



CHAPTER 13.10 ZONING REGULATIONS

PART VI. REGULATIONS FOR SPECIAL USES

ARTICLE VIII. VISITOR ACCOMMODATIONS/RECREATIONAL USES

Changes to SCCC Article VIII. Visitor Accommodations/Recreational Uses add new SCCC section 13.10.689 to consolidate commercial visitor accommodations regulations by combining content from existing SCCC sections 13.10.335(B) and 13.10.353(B). These changes also modify and simplify definitions and density calculations associated with commercial visitor accommodations. SCCC section 13.10.691 has been updated to increase the maximum number of rooms from 5 to 20 to align with a state definition and enable bed and breakfast businesses to be financially viable. Content of SCCC sections 13.10.690, and 13.10.692-694 is not included in this document for brevity, as content of those sections is not changing. SCCC 13.10.695 is proposed to be removed from the code at this time, since that code section was previously repealed.

13.10.689 Commercial visitor accommodations.

13.10.690 Hosted rentals. [no change]

13.10.691 Bed and breakfast inns.

13.10.692 Organized camps and conference centers. [no change]

13.10.693 Time-share uses. [no change]

13.10.694 Vacation rentals. [no change]

~~13.10.695 Repealed.~~

13.10.689 Commercial visitor accommodations.

(A) The purpose of this section is to establish definitions, use conditions, and permit review regulations applicable to commercial visitor accommodation land uses.

A definitions section was added to provide all relevant visitor accommodations definitions in one location. These definitions are also provided in SCCC 13.10.700.

(B) Definitions.

(1) "Commercial visitor accommodations" means commercial visitor serving facilities for short-term (less than 30 days) overnight use. Commercial visitor accommodations do not include agricultural farmstays (see SCCC 13.10.641) or short-term residential rentals (see SCCC 13.10.690 for "hosted rentals" or 13.10.694 for "vacation rentals").



(a) “Type A visitor accommodations” means hotels, motels and bed and breakfast inns (subject to 13.10.691) with an individual room or cabin for each customer.

(b) “Type B visitor accommodations” means camps, campgrounds, and group quarters/dormitory-style visitor accommodations, including RV or tent campgrounds, hostels, and visitor accommodations associated with organized camps and conference centers (subject to SCCC 13.10.692).

(2) “Visitor accommodations (VA) unit” means a room, cabin or suite. VA units can include kitchens and bathrooms.

The following section was moved from existing SCCC section 13.10.335(B) relating to special visitor accommodations use standards in commercial districts. Elements of existing SCCC section 13.10.353(B) relating to Parks, Recreation and Open Space (PR) District density regulations were also added to this section. Density calculations were simplified and streamlined while substantially maintaining existing densities. Bed and breakfast density maximum was updated to reflect change to SCCC section 16.10.691 and to allow for commercial viability of B&B businesses. Within the USL/RSL, density was updated to be based on gross site area rather than net developable site area, aligning with the change being made throughout the code and General Plan. Outside the USL/RSL, density calculations continue to be based on matrix units, except in cases where there is no maximum density. Type B visitor accommodations was updated to allow 5 employee housing units that do not contribute to the density calculation. Changes from existing SCCC 13.10.335(B) and 13.10.353(B) are shown in strikethrough-underline format.

~~(CB) Commercial visitor accommodations allowed. Visitor accommodation use standards. Visitor accommodations referenced in this section are as defined in SCCC 13.10.700-V, under “Visitor accommodations (VA) unit” and “Visitor accommodations, Types A and B.”~~

(1) Inside the USL and RSL, visitor accommodation shall be allowed in the zone districts and at the densities as detailed in the chart below.

