



Land Use Services Department Building and Safety Division

<http://cms.sbcounty.gov/lus/BuildingSafety.aspx>

385 N. Arrowhead Ave., First Floor
San Bernardino, CA 92415-0181

San Bernardino Office – (909) 387-8311

Fax (909) 387-3249

Barstow Office – (760) 995-8140

Hesperia Office – (760) 995-8140

Fax (760) 995-8167

Big Bear Office – (909) 387-8311

Joshua Tree Office – (760) 995-8140

Twin Peaks Office – (909) 387-8311

SPECIAL USE PERMIT DEPENDENT HOUSING

Any project which requires a great deal of time and money should require a careful study of all the advantages and disadvantages of the project. We hope you will take the time to review all aspects, and if questions arise, please contact one of our local offices for assistance. If you decide to pursue the project, complete the attached Special Use Application packet and submit with required documentation to the Building and Safety Public Service Counter.

Fees:

Application Fee	\$ 545.00
Plan Review if Manufactured Home is used	\$ 382.00
Setdown Permit Fee if Manufactured Home is used	\$ 644.00
Total Initial Fee	\$1,571.00

Biennial Renewal Fee	\$ 231.00
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IMPORTANT: CONTACT THE LOCAL OFFICE OF BUILDING AND SAFETY FOR INFORMATION REGARDING FEES FOR ADDITIONAL STRUCTURES AND ALTERATIONS TO EXISTING STRUCTURES, FOR FIRE SAFETY REQUIREMENTS, CONSTRUCTION PERMITS AND INSPECTIONS.

SCHOOL FEES

Prior to issuance of building permits, the applicant/owner shall provide certification from the appropriate school district that any fee charge, dedication or other form of requirement levied by the governing board of the district has been satisfied.

LOCAL AND REGIONAL TRANSPORTATION IMPACT FEES

Prior to issuance of building permits, any required fees shall be paid.

GENERAL PROCEDURES

This application consists of two parts. The first part is the submittal of the application for Special Use Permit to allow Dependent Housing. The second part concerns the installation or construction of the structure which the dependent(s) will occupy.

The purpose of Dependent Housing is for families to provide healthy, safe and adequate alternative living conditions for eligible, qualified individuals. The permit allows a second dwelling unit to be temporarily constructed or installed on lots which are normally restricted by zoning to one dwelling unit per parcel, provided that there is an existing residence on the parcel. To qualify for Dependent Housing, there must be an existing single-family residence on the property. Dependent Housing units may be occupied by one of the following:

1. One or two adults that are related to and are dependents of the residents of the primary residence. (For the purposes of this section, "Dependent" means a related individual who is dependent upon the resident of the principal unit for financial support or health care. An individual will be determined to be a financial dependent if **claimed** by the resident of the primary unit as a dependent on his or her Federal or State income tax return. An individual will be determined to be a dependent for health care reasons if he or she is considered blind or disabled as defined in Section 1614(a) of Part A of Title XVI of the Social Security Act.)
2. Court appointed conservators of a resident of the principal unit.

3. Members of a very low income household as specified in Section 50105 of the Health and Safety Code and related to the residents of the principal unit by birth, marriage or adoption. Proof of total income shall be submitted such as a tax return or equal.

PERMITTED STRUCTURES

1. Guest House - A guest house is a detached accessory building of conventional or panelized construction with bathroom plumbing only. It is used for temporary quarters for guests of the property residents. Such buildings have no kitchen facilities and are not rented or otherwise used as a separate dwelling. The Special Use Dependent Housing permit allows the temporary installation of a kitchen sink and appliances within the guest house for use by the occupant. A permit for construction of the "guest house" and installation of the kitchen facilities must be obtained from Building and Safety. Special Use Dependent Housing Application and Plan Review Submittal/Construction Permit Applications can be filed concurrently. When the Special Use Dependent Housing permit is no longer needed or is not renewed, all non-bathroom plumbing must be permanently capped, and appliances removed. The structure is then only to be used as a guesthouse.
2. Panelized (Modular) Structure - A panelized (modular) structure is a ready-made structure which may be attached to a foundation system but disassembled and removed at a later date.
3. Manufactured Homes - A manufactured home must be installed on pads and piers rather than a permanent foundation. These units must have been constructed within the last ten (10) years unless an evaluation is made and approved as described in the Development Code. The manufactured home must be removed when the need for Dependent Housing ceases or the permit is not renewed.

