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ORDINANCE NO. 4383

An ordinance of the County of San Bernardino, State of California, to amend Table 82-4, Table 82-7, Table 82-11, Table 82-17, Table 83-5, Table 83-15, Chapter 84.01, Subsection 810.01.030(f) and to add Subsection 810.01.120(c), all of Title 8 of the San Bernardino County Code, relating to accessory dwelling units and junior accessory dwelling units.

The Board of Supervisors of the County of San Bernardino, State of California, ordains as follows:

SECTION 1. The Board of Supervisors of the County of San Bernardino finds that:

(a) This ordinance will revise Title 8 of the San Bernardino County Code (Development Code) relating to accessory structures and uses. The revisions are recommended to address issues relating to accessory dwelling units and junior accessory dwelling units throughout the County of San Bernardino. The ordinance contains modifications that address general provisions, development standards, exemptions, allowed projections and parking requirements for accessory dwelling units and junior accessory dwelling units.

(b) Chapter 653, Statutes of 2019 (Senate Bill 13), Chapter 655, Statutes of 2019 (Assembly Bill 68) and Chapter 659 (Assembly Bill 881) build upon recent changes to accessory dwelling units and junior accessory dwelling units law (Government Code Sections 65852.2 and 65852.22), effective January 1, 2020, to clarify and improve various provisions in order to promote the development of accessory dwelling units and junior accessory dwelling units. The purpose of this ordinance is to update local regulation of accessory dwelling units and junior accessory dwelling units in order to ensure compliance with the updated state law.

(c) Properly noticed public hearings have been held before the County

1 Planning Commission and the Board of Supervisors pursuant to the Planning and
 2 Zoning Law of the State of California and the Development Code.

3 (d) This ordinance is exempt from the California Environmental Quality Act
 4 (CEQA) pursuant to Public Resources Code Section 21080.17 and CEQA Guidelines
 5 Section 15282(h).

6
 7 SECTION 2. Table 82-4 of Subsection 82.03.040(b) of the San Bernardino
 8 County Code is amended, to read:

9

Table 82-4

**Allowed Land Uses and Permit Requirements for Agricultural and Resource Management Land Use
 Zoning Districts**

Land Use See Division 10 (Definitions) for land use definitions	Permit Required by District				Specific Use Regulations
	RC	AG	FW	OS	
Agricultural, Resource & Open Space Uses					
Agricultural support services	M/C	M/C	CUP	—	
Animal keeping	S	S	S	—	84.04
Crop production, horticulture, orchard, vineyard	A	A	A	—	
Livestock operations	S	S	S	—	84.04
Natural resources development (mining)	CUP	CUP	CUP	—	88.03
Nature preserve (accessory uses)	P ⁽¹⁾	P ⁽¹⁾	P ⁽¹⁾	P ⁽¹⁾	
Lake, reservoir	M/C	M/C	M/C	M/C	
Pond	A	A	A	A	
Winery	M/C	M/C	—	—	
Industry, Manufacturing & Processing, Wholesaling					
Composting operations	CUP	CUP	—	—	
Hazardous waste facilities	CUP	CUP	—	—	84.11
Industrial use requiring extensive buffering	CUP	CUP	—	—	
Recycling facilities	S	S	—	—	84.19
Recreation, Education & Public Assembly					
Agritourism enterprises	S	S	—	—	84.03
Campgrounds	M/C	M/C	—	—	
Conference/convention facility	CUP	CUP	—	—	
Equestrian facility	M/C	M/C	—	—	
Fitness/health facility	M/C	—	—	—	
Library, museum, art gallery, outdoor exhibit	M/C	M/C	—	—	
Meeting facility, public or private	CUP	CUP	—	—	
Park, playground	M/C	M/C	—	—	

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1	Places of worship	CUP	CUP	—	—	
2	Recreational vehicle park	CUP ⁽²⁾				
3	Rural sports and recreation	CUP	CUP	—	—	
4	School - College or university	CUP	CUP	—	—	
5	School - Private	CUP	CUP	—	—	
6	School - Specialized education/training	CUP	CUP	—	—	
7	Residential⁽⁷⁾					
8	Accessory use or structure - Residential	A ⁽³⁾	A ⁽³⁾	—	—	84.01
9	Guest housing	A ⁽³⁾	A ⁽³⁾	—	—	84.01
10	Accessory dwelling unit	A ⁽⁴⁾	A ⁽⁴⁾	—	—	84.01
11	Junior accessory dwelling unit	A ⁽⁴⁾	A ⁽⁴⁾			84.01
12	Single dwelling	A	A	—	—	
13	Retail					
14	Produce stands (200 sq. ft. or less on lots that are 10,000 sq. ft. or greater)	A ⁽⁵⁾	A	—	—	84.03
15	Services - Business & Professional					
16	Medical services - Hospital	M/C	M/C	—	—	
17	Medical services - Rehabilitation centers	M/C	M/C	—	—	
18	Office - Accessory	P	P	—	—	
19	Office - Government	M/C	M/C	—	—	
20	Services - General					
21	Cemetery including pet cemeteries	CUP	CUP	—	—	
22	Commercial Kennels and Catteries - min lot 2.5 acres	M/C	M/C	—	—	
23	Emergency Shelter	—	CUP	—	—	84.33
24	Home Occupation	SUP	SUP	—	—	84.12
25	Licensed Residential Care Facility of 6 or fewer persons	A	A	—	—	
26	Licensed Residential Care Facility of 7 or more persons	M/C	M/C	—	—	84.23
27	Lodging - Bed and breakfast inn (B&B)	SUP	SUP	—	—	
28	Public safety facility	M/C	M/C	—	—	
29	Unlicensed Residential Care Facility of 6 or fewer persons	RCP	RCP	—	—	84.32
30	Unlicensed Residential Care Facility of 7 or more persons	M/C	M/C	—	—	
31	Transportation, Communications & Infrastructure					
32	Broadcasting antennae and towers	M/C	M/C	—	—	
33	Electrical power generation	CUP	CUP	—	—	
34	Pipelines, transmission lines, and control stations ⁽⁶⁾	⁽⁶⁾	⁽⁶⁾	⁽⁶⁾	⁽⁶⁾	
35	Renewable Energy Generation Facilities	CUP	CUP	CUP	—	
36	Sewage treatment and disposal facility	CUP	CUP	—	—	
37	Solid waste disposal	CUP	CUP	—	—	
38	Transportation facility	CUP	CUP	—	—	
39	Utility facility	CUP	CUP	CUP	—	

1	Wind energy system, accessory	S	S	S	—	84.26
2	Wireless telecommunications facility	S	S	S	—	84.27
3	Other					
3	Accessory structures and uses	A	A	A	A	84.01
4	Temporary special events	TSP	TSP	TSP	TSP	85.16
5	Temporary structures and uses	TUP	TUP	TUP	TUP	84.25

<i>Key</i>			
A	Allowed use (no planning permit required)	PD	Planned Development Permit required (Chapter 85.10)
P	Permitted Use; Site Plan Permit required (Chapter 85.08)	SUP	Special Use Permit required (Chapter 85.14)
M/C	Minor Use Permit required; unless a Conditional Use Permit required in compliance with § 85.06.050 (Projects That Do Not Qualify for a Minor Use Permit)	S	Permit requirement set by Specific Use Regulations (Division 4)
		TSP	Temporary Special Events Permit required (Chapter 85.16)
CUP	Conditional Use Permit required (Chapter 85.06)	RCP	Unlicensed Residential Care Facilities Permit (Chapter 85.20)
MUP	Minor Use Permit required (Chapter 85.06)	TUP	Temporary Use Permit required (Chapter 85.15)
		—	Use not allowed

- Notes:**
- (1) CUP required if maximum building coverage exceeds 10,000 sq. ft., the use will have more than 20 employees per shift, or if not exempt from CEQA; may qualify for a MUP in compliance with § 85.06.020 (Applicability).
 - (2) Density of the recreational vehicles in a Recreational Vehicle Park shall be limited to 4 per acre.
 - (3) Use allowed as an accessory use only, on the same site as a residential use allowed by this table.
 - (4) Use allowed as an accessory use only with standards, on the same site as a residential use allowed by this table.
 - (5) In Phelan/Pinon Hills Community Plan area, a maximum 6 sq. ft. advertising sign shall be allowed.
 - (6) Pipelines, transmission lines, and control station uses are regulated and approved by the Public Utilities Commission. See alternate review procedures in § 85.02.050 (Alternate Review Procedures).
 - (7) Supportive housing or transitional housing that is provided in single-, two-, or multi-family dwelling units, group residential parolee-probationer home, residential care facilities, or boarding house uses shall be permitted, conditionally permitted or prohibited in the same manner as the other single-, two- or multi-family dwelling units, group residential, parolee-probationer home, residential care facilities, or boarding house uses under this Code.

