



NOTICE OF DEVELOPMENT CODE AMENDMENTS

An ordinance was recently adopted by the Board of Supervisors amending Title 8 of the San Bernardino County Code (Development Code). Ordinance 4098 was effective on March 25, 2010. For those individuals or companies with a printed copy of the Development Code, replacement pages reflecting the changes made by this ordinance can be printed by using a print setting for 2-sided pages. Please remove all old pages and replace them with the new ones as indicated on the following list:

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COUNTY OF SAN BERNARDINO

2007 DEVELOPMENT CODE

Prepared for:

County of San Bernardino
Land Use Services Division
385 North Arrowhead Avenue, 1st Floor
San Bernardino, CA 92415-0182

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Acknowledgements

The following individuals contributed to preparation of the
San Bernardino County General Plan

Board of Supervisors

Brad Mitzelfelt, First District Supervisor
Paul Biane, Second District Supervisor, Chairman
Dennis Hansberger, Third District Supervisor
Gary Ovitt, Fourth District Supervisor, Vice Chairman
Josie Gonzales, Fifth District Supervisor

Planning Commission

Ken Anderson, First District
Michael Cramer, Second District
Bill Collazo, Third District
Mark Dowling, Fourth District, Vice Chairman
Audrey Mathews, Fifth District, Chair

General Plan Advisory Committee (GPAC)

Mark Bulot, Redlands
Ted Dutton, Lake Arrowhead
Scott Frier, Helendale
Matt Jordan, Redlands
Michael Kreeger, Chino Hills
Jornal K. Miller, Muscoy
Ken Morrison, Yucca Valley
Kathy Murphy, Fawnskin
Mark Nuaimi, Fontana
Marvin Shaw, Lake Arrowhead
Doug Shumway, Apple Valley
Jean Stanton, Bloomington
Eric Swanson, Hesperia

County Staff

Julie Rynerson Rock, AICP, Director, Land Use Services Department
Randy Scott, AICP, Deputy Director, Advance Planning
Jim Squire, AICP, Supervising Planner
Carrie Hyke, AICP, Supervising Planner
Dave Prusch, AICP, Senior Associate Planner
Ron Matyas, Senior Associate Planner
Matt Slowik, REHS, Senior Associate Planner



Consultants to the County

URS Corporation

Frank Wein, DPDS, FAICP, Project Director
Jeff Rice, AICP, Assistant Project Manager
Dennis Papillion, Principal in Charge
Brian Smith, AICP, Environmental Manager
Kavita Mehta, AICP, Urban and Environmental Planner
Bob Rusby, AICP, Senior Planner
Cynthia Gabaldon, Senior Engineer
Darryl Taylor, Environmental Planner
Christopher Chavez, Urban and Environmental Planner
Veronica Seyde, Senior Scientist
Tom Herzog, Senior Biologist
Leonard Malo, Natural Resource Manager
Diane Douglas, Senior Archaeologist
Paul Nguyen, Senior Air Quality Scientist
Chris Goetz, Senior Project Geologist
Jerry Zimmerle, Principal Engineer
Joe Devoy, GIS Specialist
Matt Eimers, GIS Analyst
Vaidas Sekas, GIS Analyst
Kristin Hammond, Word Processor
Wayne Lim, Senior Graphic Designer

Hogle-Ireland, Inc.

Paul Ireland, Partner
Mike Thiele, AICP, Principal
Kimiko Lizardi, Project Manager
Ron Pflugrath, AICP

Jacobson and Wack

Bruce Jacobson, AICP, Principal

RBF Consulting

Laura Stearns, Planner

Stanley R. Hoffman Associates, Inc.

Stanley R. Hoffman, FAICP, President
Debbie L. Lawrence, AICP, Project Manager
Bravishwar Mallavarapu, Planner



ISMS, Inc.

Doug Mende, Vice President

Economics Politics, Inc.

John Husing, Vice President

Meyer, Mohaddes Associates

Viggen Davidian, P.E, Project Manager

Matthew Simons, T.E., Senior Transportation Engineer

Adolfo Ozaeta, Project Engineer

Stephen Greene, Transportation Engineer

Yim Tse, Graphics Technician

Psomas

Dan McCroskey, PLS, Project Manager

Duane Haselfeld

Sergio Sanchez

Moore, Iacofano & Goltzman (MIG)

Pat McLaughlin, Office Manager

Esmeralda Garcia, Project Associate

Crawford, Multari and Clark

Paul Crawford

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4043	01-29-2008	02-28-2008			
4057	09-23-2008	10-23-2008			
4065	12-16-2008	01-15-2009			
4085	07-21-2009	08-20-2009			
4098	02-23-2010	03-25-2010			

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Ordinance Disposition Table

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4043	82.03.040(b); 82.04.040(b); 82.05.040(b); 82306.030; 82.06.030; 82.06.040(b); 82.06.050(c); 82.13.060(a); 82.13.060(b)(3); 82.13.060(b)(7)(C); 82.13.060(b)(11), (12), (13); 82.13.060(c) and (d)(1); 82.13.060(d)(8); 82.13.070; 82.13.080(e)(3); 83.02.070(b)(1); 83.02.080; 83.06.040(b); 83.06.070(a); 83.08.020; 83.08.040(a)(1); 83.08.040(c)(3); 83.10.060(a)(4); 83.10.070(e)(2)(A); 83.10.080(a)(4); 83.10.080(b)(5); 83.10.080(c)(2); 83.11.040(c)(5); 83.11.070(a)(1); 83.11.070(h)(4); 83.11.080(h)(1)(A); 83.13.050(c)(7); 83.13.050(c)(8); 73.13.050(e); 83.13.090(c)(1); Chapter 83.15; 84.01.050(b); 84.04.050(d)(8); 84.04.050(e)(8); 84.04.060(c)(4); 84.04.070(e); 84.04.070(f); 84.04.090(B)(1); 84.04.090(h); 84.05.030(b); 84.08.040(e); Chapter 84.16; 84.17.080(a); 84.18.030(b); 84.19.080; 84.21.030(d); 84.21.030(f); 84.24.030(a); 84.25.010; 84.25.070; 84.27.060; 85.06.080; Chapter 85.09; 85.10.070(b)(3)(C)(II) and (III); 85.10.070(e); 85.17.040(a); 86.06.060(b); Chapter 86.09; 86.15.050(a)(2)(B)(II); 88.01.050(i)(8); 88.02.040(c); 810.01.030(g); 810.01.050(mn) – (xxx); 810.01.070(i) – (x); 810.01.150(yy); 810.01.200(j) – (zz); 810.01.210(a); 810.01.240(d)	4065	83.01.040(c)(1); 83.01.040(c)(2); 83.01.040(c)(3); 810.01.060(ff)
		4085	82.01.020(c)(4)(A); 82.01.020(c); 82.02.040(b)(6); 82.04.040(a); 82.06.040(b); 82.05.060; 82.06.030; 82.07.040; 82.13.060(d)(1); 82.13.080; 83.02.060(a)(1); 83.02.080(d); 83.11.100(c)(10)(C); 83.15.070; 84.01.020(b); 84.08.040(i) and (k); 84.14.030; 84.14.050(g); 84.21.030(j)(1) and (2); 84.25.040(l); 84.25.070(a), (c) and (d); 85.03.020; Chapter 85.11; 85.17.040(a); 86.06.020(b); 86.06.040; 86.09.050; 86.09.090(b), (c) and (d); 86.09.100(c); 810.01.030(a)(4)(D); 810.01.180(h)
		4098	82.01.030, 82.03.040; 82.04.040; 82.05.040; 82.06.050; 82.13.040(a) and (f); 82.13.040(f)(1)(B); Chapter 82.24; 83.02.040(s)(2)(O); 83.050.070; 84.01.030(c); 84.01.040(b); 84.12.040; 84.16.050(k); 84.19.040; 84.23.030(b)(10); 84.25.040(c); 84.25.070(c)(2); Chapter 84.26; 84.26.030(a); 84.26.030(b); 84.26.030(g); 84.27.060(b); Chapter 84.29; Chapter 85.18; 85.18.020(b); 86.09.050(b); 810.01.030(dd); 810.01.090(n); 810.01.070(c)(1) and (2)
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- (D) **CG (General Commercial).** The CG (General Commercial) land use zoning district provides sites for retail trade and personal services, lodging services, office and professional services, recreation and entertainment services, wholesaling and warehousing, contract/construction services, transportation services, open lot services, and similar and compatible uses.
- (E) **CS (Service Commercial).** The CS (Service Commercial) land use zoning district provides sites for a mixture of heavy commercial uses and light industrial uses, including light manufacturing uses, and similar and compatible uses.
- (F) **CH (Highway Commercial).** The CH (Highway Commercial) land use zoning district provides sites for retail trade and personal services, lodging services, office and professional services, recreation and entertainment services, wholesaling and warehousing, contract/construction services, transportation services, open lot services, and similar and compatible uses.

(4) Industrial Land Use Zoning Districts.