Table 13.10.689-1: Commercial Visitor Accommodations Maximum Density Inside the USL/RSL			
<u>Zone Districts where visitor accommodations are allowed</u>	<u>Type A</u>		<u>Type B</u>
	<u>Hotels and Motels</u>	<u>Bed and Breakfast Inns</u>	<u>Camps, campgrounds, group quarters</u>
<u>Agriculture (A)</u>	<u>NA¹</u>	<u>20 VA units</u>	<u>NA¹</u>
<u>Commercial Centers (C-1, C-2)</u>	<u>No maximum density</u>	<u>20 VA units</u>	<u>NA¹</u>
<u>Commercial Visitor-Serving (CT, VA)</u>	<u>No maximum density</u>	<u>20 VA units</u>	<u>1 overnight guest per 600 square feet gross site area</u>
<u>Residential (RA, RR, R-1, RM)</u>	<u>Small scale, no maximum density²</u>	<u>12 VA units</u>	<u>12 overnight guests per acre gross site area</u>



Timber Production (TP) or Parks and Recreation (PR)	<u>3 VA units per acre gross site area</u>	<u>3 VA units per gross acre, up to 20 VA units</u>	<u>12 overnight guests per acre gross site area</u>
--	--	---	---

1. NA = Not allowed in this zone district.
2. Coastal Special Communities only per SCCC 13.20.140.

(2) Outside the USL and RSL, visitor accommodation shall be allowed in the zone districts and at the densities as detailed in the chart below.

Table 13.10.689-2: Commercial Visitor Accommodations Maximum Density Outside the USL/RSL			
<u>Zone Districts where visitor accommodations are allowed</u>	<u>Type A</u>		<u>Type B</u>
	<u>Hotels and Motels</u>	<u>Bed and Breakfast Inns</u>	<u>Camps, campgrounds, group quarters</u>
<u>Agriculture (A)</u>	<u>NA¹</u>	<u>10 overnight guests per rural matrix unit, up to 20 VA units²</u>	<u>NA¹</u>
<u>Commercial Centers (C-1, C-2)</u>	<u>No maximum density</u>		<u>NA¹</u>
<u>Commercial Visitor-Serving (CT, VA)</u>	<u>No maximum density</u>		<u>20 overnight guests per rural matrix unit²</u>
<u>Residential (RA, RR, R-1, RM)</u>	<u>Small scale, no maximum density³</u>		<u>10 overnight guests per rural matrix unit²</u>
<u>Timber Production (TP) or Parks and Recreation (PR)</u>	<u>10 overnight guests per rural matrix unit²</u>		<u>10 overnight guests per rural matrix unit²</u>

1. NA = Not allowed in this zone district.
2. Calculate rural matrix units per SCCC 13.14, using applicable General Plan designation density range as shown in General Plan Chapter 7, Table 7-3: Commercial Recreation Building Intensities.
3. Coastal Special Communities only per SCCC 13.20.140.

(1) Allowed Densities:

(a) Type A visitor accommodations are not subject to a maximum density standard.

(b) Type B Visitor Accommodations.*

- (i) RV or tent camps: one site/1,300 net developable square feet.
- (ii) Hostels: one bed/325 net developable square feet.
- (iii) Group quarters: two beds/1,300 net developable square feet.

* Each square foot of net developable area shall be counted only once for the purpose of calculating the number of beds or the number of sites.



(3) Combining Types of VA Facilities. Types of visitor accommodations may be combined; however, combined densities may not exceed the maximum allowed for the total number of acres (urban) or matrix units allowed (rural).

(4e) Employee Housing. All on-site residential units shall be reserved for exclusive use by owners and employees, shall not substantially reduce or degrade the use of the site for visitor accommodations, and shall comply with the following requirements:

(ai) Employees for Type A units: Maximum of one employee dwelling unit per site.

(bi) Employees for Type B units: The number of employee dwelling units shall be based on a demonstrated need for residential employees and approval of such shall be stated as a permit condition. Permanent residential units for site personnel shall be in place of density credits for Type B visitor accommodations units at the rate of one kitchen and up to five permanent residents per 3,000 net developable square feet. Accommodation for up to five employees may be provided without counting toward density. Accommodation for more than five employees shall be calculated in combination with commercial visitor accommodations based on the maximum allowed density for the site.