SECTION 3. Table 82-7 of Subsection 82.04.040(b) of the San Bernardino County Code is amended, to read:

<i>Table 82-7</i>		
Allowed Land Uses and Permit Requirements for Residential Land Use Zoning Districts		
Land Use	Permit Required by District	Specific Use

	See Division 10 (Definitions) for land use definitions	RL ⁽¹⁾	RS	RM	Regulations
	Agricultural, Resource & Open Space Uses				
3	Accessory crop production	A ⁽²⁾	A ⁽²⁾	A ⁽²⁾	84.01
4	Agricultural accessory structure - 1,000 sq. ft. max.	A	A	A	
5	Agricultural accessory structure - up to 10,000 sq. ft. max. on 5 ac. or less	A	—	—	
6	Agricultural accessory structure - greater than 10,000 sq. ft. on 5 ac. or less	M/C	—	—	
7	Agricultural support services	CUP	—	—	
8	Animal keeping	S	S	S	84.04
9	Crop production, horticulture, orchard, vineyard, nurseries	A	—	—	
10	Livestock operations	CUP	—	—	84.04
11	Natural resources development (mining)	CUP	—	—	88.03
12	Nature preserve (accessory uses)	M/C	—	—	
	Lake	M/C	CUP	—	
	Pond	A	A	M/C	
	Industry, Manufacturing & Processing, Wholesaling				
14	Composting operations	CUP	—	—	
15	Recycling facilities - reverse vending machine, accessory	S	—	—	84.19
	Recreation, Education & Public Assembly Uses				
16	Agritourism enterprises	S	—	—	84.03
17	Campgrounds ⁽³⁾	CUP	—	—	
18	Commercial entertainment - Indoor ⁽³⁾	CUP	—	—	
19	Conference/convention facility ⁽³⁾	CUP	—	—	
20	Equestrian facility ⁽³⁾	M/C	S ⁽⁴⁾	—	
21	Golf course ⁽³⁾	CUP	—	—	
22	Library, museum, art gallery, outdoor exhibit ⁽³⁾	M/C	M/C	M/C	
23	Meeting facility, public or private ⁽³⁾	CUP	CUP	CUP	
24	Park, playground ⁽³⁾	P	P	P	
25	Places of worship	CUP	CUP	CUP	
26	Rural sports and recreation ⁽³⁾	M/C	—	—	
27	School - College or university	CUP	CUP	—	
28	School - Private	CUP	CUP	—	
	School - Specialized education/training	CUP	—	—	
	Sports or entertainment assembly ⁽³⁾	CUP	—	—	
	Residential⁽¹⁰⁾				
27	Accessory structures and uses	A	A	A	84.01
28	Group residential (sorority, fraternity, boarding house, private residential club, etc.)	—	—	M/C	—

1	Guest house	A	A	A	84.01
2	Mobile home park/manufactured home land-lease community	CUP	CUP	CUP	84.14
3	Multiple dwelling, 2 to 3 units, attached or detached	—	—	A	84.16
4	Multiple dwelling, 4 to 19 units, attached or detached	—	—	A	84.16
5	Multiple dwelling, 20 to 49 units, attached or detached	—	—	MUP	84.16
6	Multiple dwelling, 50 or more units, attached or detached	—	—	CUP	84.16
7	Parolee and/or probationer home	—	—	CUP	
8	Accessory dwelling unit	A ⁽⁵⁾	A ⁽⁵⁾	A ⁽⁵⁾	84.01
9	Junior accessory dwelling unit	A ⁽⁵⁾	A ⁽⁵⁾	A ⁽⁵⁾	84.01
	Single dwelling	A	A	A ⁽⁶⁾	
10	Retail				
11	Produce stand	A ⁽⁷⁾	A ⁽⁷⁾	A ⁽⁷⁾	
	Services - General				
12	Cemetery, including pet cemeteries	CUP	CUP	—	84.06
13	Child care - Small family day care home	A	A	A	
	Child care - Large family day care home	MUP	MUP	MUP	
14	Child care - Day care center	M/C	M/C	M/C	
15	Commercial Kennels and Catteries – min. lot 2.5 acres (over 15 animals)	M/C/S	—	—	84.04
16	Emergency shelter	—	—	CUP	84.33
	Home occupation	SUP	SUP	SUP	84.12
17	Licensed Residential Care Facility of 6 or fewer persons	A	A	A	84.23
18	Licensed Residential Care Facility of 7 or more persons	—	—	CUP	84.23
19	Lodging - Bed and breakfast inn (B&B)	SUP ⁽⁸⁾	SUP ⁽⁸⁾	SUP ⁽⁸⁾	84.05
20	Public safety facility	M/C	M/C	M/C	
21	Short-Term Residential Rentals	SUP	SUP	SUP	84.28
22	Unlicensed Residential Care Facility with 6 or fewer persons	RCP	RCP	RCP	84.32
23	Unlicensed Residential Care Facility with 7 or more persons	—	—	CUP	
	Transportation, Communications & Infrastructure				
24	Broadcasting antennae and towers	M/C	—	—	
25	Electrical power generation	CUP	—	—	
26	Pipelines, transmission lines, and control stations ⁽⁹⁾	(9)	(9)	(9)	
27	Renewable Energy Generation Facilities	CUP	—	—	84.29
	Sewage treatment and disposal facility	CUP	CUP	CUP	
28	Solid waste disposal	CUP	CUP	CUP	

1	Telecommunications facility	S	S	S	84.27
2	Transportation facility	M/C	M/C	M/C	
3	Utility facility	CUP	CUP	CUP	
4	Wind energy accessory	S	S	S	84.26
5	Wireless telecommunications facility	S	S	S	84.27
6	Other				
7	Accessory structures and uses	A	A	A	84.01
8	Temporary special events	TSP	TSP	TSP	84.25
9	Temporary structures and uses	TUP	TUP	TUP	84.25

Key					
10	A	Allowed use (no planning permit required)	PD	Planned Development Permit required (Chapter 85.10)	
11	P	Permitted Use; Site Plan Permit required (Chapter 85.08)	SUP	Special Use Permit required (Chapter 85.14)	
12	M/C	Minor Use Permit required; unless a Conditional Use Permit required in compliance with § 85.06.050 (Projects That Do Not Qualify for a Minor Use Permit)	S	Permit requirement set by Specific Use Regulations (Division 4)	
13			TSP	Temporary Special Events Permit required (Chapter 85.16)	
14			RCP	Unlicensed Residential Care Facilities Permit (Chapter 85.20)	
15	CUP	Conditional Use Permit required (Chapter 85.06)	TUP	Temporary Use Permit required (Chapter 85.15)	
16	MUP	Minor Use Permit required (Chapter 85.06)	—	Use not allowed	

- Notes:**
- (1) For projects within the Oak Glen Community Plan Area, all non-agritourism uses shall comply with the agritourism hours of operation standard [§ 84.03.030(b)(3)] and the agritourism noise/amplified sound regulations [§ 84.03.030(b)(5)].
 - (2) Use allowed as an accessory use only with standards, on the same site as a residential use allowed by this table.
 - (3) For projects within the Oak Glen Community Plan Area, these uses shall comply with the agritourism development standards provided in Table 84-1 in § 84.03.030. The permit requirements presented this table shall prevail over any permit requirement listed in Table 84-1.
 - (4) A boarding facility only with a Home Occupation Permit.
 - (5) Use allowed as an accessory use only, on the same site as a residential use allowed by this table.
 - (6) Single dwellings will only be allowed within an RM Land Use Zoning District when sewer service is not available or the lot is less than 1/2 acre.
 - (7) In the Phelan/Pinon Hills Community Plan area on lots greater than 10,000 sq. ft. with a maximum 200 sq. ft. structure for storage and sales and a maximum 6 sq. ft. advertising sign; in RS and RM, can only operate for 72 hours per month.
 - (8) A CUP shall be required for three or more rooms.
 - (9) These uses are regulated and approved by the Public Utilities Commission. See alternate review procedures in Chapter 85.02.
 - (10) Supportive housing or transitional housing that is provided in single-, two-, or multi-family dwelling units, group residential, parolee-probationer home, residential care facilities, or boarding house uses shall be permitted, conditionally permitted or prohibited in the same manner as the other single-, two- or multi-family dwelling units,

group residential, parolee-probationer home, residential care facilities, or boarding house uses under this Code.

SECTION 4. Table 82-11 of Subsection 82.05.040(b) of the San Bernardino County Code is amended, to read:

Table 82-11

Allowed Land Uses and Permit Requirements for Commercial Land Use Zoning Districts

Land Use See Division 10 (Definitions) for land use definitions	Permit Required by District						Specific Use Regulations
	CR	CN	CO	CG	CS	CH	
Agricultural, Resource & Open Space Uses							
Agriculture support services	P ⁽²⁾	—	—	P ^(1,2)	P ⁽²⁾	—	
Industry, Manufacturing & Processing, Wholesaling							
Construction contractor storage yard	M/C	—	—	—	M/C	—	
Firewood contractor	P ⁽²⁾	—	—	—	P ⁽²⁾	—	84.09
Manufacturing Operations I	M/C ⁽³⁾	—	—	—	P ⁽²⁾	—	
Motor vehicle storage/Impound facility	CUP	—	—	—	CUP	CUP	
Recycling facilities - Small collection facility	SUP	SUP	SUP	SUP	SUP	SUP	84.19
Recycling facilities - Large collection facility	CUP	—	CUP	CUP	CUP	CUP	84.19
Recycling facilities - Light processing facility	CUP	—	—	CUP	CUP	—	84.19
Recycling facilities, reverse vending machine (accessory only)	A	A	A	A	A	A	84.19
Salvage operations - within enclosed structures	M/C ⁽⁴⁾	—	—	—	M/C	—	
Storage - Personal storage (mini-storage)	M/C	—	—	—	P ⁽²⁾	—	
Storage - Recreational vehicles	CUP	—	—	—	CUP	CUP	
Storage Warehouse, Indoor Storage	M/C	—	—	—	—	—	
Wholesaling and distribution	M/C ⁽⁴⁾	—	—	P ^(1,2)	P ⁽²⁾	—	
Recreation, Education & Public Assembly							
Adult business	—	—	—	ABP	—	—	84.02
Commercial entertainment - Indoor	P ⁽²⁾	P ⁽²⁾	—	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	
Commercial entertainment - Outdoor	P ⁽²⁾	—	—	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	
Conference/convention facility ^(4,5)	M/C	—	M/C	M/C	M/C	M/C	
Equestrian facility	M/C	—	M/C	M/C	M/C	M/C	
Fitness/health facility ⁽⁵⁾	P ⁽²⁾	P ⁽²⁾	—	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	
Golf course	M/C	—	—	—	M/C	M/C	
Library, museum, art gallery, outdoor exhibit ⁽⁵⁾	M/C	—	—	M/C	M/C	M/C	
Meeting facility, public or private ⁽⁵⁾	CUP	CUP	CUP	CUP	CUP	CUP	

