

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: GABE OSBURN, DIRECTOR OF PLANNING AND ECONOMIC
DEVELOPMENT
SUBJECT: HOUSING ELEMENT IMPLEMENTATION AND PLANNING
APPLICATION FEES FOR TINY HOMES ON WHEELS

AGENDA ACTION: RESOLUTION AND ORDINANCE INTRODUCTION

RECOMMENDATION

The Planning Commission and the Planning and Economic Development Department recommend that the Council introduce an ordinance entitled Ordinance of the Council of the City of Santa Rosa amending Title 20 and Title 21 of the City Code to implement the 2023-2031 Housing Element and State Law – File Number PLN25-0397; it is further recommended by the Planning and Economic Development Department that the Council, by resolution, establish planning application fees for Tiny Homes on Wheels. This item has no impact on current fiscal year budget.

EXECUTIVE SUMMARY

Housing Elements are part of a state mandated process to create housing opportunities that enhance affordability, equity, livability and sustainability by remedying discriminatory housing practices and creating a city with a range of housing types, sizes, and costs in close proximity to jobs, transit, amenities, and services. The Housing Element is implemented through various tools, one of which can be achieved through Zoning Code Amendments. The majority of the proposed Zoning Code amendments serve to codify programs outlined in the Housing Element and update existing land uses to meet State law requirements that were reviewed as part of the General Plan 2035 and General Plan 2050.

GOAL

This item relates to Council Goal #5 - Plan for and Encourage Housing for All and Reduce Homelessness by ensuring the programs in the Housing Element are implemented to increase types of housing for residents and this item relates to Council legal mandates to comply with State law.

BACKGROUND/PRIOR COUNCIL REVIEW

On February 14, 2023, the City Council adopted the 2023-2031 Housing Element as part of the State mandated process, with revisions adopted on June 3, 2025, as part of the General Plan 2050 adoption.

ANALYSIS

The purpose of the Housing Element is to identify housing solutions that solve local housing problems and allow the City to meet or exceed the Regional Housing Needs Assessment (RHNA) provided by the State. To respond to the increasing housing pressures facing the City, the Housing Element presents goals, policies and programs centered in racial equity, environmental justice, and resilience pertaining to housing access, preservation, stability, and production.

Two programs, Housing Element Program H-6, Innovative Housing Options, and Housing Element Program H-38, Zoning Code Amendments, are proposed to be implemented through amendments to the City's Zoning Code. These changes support housing production, provide innovative housing options, and affirmatively further fair housing in the City of Santa Rosa. The remaining programs are being implemented by providing resources and services to the community as part of the 8-year state-mandated housing cycle.

1. Zoning Code Amendments

Innovative Housing Options – Housing Element Program H-6

Housing Element Program H-6 focuses on exploring innovative and alternative housing options for the City to provide greater flexibility and affordability in the available housing stock. The program specifically mentions reducing regulatory barriers for Tiny Homes and Housing Cooperatives.

Tiny Homes on Wheels

The proposed Zoning Code amendment introduces Tiny Homes on Wheels as a habitable accessory structure allowable with a Minor Conditional Use Permit in the RR and R-1 zoning districts. Placement of a Tiny Home on Wheels requires that the property be improved with a single-family dwelling. The units are required to meet a level of design criteria to look like a conventional residential structure.

Tiny Homes on Wheels would not be permitted on a property if there is an existing detached ADU and would need to be removed if a detached ADU is constructed. This provision would provide flexible options and ensure neighborhood compatibility.

The concept of Tiny Homes is not new to the City. The original Resilient City section of the Zoning Code allowed these types of units as temporary housing following the 2017 wildfires. Since that time, the Code has been updated, and temporary housing is only allowed as a form of natural disaster relief. The current proposal would allow Tiny Homes on Wheels, subject to design standards and the approval of a Minor Conditional Use Permit, for long-term use.

Housing Cooperatives

Housing Cooperatives allow for units to be owned by a corporation controlled by its internal members that reside within the housing units. These members in the corporation have equal access to voting for elections within the corporation, the ability to set policies and procedures, representation within the housing corporation, and the ability to partake in decision-making processes. This corporation then provides housing for its members. Each household owns a share in the corporation, which entitles the member to occupy a unit of housing. These cooperatives can assist people with home ownership where it may not have been possible to afford a home at market rate. Housing Cooperatives can be allowed for single-family and multi-family housing projects.

