

### 13.10.695 Low-impact camping areas (“LICAs”)

#### LOW-IMPACT CAMPING ORDINANCE

<b><u>Low-impact camping area Permit Requirements</u></b>	
<b>KEY:</b> A = Use must be ancillary and incidental to a principal permitted use on the site P = Permitted by right: Use is allowed without a use permit ZC = Zoning Clearance: Ministerial review for conformance with Zoning Ordinance, no use permit required MUP = Minor Use Permit: Discretionary permit, no public notice	
<u>Zone Districts where low-impact camping areas are allowed (effective outside USL/RSL)</u>	<u>Approval Level</u>
<u>Commercial Agriculture (CA)</u>	ZC <sup>A</sup>
<u>Agriculture (A)</u>	ZC <sup>A</sup>
<u>Residential Agricultural (RA)</u>	ZC <sup>A</sup>
<u>Parks, Recreation and Open Space (PR)</u>	ZC
<u>Public and Community Facilities (PF)</u>	ZC
<u>Timber Production (TP)</u>	ZC <sup>A</sup>
<u>Special Use (SU)</u>	ZC

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- (A) Purpose. The purpose of this section is to establish definitions, provide for ministerial approval, and regulate recreational overnight camping of a less intensive nature in rural areas of the County. Low-impact camping areas will provide for more public access to open space and will generally have less need for infrastructure, generate less traffic, and have less on-site development than organized camps (SCCC 13.10.692) and other Type B visitor accommodations (see SCCC 13.10.689).
- (B) Applicability. This section applies to ministerial approval of low-impact camping areas proposed in the Commercial Agriculture (CA); Agriculture (A); Residential Agricultural (RA); Parks, Recreation, and Open Space (PR); Public and Community facilities (PF); Timber Production (TP); and Special Use (SU) zone districts. For camping in other zone districts or other types of commercial visitor accommodations, see SCCC 13.10.689.
- (C) Definitions.
- (1) “Campsite” means a single camping space within a low-impact camping area used by up to four overnight guests for short-term outdoor sleeping accommodations, and typically includes space for tents, recreational vehicles (as defined), yurts, domes, or other non-permanent structures intended for overnight recreational purposes.
  - (2) “Low-impact camping area” means an area of property or premises where nine or

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fewer campsites are rented out for short-term overnight recreational camping purposes (less than 30 days per year and no more than 14 consecutive days at a time).

- (3) “Premises” means one legal parcel or multiple contiguous parcels with the same landowner(s).

#### **(D) Low-Impact Camping Area Permit.**

- (1) Low-impact camping area (LICA) permits are processed as a ministerial permit and are not subject to regulations that apply to discretionary permits in the rural area, including the Rural Density Matrix per SCCC Chapter 13.14, Organized Camps and Conference Centers per SCCC 13.10.692, or Commercial Visitor Accommodations per SCCC 13.10.689.
- (2) Transient occupancy tax (TOT) registration shall be required for each low-impact camping area.
- (3) Approval of a LICA permit does not legalize any non-permitted use or structure or determine buildability of a lot.
- (4) LICA permits are issued to property owners for a specific property and are not transferable between owners or properties.
- (5) LICA permits are subject to revocation as provided for in SCCC 18.10.136, and subject to the violation provisions of subsection (J) of this section.
- (6) Applicants for a new LICA permit shall provide the following to the Planning Division of the Community Development and Infrastructure Department:
  - (a) Completed application form.
  - (b) Nonrefundable application fee as established by the Board of Supervisors.
  - (c) Site plan showing property location and parcel size; location of all property boundary lines, existing buildings, and nearby major roadways; location of proposed campsites and on-site parking spaces; access to campsites; and location of water, sewage, and solid waste facilities, as applicable.
  - (d) Completed Environmental Health Building Clearance Form certifying that the proposed project meets the regulations and requirements of the Environmental Health Division of the County Health Services Agency.
  - (e) Copy of County of Santa Cruz TOT certificate number, or proof of registry with a verified online platform that will collect and remit TOT on behalf of applicant.