1	Park, playground	M/C	—	—	—	—	—	
2	Places of worship	CUP	CUP	CUP	CUP	CUP	CUP	
3	Recreational vehicle park	M/C	—	—	—	M/C	M/C	
4	Rural sports and recreation	CUP	—	—	—	CUP	CUP	
5	School - College or university ⁽⁵⁾	M/C	—	M/C	M/C	M/C	M/C	
6	School - Private ⁽⁵⁾	M/C	—	M/C	M/C	M/C	M/C	
7	School - Specialized education/training ⁽⁵⁾	M/C	—	M/C	M/C	M/C	M/C	
8	Sports or entertainment assembly	CUP	—	—	CUP	CUP	CUP	
9	Theater ⁽⁵⁾	M/C	—	—	M/C	M/C	M/C	
10	Residential⁽¹⁰⁾							
11	Accessory dwelling (caretakers residence, etc.)	P ⁽⁶⁾	P ⁽⁶⁾	P ⁽⁶⁾	P ⁽⁶⁾	P ⁽⁶⁾	P ⁽⁶⁾	84.01
12	Accessory use or structure - Residential (conforming and non-conforming uses)	A	P ^(6, 7)	84.01				
13	Group residential (sorority, fraternity, boarding house, private residential club, etc.)	M/C	—	—	M/C	M/C	M/C	
14	Guest housing	P ⁽⁷⁾	—	—	—	—	—	84.01
15	Live/work unit	M/C	M/C	M/C	M/C	M/C	M/C	
16	Mobile home park/manufactured home land-lease community	CUP	—	—	—	—	—	84.14
17	Multiple dwelling, up to 19 units, attached or detached	A	—	—	—	—	—	84.16
18	Multiple dwelling, 20 or more units	CUP	—	—	—	—	—	84.16
19	Parolee and/or probationer home	CUP	—	—	CUP	CUP	CUP	
20	Residential use only as part of a mixed use project	PD	—	PD	PD	PD	PD	84.16
21	Accessory dwelling unit	A	—	—	—	—	—	84.01
22	Junior accessory dwelling unit	A	—	—	—	—	—	84.01
23	Single dwelling	A	—	—	—	—	—	
24	Retail							
25	Auto and vehicle sales and rental	P ⁽²⁾	—	—	P ⁽²⁾	P ⁽²⁾	—	
26	Bar, tavern	P ⁽²⁾	M/C	—	P ⁽²⁾	P ⁽²⁾	—	
27	Building and landscape materials sales - Indoor	M/C	—	—	M/C	M/C	—	
28	Building and landscape materials sales - Outdoor	M/C	—	—	M/C	M/C	—	
29	Construction and heavy equipment sales and rental	M/C	—	—	—	M/C	—	
30	Convenience store	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	
31	Fuel dealer (propane for home and farm use, etc.)	M/C	—	—	—	M/C	—	
32	General retail	M/C	—	—	P ⁽²⁾	P ⁽²⁾	—	
33	Groceries, specialty foods	M/C	M/C	—	P ⁽²⁾	P ⁽²⁾	—	
34	Manufactured home, boat, or RV sales	P ⁽²⁾	—	—	M/C	M/C	—	

1	Night club	P ⁽²⁾	M/C	—	M/C	P ⁽²⁾	—	
2	Restaurant, café, coffee shop	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	
3	Service station	M/C	M/C	—	M/C	M/C	M/C	
4	Second hand stores, pawnshops	P	—	—	P	P	—	
5	Shopping center	M/C	M/C	—	M/C	M/C	M/C	
6	Swap meet, outdoor market, auction yard	M/C	—	—	M/C	M/C	—	
7	Warehouse retail	P ⁽²⁾	—	—	P ⁽²⁾	P ⁽²⁾	—	
8	Services - Business, Financial, Professional							
9	Medical services - Hospital	—	—	CUP ⁽⁵⁾	—	—	—	
10	Medical services - Rehabilitation center	—	—	CUP	—	—	—	
11	Office - Accessory	P ⁽⁶⁾	P ⁽⁶⁾	P ⁽⁶⁾	P ⁽⁶⁾	P ⁽⁶⁾	P ⁽⁶⁾	
12	Professional services	P ⁽²⁾	P ⁽²⁾	P	P ⁽²⁾	P ⁽²⁾	—	
13	Services - General							
14	Bail bond service within 1 mile of correctional institution	P	—	P	P	P	P	
15	Cemetery including pet cemeteries	CUP	CUP	CUP	CUP	CUP	CUP	84.06
16	Child care - Day care center	M/C	M/C	M/C	M/C	M/C	—	
17	Convenience and support services	P ⁽²⁾	P ⁽²⁾	—	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	
18	Emergency shelter	CUP	CUP	CUP	A	A	CUP	84.33
19	Equipment rental	P ⁽²⁾	—	—	P ⁽²⁾	P ⁽²⁾	—	
20	Home occupation	SUP	SUP	SUP	SUP	SUP	SUP	84.12
21	Kennel or cattery - 2.5-acre minimum lot area	M/C/S	—	—	—	M/C/S	—	84.04
22	Licensed Residential Care Facility of 6 or fewer persons	M/C	—	—	M/C	M/C	M/C	84.23
23	Licensed Residential Care Facility of 7 or more persons	M/C	—	—	M/C	M/C	M/C	84.23
24	Lodging - Bed and breakfast inn (B&B)	SUP	—	—	—	—	—	84.05
25	Lodging - Hotel or motel - 20 or fewer guest rooms	P ⁽²⁾	—	—	P ^(2,8)	P ^(2,8)	P ⁽²⁾	
26	Lodging - Hotel or motel - More than 20 guest rooms	M/C	—	—	M/C	M/C	M/C	
27	Personal services	P ⁽²⁾	P ⁽²⁾	—	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	
28	Public safety facility	M/C	M/C	—	—	M/C	M/C	
29	Unlicensed Residential Care Facility of 6 or fewer persons	RCP	—	—	RCP	RCP	RCP	84.32
30	Unlicensed Residential Care Facility of 7 or more persons	M/C	—	—	M/C	M/C	M/C	
31	Vehicle services - Major repair/body work	M/C	—	—	—	M/C	M/C	
32	Vehicle services - Minor maintenance/repair	P ⁽²⁾	—	—	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	
33	Veterinary clinic, animal hospital	M/C	—	—	M/C	M/C	—	
34	Transportation, Communications & Infrastructure							
35	Ambulance, taxi, or limousine dispatch facility	P ⁽²⁾	—	—	—	P ⁽²⁾	P ⁽²⁾	

1	Broadcasting antennae and towers	M/C	—	—	M/C	M/C	—	
2	Broadcasting studio	P ⁽²⁾	—	—	P ⁽²⁾	P ⁽²⁾	—	
3	Parking lots and structures, accessory	P ⁽⁶⁾						
4	Pipelines, transmission lines, and control stations ⁽⁹⁾	(9)	(9)	(9)	(9)	(9)	(9)	
5	Renewable Energy Generation Facilities	CUP	CUP	CUP	CUP	CUP	CUP	84.29
6	Sewage treatment and disposal facility	CUP	—	—	—	—	CUP	
7	Transportation facility	M/C	M/C	M/C	M/C	M/C	M/C	
8	Truck Stop	M/C	—	—	—	M/C	M/C	
9	Truck Terminal	—	—	—	—	M/C	—	
10	Utility facility	CUP	—	—	—	CUP	—	
11	Wind energy system, accessory	S	S	S	S	S	S	84.26
12	Wireless telecommunications facility	S	S	S	S	S	S	84.27
13	Other							
14	Accessory structures and uses	P	P	P	P	P	P	84.01
15	Off-Site Signs	—	—	—	CUP	—	CUP	83.13.060
16	Off-Site Signs (Freeway Oriented)	—	—	—	CUP	—	CUP	83.13.060
17	Temporary special events	TSP	TSP	TSP	TSP	TSP	TSP	84.25
18	Temporary uses and activities	TUP	TUP	TUP	TUP	TUP	TUP	84.25

Key			
A	Allowed use (no planning permit required)	PD	Planned Development Permit required (Chapter 85.10)
ABP	Adult Business Regulatory Permit	SUP	Special Use Permit required (Chapter 85.14)
P	Permitted Use; Site Plan Permit required (Chapter 85.08)	S	Permit requirement set by Specific Use Regulations (Division 4)
M/C	Minor Use Permit required; unless a Conditional Use Permit required in compliance with § 85.06.050 (Projects That Do Not Qualify for a Minor Use Permit)	TSP	Temporary Special Events Permit required (Chapter 85.16)
CUP	Conditional Use Permit required (Chapter 85.06)	RCP	Unlicensed Residential Care Facilities Permit (Chapter 85.20)
MUP	Minor Use Permit required (Chapter 85.06)	TUP	Temporary Use Permit required (Chapter 85.15)
		—	Use not allowed

Notes:	
24	(1) Not allowed in the Phelan planning area.
25	(2) CUP required if maximum building coverage exceeds 10,000 sq. ft., the use will have more than 20 employees per shift, or if not exempt from CEQA; may qualify for a MUP in compliance with § 85.06.020 (Applicability).
26	(3) The use shall be allowed in Lucerne Valley with a Site Plan Permit.
27	(4) The use is allowed in Lucerne Valley with a MUP.
28	(5) A MUP shall not be allowed if the use requires more than 200 parking spaces.
	(6) Use allowed as an accessory use only, on the same site as a retail, service, or industrial use allowed by this

1	table.
2	(7) Use allowed as an accessory use only, on the same site as a residential use allowed by this table.
3	(8) A CUP shall be required for this use in the Phelan planning area.
4	(9) These uses are regulated and approved by the Public Utilities Commission. See alternate review procedures in § 85.02.050.
5	(10) Supportive housing or transitional housing that is provided in single-, two-, or multi-family dwelling units, group residential, parolee-probationer home, residential care facilities, or boarding house uses shall be permitted, conditionally permitted or prohibited in the same manner as the other single-, two- or multi-family dwelling units, group residential, parolee-probationer home, residential care facilities, or boarding house uses under this Code.

