# Staff Report

Meeting Date: May 21, 2024

To: Siskiyou County Board of Supervisors

From: Rick Dean, Community Development Director

Subject: Senate Bill 620 (Low-Impact Camping Areas)

## Background

Under current law campgrounds and RV parks with at least two (2) campsites that are held out for rent or lease are regulated by the Department of Housing and Community Development (HCD). The California Senate is now contemplating passage of Senate Bill 620 which would create the right to operate a campground, with up to nine (9) individual campsites, on private property subject to County oversight. These new campgrounds would be known as “Low-impact camping areas”, which are defined as areas on private property that provide recreational temporary sleeping accommodations. The term temporary sleeping accommodation includes, but is not limited to, a tent, yurt, or recreational vehicle. As a result, the proposed law would allow for more types of structures to be used as sleeping accommodations.

**Low-Impact Camping Area Requirements**
In order to qualify as a Low-impact camping area, the campground must meet the following requirements:

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| Occupancy | The occupancy must not exceed 14 consecutive nights per camper and 28 nights per calendar year per camper. |
| Number of Sites | The campground may not include more than nine (9) sleeping accommodations. |
| Temporary in Nature | The campground cannot be rented out for permanent human occupancy.  |
| Parking | The campground cannot allow for on-street parking. |
| Fire Safety | The campground must comply with state and local fire safety requirements. |
| Tax Requirements | The campground must comply with state and local tax requirements, including but not limited to local transient occupancy taxes. |
| Human Waste Disposal | The campground must comply with local requirements for disposal of human waste. In the absence of local requirements, the campground must maintain sanitation facilities that are fully self-contained or connected to a permitted sewage disposal system serving the property. |
| Trash Disposal | The campground must comply with local requirements for disposal of trash. In the absence of local requirements, the campground must provide for the removal of solid waste from the premises after each occupancy and onsite animal-protection trash receptacles. |
| Quiet Hours | The campground must comply with local requirements for quiet hours. In the absence of local requirements, the campground must enforce quiet hours from 10 p.m. to 6 a.m. |
| Local Regulation | The campground must comply with all local requirements related to campgrounds and camping, including but not limited to, local zoning, permit, lot size, and setback requirements. |
| 24-Hour Property Manager | The campground must have a designated property manager who is available by phone 24 hours a day, seven days a week. |
| Restriction on Campground Location | The campground cannot be located in urbanized areas or urbanized clusters as designated by the Census Bureau or on a site in which at least 75 percent of the perimeter of the site adjoins parcels that are developed with urban uses. |

The Siskiyou County Code currently permits RV Parks and campgrounds in the (C-H) Highway Commercial zoning district. RV parks are permitted in the (Res-3) and (Res-4) Residential zoning districts and the (F) Flood Plain Combining district. Written prior to Senate Bill 620, the Siskiyou County Code does not take Low-impact camping areas into consideration.

If the County does not adopt requirements to regulate Low-impact camping areas, the County will still be required to enforce minimum standards for human waste disposal, trash disposal, and quiet hours. The State will not provide reimbursement for enforcement costs. Adopting local requirements, including but not limited to, zoning, permit, lot size, density, and setback requirements will allow the County to better regulate Low-impact camping areas, while also providing new economic opportunities to private property owners.

## Request for Direction

Staff seeks direction from the Board on whether staff should undertake creation of a Low-impact camping area ordinance for Board approval.

## Attachments

1. Draft Senate Bill 620.

# **ATTACHMENT A: SENATE BILL SB620 (Draft)**

 **SECTION 1.**

 Section 18862.43 of the Health and Safety Code is amended to read:

**18862.43.**

 “Special occupancy park” means a recreational vehicle park, temporary recreational vehicle park, incidental camping area, or tent camp. “Special occupancy park” does not include a low-impact camping area, as defined in Section 18890.

**SEC. 2.**

 Part 2.3.5 (commencing with Section 18890) is added to Division 13 of the Health and Safety Code, to read:

**PART 2.3.5. LOW-IMPACT CAMPING**

**18890.**

 (a) “Low-impact camping area” means any area of private property that provides for the transient occupancy rental of a temporary sleeping accommodation for recreational purposes that is not a commercial lodging facility and meets all of the following requirements:

(1) Provides for the transient occupancy rental of a temporary sleeping accommodation, not exceeding 14 consecutive nights per camper and not exceeding 28 nights per calendar year per camper.

(2) Includes no more than nine temporary sleeping accommodations.

(3) Does not include a temporary sleeping accommodation that is rented out for permanent human occupancy.

(4) Does not allow for onstreet parking.

(5) Complies with applicable state and local fire safety requirements.

(6) Complies with applicable state and local tax requirements, including, but not limited to, the payment of local transient occupancy taxes.

(7) Complies with applicable local requirements for disposal of human waste, or in the absence of applicable local requirements, maintains sanitation facilities that are fully self-contained or connected to a permitted sewage disposal system serving the property.

(8) Complies with applicable local requirements for disposal of trash, or in the absence of applicable local requirements, requires all solid waste to be removed from the premises after each occupancy and onsite trash receptacles to abide by applicable animal-protection trash best practices or requirements.

(9) Complies with applicable local requirements for quiet hours, or in the absence of applicable local requirements, enforces quiet hours from 10 p.m. to 6 a.m.

(10) Complies with applicable local requirements relating to low-impact campsites, low-incident camping, or incidental~~camping.~~*camping, including, but not limited to, local zoning, permit, lot size, and setback requirements.*

(11) Designates an operator or property manager who is available by phone 24 hours a day, seven days a week.

~~(12)Is not located within a single-family residential zone.~~

~~(13)~~

*(12)* Is not located on a site that meets both of the following:

(A) A site that is a legal parcel or parcels located in a city if, and only if, the city boundaries include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau, or, for unincorporated areas, a legal parcel or parcels wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.

(B) A site in which at least 75 percent of the perimeter of the site adjoins parcels that are developed with urban uses. For purposes of this paragraph, parcels that are separated only by a street or highway shall be considered to be adjoined.

~~(14)~~

*(13)* Has not been used as a special occupancy park for the last five years unless both of the following are true:

(A) The area was a special occupancy park before January 1, 2024.

(B) The area met the requirements of this subdivision on January 1, 2023.

(b) For purposes of this section, the following definitions apply:

(1) “Commercial lodging facility” has the same meaning as the term “hotel” is defined in subdivision (a) of Section 1865 of the Civil Code.

(2) “Recreational vehicle” has the same meaning as that term is defined in Section 18010.

(3) “Temporary sleeping accommodation” includes, but is not limited to, a tent, yurt, or recreational vehicle.

(c) This section does not authorize an individual to access private property without the permission of the landowner.

**18891.**

 In the absence of applicable local requirements, the county in which the low-impact camping area is located~~may~~*shall* enforce the minimum requirements described in paragraphs (7) to (9), inclusive, of subdivision (a) of Section 18890.

***SEC. 3.***

*No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.*