#### **(E) Site Requirements.**

- (1) Location. Low-impact camping areas are allowed on properties located:
  - (a) outside of the Urban and Rural Service Lines; and
  - (b) within the one of the following zone districts: Commercial Agriculture (CA); Agriculture (A); Residential Agricultural (RA); Parks, Recreation, and Open Space (PR); Public and Community facilities (PF); Timber Production (TP); or Special Use (SU) zone districts.
- (2) Parcel Size. The parcel size shall be a minimum of five acres.
- (3) Agricultural Activity. For agricultural zone districts, low-impact camping areas shall be ancillary to a principal agricultural use on the property and shall not displace any active agricultural uses.

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- (4) Within Coastal Zone. Low-impact camping areas in the Coastal Zone shall be required to obtain a coastal development permit pursuant to the provisions of SCCC Chapter 13.20.
- (F) Operating and Development Standards. All low-impact camping areas shall comply with the following standards for their operations:
  - (1) LICA Permit. Prior to operating a low-impact camping area, a ministerial LICA permit shall be obtained pursuant to this section.
  - (2) Maximum Per Premises. A maximum of one low-impact camping area is allowed per premises.
  - (3) Density. A maximum of nine campsites are allowed for each low-impact camping area.
  - (4) Maximum Occupancy.
    - (a) Per Campsite. Each campsite in a low-impact camping area is allowed a maximum of four overnight guests with one of the following types of overnight sleeping accommodations:
      - (i) one or more tents;
      - (ii) one recreational vehicle as defined in 13.10.700-R, maximum 30 feet in length (includes Class B and C motorhomes, van campers and conversions, and truck campers);
      - (iii) one recreational travel trailer as defined in 13.10.700-R, maximum 25 feet in length (includes fifth-wheels and folding camping trailers); or
      - (iv) one soft-sided, semi-permanent structure including but not limited to canvas tents, yurts, and domes.
    - (b) Per Year. All low-impact camping areas shall be managed for short-term occupancy with occupancy limited to not more than 14 consecutive days and limited to 29 days maximum in any one calendar year by an individual or group of overnight guests.
    - (c) Water Service. For low-impact camping areas that provide potable water, the maximum occupancy is required to be below an average of 25 individuals daily for more than 60 days out of the year or otherwise below the threshold of a state small water system as defined in SCCC 7.71.025.
  - (5) Setbacks. Campsites within low-impact camping areas shall be located no closer than 50 feet from any property line, riparian corridor, mapped sensitive habitat, or coastal bluff and must be located 200 feet from any off-site residence.
  - (6) Clustering. Campsites in a low-impact camping area shall be clustered to fully minimize potential impacts. As feasible, low-impact camping areas should be located near existing structures and designed to achieve the following:
    - (a) to remove as little land as possible from potential agricultural production;
    - (b) to retain natural resources;
    - (c) to reduce environmental impacts;
    - (d) to reduce the need for improvements; and
    - (e) to preserve the rural character of the land
  - (7) Improvements. Any low-impact camping area project that includes grading, development or expansion of roadways, driveways, utilities, or structures that requires a building permit or encroachment permit, shall meet all California Building

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Code, Fire Code, and County Design Criteria requirements, as applicable. No low-impact camping permit shall take effect prior to issuance of required building or encroachment permit(s).

