, sentences, clauses or phrases in this Ordinance might be declared unconstitutional, preempted or otherwise invalid.
SECTION 6. EFFECTIVE DATE. This Ordinance will become effective thirty (30) days after its final passage in accordance with California Government Code section 36937 and will remain effective until the effective date of a superseding ordinance.

SECTION 7. PUBLICATION.

Within fifteen (15) days after the Town Council adopts this Ordinance, the Town Clerk shall cause this Ordinance, or its title as a summary, to be published in the manner required by law.

THE FOREGOING ORDINANCE was first read at a regular meeting of the San Anselmo Town Council on August 7, 2018, and was adopted at a regular meeting of the San Anselmo Town Council on September 11, 2018 by the following vote:

AYES: Brown, Greene, Coleman, Colbert
NOES: None
ABSENT: Wright
ABSTAIN: None

Vice Mayor, Matt Brown
Town of San Anselmo, California

ATTEST:

Town Clerk, Carla Kacmar
Town of San Anselmo, California