7 SECTION 5. Table 82-17 of Subsection 82.06.040(c) of the San Bernardino
8 County Code is amended, to read:

<i>Table 82-17</i>							
Allowed Land Uses and Permit Requirements for Industrial and Special Purpose Land Use Zoning Districts							
LAND USE See Division 10 (Definitions) for land use definitions	PERMIT REQUIRED BY DISTRICT						Specific Use Regulations
	IC	IR	IN	SD-RES ⁽¹⁾	SD-COM ⁽¹⁾	SD-IND ⁽¹⁾	
Agricultural, Resource & Open Space Uses							
Agriculture Support Services	P ⁽²⁾	P ⁽²⁾	—	M/C	M/C	M/C	
Animal Keeping	—	—	—	S	—	—	84.04
Crop production, horticulture, orchard, vineyard	—	—	—	A	—	—	
Natural resources development (mining)	CUP	CUP	—	CUP	CUP	CUP	
Nature preserve (accessory uses)	—	—	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	
Industry, Manufacturing & Processing, Wholesaling							
Adult Business	ABP	—	—	—	—	—	84.02
Construction contractor storage yard	M/C	P ⁽²⁾	—	M/C	M/C ⁽³⁾	M/C	
Hazardous waste operation	—	CUP	—	—	—	—	
Firewood contractor	P	P	—	—	—	M/C	84.09
Manufacturing Operations I	P ⁽²⁾	P ⁽²⁾	—	CUP ⁽⁴⁾	CUP ⁽⁴⁾	CUP ⁽⁴⁾	
Manufacturing Operations II	— ^{(5), (6)}	M/C	—	—	—	CUP ⁽⁴⁾	
Motor vehicle storage/Impound facility	M/C	M/C	—	—	—	M/C	
Recycling facilities - Small collection facility	SUP	SUP	—	—	MUP	MUP	84.19
Recycling facilities - Large collection facility	CUP	CUP	—	—	CUP ⁽³⁾	CUP	84.19
Recycling facilities - Light processing facility	CUP	CUP	—	—	CUP ⁽³⁾	CUP	84.19
Recycling facilities - Heavy processing facility	CUP	CUP	—	—	—	CUP	84.19

1	Recycling facilities, reverse vending machines (accessory only)	A	A	—	A	A	A	84.19
2	Salvage operations - Within an enclosed structure	CUP	M/C	—	—	CUP	M/C	
3	Salvage operations - General	—	CUP	—	—	—	—	
4	Storage - Personal storage (mini-storage)	P ⁽²⁾	P ⁽²⁾	—	M/C	M/C	M/C	
5	Storage - Recreational vehicles	M/C	M/C	—	M/C	M/C	M/C	
6	Storage - Warehouse, indoor storage	M/C	M/C	—	—	M/C	M/C	
7	Wholesaling and distribution	M/C	M/C	—	—	M/C	M/C	
7	Recreation, Education & Public Assembly							
8	Campgrounds	—	—	—	CUP	—	—	
9	Commercial entertainment - Indoor	M/C	—	—	M/C	M/C	M/C	
9	Conference/convention facility	—	—	—	CUP ⁽⁴⁾	CUP ⁽⁴⁾	CUP ⁽⁴⁾	
10	Equestrian facility	—	—	—	M/C	M/C	M/C	
11	Fitness/health facility	P ⁽²⁾	P ⁽²⁾	—	M/C	M/C	M/C	
11	Golf course	—	—	—	CUP ⁽⁴⁾	CUP ⁽⁴⁾	CUP ⁽⁴⁾	
12	Library, museum, art gallery, outdoor exhibit	—	—	—	M/C	M/C	M/C	
13	Meeting facility, public or private	CUP	—	—	CUP	CUP	CUP	
14	Park, playground	—	—	P	P	P	P	
14	Places of worship	CUP	CUP	CUP	CUP	CUP	CUP	
15	Rural sports and recreation	—	—	—	CUP	CUP	CUP	
16	School - College or university	M/C	M/C	M/C	M/C	M/C	M/C	
16	School - Private	M/C	M/C	M/C	M/C	M/C	M/C	
17	School - Specialized education/training	M/C	M/C	M/C	M/C	M/C	M/C	
17	Residential⁽¹⁴⁾							
18	Accessory dwelling (labor quarters, etc.)	P ⁽⁷⁾	84.01					
19	Accessory structures and uses - Residential (conforming and non-conforming uses)	P ^(7,8)	P ^(7,8)	P ^(7,8)	P ⁽⁷⁾	P ⁽⁷⁾	P ⁽⁷⁾	84.01
21	Group residential (sorority, fraternity, boarding house, private residential club, etc.)	—	—	—	M/C	M/C	—	
23	Guest housing	—	—	—	P ⁽⁸⁾	—	—	84.01
23	Live/work unit	M/C	—	—	M/C	M/C	—	
24	Mobile home park/manufactured home land-lease community	—	—	—	CUP	CUP	—	
25	Multiple residential use	—	—	—	PD	PD	PD	
26	Parolee and/or probationer home	—	—	—	CUP	CUP	—	
27	Residential use with retail, service, or industrial use	—	—	—	PD	PD	PD	
28	Accessory dwelling unit	—	—	—	A ⁽¹⁵⁾	—	—	84.01
28	Junior accessory dwelling unit	—	—	—	A ⁽¹⁵⁾	—	—	84.01

1	Single dwelling	—	—	—	A	—	—	
2	Retail							
3	Auto and vehicle sales and rental	P ⁽²⁾	P ⁽²⁾	—	M/C	M/C	M/C	
4	Bar, tavern	—	—	—	M/C	M/C	M/C	
5	Building and landscape materials sales - Indoor	P ⁽²⁾	P ⁽²⁾	—	M/C	M/C	M/C	
6	Building and landscape materials sales - Outdoor	M/C	M/C	—	—	CUP	CUP	
7	Construction and heavy equipment sales and rental	M/C	M/C	—	—	CUP	CUP	
8	Convenience store	P ⁽²⁾	P ⁽²⁾	—	M/C	M/C	M/C	
9	Fuel dealer (propane for home and farm use, etc.)	CUP	CUP	—	CUP	CUP	CUP	
10	General retail - 10,000 sq. ft. or less, with or without residential unit	—	—	—	M/C	M/C	M/C	
11	General retail - More than 10,000 sq. ft., with or without residential unit	—	—	—	PD	PD	PD	
12	Manufactured home or RV sales	M/C	M/C	—	—	M/C	M/C	
13	Night Club	—	—	—	M/C	M/C	M/C	
14	Restaurant, café, coffee shop	P ⁽²⁾	P ⁽²⁾	—	M/C	M/C	M/C	
15	Second hand stores, pawnshops	P ⁽²⁾	—	—	M/C	M/C	M/C	
16	Service station	P ⁽²⁾	P ⁽²⁾	—	M/C	M/C	M/C	
17	Swap meet, outdoor market, auction yard	M/C	M/C	—	—	—	M/C	
18	Warehouse retail	P ⁽²⁾	P ⁽²⁾	—	—	CUP	CUP	
19	Services - Business, Financial, Professional							
20	Medical services - Hospital ⁽⁴⁾	M/C	M/C	M/C	M/C	M/C	M/C	
21	Medical services - Rehabilitation center	M/C	M/C	M/C	M/C	M/C	M/C	
22	Office - Accessory	P ⁽⁸⁾	P ⁽⁸⁾	P ⁽⁸⁾	P ⁽⁸⁾	P ⁽⁸⁾	P ⁽⁸⁾	
23	Professional Services	P ⁽²⁾	—	—	M/C	M/C	M/C	
24	Services - General							
25	Bail bond service within 1 mile of correctional institution	P	P	P	—	P	P	
26	Cemetery, including pet cemeteries	—	—	—	CUP	CUP	CUP	84.06
27	Correctional institution	— ⁽⁴⁾	— ⁽⁴⁾	CUP	— ⁽⁴⁾	— ⁽⁴⁾	— ⁽⁴⁾	
28	Emergency Shelter	CUP	—	—	CUP	CUP	CUP	84.33
29	Equipment rental	P ⁽²⁾	P ⁽²⁾	—	—	M/C	M/C	
30	Home occupation	SUP	SUP	SUP	SUP	SUP	SUP	84.12
31	Kennel or cattery	M/C	—	—	—	—	M/C	84.04
32	Licensed Residential Care Facility of 6 or fewer persons	M/C	—	—	M/C	M/C	—	84.23
33	Licensed Residential Care Facility of 7 or more persons	M/C	—	—	M/C	M/C	—	84.23
34	Lodging - Bed and breakfast inn (B&B)	—	—	—	SUP ⁽⁹⁾	SUP ⁽⁹⁾	—	
35	Lodging - Hotel or motel - 20 or fewer	—	—	—	M/C	M/C	—	

1	guest rooms							
2	Lodging - Hotel or motel - More than 20 guest rooms	—	—	—	M/C	M/C	—	
3	Personal services	P ⁽²⁾	—	—	M/C	M/C	M/C	
4	Public safety facility	M/C	M/C	M/C	M/C	M/C	M/C	
5	Unlicensed Residential Care Facility of 6 or fewer persons	RCP	—	—	RCP	RCP	—	84.32
6	Unlicensed Residential Care Facility of 7 or more persons	M/C	—	—	M/C	M/C	—	
7	Vehicle services - Major repair/body work	P ⁽²⁾	P ⁽²⁾	—	—	M/C ⁽¹⁰⁾	M/C	
8	Vehicle services - Minor maintenance/repair	P ⁽²⁾	P ⁽²⁾	CUP ⁽¹¹⁾	—	M/C ⁽¹⁰⁾	M/C	
9	Veterinary clinic, animal hospital	M/C	—	—	—	M/C	M/C	
Transportation, Communications & Infrastructure								
10	Ambulance, taxi, or limousine dispatch facility	M/C	M/C	M/C	M/C	M/C	M/C	
11	Broadcasting antennae and towers	M/C	M/C	M/C	CUP	CUP	CUP	
12	Parking lots, accessory	P ⁽¹²⁾	P ⁽¹²⁾	P ⁽¹²⁾	P ⁽¹²⁾	P ⁽¹²⁾	P ⁽¹²⁾	
13	Broadcasting studio	M/C	M/C	M/C	CUP ⁽⁴⁾	CUP ⁽⁴⁾	CUP ⁽⁴⁾	
14	Communication contractor	M/C	M/C	M/C	M/C ⁽¹⁰⁾	M/C ⁽¹⁰⁾	M/C ⁽¹⁰⁾	
15	Electrical power generation	CUP	CUP	CUP	—	—	—	
16	Parking structures	P ⁽¹²⁾	P ⁽¹²⁾	P ⁽¹²⁾	M/C	M/C	M/C	
17	Pipelines, transmission lines, and control stations ⁽¹³⁾	(13)	(13)	(13)	(13)	(13)	(13)	
18	Renewable Energy Generation Facilities	CUP	CUP	CUP	—	—	—	84.29
19	Sewage treatment and disposal facility ⁽⁶⁾	CUP	CUP	CUP	—	—	—	
20	Solid waste disposal ⁽⁶⁾	CUP	CUP	CUP	—	—	—	
21	Transportation facility	M/C	M/C	M/C	M/C	M/C	M/C	
22	Truck Stop	M/C	M/C	—	—	—	M/C	
23	Truck Terminal	M/C	M/C	—	—	—	M/C	
24	Utility facility	CUP	CUP	CUP	CUP	CUP	CUP	
25	Water treatment plants and storage tanks	—	CUP	CUP	—	CUP	CUP	
26	Wind energy system, accessory	S	S	S	S	S	S	84.26
27	Wireless telecommunications facility	S	S	S	S	S	S	84.27
Other								
28	Accessory structures and uses	P	P	P	P	P	P	84.01
29	Temporary special events	TSP	TSP	TSP	TSP	TSP	TSP	84.25
30	Temporary structures and uses	TUP	TUP	TUP	TUP	TUP	TUP	84.25
Key								
A	Allowed use (no planning permit required)	PD	Planned Development Permit required (Chapter					