- (8) Fire Protection. The low-impact camping area shall conform to all requirements of the appropriate fire district, state law, and County Fire Code per SCCC Chapter 7.92, including the following:
  - (a) Access road standards;
  - (b) Fire pits and cooking area clearing buffers; and
  - (c) Onsite water availability, minimum 10,000 gallons.
- (9) Solid Waste Disposal. Centralized refuse collection and storage areas shall be provided in all low-impact camping areas. All outdoor centralized refuse storage and collection areas shall be designed to screen trash and garbage receptacles from public view and containers shall be covered.
- (10) Sanitation. Unless the low-impact camping area operator specifies that only self-contained recreational vehicles or travel trailers providing their own human waste disposal systems are permitted within the low-impact camping area, sanitation facilities shall be provided that are fully self-contained, such as portable toilets, or connected to a permitted sewage disposal system that meets all regulations and requirements of the Environmental Health Division of the County Health Services Agency.
- (11) Neighborhood Impacts. No activities that produce dust, odor, or vibration detrimental to occupants of adjoining properties are allowed within the low-impact camping area.
- (12) Noise. All low-impact camping areas shall comply with the standards of SCCC Chapter 8.30, Noise.
- (13) Parking. A minimum of one off-street parking space for each campsite in the low-impact camping area is required to mitigate neighborhood parking impacts. No on-street parking shall be allowed.
- (14) Pets. Pets are prohibited in low-impact camping areas adjacent to food crops. In all other areas, if allowed by the owner, pets shall be secured on the property and on leash at all times. Continual nuisance barking by unattended pets is prohibited.
- (15) Events Prohibited. No weddings, outdoor parties, or similar activities are authorized under a LICA permit.
- (16) LICA Rules. LICA rules shall be made available to all guests. The LICA rules shall include, but not necessarily be limited to, the following: number of guests allowed, noise limits, rules for pets, location of campsites, prohibition on events and outdoor parties, no illegal behavior or disturbances including an explicit statement that fireworks are illegal in Santa Cruz County, directions for trash management (e.g., trash to be kept in covered containers only), and emergency evacuation instructions.
- (17) Local Property Manager. Low-impact camping areas shall have a designated operator or property manager who is available by phone 24 hours a day, seven days a week when sites are occupied.
  - (a) All low-impact camping areas shall designate a local property manager, who is located within 15 miles driving distance of the location. The local property manager shall be available 24 hours a day to respond to camper and neighborhood questions or concerns. A property owner who lives within 30

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miles of the low-impact camping areas may designate themselves as the local property manager. Failure to respond within 60 minutes of being contacted, as verified by County Code Compliance staff or the County Sheriff, shall constitute a significant violation and may lead to revocation of the permit in accordance with SCCC 18.10.136.

- (i) The applicant shall mail, deliver, or otherwise provide the name, address, telephone number(s) of the local property manager, and the beginning and expiration dates of the LICA permit, to the Planning Division, the local Sheriff substation, the Auditor-Controller-Treasurer Tax Collector, the main County Sheriff's Office, and the local fire agency, as well as to the property owners of all properties located within a 300-foot radius of the boundaries of the parcel on which the low-impact camping area is located. Proof of mailing or delivery of the contact information to all of the above shall be submitted to the Planning Division within 30 days of permit approval, amendment, or renewal. The name, address and telephone number(s) of the local property manager shall be permanently posted at the low-impact camping area in a prominent location. Any change in the local property manager's address or telephone number shall be promptly furnished to the agencies and neighboring property owners as specified in this subsection.

- (18) Advertising. All advertising for low-impact camping areas shall include the LICA permit number in the first two lines of the advertisement text, and where photos are included, a photo containing the permit number shall be included, as well as a photo of the required signage that includes the 24-hour contact information for the designated operator or property manager. Advertising a low-impact camping area for a property without a LICA permit is a violation of this chapter and violators are subject to the penalties set forth in SCCC Chapter 19.01.

- (G) Transient Occupancy Tax. Each low-impact camping area shall meet the regulations and standards set forth in Chapter 4.24 SCCC, and as administered by the County Auditor-Controller-Treasurer Tax Collector including any required payment of transient occupancy tax.

- (H) Transfer of Property with LICA Permit. When any property transfer triggers reassessment pursuant to the California Revenue and Taxation Code Section 60 et seq. as determined by the Assessor, the LICA permit associated with the property shall expire and shall become nonrenewable at the time of property transfer.

- (I) Renewal of LICA Permits. All LICA permits must be renewed initially one year from the date of permit issuance and subsequently every three years. An application to renew a LICA permit shall be submitted no sooner than 180 days before the expiration date of the existing permit, and no later than the date of expiration of that permit. Upon receipt of a complete application, the expiration of the existing permit shall be stayed until final action is taken on the renewal application.

- (1) Processing of renewal applications includes a review of any issued or pending building permits or other permits and review of all pertinent information specific to complaints, if any, that have been received about the subject low-impact camping area. Any

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County Code violation or violations of the provisions of this section, such as mis-advertising, citations for violation of SCCC Chapter 8.30 (Noise), failure of the local property manager to timely respond to complaints, and/or other violations listed in subsection J, are all grounds for denial.