- (A) **IC (Community Industrial).** The IC (Community Industrial) land use zoning district provides sites for light industrial uses such as light manufacturing uses, wholesale/warehouse services, contract/construction services, transportation services, agriculture support services, incidental commercial and **accessory** residential uses, and similar and compatible uses. **These uses shall have limited outside storage.**
- (B) **IR (Regional Industrial).** The IR (Regional Industrial) land use zoning district provides sites for heavy industrial uses that have the potential to generate severe negative impacts, incidental commercial uses, agricultural support services, salvage operations, and similar and compatible uses.

(5) Special Purpose Land Use Zoning Districts.

- (A) **IN (Institutional).** The IN (Institutional) land use zoning district provides sites for public and quasi-public uses facilities, and similar and compatible uses.
- (B) **SD (Special Development).** The SD (Special Development) land use zoning district provides sites for a combination of residential, commercial, industrial, agricultural, open space and recreation uses, and similar and compatible uses.
- (C) **SP (Specific Plan).** The SP (Specific Plan) land use zoning district provides sites for a combination of residential, commercial, industrial, agricultural, open space, recreational and similar and compatible uses as determined by the Specific Plan.

**Table 82-1
Land Use Zoning Districts**

Land Use Zoning District Symbol	Land Use Zoning District Name	Applicable Development Code Chapter/Section
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Agricultural and Resource Management Land Use Zoning Districts

AG	Agriculture	82.03
RC	Resource Conservation	82.03
FW	Floodway	82.03
OS	Open Space	82.03

Residential Land Use Zoning Districts

RL	Rural Living	82.04
RS	Single Residential	82.04
RM	Multiple Residential	82.04

Commercial Land Use Zoning Districts

CR	Rural Commercial	82.05
CN	Neighborhood Commercial	82.05
CO	Office Commercial	82.05
CG	General Commercial	82.05
CS	Service Commercial	82.05
CH	Highway Commercial	82.05

Industrial Land Use Zoning Districts

IC	Community Industrial	82.06
IR	Regional Industrial	82.06

Special Purpose Land Use Zoning Districts

IN	Institutional	82.06
SD	Special Development	82.06
SP	Specific Plan	82.06

Adopted Ordinance 4011 (2007); Amended Ordinance 4085 (2009); Amended Ordinance 4098 (2010)

82.01.030 Overlays

- (a) **Purpose.** The overlays established by Section 82.01.020 (Land Use Plan and Land Use Zoning Districts), and detailed in Chapters 82.13 through 82.19 are intended to guide development within the overlays by providing standards that apply to proposed development in addition to the standards and regulations of the primary land use zoning district, where important community, site, environmental, safety, compatibility, or design issues require particular attention in project planning. The overlays are shown in Table 82-2.
- (b) **Purpose of individual overlays.** The purpose of each overlay is described in Chapters 82.07 through 82.22.
- (c) **Mapping of overlays.** The applicability of one or more overlays to a specific site is shown by the overlay district symbol established by Chapter 82.01 (Land Use Plan, Land Use Zoning Districts, and Overlays), being appended as a suffix to the symbol for the primary land use zoning district on the Land Use Plan. Overlays are applied to property through the amendment process in Chapter 86.12 (Amendments).
- (d) **Allowed land uses, permit requirements, development standards.** Except as may be otherwise provided by this Division for a specific overlay:
 - (1) Any land use normally allowed in the primary land use zoning district by this Division may be allowed within a overlay, subject to any additional requirements of the overlay;
 - (2) Development and new land uses within a overlay shall obtain the planning approvals required by this Division for the primary land use zoning district; and
 - (3) Development and new land uses within an overlay shall comply with all applicable development standards of the primary land use zoning district, the standards established for the specific overlay by Chapters 82.13 through 82.19, and all other applicable provisions of this Development Code (e.g., Division 3 - Site Planning and General Development Standards). In the event of any conflict between an overlay requirement and a primary land use zoning district requirement, the most restrictive shall control.

Table 82-2 Overlays		
Overlay Symbol	Overlay Name	Applicable Development Code Chapter/Section
Overlays		
AA ¹	Additional Agriculture	82.07
AP ¹	Agricultural Preserve	82.08
AR ²	Airport Safety	82.09
AH ²	Alternate Housing	82.10
BR ²	Biotic Resources	82.11
CP ²	Cultural Resources Preservation	82.12
FS ²	Fire Safety	82.13
FP ²	Flood Plain Safety	82.14
GH ²	Geologic Hazard	82.15
HW ²	Hazardous Waste	82.16
MR ²	Mineral Resources	82.17
NH ²	Noise Hazard	82.18
OS ²	Open Space	82.23
PR ²	Paleontologic Resources	82.19
SR ²	Scenic Resources	82.20
SC ¹	Sign Control	82.21
SS ³	Sphere Standards	82.22

Notes:

- (1) Included as a suffix to the land use designation on the Land Use Zoning District Maps.
- (2) Not included on the Land Use Zoning District Map, but a separate map.
- (3) Only applied to the city sphere of influence area designated in Chapter 82.22.

Adopted Ordinance 4011 (2007); Amended Ordinance 4057 (2008); Amended Ordinance 4098 (2010)

Table 82-4 (continued)
Allowed Land Uses and Permit Requirements
for Agricultural and Resource Management Land Use Zoning Districts

LAND USE <i>See Division 10 (Definitions) for land use definitions</i>	PERMIT REQUIRED BY DISTRICT				Specific Use Regulations
	RC	AG	FW	OS	
TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE					
Broadcasting antennae and towers	M/C	M/C	—	—	
Electrical power generation	CUP	CUP	—	—	84.29
Pipelines, transmission lines, and control stations ⁽¹⁾	(1)	(1)	(1)	(1)	
Sewage treatment and disposal facility ⁽²⁾	—	—	—	—	
Solid waste disposal ⁽²⁾	—	—	—	—	
Transportation facility	CUP	CUP	—	—	
Utility facility	CUP	CUP	CUP	—	
Wind energy system, accessory	S	S	S	—	84.26
Wireless telecommunications facility	S	S	S	—	84.27
OTHER					
Accessory structures and uses	A	A	A	A	84.01
Temporary special events	TSP	TSP	TSP	TSP	85.16
Temporary structures and uses	TUP	TUP	TUP	TUP	84.25

KEY

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 Section 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)	TUP	Temporary Use Permit required (Chapter 85.15)
MUP	Minor Use Permit required (Chapter 85.06)	—	Use not allowed

Notes:

- (1) Pipelines, transmission lines, and control station uses are regulated and approved by the Public Utilities Commission. See alternate review procedures in Section 85.02.050 (Alternate Review Procedures)
- (2) **May** requires a General Plan Amendment to **Institutional (IN)** Overlay.

Adopted Ordinance 4011 (2007); Amended Ordinance 4043 (2008); Amended Ordinance 4057 (2008); Amended Ordinance 4098 (2010)

82.03.050 Agricultural and Resource Management Land Use Zoning District Subdivision Standards

- (a) Each subdivision shall comply with the minimum parcel size requirements shown in Tables 82-4A, 82-4B and 82-4C for the applicable land use zoning district.
- (b) The minimum parcel size requirements for a specific subdivision are determined by the review authority as part of subdivision approval. The review authority may require one or more parcels within a specific subdivision to be larger than the minimums required by these tables based on potential environmental impacts, the physical characteristics of the site or surrounding parcels, and/or other factors.
- (c) See also the standards in Sections 83.02.050 (Parcel Area Measurements and Exceptions).

**Table 82-4A
Agricultural and Resource Management Land Use Zoning District Minimum Lot Size
Valley Region**

Land Use Zoning District	Minimum Lot Area	Lot Dimensions			
		Minimum Frontage Width	Minimum Width	Minimum Depth	Maximum Width to Depth Ratio
AG	10 acres ⁽¹⁾	N.A.	300 ft	300 ft	1:4
RC	40 acres	150 feet	300 ft	300 ft	1:4
FW	10 acres	N.A.	60 ft	100 ft	1:4
OS	No requirement	No requirement	No requirement	No requirement	No requirement

Notes:

- (1) Except where modified by map suffix. The various designations within the AG Land Use Zoning District shall be limited to AG, AG-20, AG-40, AG-80 and AG-160.