Housing Cooperatives are not a type of land use but are a type of ownership. Being an ownership model, Housing Cooperatives are allowed through the Zoning Code for single-family and multi-family housing projects. New terms related to Housing Cooperatives are proposed to be added to the Glossary to increase awareness of the various types of innovative housing options that are allowed within the City.

Zoning Code Amendments – Housing Element Program H-38

Housing Element Program H-38 focuses on amending the Zoning Code to meet State Government Code requirements to facilitate the development of housing for all income groups.

Farmworker Housing

The California Government Code provides regulations for Farmworker Housing, which is developed for and/or provided to farmworkers and can consist of a broad range of housing types and configurations. The existing Zoning Code definition for Agricultural Employee Housing is proposed to be updated to reflect Farmworker Housing, and a new section is proposed to provide specific standards. These amendments would allow for three types of Farmworker Housing, as described below:

- **Farmworker Dwelling Unit** – Provided for six or fewer farmworkers, which is treated as a single-family residential use and is allowed wherever a single-family dwelling or single unit is allowed.
- **Farmworker Housing Complex** – A Farmworker Housing Complex can utilize the State law streamlined agricultural use on agricultural land as described in the California Health and Safety Code sections 17008 and 17021.6, to provide no more than 36 beds in group quarters exclusively for farmworkers, or 12 units or less designed for use by a family or household. This would be allowed in RR and R-1 zoning districts.
 - A Farmworker Housing Complex that does not utilize the streamlined Health and Safety Code section is allowable in zoning districts where multi-family housing is allowable and utilizes the General Plan Density or Building Code occupancy for bed count. Use permit requirements vary depending on the zoning district.
- **Seasonal/Temporary Farmworker Housing** – Seasonal and temporary housing for farmworkers which is considered an accessory residential use to the “Crop Production, Horticulture, Orchard, Vineyard” primary land use. This land use is proposed to be permitted with a Temporary Use Permit and can only be permitted if the “Crop Production, Horticulture, Orchard, Vineyard” land use is in operation, which is only allowed in RR and R-1 zoning districts.

Community Care Facility/Health Care Facility

The existing Community Care Facility/Health Care Facility land use provisions in [Section 20-42.060](#) are proposed to be revised and reorganized into two distinct sections to ensure consistency with California Government Code requirements. The revised sections will differentiate facilities based on the provision of medical verses nonmedical care. While both categories involve 24-hour residential care, the degree and nature of medical services provided constitute the primary basis for distinction.

Residential Care Facility

Residential Care Facilities provide 24-hour non-medical care for residents in need of personal services, supervision or assistance. These facilities can provide incidental medical services to residents which include monitoring of health status, treating substance use disorders, and overseeing patient self-administered medications. Examples of these facilities include: Assisted Living Facilities for the Elderly, Alcohol and Other Drug Facilities, and Foster Family Homes.

Three land use categories of Residential Care Facilities are proposed including:

- **Residential Care Facility (Licensed-Small)** - A single-family home, group home, shared living residence, or similar facility licensed by a State agency to provide 24-hour nonmedical care, potentially including incidental medical services, to six (6) or fewer residents. The resident count excludes the licensee, the licensee's family members, and facility staff. This land use is proposed as a permitted use in the City's Residential, Commercial, Industrial and Special Purpose zoning districts.
- **Residential Care Facility (Licensed-Large)** - A single-family home, group home, shared living residence, or similar facility licensed by a State agency to provide 24-hour nonmedical care, potentially including incidental medical services, to seven (7) or more residents. The resident count excludes the licensee, the licensee's family members, and facility staff. This land use is proposed to be allowed with approval of a Minor Conditional Use Permit in the City's Residential, Commercial, Industrial and Special Purpose zoning districts.
- **Residential Care Facility (Unlicensed)**- A single-family dwelling, group home, shared living residence, or similar facility, not required to be licensed by a State agency because no recovery or treatment services are provided. These facilities are operated as a single housekeeping unit or shared living residence. There are no restrictions on the number of residents unless the number of residents causes a threat to public health or safety. This land use is proposed as a permitted use in the City's Residential, Commercial, Industrial and Special Purpose zoning districts. Types of facilities include Recovery Residences or Sober Living Homes. These types of facilities are allowed by-right and covered under the Americans with Disabilities Act (ADA) and the Fair Housing Act (FHA).

Under the proposed amendments, Small Licensed Residential Care Facilities and Unlicensed Residential Care Facilities would remain permitted by right in residential, commercial and industrial zoning districts. Large Licensed Facilities would require approval of a Minor Conditional Use Permit in the aforementioned zoning districts.