			85.10)
1			
2	ABP	Adult Business Regulatory Permit	SUP Special Use Permit required (Chapter 85.14)
3	P	Permitted Use; Site Plan Permit required (Chapter 85.08)	S Permit requirement set by Specific Use Regulations (Division 4)
4	M/C	Minor Use Permit required; unless a Conditional Use Permit required in compliance with § 85.06.050 (Projects That Do Not Qualify for a Minor Use Permit)	TSP Temporary Special Events Permit required (Chapter 85.16)
5			
6	CUP	Conditional Use Permit required (Chapter 85.06)	RCP Unlicensed Residential Care Facilities Permit (Chapter 85.20)
7	MUP	Minor Use Permit required (Chapter 85.06)	TUP Temporary Use Permit required (Chapter 85.15)
8			— Use not allowed

Notes:

(1) The Special Development Land Use Zoning District may have a suffix to indicate the focus of a particular SD zone. A "RES" suffix indicates that the focus is on residential Planned Development projects. A "COM" suffix indicates that the focus is on commercial Planned Development projects. An "IND" suffix indicates that the focus is on industrial Planned Development projects. However, all can still have mixed uses within these zones.

(2) CUP required if maximum building coverage exceeds 10,000 sq. ft., the use will have more than 20 employees per shift, or if not exempt from CEQA; may qualify for a MUP in compliance with § 85.06.020 (Applicability).

(3) This use shall be located completely within an enclosed structure.

(4) PD Permit required if total floor area or use area exceeds 10,000 sq. ft.

(5) Concrete batch plants in the Phelan planning area may be allowed subject to a CUP.

(6) Pallet manufacturing, reconditioning, and storage yards in the unincorporated area in Fontana bounded by the I-10 on the north, Almond Ave. on the east, 660 ft. south of Santa Ana Ave. on the south, and Mulberry Ave. on the west that is zoned IC may be allowed subject to a CUP.

(7) Use allowed as an accessory use only, on the same site as a retail, service, or industrial use allowed by this table. Requires a Special Use Permit when recreational vehicles are used for seasonal operations.

(8) Use allowed as an accessory use only, on the same site as a residential use allowed by this table.

(9) A CUP shall be required for three or rooms.

(10) This use shall be located completely within an enclosed structure with no exterior overnight storage of vehicles.

(11) When associated with an institutional use.

(12) Use allowed as an accessory use only, on the same site as a retail service, or industrial use allowed by this table.

(13) These uses are regulated and approved by the Public Utilities Commission. See alternate review procedures in § 85.02.050.

(14) Supportive housing or transitional housing that is provided in single-, two-, or multi-family dwelling units, group residential, parolee-probationer home, residential care facilities, or boarding house uses shall be permitted, conditionally permitted or prohibited in the same manner as the other single-, two- or multi-family dwelling units, group residential, parolee-probationer home, residential care facilities, or boarding house uses under this Code.

(15) Use allowed as an accessory use only with standards, on the same site as a residential use allowed by this table.

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1 SECTION 6. Table 83-5 of Subsection 83.02.080(d) of the San Bernardino
 2 County Code is amended, to read:

3

4 **Table 83-5**

5 **Allowed Projections/Structures Within Setbacks**

6 Projections	7 Front and Street Side Setbacks	8 Interior Side Setbacks	9 Rear Setbacks
10 Awnings, canopies, louvers and similar shading devices	4 ft.	2 ft.	4 ft.
11 Eaves, cornices, sills, planting boxes; skylights, fireplaces, flues and chimneys, small satellite dishes (less than 4 ft. in diameter) that are mounted on the roof, and similar architectural features	4 ft.	2 ft.	4 ft.
12 Evaporative coolers, air conditioner compressors, and pool equipment	4 ft. When screened from view	2 ft.	4 ft.
13 Water tanks, propane tanks sited per California Fire Code and maintained in compliance with standards specified by § 83.01.060 (Fire Hazards)	Not allowed	Not allowed	4 ft.
14 Propane tanks in Mountain Region only when sited per California Fire Code and maintained in compliance with standards specified by § 83.01.060 (Fire Hazards)	Allowed when screened from view	Not allowed	4 ft.
15 Large freestanding photovoltaic or solar panels (9 sq. ft. or greater)	Not allowed	Not allowed	10 ft. Minimum 5 ft. separation from rear parcel line
16 Attached patio roofs and similar residential structures having open, unwall sides along not less than 50 percent of their perimeters, including top deck (decks with height greater than 4 ft. above grade)	4 ft.	Not allowed	15 ft. Minimum 5 ft. separation from rear parcel line
17 Cantilevered portion of primary structure more than 8 ft. above grade limited to 50 percent of length of one wall on any one story	4 ft.	4 ft.	4 ft.
18 Open-sided stairways, landings and required fire escapes	5 ft.	4 ft.	10 ft.
19 Uncovered porches, platforms, or decks (up to 4 ft. in height)	4 ft.	4 ft.	10 ft.
20 Open storage of boats, recreational vehicles, trailers and similar vehicles	Not Allowed	Allowed	Allowed
21 Temporary trash storage in appropriate containers	Not Allowed	Allowed	Allowed

28

1	Slides, clotheslines and similar equipment	Not allowed	Not allowed	Allowed
2	Radio or television masts or antennas, large satellite dishes (4 ft. or greater in diameter)	Not allowed	Not allowed	Allowed
3	Garages, carports, sheds and other similar uninhabitable, detached, enclosed accessory structures in the Valley and Desert Region that:	Not allowed	Not allowed	Allowed
4	· Occupy no more than 25 percent of yard			
5	· Limited to 1 story in height			
6	Garages, carports, sheds and other similar, uninhabitable enclosed accessory structures in Mountain Region only that:	Allowed for garages and carports only, but must maintain a 3 ft. setback from road right-of-way. 10 ft. minimum from existing edge of roadway pavement. Other structures not allowed.	Not allowed	Allowed for detached accessory structures only
7	· Limited to 1 story in height			
8	· Meet administrative criteria of Building Official			
9	· Occupy no more than 25 percent of rear yard			
10	· Adhere to 20 percent sideyard setback for front and rear property lines			
11	Unroofed parking, parking decks, and loading areas	As specified by the Chapter 83.11 (Parking Regulations)	Allowed	Allowed
12	Covered, underground or partially excavated structures (e.g., basements, fallout shelters, garages, public utility or telephone/cable TV vaults, wine cellars, etc.)	Allowed in all setback areas, provided that the facilities do not extend more than 30 inches above the adjoining average finished grade level.		
13	Fences, screening, safety guardrails, walls along property lines	Allowed in compliance with § 83.06.030 (General Height Limitations).		
14	<ul style="list-style-type: none"> · Industrial land use zoning districts · Commercial land use zoning districts · All other land use zoning districts 	6 ft. max. height	10 ft. max. height	10 ft. max. height
15		4 ft. max. height	10 ft. max. height	10 ft. max. height
16		4 ft. max. height	6 ft. max. height	6 ft. max. height
17		Fence heights in excess of these standards may be allowed by an approved Use Permit, Variance, Tract or Parcel Map or when required by the County for reasons of the health and safety of the general public. In the RC and RL land use zoning districts, open fences may go up to a maximum of 5 feet in the front yard and street side yards.		
18	<ul style="list-style-type: none"> · Flagpoles · Sculpture and similar decorations · Trees⁽¹⁾, shrubs⁽¹⁾, and landscaping with a screening effect · Utility poles and lines located along property lines no closer than one foot from side property line (this includes 	Allowed	Allowed	Allowed

1	small solar panels that are less than 9 sq. ft.)			
2	· Walkways ⁽²⁾			
3	· Unroofed paving and driveways outside the ultimate road right-of-way.			
4	Unroofed paving and driveways within the ultimate road right-of-way shall be a minimum of 3 feet from the side property line ⁽¹⁾			
5				
6	Signs	Allowed in all setback areas subject to Chapter 83.13 (Signs)		
7	Swimming pools and spas no closer than 5 ft. to any property line	Not allowed	Not allowed	Allowed
8	Accessory dwelling units and junior accessory dwelling units ⁽³⁾	Not allowed	4 ft. from property line	4 ft. from property line
9	(1) Trees and shrubs shall be planted so that at maturity they shall not interfere with a driver's or pedestrian's view of public rights-of-way (e.g. the view of approaching, merging, or intersecting traffic, etc.) or otherwise impair public safety, or interfere with the safe operation of a motor vehicle on public streets.			
10	(2) Walkways necessary for access to the building, parking areas and driveways may be supported on masonry construction in the Mountain Region.			
11				
12	(3) No setbacks shall be required for an existing living area or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit.			
13				

SECTION 7. Table 83-15 of Subsection 83.11.040(c) of the San Bernardino County Code is amended, to read:

Table 83-15	
Parking Requirements by Land Use	
Uses	Number of Spaces Required
Industrial uses of all types, including warehouses or structures used exclusively for storage purposes, wholesale houses and distributors and public utility facilities including, but not limited to, electric, gas, water, telephone, and telegraph facilities not having business offices on the premises	1 for each 1,000 sq. ft. of the first 40,000 sq .ft. of GFA; and
	1 for each 4,000 sq. ft. of GFA for the portion over 40,000 sq.ft.; and
	1 for each facility vehicle
Storage - Mini storage facilities	Mini-storage office 1 for each 250 sq. ft. of office area with 4 minimum
	Additional requirements: · A parking lane shall be provided adjacent to the storage structure's openings that is a minimum of 9 feet in width and outlined (painted). The parking lane is for temporary parking only (30 minutes maximum) and this time restriction shall be clearly marked with signs. · Driveways adjacent to the parking lane shall be a minimum width of 15 feet for one-way and 24 feet for two-way.

