SUMMARY:

This bill excludes “low-impact camping areas,” as defined, from the definition of a special occupancy park (SOP), licensed and regulated by the Department of Housing and Community Development (HCD).

Specifically, this bill:

1) Excludes a “low-impact camping area” from the definition of a SOP, thereby exempting this designation of transit occupancy rental site from the requirements of the Special Occupancy Parks Act (SOPA).

2) Defines “low-impact camping area” to mean 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 rental of a temporary sleeping accommodation, not exceeding 14 consecutive nights per camper and 28 nights per calendar year per camper, has no more than nine temporary sleeping accommodations, does not include a temporary sleeping accommodation that is rented out for permanent human occupancy, and prohibits onstreet parking.

   b) Complies with applicable state and local fire safety requirements and state and local tax requirements, including the payment of local transient occupancy taxes.

   c) Complies with applicable local requirements for disposal of human waste, 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.

   d) Complies with applicable local requirements for quiet hours, or in the absence, enforces quiet hours from 10pm to 6am.

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

   f) Is not located in an urbanized area or cluster, as defined, and meets other specified criteria.
3) Defines “temporary sleeping accommodation” to include, but not be limited to, a tent, yurt, or recreational vehicle.

4) Specifies the bill’s provisions do not authorize an individual to access private property without the permission of the landowner.

5) Requires the county in which the low-impact camping area is located to enforce the minimum requirements specified above regarding the disposal of human waste and trash, and the enforcement of quiet hours, in the absence of applicable local requirements.

FISCAL EFFECT:

1) HCD estimates ongoing General Fund costs of approximately $1.14 million annually for six staff positions to handle additional workload, including (a) an increase in requests for technical assistance from local jurisdictions to determine whether the estimated 1,530 existing sites and potential new sites are permitted by HCD or are exempt “low-impact camping areas,” (b) an increase in Mobilehome Assistance Center complaints, (c) an increase in requests for health and safety inspections, and (d) notification to local jurisdictions of their responsibilities. Requests for technical assistance would likely decline over several years.

2) Local costs to each county of an unknown, but potentially significant, amount to enforce the requirements relating to waste disposal and quiet hours within low-impact camping areas. These costs will vary depending on the absence of local requirements and the number of these camping areas within the county. These costs are likely not reimbursable by the state because local agencies have general authority to levy fees or service charges sufficient to cover the costs of the services mandated by this bill.

COMMENTS:

1) Purpose. According to the author:

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. [This bill] will usher in greater and more affordable access to the outdoors and expanded camping opportunities.

2) Background. Existing law, the Mobilehome Parks Act (MPA) and SOPA, specify requirements for the construction, maintenance, occupancy, use, and design of mobilehome parks and SOPs, such as RV parks. An SOP is any area of land or property that has at least two recreational vehicles, tents, camping cabins, or lots that are held out for rent or lease. HCD is responsible for developing regulations and enforcing statutory requirements to ensure the health and safety of residents of these occupancies. Enforcement actions include necessary inspections, permit issuance, and complaint response activities.

With HCD’s approval, a city or county can assume enforcement responsibilities of the MPA and SOPA, as well as related regulations, within its jurisdiction. Existing law authorizes a local enforcement authority to relinquish the responsibility for parks in its jurisdiction, and
also specifies a process for HCD to cancel a local entity’s enforcement responsibilities if it is not effectively conducting its responsibilities. The processes for assuming, relinquishing, and cancelling local enforcement authority are specified in regulations.

By exempting low-impact camping sites from SOPA, this bill removes low-impact camping sites from HCD jurisdiction, essentially relinquishing these sites to local oversight.

3) **Prior Legislation.** SB 1307 (Rubio), Chapter 669, Statutes of 2022, included provisions requiring HCD to post an explanation of the process for a city or county to assume the enforcement responsibilities pursuant to the MPA and SOPA, among other changes.

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