

- 5) Defines “tent” as any enclosed structure or shelter fabricated entirely or in major part of cloth, canvas, or similar material supported by a frame.
- 6) Establishes requirements for the construction, maintenance, occupancy, use, and design of special occupancy parks and creates the Special Occupancy Parks Revolving Fund through SOPA.
- 7) Gives the Department of Housing and Community Development (HCD) authority over mobilehome, special occupancy, and recreational vehicle parks.

This bill:

- 1) Defines “commercial lodging facility” as any hotel, motel, bed and breakfast inn, or other similar transient lodging establishment, but it shall not include any residential hotel.
- 2) Defines “recreational vehicle” as a motor home, travel trailer, truck camper, or camping trailer, with or without motive power, designed for human habitation for recreational, emergency, or other occupancy that meets specific criteria.
- 3) Defines “low-impact camping area” as 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:
 - a) Provides for the transient occupancy rental of a temporary sleeping accommodation, not exceeding 29 consecutive nights per camper and not exceeding 29 nights per calendar year per camper.
 - b) Includes no more than nine temporary sleeping accommodations.
 - c) Does not include a temporary sleeping accommodations.
 - d) Does not allow for on-street parking.
 - e) Complies with applicable state and local fire safety requirements.
 - f) Complies with applicable state and local tax requirements, including, but not limited to, the payment of local transient occupancy taxes.
 - g) 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.
 - h) Complies with applicable local requirements for disposal of trash, or in the absence, 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.

- i) Complies with applicable local requirements for quiet hours, or in the absence, enforces quiet hours from 10 p.m. to 6 a.m.
 - j) Complies with applicable local requirements relating to low-impact campsites, low-incident camping, or incidental camping.
 - k) Not located within a single-family residential zone.
 - l) Designates an operator or property manager who is available by phone 24 hours a day, seven days a week.
 - m) Has not been used as a special occupancy park within the past five years.
- 4) Clarifies that this bill does not authorize an individual to access private property without the permission of the landowner.
- 5) Authorizes counties to enforce minimum health and safety requirements in the absence of applicable local requirements.

COMMENTS:

- 1) *Author's statement.* "California's outdoor recreation economy is one of the state's largest economic drivers - worth an estimated \$54 billion. Camping and hiking are top tiers within that economy and in too many cases, the expense associated with camping is out of reach financially for everyday Californians.

SB 620 will usher in greater and more affordable access to the outdoors and expanded camping opportunities. The bill will also establish a needed framework, guardrails and regulations for new low impact camping including important health and safety regulations. The bill will also empower local governments to manage and oversee new low impact camping sites, and it will open up new economic opportunities for some of the most economically disadvantaged rural communities."

- 2) *Special Occupancy Parks Act.* HCD has authority over mobilehome and special occupancy parks. Both mobilehome parks and RV parks must meet minimum health and safety standards and are subject to regular inspections. California has a number of state laws covering recreational vehicle parks including requirements outlined in SOPA. RV parks are required to comply with legally distinct requirements related to permitting, operator responsibilities, and fees. Some of these requirements include:
- a) Toilet, shower, and lavatory provisions;
 - b) Domestic animal limitations;
 - c) Lighting installations; and
 - d) Lot line registrations.

- 3) *Low-impact camping areas.* This bill defines low-impact camping areas as any area of private property that provides for the transient occupancy rental of a temporary sleeping accommodation for recreational purposes that meets specified criteria. Low-impact camping areas are small-scale (9 or less sites), short-term (29 days or less), recreational, private campgrounds—typically imagined as open areas on private, rural farmland that can support a handful of tents, RVs, or other recreational camping setups.

These small, private camping areas would currently be regulated as special occupancy parks under existing law. For these small-scale recreational campsite operators, some of the minimum requirements under SOPA may be cost-prohibitive and unnecessary. By exempting low-impact camping areas from SOPA, this bill removes these minimum requirements for these smaller camping facilities. This may provide an opportunity to increase affordable access to the outdoors, help develop rural economies, and diversify and supplement incomes for rural landowners.

- 4) *Who's the boss?* Local agencies may assume special occupancy park authority in place of HCD. In order to do that, local enforcement agencies or a local building or health department, must satisfy certain criteria, pursuant to existing law, including:
- a) Providing prompt and effective recovery assistance or services during or immediately following a disaster;
 - b) Authorization from a local governing body that has jurisdiction over the local building or health department;
 - c) Possessing the knowledge and expertise to administer the inspection responsibilities.

HCD can limit local enforcement authority to specific areas or parks, and the local enforcement agency can charge fees or get reimbursed by HCD. HCD must also post a description and send annual electronic notices that explain the process local agencies assuming enforcement authority. A significant number of local agencies representing districts with special occupancy parks gave back enforcement authority to HCD citing lack of capacity and/or other limitations after receiving these notices. By exempting low-impact camping sites from SOPA, this bill removes low-impact camping sites from HCD jurisdiction.

Considering the existing limited capacity of local agencies, moving forward, the author may wish to consider adding provisions to increase enforcement capacity of local agencies or returning authority to HCD.

- 5) *Location, location, location.* According to the 2017 Manufactured Housing Opportunity Profile: Data Snapshot, there are nearly 520,000 mobilehomes and manufactured homes in California, which accounts for nearly 4% of the total housing stock in the state.¹ Nearly half of mobilehomes and manufactured homes are affordable to very-low income households, compared to just 18% of the state's overall housing stock. Mobilehomes and manufactured homes are a significant source of affordable housing in a state with a desperate need for housing affordable in this affordability range.

To discourage conversion of these mobilehome parks into short-term rentals that would remove naturally-occurring affordable housing stock from the market, this bill limits low-impact camping areas to sites not used as a special occupancy park for the previous five years. However, by merely requiring low-impact camping areas not be located in single-family residential zones, certain infill sites may still be disincentivized from developing new long-term housing units essential to the state's housing crisis response and, depending on local zoning ordinances, certain single-family parcels in rural areas might be excluded that would have benefit from this bill. The author has expressed their intent to focus low-impact camping in more rural areas. *The committee may wish to consider revising the single-family residential zoning provision to instead restrict low-impact camping to rural areas.*

RELATED LEGISLATION:

SB 1307 (Rubio, Chapter 669, Statutes of 2022) – required HCD to post an explanation of the process for a city, county, or city and county to assume the enforcement responsibilities pursuant to the Special Occupancy Parks Act. It also made other changes to permitting and enforcement timelines.

SB 325 (O'Connell, Chapter 434, Statutes of 2001) – established the Special Occupancy Parks Act under the jurisdiction and enforcement of HCD and local enforcement agencies.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

POSITIONS: (Communicated to the committee before noon on Wednesday, April 12, 2023.)

¹ Prosperity Now. California Manufactured Housing Data Snapshot. 2017.
https://prosperitynow.org/sites/default/files/resources/California_Metro%20Opportunity%20Data%20Snapshot_December2017_0.pdf

SUPPORT:

California Certified Organic Farmers
California Mountain Biking Coalition
California Outdoor Recreation Partnership
California State Association of Counties (CSAC)
Community Alliance With Family Farmers
El Dorado County Chamber of Commerce
El Dorado County Farm Bureau
El Dorado County Farm Trails
Glamping Hub
HipCamp
Latino Outdoors
Little Kamper, LP
Marmot
Outdoor Afro
Outdoor Industry Association (OIA)
REI
Rural County Representatives of California (RCRC)
Save the Redwoods League
Toad & Co.
Top Rope Media
Xerces Society for Invertebrate
8 Individuals

OPPOSITION:

None received.

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