(J) Violation. It is unlawful for any person to use or allow the use of property in violation of the provisions of this section. The penalties for violation of this section are set forth in SCCC Chapter 19.01, Enforcement of Land Use Regulations.

- (1) A violation of any of the requirements to obtain a LICA permit may be grounds for denial of a new low-impact camping permit application. Further, violations of low-impact camping regulations, or of any other provisions of the Santa Cruz County Code, may be grounds for denial of a renewal application or revocation of an existing LICA permit after consideration at a public hearing by the Zoning Administrator (or by the Planning Commission upon referral).
- (2) If more than two significant violations occur on a low-impact camping property within a 12-month period, a public hearing shall be required by the Zoning Administrator to consider permit revocation. “Significant violations” include the following:
  - (a) citations for violation of SCCC Chapter 8.30, Noise;
  - (b) violation of any specific conditions of approval associated with the permit;
  - (c) mis-advertising the capacity and limitations applicable to the low-impact camping area;
  - (d) written warnings, or other documentation filed by law enforcement;
  - (e) violations of State or County health regulations;
  - (f) non-compliance with a public health order or emergency regulation issued by State or local authorities which may limit use and occupancy of low-impact camping areas;
  - (g) delinquency in payment of TOT, fines, or penalties;
  - (h) non-responsive property management, including failure by the owner or local property manager (as defined in SCCC 13.10.695(D)(i)) to respond to calls within 60 minutes; and
  - (i) failure to maintain signage in compliance with this section.
- (3) In the event a permit is revoked, the person or entity from whom the permit was revoked shall be barred from applying for a low-impact camping permit for the same parcel without prior consent of the Board of Supervisors.



## Staff Report to the Agricultural Policy Advisory Commission

Application Number: N/A

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**Applicant:** County of Santa Cruz

**Owner:** N/A

**APN:** N/A

**Address:** Countywide

**Date:** February 15, 2024

**Agenda Item #:** 8

**Time:** 1:30 p.m.

**Project Description:** This proposed ordinance would define and allow for “low impact camping areas” for the purpose of making it easier to establish small, low-impact campgrounds in unincorporated areas of the County. The ordinance would increase access to outdoor activities to residents of all income levels, expanding opportunities for land preservation and stewardship, and providing additional Transient Occupancy Tax (TOT) to the County. The low impact camping areas would be limited to areas outside of the Urban and Rural Services Lines on parcels based on zoning and size.

**CEQA Determination:** The proposed County Code amendments are exempt from the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Section 15061(b)(3) because the amendments provide regulations for future camping area and therefore do not present no possibility of a significant impact on the environment.

### Staff Recommendation:

- Consider the proposed Draft Low Impact Camping Ordinance and provide recommendations to the Planning Commission and Board of Supervisors.

### Background:

Our region is an internationally recognized destination for outdoor recreation with locals and visitors who enjoy hiking, climbing, surfing, and countless other outdoor activities. The relatively low cost and low availability of local campgrounds results in reservations (generally at state campgrounds) frequently filling up many months in advance at popular destinations. As a result, many visitors, especially low-income households, are not able to access our region’s scenic areas.

Santa Cruz County lacks affordable camping options so that all local residents and visitors can enjoy our region’s natural beauty, and low-impact campgrounds would serve to fill this void. Low-impact campgrounds should be small camping areas with no more than nine campsites and minimal infrastructure. Due to their small footprint, hosts should be able to provide these sites for fees that are affordable to most households. The funds generated by these low-impact sites can be reinvested directly back into land stewardship and preservation, and adoption of this ordinance would harmonize with the Board of Supervisors’ goals of supporting rural economies and agritourism, by creating new revenue streams for rural landowners and farmers.

Additionally, low-impact camping is an affordable access point to the outdoors and coastal area - key elements of both improving equity and access to these natural areas.

Earlier this year this Board of Supervisors voted unanimously to support Senate Bill 620, which would make it easier to establish small, low-impact campgrounds in the state's scenic areas. The proposed ordinance would mirror much of the state legislation, which is supported by the California State Association of Counties, California Farm Bureau Federation, Latino Outdoors, Save the Redwoods League, the Nature Conservancy and many more organizations.