**Table 82-7
Allowed Land Uses and Permit Requirements for Residential Land Use Zoning Districts**

LAND USE <i>See Division 10 (Definitions) for land use definitions</i>	PERMIT REQUIRED BY DISTRICT			Specific Use Regulations
	RL	RS	RM	
AGRICULTURAL, RESOURCE & OPEN SPACE USES				
Accessory crop production	A ⁽¹⁾	A ⁽¹⁾	A ⁽¹⁾	84.01
Agricultural accessory structure - 1,000 sf max.	A	A	A	
Agricultural accessory structure - up to 10,000 sf max. on 5 ac. or less	A	—	—	
Agricultural accessory structure greater than 10,000 sf. on 5 ac. or less	M/C	—	—	
Agricultural support services	CUP	—	—	
Animal keeping	S	S	S	84.04
Crop production, horticulture, orchard, vineyard, nurseries	A	—	—	
Livestock operations	CUP	—	—	84.04
Natural resources development (mining)	CUP	—	—	88.03
Nature preserve (accessory uses)	M/C	—	—	
Lake	M/C	CUP	—	
Pond	A	A	M/C	

INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING

Composting operations	CUP	—	—	
Recycling facilities – reverse vending machine, accessory	S	—	—	84.19

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

Agritourism enterprises	S	—	—	84.03
Campgrounds	CUP	—	—	
Commercial entertainment - Indoor	—	—	—	
Conference/convention facility	CUP	—	—	
Equestrian facility	M/C	S ⁽²⁾	—	
Fitness/health facility	—	—	—	
Golf course	CUP	—	—	
Library, museum, art gallery, outdoor exhibit	M/C	M/C	M/C	
Meeting facility, public or private	CUP	CUP	CUP	
Park, playground	P	P	P	
Places of worship	CUP	CUP	CUP	
Rural sports and recreation	M/C	—	—	
School - College or university	— ⁽³⁾	—	—	
School - Private	— ⁽³⁾	— ⁽³⁾	—	
School - Specialized education/training	CUP	—	—	
Sports or entertainment assembly	CUP	—	—	

KEY

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 Section 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)	TUP	Temporary Use Permit required (Chapter 85.15)
MUP	Minor Use Permit required (Chapter 85.06)	—	Use not allowed

- Notes: (1) Use allowed as an accessory use only with standards, on the same site as a residential use allowed by this table.
 (2) A boarding facility only with a Home Occupation Permit.
 (3) Requires a General Plan Amendment to Institutional (IN) Land Use Zoning District.

Table 82-7 (continued)
Allowed Land Uses and Permit Requirements for Residential Land Use Zoning Districts

LAND USE <i>See Division 10 (Definitions) for land use definitions</i>	PERMIT REQUIRED BY DISTRICT			Specific Use Regulations
	RL	RS	RM	
RESIDENTIAL USES				
Accessory structures and uses	A	A	A	84.01
Caretaker housing	M/C ⁽⁵⁾	M/C	M/C	84.01
Dependent housing	SUP	SUP	SUP	84.08
Guest housing	A	A	A	84.01
Home occupation	SUP	SUP	SUP	84.12
Homeless shelter	CUP	CUP	CUP	
Mobile home park/manufactured home land-lease community	CUP	CUP	CUP	84.14
Multiple dwelling, 2 to 3 units, attached or detached	—	—	A	84.16
Multiple dwelling, 4 to 19 units, attached or detached	—	—	A	84.16
Multiple dwelling, 20 to 49 units, attached or detached	—	—	MUP	84.16
Multiple dwelling, 50 or more units, attached or detached	—	—	CUP	84.16
Organizational house (sorority, fraternity, etc.)	CUP	CUP	M/C	
Rooming or boarding, 2 or fewer persons - Accessory	—	—	P	84.01
Secondary dwelling	A ⁽¹⁾	A ⁽¹⁾	—	84.01
Single dwelling	A	A	— ⁽⁶⁾	
Short-Term Private Home Rental	SUP	SUP	SUP	85.28
RETAIL				
Produce stand	A ⁽²⁾	A ⁽²⁾	A ⁽²⁾	
SERVICES - BUSINESS & PROFESSIONAL				
Medical services - Hospital	M/C ⁽⁴⁾	M/C ⁽⁴⁾	M/C ⁽⁴⁾	
Medical services - Rehabilitation centers	M/C	M/C	M/C	
Office - Accessory	A	A	A	84.12
Office - Government	— ⁽⁴⁾	— ⁽⁴⁾	— ⁽⁴⁾	
SERVICES				
Cemetery, including pet cemeteries	CUP	CUP	—	84.06
Child care - Small family day care home	A	A	A	
Child care - Large family day care home	MUP	MUP	MUP	
Child care - Day care center	M/C	M/C	M/C	
Commercial Kennels and Catteries - min lot 2.5 acres (over 15 animals)	M/C/S	—	—	84.04
Correctional institution ⁽⁴⁾	—	—	—	
Lodging - Bed and breakfast inn (B&B)	SUP ⁽³⁾	SUP ⁽³⁾	SUP ⁽³⁾	84.05
Public safety facility	M/C	M/C	M/C	
Social care facility - 6 or fewer clients	A	A	A	84.23
Social care facility - 7 or more clients	M/C	CUP	CUP	84.23

KEY

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 Section 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)	TUP	Temporary Use Permit required (Chapter 85.15)
MUP	Minor Use Permit required (Chapter 85.06)	—	Use not allowed

- Notes: (1) Use allowed as an accessory use only, on the same site as a residential use allowed by this table provided that the parcel is twice the minimum lot size required by the land use zoning district.
 (2) 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.
 (3) A CUP shall be required for three or more rooms.
 (4) Requires a General Plan Amendment to Institutional (IN) Land Use Zoning District.
 (5) For parcels that are 10 acres or greater, a Site Plan Permit is all that is needed.

- (6) Single dwellings will only be allowed within an RM Land Use Zoning District when it is part of a Planned Residential Development that has been designed to meet the goals and densities of the RM zone.

Table 82-7 (continued)
Allowed Land Uses and Permit Requirements for Residential Land Use Zoning Districts

LAND USE <i>See Division 10 (Definitions) for land use definitions.</i>	PERMIT REQUIRED BY DISTRICT			Specific Use Regulations
	RL	RS	RM	
TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE				
Broadcasting antennae and towers	M/C	—	—	
Electrical power generation	CUP ⁽³⁾	—	—	84.29
Pipelines, transmission lines, and control stations ⁽¹⁾	(1)	(1)	(1)	
Sewage treatment and disposal facility ⁽²⁾	—	—	—	
Solid waste disposal ⁽²⁾	—	—	—	
Telecommunications facility	S	S	S	84.27
Transportation facility	M/C	M/C	M/C	
Utility facility	CUP	CUP	CUP	
Wind energy accessory	S	S	S	84.26
Wireless telecommunications facility	S	S	S	84.27
OTHER				
Accessory structures and uses	A	A	A	84.01
Temporary special events	TSP	TSP	TSP	84.25
Temporary structures and uses	TUP	TUP	TUP	84.25

KEY

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 Section 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)	TUP	Temporary Use Permit required (Chapter 85.15)
MUP	Minor Use Permit required (Chapter 85.06)	—	Use not allowed

- Notes:** (1) These uses are regulated and approved by the Public Utilities Commission. See alternate review procedures in Chapter 85.02.
 (2) Requires a General Plan Amendment to Institutional (IN) Land Use Zoning District.
 (3) Use may be allowed only on a minimum of 20 acres.

Adopted Ordinance 4011 (2007); Amended Ordinance 4043 (2008); Amended Ordinance 4057 (2008); Amended Ordinance 4085 (2009); Amended Ordinance 4098 (2010)

82.04.050 Residential Land Use Zoning District Subdivision Standards

- (a) Each subdivision shall comply with the minimum parcel size requirements shown in Tables 82-8A, 82-8B and 82-8C for the applicable land use zoning district.
- (b) The minimum parcel size requirements for a specific subdivision are determined by the review authority as part of subdivision approval. The review authority may require one or more parcels within a specific subdivision to be larger than the minimums required by these tables based on potential environmental impacts, the physical characteristics of the site or surrounding parcels, and/or other factors.
- (c) See also the standards in Sections 83.02.050 (Parcel Area Measurements and Exceptions).

Table 82-8A
Residential Land Use Zoning District Minimum Lot Size
Valley Region

Land Use Zoning District	Minimum Lot Area	Minimum Lot Dimensions		
		Minimum Width	Minimum Depth	Maximum Width to Depth Ratio
RL	2.5 acres ⁽¹⁾	150 ft	150 ft	1:3 for less than 10 acres; 1:4 for 10 or more acres.
RS	7,200 sf ⁽¹⁾	60 ft for less than 1 acre; 150 ft for 1 acre or more.	100 ft for less than 1 acre; 150 ft for 1 acre or more.	1:3 for less than 10 acres; 1:4 for 10 or more acres.
RM	10,000 sf	60 ft	100 ft	1:3

Notes:

- (1) Except where modified by map suffix. The various designations within the RL Land Use Zoning District shall be limited to RL, RL-5, RL-10, RL-20 and RL-40. The various designations within the RS Land Use Zoning District shall be limited to RS, RS-10M, RS-14M, RS-20M and RS-1.