1	Recreation, Education & Public Assembly Uses⁽⁴⁾	
2	Amusement enterprises	1 for each 4 persons of the facility's allowed maximum attendance
3	Bowling alleys and billiard halls	5 for each bowling lane; and
4		2 for each billiard table
5	Churches, synagogues, temples, mosques and other places of worship ⁽¹⁾	1 for each 3 fixed seats; and
6		1 for every 25 sq. ft. of seating area where there are no fixed seats; and
7		1 for each 400 sq. ft. of floor area outside the main assembly area
8	Commercial recreation and similar uses (e.g., shooting ranges, race tracks, miniature golf courses, pitch and putt courses, parks, and zoos)	1 for each 4 persons of the facility's allowed maximum attendance
9	Commercial swimming pools and swimming schools	1 for each 500 sq. ft. of water surface area
10		10 minimum
11	Dance halls	1 for each 20 sq. ft. of dance floor area; and
12		1 for each 3 fixed seats and for each 20 sq. ft. of seating area where there are no fixed seats
13	Golf courses and driving ranges, but not to include miniature golf courses	4 for each hole on all golf courses; and
14		1 for each tee for driving ranges
15	Organizational camps	1 bus parking space per 20 campers
16		2 for each resident staff
17		1 for each nonresident staff on the largest shift
18		1 for each facility vehicle
19	Meeting facilities - Theaters, auditoriums, stadiums, sport arenas, gymnasiums and similar places of public assembly	1 for each 3 fixed seats or for every 25 sq. ft. of seating area within the main auditorium where there are no fixed seats ⁽¹⁾
20	Schools - general curriculum Kindergarten through Grade 9	1 for each staff member, faculty member, and employee
21		1 for each facility vehicle
22	Schools - general curriculum Grades 10 through 12, colleges and universities, business and professional schools	1 for each 4 students; and
23		1 for each staff member, faculty member and employee; and
24		1 for each facility vehicle
25	Schools - special schools or trade schools	1 for each 3 students; and
26		1 for each staff member, faculty member, and employee
27	Skating rinks, ice or roller	1 for each 3 fixed seats and for each 20 sq. ft. of seating area where there are no fixed seats; and ⁽¹⁾
28		1 for each 250 sq. ft. of skating area
Residential Uses		
25	Caretaker housing	2, with one covered
26	Group residential (sorority, fraternity, boarding house, private residential club, etc.)	1 for each bedroom
27		1 for the house manager, staff member or employee
28	Mobile home parks	2; one covered on each mobile home parcel (may be in tandem); and
		1 guest space for each 10 spaces, or fraction thereof

1	Multi-family dwelling	2.5 per unit for projects of 4 or more units, one shall be covered for each dwelling unit on the project site to accommodate resident and visitor parking ⁽²⁾
2		2.0 per unit for projects of 2 or 3 units, one shall be covered for each dwelling unit ⁽²⁾
3	Parolee and/or probationer home	1 for each bedroom
4	Accessory dwelling unit	1 uncovered for each unit ⁽⁵⁾
5	Single-family dwelling	2, one shall be covered on the same site with the primary structure ⁽²⁾
6	Retail Trade	
7	Automobile repair and service stations	3 for each service bay (service bays do not count as spaces); and
8		1 for each facility vehicle
9	Automobile sales, boat sales, mobile home sales, retail nurseries, and other open uses not in a structure	1 for each 2,000 sq. ft., or portion thereof, for open area devoted to display or sales; for the first 10,000 sq. ft.; and
10		1 for each 5,000 sq. ft., or portion thereof, over 10,000 sq. ft.; and
11		1 for each facility vehicle
12	Food establishments with take-out provisions only	1 for each 200 sq. ft. of GLA; and
13		1 for each facility vehicle
13		4 minimum
14	General retail	1 for each 250 sq. ft. of GLA
14		4 minimum
15	Restaurants in the Valley and Desert Regions, including drive-ins, cafes, night clubs, taverns, and other similar places where food or refreshment are dispensed	The greater of the following:
16		1 for each 100 sq. ft. of GLA; or
17		1 for each 3 fixed seats and/or 1 for every 50 sq. ft. of floor area where seats may be placed; or
17		10 minimum
18	Restaurants in the Mountain Region, including drive ins, cafes, and other similar places that have 5,000 sq. ft. of GLA or less, where food or refreshment are dispensed and where no alcoholic beverages of any type are sold or served	1 space per 250 sq. ft. of GLA with a 4 space minimum
19		
20	Restaurants in the Mountain Region, including drive ins, cafes, and other similar places that have over 5,000 sq. ft. of GLA where food or refreshment are dispensed, regardless of whether or not alcoholic beverages are served	1 space per 100 sq. ft. of GLA with a 4 space minimum
21		
22	Restaurants in the Mountain Region, including drive ins, cafes, and other similar places, where food or refreshments are dispensed and where alcoholic beverages are sold under State Alcoholic Beverage Control license types 42 (bar/tavern) or 48 (bar/night club), regardless of the square footage of the restaurant	1 space per 100 sq. ft., regardless of GLA with a 4 space minimum
23		
24	Restaurants in the Mountain Region, including drive ins, cafes, and other similar places where food or refreshment are dispensed and where alcoholic beverages are sold under State Alcoholic	1 space per 250 sq. ft. of GLA with 5,000 sq. ft. or less of GLA with a 4 space minimum
25		1 space per 100 sq. ft. of GLA for restaurant uses over 5,000
26		
27		
28		

1	Beverage Control license type 47 (restaurant)	sq. ft. of GLA with a 4 space minimum
2	Shopping centers (projects over 200,000 sq. ft. of floor area)	1 for each 200 sq. ft. of GLA up to 100,000 sq. ft.; and
3		1 for each 250 sq. ft. of GLA for square footage above 100,000 sq. ft.
4	Wholesale commercial nurseries	1 for each 500 sq. ft. of display area
5	Services General	
6	Beauty and nail salons	2 for each station
7	Child care centers	1 for each 5 children that the facility is designed to accommodate
8	Emergency shelter	1 for each guest room
9	Hospital	1 for each 2 patient beds
10	Medical offices, clinics, veterinary hospital	1 for each 250 sq. ft. of GLA
11	Motels, hotels, and boarding house	1 for each unit/room
12	Licensed Residential care facility of 6 or fewer persons	2, one shall be covered on the same site with the primary structure ⁽²⁾
13	Offices, general, financial, business and professional uses	1 for each 250 sq. ft. of GLA
14	Personal services	1 for each 250 sq. ft. of GLA
15	Short-Term Residential Rentals	1 for each four occupants or guests, see § 83.28.060(e)
16	Unlicensed Residential Care Facility with 6 or fewer persons	1 for each bedroom
17		1 for the house manager, staff member or employee
18	Unlicensed Residential Care Facility with 7 or more persons	1 for each bedroom
19		1 for the house manager, staff member or employee
20	Other Uses	
21	Bed and breakfast	1 for each guest room
22	Home occupations	1 for each nonresident employee in addition to residential requirements
23	On-Your-Lot builder model home/sales office	2 per office
24		2 for visitors

- Notes:**
- (1) Twenty-four (24") linear inches of bench or pew shall be considered a fixed seat.
 - (2) Residential parking spaces shall be located to the rear of the front setback line, except that in the Mountain Region, the parking spaces may be located within the setback areas. Tandem parking is not allowed except in the Mountain Region. Areas outside the driveway in front of the primary structure, whether outside the front yard setback or not, shall not be used for parking. In the Valley and Desert Regions, the covered parking requirement only applies to the RS and RM Land Use Zoning Districts.
 - (3) In dormitories, each 100 sq. ft shall be considered equivalent to a guest room.
 - (4) Nonresidential uses shall provide a minimum of four spaces with an additional parking space for each facility vehicle, except where otherwise noted.
 - (5) Residential parking spaces for an accessory dwelling unit may be provided through tandem parking on an existing driveway.

SECTION 8. Chapter 84.01 of the San Bernardino County Code is amended, to read:

1 **CHAPTER 84.01: ACCESSORY STRUCTURES AND USES**

2 **Section**

3 **84.01.010 Purpose and Severability.**

4 **84.01.020 General Development Standards.**

5 **84.01.030 Agricultural Accessory Structures and Uses.**

6 **84.01.040 Commercial and Industrial Accessory Structures and Uses.**

7 **84.01.050 Residential Accessory Structures and Uses.**

8 **84.01.060 Accessory Dwelling Units and Junior Accessory Dwelling**
9 **Units.**

10 **84.01.010 Purpose and Severability.**

11 This Chapter establishes the regulations and criteria that determine the location
12 of compatible accessory structures and uses within various land use zoning districts.
13 The purpose of this Chapter is also intended to provide for the creation of accessory
14 dwelling units and junior accessory dwelling units in accordance with applicable state
15 law. If for any reason any provision in this Chapter is declared invalid, then all other
16 provisions shall remain valid and enforceable.

17 **84.01.020 General Development Standards.**

18 (a) *Land Use Zoning District Regulations Applicable.* Unless otherwise
19 provided, accessory structures and uses shall be subject to the same regulations as the
20 primary structure or use, including projections into setbacks specified in Section
21 83.02.080 (Allowed Projections).

22 (b) *Legally Established Primary Use.* An accessory structure or use shall
23 always exist in conjunction with, and never without, a legally established primary
24 structure or primary use that has the same common owner. Where the primary use is a
25 residence, it shall not be enclosed within an accessory structure. Where the primary
26 use has not yet been established, an accessory structure may only be built subject to
27 the issuance of a Temporary Use Permit in compliance with Chapter 84.25 (Temporary
28 Structures and Uses).

1 (c) *Use of Accessory Structure.* The use of an accessory structure may be
2 for either a primary or an accessory use allowed by the applicable land use zoning
3 district.