On November 14, 2023, CDI and the Parks Department were directed by the Board of Supervisors to prepare a draft ordinance to allow low-impact camping areas in unincorporated areas of the county outside the Urban and Rural Services Lines.

In the process of preparing this ordinance (see Exhibit A), Staff held an internal kickoff meeting on December 20, 2023, with the Development Review and Public Works sections of the Community Development & Infrastructure Department, County Parks, Environmental Health Division, County Fire Marshal's Office, County Sheriff's Office. The comments and questions were around the following:

- Look at what other counties such as Sonoma and Santa Barbara Counties have done successfully.
- Keep campsites outside of environmental resource areas.
- Require clustering of sites to best afford for water usage, access onto properties, waste management.
- Afford a maximum number of people to maintain low impact.
- Require applicants to obtain Environmental Health approval prior to visiting the zoning counter.

Staff has scheduled a stakeholder meeting for February 12, 2024, from 3:30-4:30 PM to obtain comments and input from those who have the most involvement in the ordinance at a state, regional, or local level. The results of this meeting will be conveyed at the APAC meeting.

### **Analysis:**

This proposed ordinance would create a definition, permit process, and corresponding requirements for a "low-impact camping area" in the County Code (new section 13.10.695). Additionally, the proposed ordinance would create a framework of health/safety regulations including compliance with all noise, fire, trash, and sanitation requirements for establishing low-impact camping in specified zoning areas in the unincorporated area. The proposal would also make low-impact camping areas subject to the County's TOT requirements, similar to all other visitor-serving accommodations, including camping sites.

Here are some key highlights of the proposed Low Impact Camping Ordinance:

- Maximum camp sites: Low-impact camping area would be defined as a maximum of nine total campsites per property with a density limit of one campsite per acre using non-permanent structures including tents, yurts, canvass/soft-sided structures and recreational vehicles (as defined) intended for overnight use.
- Minimum parcel size: There would be an acreage minimum of five acres (meaning only parcels of five acres or greater would qualify for a permit).
- Allowed Zones: Low impact camping would only be allowed outside of the Urban and Rural Service Lines and on parcels with the following zoning designations: Agriculture



(A), Commercial Agriculture (CA), Residential Agriculture (RA), Timber Production (TP), Special Use (SU), Parks, Recreation and Open Space (PR), or Public Facilities (PF).

- Permits: Permits and TOT registration shall be required for each low impact camping area. Applicants for a new low-impact camping area shall provide a completed application form, nonrefundable application fee and copy of County of Santa Cruz TOT certificate number, or proof of registry with a verified online platform (that pays TOT).
- Parking: Neighborhood parking impact shall be mitigated by requiring at least one off-street parking space for each site in the low impact camping area. No on-street parking would be allowed.
- Management: Low impact camping areas shall have a designated operator or property manager who is available by phone 24 hours a day, seven days a week when sites are occupied.
- Noise: All low impact camping areas shall comply with the County Noise Ordinance (SCCC 8.30). No activities that produce noise, dust, odor, or vibration detrimental to occupants of adjoining properties are allowed within the low impact camping area.
- Setbacks: Sites within low impact camping areas shall be located no closer than 50 feet from any property line or environmentally sensitive area and 200 feet from any off-site residence.
- Health/Safety: All sites shall conform to local fire, solid waste, and sanitation regulations.
- Violations: Permits shall be revoked if multiple violations occur within a twelve-month period.
- Agricultural Uses: Low impact camping is incidental to agricultural use and shall not displace any agricultural activity.

This ordinance would be applicable within the Coastal Zone and would be part of the County's Local Coastal Program's implementing ordinances. Following adoption of the ordinance by the Board of Supervisors, Staff would submit the adopted to the Coastal Commission for approval in the Coastal Zone. As directed by the Board of Supervisors, the ordinance take effect in areas outside of the Coastal Zone 31 days after the second reading by the Board of Supervisors and within the Coastal Zone upon certification by the Coastal Commission.

**The County Code and General Plan, as well as hearing agendas and additional information are available online at: [www.sccoplanning.com](http://www.sccoplanning.com)**

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## **Exhibits**

A. Draft Ordinance