Calculations for day use and limited visitor accommodation density in existing SCCC section 13.10.353(B)(2) were simplified while maintaining densities similar to the current code.

(5) Day use. Day use guests visiting a rural visitor accommodation site are allowed at a rate of 30 guests per matrix unit, calculated based on matrix units that are not otherwise allocated to overnight visitors or employee housing.

(6) Limited visitor accommodation. Commercial visitor accommodations such as seasonal camps that are only open part of the year may have the same total number of overnight guests and day users during the open season that would otherwise be allowed year-round, based on the number of months the camp is open.

Use the following formula:

$$\frac{12 \text{ months}}{\text{Number of months in open season (rounded to the nearest month)}} \times \text{maximum allowed overnight guests and/or day users calculated based on maximum density table}$$

The following text was moved from existing SCCC section 13.10.335(B)(1)(d), except subsection (8), which was moved from SCCC section 13.10.353(B)(3).

(7d) Density Determinations Reductions.



(ai) All values given in SCCC 13.10.335(B)(1)(b) subsections (1) – (6) of this section are maximums and may be reduced based on services and access constraints, compliance with SCCC 13.11-SCCG, or adverse environmental impacts, as follows:

A. When Type A uses are combined with Type B uses on a site, the total number of visitor accommodations rooms, or units or sites shall reflect service and access constraints, parking availability, environmental impact mitigation and compliance with Chapter 13.11 SCCG.

(83) Expansion of Organized Camps with Nonconforming Densities. For expansion of existing camps with use permits and nonconforming density, the densities of new facilities shall be calculated independent of existing nonconforming densities and shall be based solely on the number of matrix units the new land acquisition merits. Where the new land acquisition is contiguous with the parcel containing the nonconforming use, the facilities resulting from the matrix units for the land acquisition may, at the discretion of the Planning Commission and the Board of Supervisors, be located anywhere on the applicant's holdings. These provisions shall not be construed to prevent the Board of Supervisors from abating nonconforming uses or structures pursuant to SCCC 13.10.260, 13.10.261 and 13.10.262 where such facilities are found to create a public health hazard or a public nuisance or to be environmentally degrading.

(9)B. Coastal priority sites. Inside the Coastal Zone, the performance standards in Figure 2-5 Appendix G of the General Plan/ in the Local Coastal Program Land Use Plan for priority accommodations sites also apply.

The following text was moved from SCCC 13.10.335(B)(2). Subsection (a) was removed because current practice already requires discretionary projects to be evaluated for consistency with relevant General Plan policies.

(D2) Use conditions Permit Review.

(a) Development permits for visitor accommodations shall be evaluated for consistency with the following policies:

(i) A diversity of all types of visitor accommodations shall be provided in the Coastal Zone consistent with Local Coastal Program Land Use Plan policy.

(ii) Visitor accommodation projects on priority sites shall serve primarily the general public, rather than any particular group or organization.

(iii) Visitor accommodations development in areas designated for neighborhood or community commercial use shall not adversely affect the integrity of retail commercial centers.



~~(iv) Lower cost visitor-serving uses shall, as feasible, be protected, encouraged and provided.~~

~~(b) The following standards shall apply to all visitor accommodations projects and shall be incorporated into conditions of approval:~~

~~(1i) All visitor accommodations projects shall be managed for short-term occupancy with occupancy limited to not more than 29 consecutive days and limited to 29 days in any one calendar year by an individual or group of occupants, except that single-ownership units may be occupied by the owner(s) up to 45 days in any one calendar year.~~

~~(a)A. Notwithstanding the foregoing, visitor accommodations described as follows may be occupied by the owner(s) up to 90 days in one calendar year: units located on coastal bluff property which has been the subject of litigation in which a remittitur was issued by the California Court of Appeal on or before April 25, 1983, in a decision requiring the County of Santa Cruz to grant either "compensating densities" in excess of "the base densities" thereon, or to grant "some other transfer of development rights," and which litigation has been settled by "Stipulation for Judgment and Judgment Thereon."~~

