

Public Law Update – SB 1395 Facilitates the Construction of Tiny Homes for Unhoused Persons

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Senate Bill 1395 ("SB 1395"), also known as the Interim Housing Act, was signed into law by Governor Newsom on September 19, 2024. SB 1395 adds and amends various sections of the Government Code, the Public Resources Code, and the Welfare and Institutions Code with regard to the construction of tiny homes for unhoused persons and went into effect on January 1, 2025.

The stated goal of SB 1395 is to facilitate the construction of interim supportive housing communities for unhoused persons. SB 1395 clarifies that "non-congregate and relocatable," single-room housing (i.e. tiny homes) are within the definition of "Low Barrier Navigation Center," and are therefore eligible for streamlined approvals under the Shelter Crisis Act (Gov. Code, § 8698.4) and law authorizing the streamlined, ministerial (by-right) approval process for Low Barrier Navigation Centers (Gov. Code, § 65660). SB 1395 extends the sunset of the Shelter Crisis Act by ten years, until January 1, 2036.

SB 1395 also expands the CEQA exemption for traditional homeless shelters to such developments, and adds a new CEQA statutory exemption (Pub. Resources Code § 21080.27.5) for specified actions taken by a local agency relating to low barrier navigation centers, including leasing land, providing financial assistance, entering into contracts, and construction and operation.

Burke, Williams & Sorensen, LLP regularly advises clients on legal matters relating to land use, zoning, and planning issues, including CEQA.

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