Large Licensed Residential Care Facilities would be subject to additional findings and review if proposed within 1,000-feet of an existing Large Licensed Residential Care Facility. However, pursuant to State law, these spacing requirements apply only to specific types of facilities, but not to others. For example, overconcentration spacing requirements do not apply to Assisted Living Facility or Residential Care Facility for the Elderly (RCFE), Alcohol or Other Drug (AOD) Facilities, Foster Family Homes, Temporary Shelter Care Facilities, and

Transitional Shelter Care Facilities. The proposed Code amendments include these exceptions to align with State licensing regulations.

Medical Service – Health Care Facility

A Medical Service - Health Care Facility is a licensed facility, other than a hospital, that provides long-term residential medical care for patients. This category includes nursing homes, intermediate and extended care facilities, hospice homes, and similar facilities as defined in California Health and Safety Code. Accessory services such as laboratories, radiology, pharmacy, and rehabilitation may also be included.

Two land use categories of Medical Service – Health Care Facilities are proposed including:

- **Medical Service – Health Care Facility (Small).** A facility, place, or building other than a hospital, serving six (6) or fewer patients, maintained and operated as a residence for patients and to provide long-term medical care.
- **Medical Service – Health Care Facility (Large).** A facility, place, or building other than a hospital, serving seven (7) or more patients, maintained and operated as a residence for patients and to provide long-term medical care.

The overconcentration buffer was also updated to incorporate State law language on how the 300-foot and 1,000-foot buffers may be applied based on the type of medical care at the facility.

Zoning Code Amendments for Consistency

These proposed amendments were created to reduce barriers for housing and to align with State law.

- Reasonable Accommodation
 - Updates are proposed for the Reasonable Accommodation section to remove barriers that may prohibit the Reasonable Accommodation from being approved, clarify the application process, and to clarify the applicability of Reasonable Accommodation to those that may inherit the property.
- Supportive Housing and Transitional Housing
 - Updates are proposed to align with the requirements in the Government Code for allowable zoning districts and indicates when a Minor Conditional Use Permit and Design Review are required.

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- Low-Barrier Navigation Center
 - This emergency shelter type of land use is being added as required by State law. Low-Barrier Navigation Centers is a type of emergency shelter that focuses largely on providing a case manager to connect residents with services for long term housing and employment.
- Parking Table updates
 - The Parking section table for number of land uses was updated to reflect the various proposed changes in land uses from this project.
- Land Use Tables for Residential, Commercial, Industrial, and Special Purpose
 - The land use tables permit requirements and notations were updated to implement the changes within this project for Zoning Code consistency.
- Temporary Use Permits
 - This section was updated to include Seasonal/Temporary Farmworker Housing.
- Added an Inclusionary Housing Exemption for Tiny Homes on Wheels

Definition Updates

The following glossary terms are proposed to be amended to address how housing can be utilized by multiple unrelated people. These updates are to follow State law and Case law related to Fair Housing within single-family zones and shared residences. The revised definitions are located in Attachment 1.

- Family
- Transitional Housing
- Shared Living Residences
- Group Homes
- Target Populations
- Adult Day Program

Accessory Dwelling Units

Amendments are proposed to the ADU section of the Zoning Code, consistent with State law. Proposed changes include allowing ADUs to be located on properties listed on the historic register, and clarifying certain sections of the Zoning Code, such as the number of allowable units. The clarification will help

with implementation of Housing Element program H-5, which aims at clarifying and easing access to ADUs for homeowners.

The Governor recently signed three legislative bills for ADUs, which are also proposed to be incorporated with this project. These include the following:

- AB 462 provides the City with the ability, during a State of Emergency issued by the Governor, to allow ADUs to be granted a certificate of occupancy even if the primary dwelling has not received a certificate of occupancy. This process was used by the City of Santa Rosa after the 2017 and 2020 wildfires, and is now established statewide.
- SB 543 updates how the City can calculate the square footage of an ADU and JADU. The City calculates these measurements similarly already, but small amendments were made to fully incorporate the bill. This bill also introduced a 15-day timeline for the City to indicate whether an application is deemed complete. This bill also introduces an appeal process for both application completeness and the denial of a permit for an ADU.
- AB 1154 removes the owner-occupancy requirement for JADUs if the JADU has its own bathroom. This owner-occupancy requirement still applies if the JADU is sharing a bathroom with the primary residence.

Fee Exemptions

State law prohibits local agencies from charging development impact fees, including housing, park, and capital facilities fees, on ADUs smaller than 750 square feet, as required by Government Code §§ 65852.2(f)(3) and 66310 et seq. ADUs under this size threshold are also exempt from most water and wastewater connection fees.