Table 82-11
Allowed Land Uses and Permit Requirements for Commercial Land Use Zoning Districts

LAND USE <i>See Division 10 (Definitions) for land use definitions</i>	PERMIT REQUIRED BY DISTRICT						Specific Use Regulations
	CR	CN	CO	CG	CS	CH	
AGRICULTURAL, RESOURCE & OPEN SPACE USES							
Accessory crop production	—	—	—	—	—	—	
Agriculture support services	P ⁽²⁾	—	—	P ^(1,2)	P ⁽²⁾	—	
Crop production, horticulture, orchard, vineyard	—	—	—	—	—	—	
Natural resources development (Mining)	—	—	—	—	—	—	88.03
Nature preserve (accessory uses)	—	—	—	—	—	—	
INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING							
Construction contractor storage yard	M/C	—	—	—	M/C	—	
Firewood contractor	P ⁽²⁾	—	—	—	P ⁽²⁾	—	84.09
Hazardous waste operations	—	—	—	—	—	—	84.11
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 - Heavy processing facility	—	—	—	—	—	—	84.19
Recycling facilities, reverse vending machine (accessory only)	A	A	A	A	A	A	84.19
Salvage operations - within enclosed structures	M/C ⁽⁵⁾	—	—	—	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 ⁽⁵⁾	—	—	P ^(1,2)	P ⁽²⁾	—	
RECREATION, EDUCATION & PUBLIC ASSEMBLY							
Adult-oriented business	—	—	—	CUP	—	—	84.02
Campgrounds	—	—	—	—	—	—	
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 (5, 6)	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 (6)	P ⁽²⁾	P ⁽²⁾	—	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	
Golf course	M/C	—	—	—	M/C	M/C	
Library, museum, art gallery, outdoor exhibit (6)	M/C	—	—	M/C	M/C	M/C	

KEY

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 Section 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)	TUP	Temporary Use Permit required (Chapter 85.15)
MUP	Minor Use Permit required (Chapter 85.06)	—	Use not allowed

Notes:

- (1) Not allowed in the Phelan planning area.
- (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 Section 85.06.020 (Applicability).
- (3) The use shall be allowed in Lucerne Valley with a Site Plan Permit.
- (4) Use allowed as an accessory use only, on the same site as a retail, service, or industrial use allowed by this table.
- (5) The use is allowed in Lucerne Valley with a MUP.
- (6) A MUP shall not be allowed if the use requires more than 200 parking spaces.

**Table 82-11
Allowed Land Uses and Permit Requirements
for Commercial Land Use Zoning Districts (continued)**

LAND USE <i>See Division 10 (Definitions) for land use definitions</i>	PERMIT REQUIRED BY DISTRICT						Specific Use Regulations
	CR	CN	CO	CG	CS	CH	
RECREATION, EDUCATION & PUBLIC ASSEMBLY (continued)							
Meeting facility, public or private ⁽⁴⁾	CUP	CUP	CUP	CUP	CUP	CUP	
Park, playground	M/C	—	—	—	—	—	
Places of worship	CUP	CUP	CUP	CUP	CUP	CUP	
Recreational vehicle park	M/C	—	—	—	M/C	M/C	
Rural sports and recreation	CUP	—	—	—	CUP	CUP	
School - College or university ^(4, 5)	M/C	—	M/C	M/C	M/C	M/C	
School - Private ^(4, 5)	M/C	—	M/C	M/C	M/C	M/C	
School - Specialized education/training ⁽⁴⁾	M/C	—	M/C	M/C	M/C	M/C	
Sports or entertainment assembly	CUP	—	—	CUP	CUP	CUP	
Theater ⁽⁴⁾	M/C	—	—	M/C	M/C	M/C	
RESIDENTIAL							
Accessory dwelling (caretakers residence, etc.)	P ⁽³⁾	P ⁽³⁾	P ⁽³⁾	P ⁽³⁾	P ⁽³⁾	P ⁽³⁾	84.01
Accessory use or structure - Residential (conforming and non-conforming uses)	A	P ^(2, 3)	P ^{2, 3}	P ^(2, 3)	P ^(2, 3)	P ^(2, 3)	84.01
Guest housing	P ⁽²⁾	—	—	—	—	—	84.01
Home occupation	SUP	SUP	SUP	SUP	SUP	SUP	84.12
Homeless shelter	CUP	CUP	CUP	CUP	CUP	CUP	
Live/work unit	M/C	M/C	M/C	M/C	M/C	M/C	
Mobile home park/manufactured home land-lease community	CUP	—	—	—	—	—	84.14
Multiple dwelling, up to 19 units, attached or detached	A	—	—	—	—	—	84.16
Multiple dwelling, 20 or more units	CUP	—	—	—	—	—	84.16
Residential use only as part of a mixed use project	PD	—	PD	PD	PD	PD	84.16
Secondary dwelling unit	A	—	—	—	—	—	84.01
Single dwelling	A	—	—	—	—	—	

KEY

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 Section 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)	TUP	Temporary Use Permit required (Chapter 85.15)
MUP	Minor Use Permit required (Chapter 85.06)	—	Use not allowed

Notes:

- (1) A MUP shall be required for projects in Lucerne Valley.
- (2) Use allowed as an accessory use only, on the same site as a residential use allowed by this table.
- (3) Use allowed as an accessory use only, on the same site as a retail, service, or industrial use allowed by this table.
- (4) A MUP shall not be allowed if the use requires more than 200 parking spaces.
- (5) May require a General Plan Amendment to Institutional (IN) Land Use Zoning District.

**Table 82-11
Allowed Land Uses and Permit Requirements
for Commercial Land Use Zoning Districts (continued)**

LAND USE <i>See Division 10 (Definitions) for land use definitions</i>	PERMIT REQUIRED BY DISTRICT						Specific Use Regulations
	CR	CN	CO	CG	CS	CH	

RETAIL

Auto and vehicle sales and rental	P ⁽¹⁾	—	—	P ⁽¹⁾	P ⁽¹⁾	—	
Bar, tavern	P ⁽¹⁾	M/C	—	P ⁽¹⁾	P ⁽¹⁾	—	
Building and landscape materials sales - Indoor	M/C	—	—	M/C	M/C	—	
Building and landscape materials sales - Outdoor	M/C	—	—	M/C	M/C	—	
Construction and heavy equipment sales and rental	M/C	—	—	—	M/C	—	
Convenience store	P ⁽¹⁾	P ⁽¹⁾	P ⁽¹⁾	P ⁽¹⁾	P ⁽¹⁾	P ⁽¹⁾	
Fuel dealer (propane for home and farm use, etc.)	M/C	—	—	—	M/C	—	
General retail	M/C	—	—	P ⁽¹⁾	P ⁽¹⁾	—	
Groceries, specialty foods	M/C	M/C	—	P ⁽¹⁾	P ⁽¹⁾	—	
Manufactured home, boat, or RV sales	P ⁽¹⁾	—	—	M/C	M/C	—	
Night club	P ⁽¹⁾	M/C	—	M/C	P ⁽¹⁾	—	
Restaurant, café, coffee shop	P ⁽¹⁾	P ⁽¹⁾	P ⁽¹⁾	P ⁽¹⁾	P ⁽¹⁾	P ⁽¹⁾	
Service station	M/C	M/C	—	M/C	M/C	M/C	
Second hand stores, pawnshops	P	—	—	P	P	—	
Shopping center	M/C	M/C	—	M/C	M/C	M/C	
Swap meet, outdoor market, auction yard	M/C	—	—	M/C	M/C	—	
Warehouse retail	P ⁽¹⁾	—	—	P ⁽¹⁾	P ⁽¹⁾	—	

SERVICES - BUSINESS, FINANCIAL, PROFESSIONAL

Medical services - Hospital ⁽⁴⁾	—	—	CUP ⁽³⁾	—	—	—	
Medical services - Rehabilitation center	—	—	CUP	—	—	—	
Office - Accessory	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	
Professional services	P ⁽¹⁾	P ⁽¹⁾	P	P ⁽¹⁾	P ⁽¹⁾	—	

SERVICES - GENERAL

Bail bond service within 1 mile of correctional institution	P	—	P	P	P	P	
Cemetery including pet cemeteries	CUP	CUP	CUP	CUP	CUP	CUP	84.06
Child care - Day care center	M/C	M/C	M/C	M/C	M/C	—	
Correctional institution ⁽⁴⁾	—	—	—	—	—	—	
Convenience and support services	P ⁽¹⁾	P ⁽¹⁾	—	P ⁽¹⁾	P ⁽¹⁾	P ⁽¹⁾	
Equipment rental	P ⁽¹⁾	—	—	P ⁽¹⁾	P ⁽¹⁾	—	

KEY

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 Section 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)	TUP	Temporary Use Permit required (Chapter 85.15)
MUP	Minor Use Permit required (Chapter 85.06)	—	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 Section 85.06.020 (Applicability).
- (2) Use allowed as an accessory use only, on the same site as a retail, service, or industrial use allowed by this table.
- (3) A MUP shall not be allowed if the use requires more than 200 parking spaces.
- (4) Requires a General Plan Amendment to Institutional (IN) Land Use Zoning District.