~~(2ii) Centralized, on-site management shall be provided at all times for the maintenance and operation of the visitor accommodations, related facilities, and the property. Such management may be provided by the property owner or by a separate management firm under contract. Plans for management shall be submitted to and approved by the Planning Director and a transient occupancy tax permit obtained from the Treasurer-Tax Collector by such management prior to the issuance of building permits.~~

~~(3iii) Deed restrictions running with the property and limiting use to short-term occupancy and providing for the maintenance of centralized rental and management of the facility shall be recorded prior to issuance of building permits.~~

~~(4iv) All visitor accommodations shall be subject to any County uniform transient occupancy tax ordinance or a special tax on time-share units, camping units, or other visitor accommodations. Reports of the occupancy of visitor accommodations together with payment of transient occupancy taxes or any other taxes due from the use of visitor accommodations shall be made in accordance with SCCC 4.24.080.~~



SCCC 13.10.691 includes a revision to the maximum number of rooms from 5 to 20 to align with state definition and enable bed and breakfast businesses to be financially viable.

13.10.691 Bed and breakfast inns.

(A) A bed and breakfast inn offering one or more rooms (up to a maximum of ~~20~~five) for rent may be operated if the use is allowed in the applicable zone district and the required Level IV use approval is obtained.

(B) The following guidelines for bed and breakfast inns and any additional conditions deemed applicable, shall be made a part of the permit.

(1) All Uniform Building Code and Fire Code requirements for the level of occupancy shall be met.

(2) All Environmental Health regulations shall be met, including water supply and septic system capacity. ~~It~~if applicable, as follows:

(a) When a private water supply serves the premises, the operator will be required to obtain a bacteriological analysis of the water by an approved laboratory to demonstrate that the water is safe to drink.

(b) Individual sewage disposal systems will be evaluated to determine if the system is adequate for the increased loading. A fee is required for this service.

(3) In sewered areas, all applicable sanitation district fees shall be paid, and regulations/code shall be satisfied.

(4) One off-street parking space shall be provided for each commercial guest room, in addition to the spaces normally required for the dwelling.

(5) One unlighted sign with a maximum size of six square feet may be displayed. The words "hotel" or "motel" shall not be allowed. The sign's size, color, text, and location shall be as specified under this use approval, as per the attached drawing.

(6) At least one toilet, lavatory, and shower or bathtub shall be provided for each 10 guests. Where a multiple storied building is utilized, there must be a toilet, lavatory, and shower or bathtub on each floor.

(7) Adequate storage for clean and dirty linen shall be provided.

(8) Appropriate space and ventilation for each room shall be provided. Minimum space is 70 square feet per bedroom for two persons, 50 square feet for each additional person.

(C) The bed and breakfast inn shall be registered with the County Tax Collector as being subject to the transient occupancy tax, and the use approval for a bed and breakfast inn shall



become effective when the applicant obtains a transient occupancy permit from the County Tax Collector. Quarterly reports shall be filed and taxes paid as required by law.

(D) An annual bed and breakfast inn health permit shall be obtained.

(E) Operation of the bed and breakfast inn shall be subject to the following continuing requirements:

(1) The operator shall reside in the inn;

(2) Guest stays shall be limited to 30 days;

(3) No cooking shall be allowed in guest rooms; and

(4) Food service shall be limited to breakfast served exclusively to lodgers, and facilities shall conform to the requirements of the California Health and Safety Code, Part 7; California Retail Food Code, as updated from time to time and enforced based on the required annual health permit inspection.

(F) Different or additional restrictions, including but not limited to restrictions on parking, sign area or placement, hours of meals service, and sale of nonalcoholic beverages, may be placed on any bed and breakfast use to meet specific concerns.