4 (d) *Determination of Accessory Uses.* In addition to the accessory uses
5 specifically provided for by this Chapter or elsewhere within this Development Code,
6 each land use shall be deemed to include other accessory uses that are necessarily
7 and customarily associated with and are clearly incidental and subordinate to the
8 primary land use. Whenever the accessory uses are questioned, the Director shall be
9 responsible for determining if a proposed accessory use meets the criteria in this
10 Chapter. Before making a determination, the Director shall give notice to contiguous
11 property owners in compliance with Section 85.02.030 (Staff Review with Notice).

12 (e) *Maximum Site Coverage.* Except as otherwise provided in this Chapter,
13 the combination of accessory and primary structures on a parcel shall not exceed the
14 maximum site coverage allowed by the applicable land use zoning district regulations in
15 Division 2 (Land Use Zoning Districts and Allowed Land Uses).

16 (f) *Location on Same or Contiguous Abutting Parcel.* Accessory structures or
17 uses shall be located on either:

18 (1) The same parcel as the primary structure or use; or

19 (2) A contiguous abutting parcel that is owned by the same owner who
20 owns the parcel that has the primary structure or use, with the exception of guest
21 houses and accessory dwelling units in compliance with Section 84.01.050(a), below.
22 An accessory use may or may not entail the use of a structure.

23 **84.01.030 Agricultural Accessory Structures and Uses.**

24 This Section provides standards for accessory structures and uses that are
25 related to a primary agricultural use.

26 (a) *Animal Keeping.* Animal keeping activities are governed by Chapter 84.04
27 (Animal Keeping) of this Code.

28 (b) *Row Field Tree and Nursery Crop and Animal Product Sales Stand.* The

1 retail trade of plant or animal products primarily grown on the subject property shall be
2 allowed when displayed from one stand with a floor area no larger than 200 square feet
3 on parcels greater than 10,000 square feet in area. Standards for produce stands are
4 provided in Chapter 84.03 (Agritourism Enterprises) of this Code.

5 (c) *Caretaker Housing.* The caretaker dwelling unit shall be subject to
6 accessory dwelling unit development standards in Section 84.01.060(e).

7 (d) *Seasonal Labor Quarters.* Labor quarters for agricultural operations that
8 are limited to three months of the year that encompass the harvest season of the
9 agricultural product may utilize recreational vehicles as temporary labor quarters. A Site
10 Plan Permit shall still be required to ensure proper services are supplied to the
11 temporary laborers. Also, a Special Use Permit shall be required to monitor the use.

12 **84.01.040 Commercial and Industrial Accessory Structures and Uses.**

13 This Section provides standards for accessory structures and uses that are
14 related to primary commercial and industrial uses.

15 (a) *Exterior Storage.* Exterior storage shall comply with Title 3 (Health and
16 Sanitation and Animal Regulations) of the County Code. Screening of exterior storage
17 shall comply with Section 83.02.060 (Screening and Buffering).

18 (b) *Caretaker Housing.* The caretaker dwelling unit shall be subject to
19 accessory dwelling unit development standards in Section 84.01.060(e).

20 (c) *Seasonal Labor Quarters.* Labor quarters for commercial or industrial
21 operations that are limited to three months of the year may utilize recreational vehicles
22 as temporary labor quarters. A Site Plan Permit shall still be required to ensure proper
23 services are supplied to the temporary laborers. Also, a Special Use Permit shall be
24 required to monitor the use. Failure to obtain both the Site Plan Permit and the Special
25 Use Permit required under this subsection shall render the placement, use and/or
26 occupancy of recreational vehicles or similar vehicles unlawful and subject to
27 enforcement under Chapter 86.09 of this Code.

28 **84.01.050 Residential Accessory Structures and Uses.**

1 This Section provides standards for Accessory Structures and Uses that are
2 related to residential single-family and multi-family dwelling units (e.g., play yards,
3 pools, storage sheds, etc.) or that are residential in nature (e.g., guest houses,
4 accessory dwelling units, etc.).

5 (a) *Number of Accessory Residential Units.* In addition to a single-family or
6 multi-family dwelling unit, a combination of two of the following additional accessory
7 units shall be allowed on parcels less than five acres in size:

8 (1) *Accessory Dwelling Unit.* An accessory dwelling unit shall be
9 located on the same parcel as the primary dwelling unit, may be attached to, or located
10 within, or detached from the primary dwelling units, and may be no more than 1,200
11 square feet in size. Only one accessory dwelling unit shall be allowed per parcel.
12 Additional accessory dwelling units may be allowed on parcels with multi-family dwelling
13 structures pursuant to Section 84.01.060 (g).

14 (2) *Junior Accessory Dwelling Unit.* A junior accessory dwelling unit
15 shall be located on the same parcel as the primary dwelling unit and located within the
16 primary dwelling or accessory dwelling unit and may be no more than 500 square feet in
17 size. A junior accessory dwelling unit may include separate sanitation facilities, or may
18 share sanitation facilities with the existing structure. Only one junior accessory dwelling
19 unit shall be allowed per parcel.

20 (3) *Guest House.* Guest houses shall be located on the same parcel as
21 the primary dwelling unit and shall be separated from it by at least 10 feet. Guest
22 houses shall be for use by temporary guests of the occupants of the primary dwelling
23 unit and shall not be rented or otherwise used as a separate dwelling. Only one guest
24 house shall be allowed per parcel. In the Single Residential (RS) or the Multiple
25 Residential (RM) land use zoning districts on parcels less than 2.5 acres in size, the
26 guest house unit shall not extend in front of the primary structure. The provisions of
27 section 84.21.030(i) shall apply to a manufactured home used as a guest house.

28 (b) *Parking.* Except as otherwise provided in this chapter, parking for

1 accessory residential dwelling units shall comply with Chapter 83.11 (Parking and
2 Loading Standards) of this Code.

3 (c) *Carport and/or Garage.* Detached carports or garages shall be limited to
4 1,200 square feet when located on parcels that are less than 20,000 square feet in size.

5 (d) *Other Residential Accessory Structures and Uses.* Except in the Mountain
6 Region, structures and uses such as cabanas, tennis courts, ramadas, water towers
7 and wells, swimming pools, storage buildings shall not extend in front of the primary
8 structure where the primary structure faces a street right-of-way. See Section
9 83.02.080 (Allowed Projections into Setbacks).

10 (e) *Detached Storage Structures.* Parcels that are one acre or less in size
11 shall be limited to only one detached storage structure that exceeds 120 square feet
12 and the storage structure shall not exceed 1,000 square feet. Except in the Mountain
13 Region, detached storage structures shall not extend in front of the primary structure
14 where the primary structure faces a right-of-way.

15 (f) *Freight Containers and Similar Storage-Type Structures.*

16 (1) Freight containers, railroad cars, intermodal containers, and other
17 similar storage-type structures shall be allowed as accessory structures in the RS
18 (Single Residential) or RM (Multiple Residential) land use zoning districts provided that
19 they are compatible with the appearance of the on-site primary structure and the
20 surrounding neighborhood and setting. A Compatibility Determination application shall
21 be approved by the Planning Division of the Land Use Services Department to allow
22 such a structure. Screening such a structure from view from the street or the physical
23 alteration of such a structure, such as painting or otherwise altering the structure, may
24 be considered in the approval of the application. Such railroad car, container or similar
25 storage-type structure shall be placed behind the primary structure and not prominently
26 visible from the street.

27 (2) Freight containers, railroad cars, intermodal containers, and other
28 similar storage-type structures shall be allowed as accessory structures in the

1 Agriculture (AG) or Rural Living (RL) land use zoning districts provided that they shall
2 be altered, either painted or structurally altered, to appear to be similar to, and
3 compatible with, the appearance of the on-site primary structure and the surrounding
4 neighborhood or to blend in with the surrounding environment. Such railroad car,
5 container or similar storage-type structure shall be allowed provided that the container
6 can be placed behind the primary structure and not be prominently visible from the
7 street.

8 (g) *Animal Keeping.* Accessory animal keeping shall be conducted as
9 specified in Chapter 84.04 (Animal Keeping) of this Code.

10 (h) *Exterior Storage.* Exterior storage shall be fully and solidly screened and
11 kept below the level of the fence or other screening mechanism. Exterior storage shall
12 comply with Title 3 (Health and Sanitation and Animal Regulations) of the County Code.
13 Screening of exterior storage shall comply with Section 83.02.060 (Screening and
14 Buffering).

15 (i) *Residential Crop Production.* Accessory crop production shall be allowed
16 on parcels of 10,000 square feet or more, with a temporary sales facility for plant or
17 animal products grown on the subject property. The sales facility shall not be larger
18 than 200 square feet in area and shall display produce for sale for no longer than 72
19 hours in any calendar month. Standards for produce stands are provided in Chapter
20 84.03 (Agritourism Enterprises) of this Code. This does not include wholesale or retail
21 nurseries.

22 (j) *Private Office.* A private office shall be for the sole use of the dwelling unit
23 occupants within a primary structure and shall have no external advertising or signs.

24 (k) *Compatibility.* In the RS (Single Residential) and RM (Multiple
25 Residential) land use zoning districts, the appearance of an accessory structure shall be
26 similar to, and compatible with, the appearance of the primary structure and the
27 surrounding neighborhood and setting.

28 (l) *Storage of Firewood.* The storage of firewood shall comply with Chapter

1 84.09 (Firewood Storage) of this Code.

2 **84.01.060 Accessory Dwelling Units and Junior Accessory Dwelling Units.**

3 (a) *General Provision.* Accessory dwelling units and junior accessory
4 dwelling units shall comply with all provisions of this Chapter as well as the underlying
5 zoning district.

6 (b) *Location Criteria.* Accessory dwelling units and junior accessory dwelling
7 units shall be permitted where allowed in compliance with Division 2 (Land Use Zoning
8 Districts and Allowed Land Uses) of this Code and on any lot that contains a proposed
9 or an existing dwelling. Accessory dwelling units and junior accessory dwelling units
10 shall not be permitted in those areas where a development moratorium has been
11 imposed, including a moratorium for water or sewer connection, whether imposed by
12 the County or another public agency.

13 (c) *Common Ownership and Rental Terms.* Accessory dwelling units and
14 junior accessory dwelling units are not intended for sale separate from the primary
15 dwelling but may be rented separately from the primary dwelling in all regions of the
16 County for a term longer than 30 days, or in the Mountain and Desert Regions for a
17 term less than 30 days provided the short-term rental complies with Chapter 84.28
18 (Short-Term Residential Rentals) of this Code and is not a unit constructed pursuant to
19 subdivision (g), below.