Because Tiny Homes on Wheels are limited to 400 square feet and meet the statutory definition of an ADU, “a detached or attached residential dwelling unit that provides complete independent living facilities... including permanent provisions for living, sleeping, eating, cooking, and sanitation” located on the same parcel as a primary dwelling, they qualify as ADUs for purposes of fee assessment.

Accordingly, development impact fees (including housing, park, and capital facilities fees) and standard connection fees may not be imposed on Tiny Homes on Wheels. As a result, these fee exemptions will be incorporated into the City’s Fee Schedule (dated January 6, 2026, as may be amended) to ensure consistency with State law.

2. Zoning Code Amendment Findings

The [Zoning Code](#) implements the goals and policies of the General Plan by

classifying and regulating the use of land and structure development within the City.

The following findings are required for approval of a Zoning Code Text Amendment:

- The proposed amendment is consistent with the goals and policies of all elements of the General Plan, and any applicable specific plan;
- The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City; and
- The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).
- The proposed amendment is internally consistent with other applicable provisions of this Zoning Code.

Staff analysis, along with the required findings, are included in the Resolution attached to this Staff Report.

3. Summary of Public Comments

No public comments have been received at this time.

FISCAL IMPACT

Approval of this action does not have a fiscal impact on the General Fund.

ENVIRONMENTAL IMPACT

The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

- The proposed amendments are consistent with the Housing Element and any potential environmental impacts were analyzed in the Addendum of the City of Santa Rosa General Plan 2035 EIR for the 2023-20231 Housing Element, certified by Council February 2023, and no further review is required.
- The proposed amendments are statutorily exempt from CEQA pursuant to CEQA Guidelines section 15183 in that the amendments are consistent with the 2050 General Plan, for which an EIR was certified by Council on June 3, 2025, and do not involve any peculiar site-specific impacts or new significant environmental impacts beyond those analyzed in the General Plan 2050 EIR.
- Accessory Dwelling Unit amendments are statutorily exempt from CEQA pursuant to CEQA Guidelines Section 15282(h), which exempts the adoption of an ordinance regarding second units in a single-family or multifamily residential

zone by a city or county to implement the provisions the Government Code. In addition, Government Code Section 66333 exempts the adoption of an ordinance to provide for the creation of Junior Accessory Dwelling Units.

- The proposed amendments are exempt from CEQA per CEQA Guidelines Section 15061(b)(3) in that the amendments do not have the potential to cause a significant effect on the environment. The proposed amendments are necessary to conform the Code to State law and the City's Housing Element, and any conceivable impact of the proposed amendments would be speculative in the absence of specific development proposals. Any future applications for a project will be reviewed for CEQA compliance.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

On January 8, 2026, the Planning Commission held a public hearing to consider the proposed Municipal and Zoning Code Text Amendments for Housing Element Implementation. Commissioners did not request any changes to the proposed amendments and voted 6-0 (with one Commissioner absent) to adopt the resolution recommending Council approval of the Municipal Code and Zoning Code Text Amendments.

NOTIFICATION

Pursuant to Zoning Code Section 20-66.020(D), Alternative to Mailing, if the number of property owners to whom notice would be mailed would exceed 1,000, the City may, as an alternative to mailing and on-site posting, provide notice by placing an advertisement of one-eighth page in at least one newspaper of general circulation 10 days prior to the hearing. Therefore, a one-eighth page advertisement was placed in the Press Democrat to meet Zoning Code and California Government Code Requirements.

Pursuant to Government Code Section 65091, where necessary, the City has incorporated notice procedures to the blind, aged, and disabled communities. These procedures include audio amplifier/assistive listening device support at public meetings, closed captioning, and optical character recognition conversion of electronic notices.

LEVINE ACT

This project is exempt from the Levine Act (Gov. Code Section 84308) which prohibits city officials from participating in certain decisions regarding licenses, permits, and other entitlements for use if the official has received a campaign contribution of more than \$500 from a party, participant, or agent of a party or participant in the previous 12 months. The Levine Act is intended to prevent financial influence on decisions that affect specific, identifiable persons or participants For more information see the FPPC website: www.fppc.ca.gov/learn/pay-to-play-limits-and-prohibitions.html

ATTACHMENTS

- Attachment 1 – Proposed Text Amendment Redline
- Attachment 2 – Planning Commission Resolution No. PC RES-2026-001
- Ordinance
- Resolution

PRESENTER(S)

Christian Candelaria, City Planner