GROSS FLOOR AREA

A maximum floor area of eight hundred and forty (840) square feet and a minimum floor area of four hundred (400) square feet is allowed on parcels which are in land use districts requiring less than two and one-half (2 1/2) acres minimum lot area.

A maximum floor area of one thousand six hundred (1,600) square feet and a minimum floor area of four hundred (400) square feet is allowed in land use districts which require two and one-half (2 1/2) acres or more minimum lot area. An application for a major or minor variance may be submitted to exceed these gross floor areas. Contact your local Planning office for fees associated with variance applications. Park model trailers, travel trailers, recreational vehicles and fifth wheel trailers are **NOT PERMITTED** for use as dependent housing units.

UTILITY INFORMATION

1. Sewer and Septic Tank. If you are on a public sewer system, you must identify and connect to the serving district. If you have a septic system, you may enlarge the existing system or provide a second septic system.
 - A. Make sure that your property is not located in an area which is restricted by your local Water Quality Control District from making additional connections to a public sewer district or to a septic system. Unless otherwise approved by EHSD, at least 1/2 acre per dwelling unit (one acre minimum total) is required.
 - B. Sewer connections may not be made through the existing dwelling.
 - C. Sewer connection location must be indicated on the plot plan
 - D. The size, type and location of septic system facilities must be indicated on the plot plan.
 - E. Sufficient area must be provided to allow for 100% expansion of all existing and proposed septic system leaching areas while maintaining all required clearances to wells, property lines, buildings, etc.
2. Water. If you are receiving your water through a community water system, identify the name of the water company on the application. If your water source is an existing well or water tank, list the number of service connections to the well or water tank and show on plot plan.

- A. The water system must be adequately sized.

- B. If your property is served by a well or water tank, the water supply must have adequate capacity and pressure for the addition of the Dependent Housing.
 - C. If a septic system is used for sewage disposal, your plot plan must show distances from the well site or water tank to septic tank, seepage pit, and leach field.
 - D. Additional service connection is required, a "will serve" letter, guaranteeing water service for the Dependent Housing unit, signed by the water company or water hauler, must be attached to all applications.
3. Electrical. Identify the company's name which is issuing power for the Dependent Housing unit. If you plan to power the Dependent Housing unit from the existing panel, you will need to evaluate the electrical load. After you have determined your electrical load, be sure that your present supply will be able to handle the additional electrical requirements for the Dependent Housing.
4. Gas. Identify the gas company's name. If LPG, show tank location(s) on plot plan.

REVIEW PROCESS

Your application will be reviewed for completeness and letters will be sent to contiguous property owners.

The file will then be processed by Building and Safety. The reviewing authority shall find all of the following is true:

- 1. The site for the proposed dependent housing unit is adequate in terms of shape and size to accommodate the use and all parking areas, setbacks, structure coverage, yards, and other applicable requirements of this Development Code;
- 2. The proposed dependent housing unit is clearly subordinate in appearance, location, and size to the principal unit;
- 3. Issuance of the Special Use Permit shall not be detrimental to the public health, safety, or welfare or injurious to the property or improvements in the vicinity and land use zoning district in which the use is located;
- 4. The dependent housing unit shall be constructed, erected, or installed to allow for its removal or conversion to guest housing; and
- 5. The appearance of the dependent housing unit and the method of siting are compatible with the surrounding built environment.

NOTE: Please check to see if you have any conditions, covenants, or restrictions in your deed which would prohibit placing a Dependent Housing unit on your property. Some property owner associations may have additional restrictions.

If any land use violations exist on the property you will be asked to correct them before the permit will be issued.

Pre-Construction and/or erosion control inspection fee/s and approval must be obtained prior to any land disturbance on site including native tree or plant removal. For more information regarding these inspections, obtain a copy of the guidelines on this subject available at all Building and Safety offices.

If a Manufactured Home is used, a separate permit is required for all accessory structures including but not limited to awnings, carports, decks, ramps, patio enclosures, ramadas, cabanas (habitable room additions), garages and for storage sheds over 120 square feet in roof area.

Install the Dependent Housing unit only after approval of the application and after construction/setdown permit issuance.