**Table 82-11
Allowed Land Uses and Permit Requirements
for Commercial Land Use Zoning Districts (continued)**

LAND USE <i>See Division 10 (Definitions) for land use definitions</i>	PERMIT REQUIRED BY DISTRICT						Specific Use Regulations
	CR	CN	CO	CG	CS	CH	
SERVICES GENERAL (Continued)							
Kennel or cattery - 2.5-acre minimum lot area		—	—	—	—	—	84.04
Lodging - Bed and breakfast inn (B&B)	SUP	—	—	—	—	—	84.05
Lodging - Hotel or motel - 20 or fewer guest rooms	P ⁽²⁾	—	—	P ^(1,2)	P ^(1,2)	P ⁽²⁾	
Lodging - Hotel or motel - More than 20 guest rooms	M/C	—	—	M/C	M/C	M/C	
Personal services	P ⁽²⁾	P ⁽²⁾	—	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	
Public safety facility	M/C	M/C	—	—	M/C	M/C	
Social Care Facility - 7 or more clients	M/C	M/C	M/C	M/C	M/C	M/C	
Vehicle services - Major repair/body work	M/C	—	—	—	M/C	M/C	
Vehicle services - Minor maintenance/repair	P ⁽²⁾	—	—	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	
Veterinary clinic, animal hospital	M/C	—	—	M/C	M/C	—	
TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE							
Ambulance, taxi, or limousine dispatch facility	P ⁽²⁾	—	—	—	P ⁽²⁾	P ⁽²⁾	
Broadcasting antennae and towers	M/C	—	—	M/C	M/C	—	
Broadcasting studio	P ⁽²⁾	—	—	P ⁽²⁾	P ⁽²⁾	—	
Electrical power generation ⁽⁴⁾	—	—	—	—	—	—	
Parking lots and structures, accessory	P ⁽³⁾	P ⁽³⁾	P ⁽³⁾	P ⁽³⁾	P ⁽³⁾	P ⁽³⁾	
Pipelines, transmission lines, and control stations ⁽⁵⁾	⁽⁵⁾	⁽⁵⁾	⁽⁵⁾	⁽⁵⁾	⁽⁵⁾	⁽⁵⁾	
Sewage treatment and disposal facility ⁽⁴⁾	—	—	—	—	—	—	
Solid waste disposal ⁽⁴⁾	—	—	—	—	—	—	
Transportation facility	M/C	M/C	M/C	M/C	M/C	M/C	
Truck Stop	M/C	—	—	—	M/C	M/C	
Truck Terminal	—	—	—	—	M/C	—	
Utility facility	CUP	—	—	—	CUP	—	
Wind energy system, accessory	S	S	S	S	S	S	84.26
Wireless telecommunications facility	S	S	S	S	S	S	84.27
OTHER							
Accessory structures and uses	P	P	P	P	P	P	84.01
Off-Site Signs	—	—	—	CUP	—	CUP	83.13.060
Off-Site Signs (Freeway Oriented)	—	—	—	CUP	—	CUP	83.13.060
Temporary special events	TSP	TSP	TSP	TSP	TSP	TSP	84.25
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)
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 Section 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)	TUP	Temporary Use Permit required (Chapter 85.15)
MUP	Minor Use Permit required (Chapter 85.06)	—	Use not allowed

Notes:

- (1) A CUP shall be required for this use in the Phelan planning area.
- (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 Section 85.06.020 (Applicability)..
- (3) Use allowed as an accessory use only, on the same site as a retail, service, or industrial use allowed by this table.
- (4) Requires a General Plan Amendment to Institutional (IN) Land Use Zoning District.
- (5) These uses are regulated and approved by the Public Utilities Commission. See alternate review procedures in Section 85.02.050

Adopted Ordinance 4011 (2007); Amended Ordinance 4043 (2008); Amended Ordinance 4085 (2009); Amended Ordinance 4098 (2010)

**Table 82-17
Allowed Land Uses and Permit Requirements
for Industrial and Special Purpose Land Use Zoning Districts**

LAND USE <i>See Division 10 (Definitions) for land use definitions</i>	PERMIT REQUIRED BY DISTRICT						Specific Use Regulations
	IC	IR	IN	SD-RES ⁽⁶⁾	SD-COM ⁽⁶⁾	SD-IND ⁽⁶⁾	
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	—	—	
Livestock operations/sales	—	—	—	—	—	—	
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							
Construction contractor storage yard	M/C	P ⁽²⁾	—	M/C	M/C ⁽⁷⁾	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	— ⁽¹⁾⁽⁵⁾	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 ⁽⁷⁾	CUP	84.19
Recycling facilities - Light processing facility	CUP	CUP	—	—	CUP ⁽⁷⁾	CUP	84.19
Recycling facilities - Heavy processing facility	CUP	CUP	—	—	—	CUP	84.19
Recycling facilities, reverse vending machines (accessory only)	A	A	—	A	A	A	84.19
Salvage operations - Within an enclosed structure	CUP	M/C	—	—	CUP	M/C	
Salvage operations - General	—	CUP	—	—	—	—	
Storage - Personal storage (mini-storage)	P ⁽²⁾	P ⁽²⁾	—	M/C	M/C	M/C	
Storage - Recreational vehicles	M/C	M/C	—	M/C	M/C	M/C	
Storage - Warehouse, indoor storage	M/C	M/C	—	—	M/C	M/C	
Wholesaling and distribution	M/C	M/C	—	—	M/C	M/C	

Key

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 Section 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)	TUP	Temporary Use Permit required (Chapter 85.15)
MUP	Minor Use Permit required (Chapter 85.06)	—	Use not allowed

Notes:

- (1) Concrete batch plants in the Phelan planning area may be allowed subject to a CUP.
- (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 Section 85.06.020 (Applicability).
- (3) Use allowed as an accessory use only, on the same site as a retail, service, or industrial use allowed by this table.
- (4) PD Permit required if total floor area or use area exceeds 10,000 sq. ft.
- (5) 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.
- (6) 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.
- (7) This use shall be located completely within an enclosed structure.

**Table 82-17
Allowed Land Uses and Permit Requirements
for Industrial and Special Purpose Land Use Zoning Districts (continued)**

LAND USE <i>See Division 10 (Definitions) for land use definitions</i>	PERMIT REQUIRED BY DISTRICT						Specific Use Regulations
	IC	IR	IN	SD-RES ⁽⁶⁾	SD-COM ⁽⁶⁾	SD-IND ⁽⁶⁾	
RECREATION, EDUCATION & PUBLIC ASSEMBLY							
Campgrounds	—	—	—	CUP	—	—	
Commercial entertainment - Indoor	M/C	—	—	M/C	M/C	M/C	
Conference/convention facility	—	—	—	CUP ⁽³⁾	CUP ⁽³⁾	CUP ⁽³⁾	
Equestrian facility	—	—	—	M/C	M/C	M/C	
Fitness/health facility	P ⁽⁵⁾	P ⁽⁵⁾	—	M/C	M/C	M/C	
Golf course	—	—	—	CUP ⁽³⁾	CUP ⁽³⁾	CUP ⁽³⁾	
Library, museum, art gallery, outdoor exhibit	—	—	—	M/C	M/C	M/C	
Meeting facility, public or private	CUP	—	—	CUP	CUP	CUP	
Park, playground	—	—	P	P	P	P	
Places of worship	CUP	CUP	CUP	CUP	CUP	CUP	
Rural sports and recreation	—	—	—	CUP	CUP	CUP	
School - College or university	M/C ⁽⁴⁾	M/C ⁽⁴⁾	M/C ⁽⁴⁾	M/C ⁽⁴⁾	M/C ⁽⁴⁾	M/C ⁽⁴⁾	
School - Private	M/C ⁽⁴⁾	M/C ⁽⁴⁾	M/C ⁽⁴⁾	M/C ⁽⁴⁾	M/C ⁽⁴⁾	M/C ⁽⁴⁾	
School - Specialized education/training	M/C	M/C	M/C	M/C	M/C	M/C	
RESIDENTIAL							
Accessory dwelling (labor quarters, etc.)	P ⁽¹⁾	P ⁽¹⁾	P ⁽¹⁾	P ⁽¹⁾	P ⁽¹⁾	P ⁽¹⁾	84.01
Accessory structures and uses - Residential (conforming and non-conforming uses)	P ^(1,2)	P ^(1,2)	P ^(1,2)	P ⁽¹⁾	P ⁽¹⁾	P ⁽¹⁾	84.01
Dependent housing	—	—	—	SUP	—	—	84.08
Guest housing	—	—	—	P ⁽²⁾	—	—	84.01
Home occupation	SUP	SUP	SUP	SUP	SUP	SUP	84.12
Homeless shelter	CUP	—	—	CUP	CUP	CUP	
Live/work unit	M/C	—	—	M/C	M/C	—	
Mobile home park/manufactured home land-lease community	—	—	—	CUP	CUP	—	
Multiple residential use	—	—	—	PD	PD	PD	
Residential use with retail, service, or industrial use	—	—	—	PD	PD	PD	
Second dwelling unit	—	—	—	S	—	—	84.01
Single dwelling	—	—	—	A	—	—	

KEY

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 Section 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)	TUP	Temporary Use Permit required (Chapter 85.15)
MUP	Minor Use Permit required (Chapter 85.06)	—	Use not allowed

Notes:

- (1) 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.
- (2) Use allowed as an accessory use only, on the same site as a residential use allowed by this table.
- (3) PD permit required if total floor area of all structures or use area exceeds 10,000 sf.
- (4) May require a General Plan Amendment to Institutional (IN) Land Use Zoning District.
- (5) 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 Section 85.06.020 (Applicability).
- (6) 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.