20 (d) *Types of Units.*

21 (1) *Attached unit.* An accessory dwelling unit may either be attached
22 to, or located within, the proposed or existing primary dwelling or an accessory
23 structure, including a garage, storage area or other similar use. A junior accessory
24 dwelling unit shall be located entirely within a proposed or existing primary dwelling or
25 accessory dwelling unit. Attached units may have a separate entrance or share a
26 common entrance with the primary dwelling.

27 (2) *Detached Unit.* An accessory dwelling unit may be detached from
28 the proposed or existing primary dwelling. The detached accessory dwelling unit shall

1 be considered the primary unit if it is a larger size than the primary dwelling.

2 (e) *Development Standards for Accessory Dwelling Units and Junior*
3 *Accessory Dwelling Units.* The development standards for an accessory dwelling unit
4 and junior accessory dwelling unit shall comply with the following additional
5 requirements:

6 (1) Except as otherwise provided in this Chapter, accessory dwelling
7 units and junior accessory dwelling units shall comply with all development standards of
8 the land use zoning designation in which the lot is located.

9 (2) Written confirmation from the sewer district having jurisdiction of the
10 availability of sewer service for the accessory dwelling unit or written approval from the
11 Division of Environmental Health Services for use on an existing or new septic system
12 shall be obtained. Holding tanks shall not be permitted for accessory dwelling units.

13 (3) Written confirmation from the water district having jurisdiction of the
14 availability of water service for the accessory dwelling unit or written approval from the
15 Division of Environmental Health Services for use of an existing or new well shall be
16 obtained.

17 (4) In addition to the requirements of Section 84.01.020 (General
18 Development Standards), the minimum accessory dwelling unit size will be determined
19 by the current edition of the California Residential Code or as certified by California
20 Department of Housing and Community Development. In no event shall the minimum
21 square footage for either an attached or detached accessory dwelling unit prohibit an
22 efficiency unit as defined in Section 17958.1 of the Health and Safety Code.

23 (5) Approval for setbacks from the applicable Fire Department shall be
24 required prior to the issuance of a building permit for an accessory dwelling unit.

25 (6) Approval for site drainage, egress, and exit requirements from the
26 Building and Safety Division shall be required prior to the issuance of a building permit
27 for an accessory dwelling unit.

28 (f) *Development Standard Exemptions.* An accessory dwelling unit and

1 junior accessory dwelling unit are exempt from the following development standards:

2 (1) Lot Coverage. Lot coverage requirements shall not preclude the
3 construction of either an attached or detached accessory dwelling unit that is at least
4 800 square feet in size.

5 (2) Setbacks.

6 (A) No setback shall be required for an existing living area or
7 accessory structure or a structure constructed in the same location and to the same
8 dimensions as an existing structure that is converted to an accessory dwelling unit or to
9 a portion of an accessory dwelling unit or junior accessory dwelling unit.

10 (B) A setback of more than four feet for rear and interior side
11 yards shall be required for an accessory dwelling unit not otherwise constructed in
12 accordance with subparagraph (A), above.

13 (3) Fire Sprinklers. Accessory dwelling units and junior accessory
14 dwelling units are not required to provide fire sprinklers if they are not required for the
15 primary dwelling.

16 (4) Utility Connections. Unless an accessory dwelling unit is
17 constructed with a new single-family dwelling, an applicant is not required to install new
18 or separate utility connections and shall not be subject to separate utility connection fee
19 or capacity charge for an accessory dwelling unit described in paragraph (1) of
20 subdivision (g), below.

21 (5) Parking. The parking requirements for accessory dwelling units, as
22 set forth in Chapter 83.11 (Parking and Loading Standards) of this Code, shall not apply
23 in any of the following instances:

24 (A) The unit is considered a junior accessory dwelling unit.

25 (B) The accessory dwelling unit is located within one-half mile
26 walking distance of public transit.

27 (C) The accessory dwelling unit is located within an
28 architecturally and historically significant historic district.

1 (D) The accessory dwelling unit is part of the proposed or
2 existing primary residence or a converted accessory structure.

3 (E) When on-street parking permits are required but not offered
4 to the occupant of the accessory dwelling unit.

5 (F) When a car share vehicle is located within one block of the
6 accessory dwelling unit.

7 (G) When a garage, carport or covered parking structure is
8 demolished in conjunction with the construction of an accessory dwelling unit or
9 converted into an accessory dwelling unit, the off-street covered parking does not need
10 to be replaced.

11 (g) *By-Right Permitting Exemptions.* Notwithstanding anything to the
12 contrary, an application for a building permit for a use authorized by Division 2 (Land
13 Use Zoning Districts and Allowed Land Uses) of this Code shall be approved to create
14 any of the following:

15 (1) One accessory dwelling unit or junior accessory dwelling unit per lot
16 with a proposed or existing single-family dwelling if all of the following apply:

17 (A) The accessory dwelling unit or junior accessory dwelling unit
18 is within the proposed space of a single-family dwelling or existing space of a single-
19 family dwelling or accessory structure and may include an expansion of not more than
20 150 square feet beyond the same physical dimensions as the existing accessory
21 structure. An expansion beyond the physical dimensions of the existing accessory
22 structure shall be limited to accommodating ingress and egress.

23 (B) The space has exterior access from the proposed or existing
24 single-family dwelling.

25 (C) The side and rear setbacks are sufficient for fire and safety.

26 (D) The junior accessory dwelling unit, if applicable, complies
27 with the requirements of Section 65852.22 of the Government Code.

28 (2) One detached, new construction, accessory dwelling unit that does

1 not exceed four-foot rear and interior side setbacks for a lot with a proposed or existing
2 single-family dwelling, provided the total floor area is not more than 800 square feet and
3 a height of no more than 16 feet. The accessory dwelling unit may be combined with a
4 junior accessory dwelling unit described in paragraph (1) of this subdivision.

5 (3) Multiple accessory dwelling units within the portions of existing
6 multifamily dwelling structures that are not used as livable space, including, but not
7 limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if
8 each unit complies with state building standards for dwellings. The County shall allow
9 at least one accessory dwelling unit and a maximum of 25 percent of the existing
10 multifamily dwelling units.

11 (4) Not more than two accessory dwelling units that are located on a lot
12 that has an existing multifamily dwelling, but are detached from that multifamily dwelling
13 and are subject to a height limit of 16 feet and four-foot rear and interior side setbacks.

14
15 SECTION 9. Subsection 810.01.030(f) of the San Bernardino County Code is
16 amended, to read:

17 (f) **ACCESSORY DWELLING UNIT.** An attached or a detached residential
18 dwelling unit, not considered to exceed the allowable density of the parcel, which
19 provides complete independent living facilities for one or more persons with permanent
20 provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the
21 single-family or multi-family dwelling is situated. An accessory dwelling unit includes an
22 efficiency unit, as defined in Section 17958.1 of the Health and Safety Code, and a
23 manufactured home, as defined in Section 18007 of the Health and Safety Code. To be
24 considered detached, the roofs between the primary structure and the accessory
25 structure must be at least 10 feet apart.

26
27 SECTION 10. Subsection 810.01.120(c) of the San Bernardino County Code is
28 added, to read:

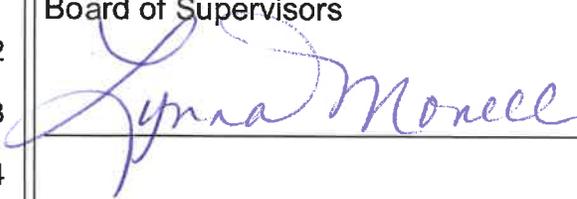
1 (c) **JUNIOR ACCESSORY DWELLING UNIT.** A unit that is no more than
2 500 square feet in size and contained entirely within an existing single-family structure.
3 A junior accessory dwelling unit may include separate sanitation facilities, or may share
4 sanitation facilities with the existing structure.

5
6 SECTION 11. The Board of Supervisors declares that it would have adopted this
7 ordinance and each section, sentence, clause, phrase, or portion of it irrespective of the
8 fact that any one or more sections, subsections, clauses, phrases or portions of it be
9 declared invalid or unconstitutional. If for any reason any portion of this ordinance is
10 declared invalid or unconstitutional, then all other provisions of it shall remain valid and
11 enforceable.

12
13 SECTION 12. This ordinance shall take effect thirty (30) days from the date of
14 adoption.

15 
16 _____
17 CURT HAGMAN, Chairman
18 Board of Supervisors

19 SIGNED AND CERTIFIED THAT A COPY
20 OF THIS DOCUMENT HAS BEEN DELIVERED
21 TO THE CHAIRMAN OF THE BOARD

22 LYNNA MONELL, Clerk of the
23 Board of Supervisors
24 
25 _____

1 STATE OF CALIFORNIA)
2) ss.
3 COUNTY OF SAN BERNARDINO)

4 I, LYNNA MONELL, Clerk of the Board of Supervisors of the County of San
5 Bernardino, State of California, hereby certify that at a regular meeting of the Board of
6 Supervisors of said County and State, held on the 21st day of April, 2020, at which
7 meeting were present Supervisors: Robert A. Lovingood, Janice Rutherford, Dawn
8 Rowe, Curt Hagman, Josie Gonzales, and the Clerk, the foregoing ordinance was
9 passed and adopted by the following vote, to wit:

8 AYES: SUPERVISORS: Robert A. Lovingood, Janice Rutherford,
9 Dawn Rowe, Curt Hagman, Josie Gonzales

10 NOES: SUPERVISORS: None

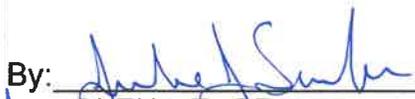
11 ABSENT: SUPERVISORS: None

12 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official
13 seal of the Board of Supervisors this 21st day of April, 2020.

14 LYNNA MONELL, Clerk of the
15 Board of Supervisors of the
16 County of San Bernardino,
17 State of California

18 
Deputy

19 Approved as to Form:
20 MICHELLE D. BLAKEMORE
21 County Counsel

22
23 By: 
24 JOLENA E. GRIDER
25 Deputy County Counsel

26 Date: 5/7/2020

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