You must call Building and Safety for inspection and approval prior to concealing any work. After the work has been approved, the inspector will notify the utility company that service to the unit may begin

OCCUPANCY

No land disturbing activities or placement of the structure on site may occur until after the property has been inspected, the Special Use Dependent Housing application approved and the construction or setdown permit has been issued by Building and Safety. **NO OCCUPANCY OR USE OF THE STRUCTURE IS PERMITTED PRIOR TO FINAL INSPECTION AND APPROVAL OF THE STRUCTURE.**

PERMIT REQUIREMENTS

1. Application for the permit shall be made by a resident owner of the subject property (permittee) on which the Dependent Housing unit is to be located or by the legal agent having power of attorney to make application for the permittee.
2. The permittee shall occupy at least one of the dwelling units on the property.
3. The permittee shall own the Dependent Housing unit.
4. The permittee shall notify Building and Safety of any change of occupants of the Dependent Housing or the primary unit.
5. The permittee shall apply for renewal of the Special Use Dependent Housing permit as it becomes due (every two years), as long as is needed by the qualified dependent person(s). Renewal fees are required.
6. The permittee shall remove or convert the unit when the need is no longer required.
7. The Special Use Dependent Housing permit is non-transferable upon the sale of the property.
8. As a condition of permit approval, the permittee shall sign a Notice of Condition, which shall be recorded, and which places the responsibility upon the permittee to remove or convert the dependent house.

PERMIT EXPIRATION

The permit will expire if inspection is not called for within 180 days of the date of issuance.

The Special Use Dependent Housing permit may be canceled for non-compliance with the conditions included with the application approval.

PERMIT RENEWAL

The Special Use for a Dependent Housing unit is issued for a period not to exceed twenty-four (24) months and may be renewed for additional twenty-four (24) month time periods if the permittee remains qualified for the temporary use. To renew, return the renewal application form with the current renewal fee and proof of eligibility. If for any reason the permittee is not notified, it is his/her responsibility to notify the Department of intent to extend the permit or cease occupancy and remove the unit. Proof of continuing eligibility as a qualified dependent is required as a condition of renewal.

FAILURE TO RENEW THE SPECIAL USE DEPENDENT HOUSING PERMIT OR REMOVE THE UNIT AT THE END OF THE APPROVED TIME PERIOD WILL RESULT IN LEGAL ACTION TO REMOVE THE UNIT.

TO REMOVE THE UNIT, AN INSPECTION IS REQUIRED. CONTACT BUILDING AND SAFETY TO OBTAIN A PERMIT.

CHECKLIST OF SUBMITTAL MATERIALS

Please use this checklist as you assemble the materials for the submittal of your application. County staff will use the checklist to determine whether your application is acceptable for submission. **If your submittal package does not contain all of the information listed below, your application will not be taken in and receipted for processing.** If you have any questions about the items requested or if you wish to obtain information on processing schedules, please call the appropriate Building and Safety Office at the number listed at the top of the application.

Section A – Fees

1. _____ Check or money order made payable to “San Bernardino County” in the correct amount as outlined in the table on page 1.

Section B - County Documents

1. _____ Completed Application Form.

Section C - Documents Required

1. _____ Two (2) copies of Plot Plan. (See Section D.)
2. _____ Contiguous Property Owner’s List, completed in full (form attached). Information available from San Bernardino County’s Assessor’s Office.
3. _____ “Will-Serve” letters from the water company, if additional meter is proposed and from the sewer district if additional sewer connection is required.
4. _____ Percolation Test approved by Environmental Health Services, if required, where a new septic system is to be installed.
5. _____ Fire Department Project Condition letter. Obtain from local fire jurisdiction.
6. _____ School District Certificate of Compliance.
7. _____ One (1) copy of the resident owner’s valid California Driver’s License or State of California Identification Card.
8. _____ One (1) copy of dependent occupant(s) Birth Certificate (or legal documentation verifying age and relationship) AND evidence of eligibility as a dependent (tax return or proof of health care need).
9. _____ One (1) copy of current manufactured home registration documenting ownership by permittee, date of manufacture, and gross floor area of the manufactured home.
10. _____ One (1) copy of current (or most recent) Recorded Deed for property.
11. _____ One (1) copy of Assessor’s Map Page showing contiguous property configuration.
12. _____ Photos of existing dwelling. Photos should show the complete front and side view of the property.
13. _____ Approved Variance (if applicable), obtained from the Planning Division.
14. _____ Complete Notice of Condition with notary as required.