**Table 82-17
Allowed Land Uses and Permit Requirements
for Industrial and Special Purpose Land Use Zoning Districts (continued)**

LAND USE <i>See Division 10 (Definitions) for land use definitions</i>	PERMIT REQUIRED BY DISTRICT						Specific Use Regulations
	IC	IR	IN	SD-RES ⁽⁵⁾	SD-COM ⁽⁵⁾	SD-IND ⁽⁵⁾	
RETAIL							
Auto and vehicle sales and rental	P ⁽¹⁾	P ⁽¹⁾	—	M/C	M/C	M/C	
Bar, tavern	—	—	—	M/C	M/C	M/C	
Building and landscape materials sales - Indoor	P ⁽¹⁾	P ⁽¹⁾	—	M/C	M/C	M/C	
Building and landscape materials sales - Outdoor	M/C	M/C	—	—	CUP	CUP	
Construction and heavy equipment sales and rental	M/C	M/C	—	—	CUP	CUP	
Convenience store	P ⁽¹⁾	P ⁽¹⁾	—	M/C	M/C	M/C	
Fuel dealer (propane for home and farm use, etc.)	CUP	CUP	—	CUP	CUP	CUP	
General retail - 10,000 sf or less, with or without residential unit	—	—	—	M/C	M/C	M/C	
General retail - More than 10,000 sf, with or without residential unit	—	—	—	PD	PD	PD	
Manufactured home or RV sales	M/C	M/C	—	—	M/C	M/C	
Night Club	—	—	—	M/C	M/C	M/C	
Restaurant, café, coffee shop	P ⁽¹⁾	P ⁽¹⁾	—	M/C	M/C	M/C	
Second hand stores, pawnshops	P ⁽¹⁾	—	—	M/C	M/C	M/C	
Service station	P ⁽¹⁾	P ⁽¹⁾	—	M/C	M/C	M/C	
Swap meet, outdoor market, auction yard	M/C	M/C	—	—	—	M/C	
Warehouse retail	P ⁽¹⁾	P ⁽¹⁾	—	—	CUP	CUP	
SERVICES – BUSINESS, FINANCIAL, PROFESSIONAL							
Medical services - Hospital ⁽⁴⁾	M/C	M/C	M/C	M/C	M/C	M/C	
Medical services - Rehabilitation center	M/C	M/C	M/C	M/C	M/C	M/C	
Office - Accessory	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	
Professional Services	P ⁽¹⁾	—	—	M/C	M/C	M/C	
SERVICES – GENERAL							
Bail bond service within 1 mile of correctional institution	P	P	P	—	P	P	
Cemetery, including pet cemeteries	—	—	—	CUP	CUP	CUP	84.06
Correctional institution	— ⁽⁴⁾	— ⁽⁴⁾	CUP	— ⁽⁴⁾	— ⁽⁴⁾	— ⁽⁴⁾	
Equipment rental	P ⁽¹⁾	P ⁽¹⁾	—	—	M/C	M/C	
Kennel or cattery	M/C	—	—	—	—	M/C	84.04
Lodging – Bed and breakfast inn (B&B)	—	—	—	SUP ⁽⁶⁾	SUP ⁽⁶⁾	—	
Lodging – Hotel or motel – 20 or fewer guest rooms	—	—	—	M/C	M/C	—	
Lodging – Hotel or motel – More than 20 guest rooms	—	—	—	M/C	M/C	—	

KEY

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 Section 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)	TUP	Temporary Use Permit required (Chapter 85.15)
MUP	Minor Use Permit required (Chapter 85.06)	—	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 Section 85.06.020 (Applicability)..
- (2) Use allowed as an accessory use only, on the same site as a residential use permitted by this table.
- (3) PD permit required, if total floor area or use area exceeds 10,000 sq. ft.
- (4) Requires a General Plan Amendment to Institutional (IN) Land Use Zoning District.
- (5) 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.
- (6) A CUP shall be required for three or more rooms.

Table 82-17
Allowed Land Uses and Permit Requirements
for Industrial and Special Purpose Land Use Zoning Districts (continued)

LAND USE <i>See Division 10 (Definitions) for land use definitions</i>	PERMIT REQUIRED BY DISTRICT						Specific Use Regulations
	IC	IR	IN	SD-RES ⁽⁵⁾	SD-COM ⁽⁵⁾	SD-IND ⁽⁵⁾	
SERVICES - GENERAL (Continued)							
Personal services	P ⁽¹⁾	—	—	M/C	M/C	M/C	
Public safety facility ⁽⁶⁾	—	—	CUP	—	—	—	
Social care facility - 7 or more clients	—	—	M/C	CUP	CUP	CUP	
Vehicle services - Major repair/body work	P ⁽¹⁾	P ⁽¹⁾	—	—	M/C ⁽⁷⁾	M/C	
Vehicle services - Minor maintenance/repair	P ⁽¹⁾	P ⁽¹⁾	CUP ⁽⁸⁾	—	M/C ⁽⁷⁾	M/C	
Veterinary clinic, animal hospital	M/C	—	—	—	M/C	M/C	
TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE							
Ambulance, taxi, or limousine dispatch facility	M/C	M/C	M/C	M/C	M/C	M/C	
Broadcasting antennae and towers	M/C	M/C	M/C	CUP	CUP	CUP	
Broadcasting studio	M/C	M/C	M/C	CUP ⁽³⁾	CUP ⁽³⁾	CUP ⁽³⁾	
Communication contractor	M/C	M/C	M/C	M/C ⁽⁷⁾	M/C ⁽⁷⁾	M/C ⁽⁷⁾	
Electrical power generation ⁽⁶⁾	CUP	CUP	CUP	—	—	—	
Parking lots, accessory	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	
Parking structures	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	M/C	M/C	M/C	
Pipelines, transmission lines, and control stations ⁽⁴⁾	⁽⁴⁾	⁽⁴⁾	⁽⁴⁾	⁽⁴⁾	⁽⁴⁾	⁽⁴⁾	
Sewage treatment and disposal facility ⁽⁶⁾	—	—	CUP	—	—	—	
Solid waste disposal ⁽⁶⁾	—	—	CUP	—	—	—	
Transportation facility	M/C	M/C	M/C	M/C	M/C	M/C	
Truck Stop	M/C	M/C	—	—	—	M/C	
Truck Terminal	M/C	M/C	—	—	—	M/C	
Utility facility	CUP	CUP	CUP	CUP	CUP	CUP	
Water treatment plants and storage tanks	—	CUP	CUP	—	CUP	CUP	
Wireless telecommunications facility	S	S	S	S	S	S	84.27
OTHER							
Accessory structures and uses	P	P	P	P	P	P	84.01
Temporary special events	TSP	TSP	TSP	TSP	TSP	TSP	84.25
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)
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 Section 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)	TUP	Temporary Use Permit required (Chapter 85.15)
MUP	Minor Use Permit required (Chapter 85.06)	—	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 Section 85.06.020 (Applicability).
- (2) Use allowed as an accessory use only, on the same site as a retail, service, or industrial use permitted by this table.
- (3) PD permit required if total floor area or use area exceeds 10,000 sq. ft.
- (4) These uses are regulated and approved by the Public Utilities Commission. See alternate review procedures in Section 85.02.050.
- (5) 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.
- (6) May require a General Plan Amendment to Institutional (IN) Land Use Zoning District.
- (7) This use shall be located completely within an enclosed structure with no exterior overnight storage of vehicles.
- (8) When associated with an institutional use.

Adopted Ordinance 4011 (2007); Amended Ordinance 4043 (2008); Amended Ordinance 4057 (2008); Amended Ordinance 4098 (2010)

82.06.050 Industrial and Special Purpose Land Use Zoning District Subdivision Standards

- (a) Each subdivision shall comply with the minimum parcel size requirements shown in Tables 82-18A, 82-18B and 82-18C for the applicable land use zoning district.
- (b) The minimum parcel size requirements for a specific subdivision are determined by the review authority as part of subdivision approval. The review authority may require one or more parcels within a specific subdivision to be larger than the minimums required by these tables based on potential environmental impacts, the physical characteristics of the site or surrounding parcels, and/or other factors.
- (c) See also the standards in Section 83.02.050 (Parcel Area Measurements and Exceptions).

**Table 82-18A
Industrial and Special Purpose Land Use Zoning District Minimum Lot Size
Valley Region**

Land Use Zoning District	Minimum Lot Area	Minimum Lot Dimensions		
		Minimum Width	Minimum Depth	Maximum Width to Depth Ratio
IC	5 acres ⁽¹⁾	60 ft	100 ft	1:3
IR	5 acres ⁽¹⁾	60 ft	100 ft	1:3
IN	None required	60 ft	100 ft	1:4
SD	5 acres ⁽²⁾⁽³⁾⁽⁴⁾	60 ft	100 ft	Lot of less than 10 acres - 1:3 Lot of 10 acres or more - 1:4

Notes:

- (1) Minimum lot area may be less than specified if the subdivision application is filed concurrently with a Planned Development or Conditional Use Permit application.
- (2) Except where modified by map suffix.
- (3) A suffix may be added to a Special Development Land Use Zoning District to emphasize the focus of a specific SD zone. A “RES” suffix would indicate that the focus of the zone is on residential development while still allowing commercial uses. A “COM” suffix would indicate that the focus of the zone is on commercial development while still allowing some residential uses. A “IND” suffix would indicate that the focus of the zone is on industrial development while still allowing other mixed uses. Also, a map suffix may allow minimum lot area to be less than 5 acres (e.g., SD-5 = Special

Development with a five-acre minimum lot area). A map suffix may also indicate maximum dwelling units per acre (e.g., SD-3/1 = Special Development with a maximum density of three dwelling units per acre).