Section D – Plot Plan: Use the following checklist to be sure that your plans include all of the required elements. The plot plan is a drawing, to scale, on one sheet of paper (minimum size of 8½” x 11”). Remember that the staff is not familiar with the property and will need this information to evaluate your project. **If the plans are not legible or do not contain the information listed below, your application will be returned.**

1. _____ Names, address and telephone number of the record owner, applicant and the person preparing the map (if different than owner).
2. _____ Legal description and Assessor's Parcel Number of the property involved.
3. _____ North point, date of drawing and engineer's scale (suggest 1:20).
4. _____ Location, width and names of streets and recorded easements on property. Locate all existing and proposed road improvements and driveway locations.
5. _____ Dimension of property lines, area of disturbance and boundary of project.
6. _____ Location, size and use of all existing and proposed buildings, including dimensions, square footage, distance from property lines and building separations.
7. _____ Indicate the present land use of all surrounding property.
8. _____ If the occupants are capable of driving a vehicle, show two (2) 9' x 19' parking spaces and paving or surfacing as required by the Development Code. Additional parking for the dependent housing is not required if the existing off-street parking for the primary residence complies with the Development Code standards.
9. _____ Indicate any unusual drainage or hilly terrain that might affect the building site, parking area or access by flowline arrows and contour lines.
10. _____ Vicinity map.

Section E – Construction Plan Checklist: Submit the following for review:

1. _____ Two (2) complete sets of plans including the installation manual, state approved or engineered setdown pier placement plan, tiedown specifications and floor plan.
2. _____ Two (2) Plot Plans (see plot plan checklist for requirements).
3. _____ Two (2) complete sets of engineering foundation plan.
4. _____ Will-Serve letter.
5. _____ Fire Condition letter.
6. _____ School District Certificate of Exemption of Certificate of Compliance.
7. _____ Transportation/Development Impact Fees.



County of San Bernardino
 Land Use Services Department
 BUILDING AND SAFETY DIVISION
<http://cms.sbcounty.gov/lus/BuildingSafety.aspx>
SPECIAL USE PERMIT APPLICATION FORM
DEPENDENT HOUSING

Complete all sections of this application. If you believe a question does not apply, mark it "N/A". Do not leave any blank spaces. If you have any questions about items requested on this form, please call Building and Safety at the appropriate office listed at the top of the cover page.

Section 1 - Applicant Data. (This is the person who the county will contact regarding this application).

Applicant Name _____
 Mailing Address _____
 City _____ Zip _____
 Phone _____ FAX No. _____ E-Mail _____

Section 2 – Property Owner Data (If same as above check)

Property Owner Name _____
 Mailing Address _____
 City _____ Zip _____
 Phone _____ FAX No. _____ E-Mail _____

CA Driver’s License or ID # _____

Section 3 – Property Data

1. Assessor’s Parcel Number (APN): _____ Tract _____ Lot _____
 Parcel Map No. _____ Parcel _____

Section 4 – Dependent Information

Number of occupants for Dependent Unit:

Name: _____	Relationship to permittee: _____	CA Driver’s License #: _____
Name: _____	Relationship to permittee: _____	CA Driver’s License #: _____
Name: _____	Relationship to permittee: _____	CA Driver’s License #: _____
Name: _____	Relationship to permittee: _____	CA Driver’s License #: _____

Section 5 – Description of Unit

1. Manufactured Home (if using other structure, attach documentation):

Year: _____ Make: _____ Model: _____

Serial Number: _____ Size: _____ sq. ft. Housing Seal Number: _____

2. Motor Vehicles:

Number of vehicles in family now: _____ Number of vehicles if approved: _____

3. Bedrooms:

Number of bedrooms in existing structure: _____ Number of bedrooms in proposed structure: _____

4. Utilities:

A. Sewage Disposal:

Public Sewer
Name of Serving District: _____

Private Disposal Type _____
Note: Private Disposal must be approved by Environmental Health Services and Building and Safety.

B. Water Source:

Water Company: _____

Well
Note: Water provisions other than from a public water supply require Environmental Health Services approval.

STATEMENT OF NEED/QUALIFICATION FOR SPECIAL USE PERMIT AND STRUCTURE:

I, _____, intend to use the Dependent Housing unit for the following purpose:

The Dependent Housing structure/trailer will be removed by the following method:

UPON COMPLETION OF THE PROJECT AND/OR EXPIRATION OF THE PERMIT, I WILL REMOVE THE STRUCTURE AND CEASE OCCUPANCY OF THE UNIT. I UNDERSTAND THAT MY SPECIAL USE PERMIT SHALL BECOME NULL AND VOID UPON COMPLETION, EXPIRATION OR CANCELLATION OF MY BUILDING PERMIT, FOR VIOLATIONS OR NON- COMPLIANCE WITH CONDITIONS SET FORTH IN APPROVING THE PERMIT, OR WHEN THE LAST RENEWAL PERIOD OR ANY EXTENSION THEREOF HAS ELAPSED.

Signature

Date

*** BUILDING AND SAFETY USE ONLY ***

DH # _____ Construction/Setdown Permit: _____

Date Received: _____ Minor/Major Variance Required: _____ Yes _____ No

Biennial Renewal Dates: _____

CERTIFIED PROPERTY OWNER'S LIST DECLARATION

I CERTIFY UNDER THE PENALTY OF PERJURY that to the best of my knowledge, the list below contains the names and addresses of all contiguous property owners* as they appear on the latest available County assessment role.

*Those properties which touch property lines at any location, including those properties which touch the property lines of the subject parcel when projected across roads or streets.

Signature

Date

SAMPLE:

APN:	XXXX-XXX-XX-0000
Name:	John Doe
Address:	123 Easy Street
City/State/Zip:	San Bernardino, CA 92400

APN: Name: Address: City/State/Zip:	APN: Name: Address: City/State/Zip:
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APN: Name: Address: City/State/Zip:	APN: Name: Address: City/State/Zip:
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APN: Name: Address: City/State/Zip:	APN: Name: Address: City/State/Zip:
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APN: Name: Address: City/State/Zip:	APN: Name: Address: City/State/Zip:
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Recording Requested By
COUNTY OF SAN BERNARDINO

And When Recorded Return To:

Land Use Services Department
Building and Safety Division
385 N. Arrowhead Ave., 1st Floor
San Bernardino, CA 92415

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**LAND USE SERVICES DEPARTMENT – BUILDING AND SAFETY DIVISION
OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA**

NOTICE OF CONDITION

Pursuant to Title 8, Section 84.08.040 of the San Bernardino County Code, that owner of said property agrees to remove Dependent Housing Unit upon expiration, termination or cancellation of Dependent Housing permit. Property owner agrees to comply with the provision of this Section, describing the method of removal of the dependent housing unit, and acknowledging that the property owner shall bear the cost of removal of the unit.

PROPERTY INFORMATION:

Assessor's Parcel Number (s): _____

Parcel Size: _____

Owner Name(s): _____

Owner Mailing Address: _____

Property Situs Address: _____

Date _____

By _____

Owner (Print Name & Sign)

By _____

(Agency Official Print Name, Title & Sign)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

This space for official notarial seal.

State of _____
County of _____

On _____ before me, _____, Notary Public,
Personally appeared _____

Who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

Signature of Notary Public

Recording Requested By
COUNTY OF SAN BERNARDINO

And When Recorded Return To:

LAND USE SERVICES DEPARTMENT
Building and Safety Division
385 N. Arrowhead Ave., 1st Floor
San Bernardino, CA 92415

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**LAND USE SERVICES DEPARTMENT – BUILDING AND SAFETY DIVISION
OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA**

In the matter of unlawful and unsafe conditions on the property of

TDH PERMIT #B20-----

NAME
-0000
And **DOES I** Through **X** owners

**RELEASE OF
NOTICE OF CONDITION**

Notice pursuant to Section 84.08.040 of the County of San Bernardino Code, having been recorded on the 00 day of M, 20 Instrument Number 20 Official Records of the County of San Bernardino, State of California, pertaining to the real property therein described; and

SITUS ADDRESS:

The above-mentioned NOTICE OF CONDITION is hereby released and said document shall be of no further force and effect.

James Sowers, Building Official
County of San Bernardino, Land Use Services Department

Date

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

ACKNOWLEDGMENT

State of California
County of San Bernardino

On _____ before me, _____
(insert name and title of the officer)

personally appeared _____
who proved to me on the basis of satisfactory evidence to the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)