- (4) A Final Development Plan may approve lot sizes smaller than those specified by the land use zoning district. The combination of open spaces and concentrations of smaller lot areas shall be compatible with the land uses on surrounding properties.

Table 82-18B
Industrial and Special Purpose District Minimum Lot Size
Mountain Region

Land Use Zoning District	Minimum Lot Area	Minimum Lot Dimensions		
		Minimum Width	Minimum Depth	Maximum Width to Depth Ratio
IC	5 acres ⁽¹⁾	60 ft for interior lot 70 ft for corner lot	100 ft	1:3
IR	5 acres ⁽¹⁾	60 ft for interior lot 70 ft for corner lot	100 ft	1:3
IN	None required	60 ft for interior lot 70 ft for corner lot	100 ft	1:3
SD	5 acres ^{(2) (3) (4)}	60 ft	100 ft	Lot of less than 10 acres - 1:3 Lot of 10 acres or more - 1:4

Notes:

- (1) Minimum lot area may be less than specified if the subdivision application is filed concurrently with a Planned Development or Conditional Use Permit application.
- (2) Except where modified by map suffix.
- (3) A suffix may be added to a Special Development Land Use Zoning District to emphasize the focus of a specific SD zone. A “RES” suffix would indicate that the focus of the zone is on residential development while still allowing commercial uses. A “COM” suffix would indicate that the focus of the zone is on commercial development while still allowing some residential uses. A “IND” suffix would indicate that the focus of the zone is on industrial development while still allowing other mixed uses. Also, a map suffix may allow minimum lot area to be less than 5 acres (e.g., SD-5 = Special Development with a five-acre minimum lot area). A map suffix may also indicate maximum dwelling units per acre (e.g., SD-3/1 = Special Development with a maximum density of three dwelling units per acre).
- (4) A Final Development Plan may approve lot sizes smaller than those specified by the land use zoning district. The combination of open spaces and concentrations of smaller lot areas shall be compatible with the land uses on surrounding properties.

**Table 82-18C
Industrial and Special Purpose District Minimum Lot Size
Desert Region**

Land Use Zoning District	Minimum Lot Area	Minimum Lot Dimensions		
		Minimum Width	Minimum Depth	Maximum Width to Depth Ratio
IC	5 acres ⁽¹⁾	60 ft	100 ft	1:3
IR	5 acres ⁽¹⁾	60 ft	100 ft	1:3
IN	None required	60 ft	100 ft	1:3
SD	5 acres ^{(2) (3) (4)}	60 ft	100 ft	Lot of less than 10 acres - 1:3 Lot of 10 acres or more - 1:4

Notes:

- (1) Minimum lot area may be less than specified if the subdivision application is filed concurrently with a Planned Development or Conditional Use Permit application.
- (2) Except where modified by map suffix.
- (3) A suffix may be added to a Special Development Land Use Zoning District to emphasize the focus of a specific SD zone. A “RES” suffix would indicate that the focus of the zone is on residential development while still allowing commercial uses. A “COM” suffix would indicate that the focus of the zone is on commercial development while still allowing some residential uses. A “IND” suffix would indicate that the focus of the zone is on industrial development while still allowing other mixed uses. Also, a map suffix may allow minimum lot area to be less than 5 acres (e.g., SD-5 = Special Development with a five-acre minimum lot area). A map suffix may also indicate maximum dwelling units per acre (e.g., SD-3/1 = Special Development with a maximum density of three dwelling units per acre).
- (4) A Final Development Plan may approve lot sizes smaller than those specified by the land use zoning district. The combination of open spaces and concentrations of smaller lot areas shall be compatible with the land uses on surrounding properties.

Adopted Ordinance 4011 (2007); Amended Ordinance 4043 (2008); Amended Ordinance 4098 (2009)

82.06.060 Industrial and Special Purpose Land Use Zoning District Site Planning and Building Standards

- (a) **Site layout and building standards.** Subdivisions, new land uses and structures, and alterations to existing land uses and structures, shall be designed, constructed, and established in compliance with the requirements in Tables, 82-19A and B, 82-20A and B, 82-21A and B, in addition to the applicable standards (e.g., landscaping, parking and loading, etc.) in Division 3 (Countywide Development Standards), and Division 4 (Standards for Specific Land Uses and Activities).

Table 82-19A
IC and IR Land Use Zoning District Development Standards
Valley Region

Development Feature	Requirement by Land Use Zoning District	
	IC Community Industrial	IR Regional Industrial
Density	<i>Maximum housing density. The actual number of units allowed will be determined by the County through subdivision or planning permit approval, as applicable.</i>	
Maximum density	Accessory dwellings as allowed by Chapter 84.01 (Accessory Structures and Uses).	
Setbacks	<i>Minimum setbacks required. See Chapter 83.02 for exceptions, reductions, and encroachments. See Division 5 for any setback requirements applicable to specific land uses.</i>	
Front	25 ft	25 ft
Side - Street side	25 ft	25 ft
Side - Interior (each)	10 ft ⁽¹⁾	10 ft ⁽¹⁾
Rear	10 ft ⁽²⁾	10 ft ⁽²⁾
Floor area ratio (FAR)	<i>Maximum floor area ratio (FAR) allowed.</i>	
Maximum FAR	.45:1	.55:1
Lot coverage	<i>Maximum percentage of the total lot area that may be covered by structures and impervious surfaces.</i>	
Maximum coverage	85%	85%
Height limit	<i>Maximum allowed height of structures. See Section 83.02.040 (Height Limits and Exceptions) for height measurement requirements, and height limit exceptions.</i>	
Maximum height	75 ft	150 ft
Accessory structures	See Chapter 84.01 (Accessory Structures and Uses).	
Infrastructure	See Chapter 83.09 (Infrastructure Improvement Standards)	
Landscaping	See Chapter 83.10 (Landscaping Standards)	
Parking	See Chapter 83.11 (Parking Regulations).	
Signs	See Chapter 83.13 (Sign Regulations)	

Notes:

- (1) Only one side yard setback is required to provide for emergency access. If the adjacent lot is not designated commercial or industrial, a side yard shall be required along that side of the lot.
- (2) A rear yard setback is required only when the adjacent property is not designated commercial or industrial.

CHAPTER 82.13 FIRE SAFETY (FS) OVERLAY

Sections:

- 82.13.010 Purpose
- 82.13.020 Location Requirements
- 82.13.030 Fire Safety Areas
- 82.13.040 Application Requirements
- 82.13.050 General Development Standards
- 82.13.060 FS1, FS2, and FS3 Development Standards
- 82.13.070 FS1 Additional Development Standards
- 82.13.080 Soil Erosion and Sediment Control Plans/Permits
- 82.13.090 Alternate Hazard Protection Measures

82.13.010 Purpose

The Fire Safety (FS) Overlay established by Sections 82.01.020 (Land Use Plan and Land Use Zoning Districts) and 82.01.030 (Overlays) is created to provide greater public safety in areas prone to wildland brush fires, by establishing additional development standards for these areas.

Adopted Ordinance 4011 (2007)

82.13.020 Location Requirements

The FS Overlay shall be designated in high fire hazard areas as mapped on the General Plan Hazards Maps with the locations derived from the California Department of Forestry, U.S. Forest Service, and the County Fire Department.

Adopted Ordinance 4011 (2007)

82.13.030 Fire Safety Areas

The FS Overlay is divided into three fire safety areas to correspond to distinct geographic areas and the associated wildland fire hazard. The requirements applicable to each fire safety area are found in Section 82.13.050 (General Development Standards), Section 82.13.060 (FS1, FS2, and FS3 Development Standards), and 82.13.070 (FS1 Additional Development Standards).

- (a) **Fire Safety Area 1 (FS1).** Fire Safety Area 1 (FS1) includes areas within the mountains and valley foothills. It includes all the land generally within the San Bernardino National Forest boundary and is characterized by areas with moderate and steep terrain and moderate to heavy fuel loading contributing to high fire hazard conditions.
- (b) **Fire Safety Area 2 (FS2).** Fire Safety Area 2 (FS2) includes those lands just to the north and east of the mountain FS1 area in the mountain-desert interface. These areas have gentle to moderate sloping terrain and contain light to moderate fuel loading. These areas

are periodically subject to high wind conditions that have the potential of dramatically spreading wildland fires.

- (c) **Fire Safety Area 3 (FS3).** Fire Safety Area 3 (FS3) includes lands just to the south of the mountain FS1 area. These lands are primarily within the wildland-urban interface of the Valley Region and consist of varying terrain from relatively flat to steeply sloping hillside areas. Present and future development within FS3 is exposed to the impacts of wildland fires and other natural hazards primarily due to its proximity to FS1. These areas are subject to Santa Ana wind conditions that have the potential of dramatically spreading wildland fires during extreme fire behavior conditions.

Adopted Ordinance 4011 (2007)

82.13.040 Application Requirements

- (a) **Notice of application or permit.** A notice of each land use application and/or development permit that would lead to the construction of one or more structures or the subdivision of land within the FS Overlay shall be **sent to** the responsible Fire Authority **for comment**.
- (b) **Review authorities.** Each proposed land use application that would lead to the construction or expansion of a structure or the subdivision of land shall be submitted to the responsible fire authority and the appropriate Natural Resource Conservation Service Office for review and recommendation. Any recommendations received shall be indicated in any staff report and/or presentation for the proposed development and shall be incorporated into project conditions of approval where possible.
- (c) **Pre-application conference.** Every development project application submitted to the Department shall be reviewed by Department staff through a pre-application conference with the project proponent before the acceptance of the application for filing.
- (d) **Density bonus.** A residential density bonus, if any, shall only be allowed through the approval of a Planned Development Permit in compliance with Chapter 85.10 (Planned Development Permits).
- (e) **Subdivisions.** When 25 percent or more of a subdivision project site involving five or more lots is located on natural slopes greater than 30 percent, the subdivision application shall be submitted concurrently with a Planned Development application to evaluate appropriate project design in consideration of topographic limitations of the site. This provision shall not apply if all of the areas on the site with natural ungraded slopes over 30 percent are permanently restricted from structural development.
- (f) **Application requirements.** Each land use and other project application shall include the following information and materials, in addition to what is required by Section 82.13.060(b)(6) (Application Forms and Information Packets).

- (1) **Slope analysis.** Each project application shall include a slope analysis. The slope analysis shall include the following information:
 - (A) A topographic map of the proposed project area and all adjoining properties within 150 feet at a scale of not less than one-inch to 200 feet. The contour interval shall not be more than two feet except that the contour interval may be five feet if the general natural ungraded slope is more than 10 percent. Contour lines shall be obtained by aerial or field survey, done under the supervision of a licensed Land Surveyor or Registered Engineer.
 - (B) The natural, ungraded, slope categories to be computed are zero percent to less than 15 percent, 15 percent to less than 30 percent, 30 percent to less than 40 percent, and 40 percent and greater. The minimum area (polygon) used for slope calculation shall be 5,000 square feet.
 - (C) The area, in acres, shall be tabulated for each category.
- (2) **Preliminary grading plan.** Each project application shall include a preliminary grading plan, except that preliminary grading plan requirements may be waived by the Director if it is determined through the required preapplication conference that this requirement is unnecessary due to site specific soils, topographic or other physical conditions, or due to the specific design of the project. The preliminary grading plan shall include the following information.
 - (A) A topographic map of the proposed project area and all adjoining properties within 150 feet at a scale of not less than one inch to 200 feet. The contour interval shall not be more than two feet except that the contour interval may be five feet if the natural ungraded slope is more than 10 percent. Contour lines shall be obtained by aerial or field survey, done under the supervision of a licensed Land Surveyor or Registered Engineer.
 - (B) Contours of the finished graded slope shown at intervals similar to that on the topographic base map.
 - (C) Street grades, slope ratios, flow lines, pad elevations, maximum elevation of top and minimum elevation of toe of finished slopes over five feet in vertical height, the maximum heights of those slopes and approximate total cubic yards of cut and fill shown on the preliminary grading plan.
 - (D) Compliance with the current edition of the California Building Code, as adopted by the County, is required.
 - (E) In the event no grading is proposed, a statement to that effect shall be placed on the required topographic map described in Subsection (f)1.a, above, and the map shall delineate the boundary of an adequately sized building pad, driveway and septic system (if proposed) for each proposed parcel.

- (3) **Fuel modification plan.** Each project application shall include a fuel modification plan describing the fuel modification area required in Subsection 82.15.060(b) 6, below. The plan may be submitted as a preliminary and final plan. A preliminary and/or final plan shall be submitted concurrently with the development application to the Department for review in conjunction with the project design review. Final plans shall be reviewed and approved by the responsible Fire Authority in conjunction with the County Fire Marshall. The fuel modification plan shall address the standards in Subsection 82.13.060(b)(6), below, and the following factors:
- (A) The natural ungraded slope of the land within the project and in the areas adjacent to the project;
 - (B) Fuel loading;
 - (C) Access to the project and access directly to the fuel modified area;
 - (D) The on-site availability of water that can be used for fire fighting purposes;
 - (E) The continual maintenance of the fuel modified areas;
 - (F) The soil erosion and sediment control measures to alleviate permanent scarring and accelerated erosion; and
 - (G) A list of recommended landscape plant materials that are fire resistant.

Adopted Ordinance 4011 (2007); Amended Ordinance 4098 (2010)

82.13.050 General Development Standards

Each proposed development shall comply with all applicable requirements of this Chapter, as follows.

- (a) **All phases.** The requirements of this Chapter shall apply to all phases of a development project.
- (b) **Fire Authority standards.** All proposed development shall comply with all other applicable standards required by the responsible Fire Authority. **This shall include the standards and provisions of the California Building Code (CBC) Chapter 7A (Materials and Construction Methods for Exterior Wildfire Exposure) which is included in this code by reference.**
- (c) **Applicability of land use zoning district standards and overlay standards.** The development standards established by a land use zoning district and any applicable overlay shall apply, except as modified by this Chapter.

applicant shows that the runoff will not contribute to downstream erosion, flooding, or sedimentation.

- (3) **Onsite percolation devices.** Concentrated runoff that cannot be effectively dispersed over nonerodible channels or conduits to the nearest drainage course shall be contained within onsite percolation devices.
 - (4) **Energy dissipaters at point of discharge.** Where water will be discharged to natural ground or channels, appropriate energy dissipaters shall be installed to prevent erosion at the point of discharge.
 - (5) **Detention or filtration mechanisms.** Runoff from disturbed areas shall be detained or filtered by berms, vegetated filter strips, catch basins, or other means necessary to prevent the escape of sediment from the disturbed area.
 - (6) **Deposition of earth or materials prohibited.** No earth, organic, or construction material shall be deposited in or placed where it may be directly carried into a stream, lake, marsh, slough, lagoon, or body of water.
 - (7) **Buffer zone along land/water margin.** Where land disturbing activities are in proximity to lakes or natural watercourses, a buffer zone shall be required along the land/water margin of sufficient width to confine visible siltation within 25 percent of the buffer zone nearest the land disturbing activities.
- (e) **Land clearing measures.** Activities subject to a development permit (e.g. Conditional Use Permit, **Building Permit**, Grading Permit, Planned Development Permit, Site Plan Permit, Temporary Use Permit, etc.) shall provide the following land clearing measures:
- (1) **Approval of Plan required before commencement of activities.** No land clearing activities, except as otherwise allowed by this Section, shall take place before approval of the Soil Erosion and Sediment Control Plan **or Soil Erosion Pollution Prevention Plan, as applicable.**
 - (2) **Limitations on land clearing and vegetation removal.** **The plan shall show the area of land disturbance. No land clearing shall occur outside the limits of the disturbed area shown on the approved plan.** Land clearing shall be kept to a minimum. Vegetation removal shall be limited to that amount necessary for building, access, fire protection and construction as shown on the approved Soil Erosion and Sediment Control Plan or as allowed by the Building Official through a Soil Erosion and Sediment Control Permit.
 - (3) **Establishment of vegetation.** Disturbed surfaces shall be prepared and maintained to control erosion and to establish vegetative growth compatible with the area. This control shall consist of any one or a combination of the following:

- (A) Effective temporary planting (e.g., rye grass, fast germinating native seed, etc.) and/or mulching with straw, pine needles, chippings, or other slope stabilization material.
 - (B) Permanent planting of compatible drought resistant species of ground cover, shrubs, trees, or other vegetation.
 - (C) Mulching, fertilizing, watering, or other methods necessary to establish new vegetation.
- (4) **Installation and maintenance of protection.** The protection required by this Section shall be installed before calling for final approval of the project. The protection shall be maintained for at least one year or until permanent protection is established. **Temporary measures to control erosion shall be removed when permanent stabilization has been established.**
- (5) **Vegetation removal between October 15 and April 15.** Vegetation removal between October 15 and April 15 shall not precede subsequent grading or construction activities by more than 15 days. **Erosion and sediment control measures shall be in place at all times during the land disturbing activity until post-construction measures are in place and established.**
- (6) **Authorization of land disturbing activity.** The Building Official shall authorize **land disturbing** activities only if the Building Official determines that the activities comply with the provisions of, and are consistent with the purposes of, this Section:
- (A) Contiguous land clearing operations involving **a disturbance** greater than one acre **shall be reviewed by the Public Works Department Land Development Division and the Land Use Services Department Current/Advance Planning Division when necessary for compliance with all applicable water quality regulations.**
 - (B) **Disturbed** surfaces not involved in the immediate operation shall be protected by mulching or other effective means of soil protection.
 - (C) Roads and driveways shall have drainage facilities sufficient to prevent erosion on or adjacent to the roadway or on downhill properties. Erosion-resistant
 - (D) Runoff from a site shall be detained or filtered by berms, vegetated filter strips, or catch basins to prevent the escape of sediment from the site. These drainage controls shall be maintained by the permittee or property owner as necessary to achieve their purpose throughout the life of the project.

CHAPTER 82.14 FLOOD PLAIN SAFETY (FP) OVERLAY

Sections:

- 82.14.010 Purpose
- 82.14.020 Location Requirements
- 82.14.030 Applicability
- 82.14.040 Review Area Procedures and Standards
- 82.14.050 Development Standards
- 82.14.060 Exceptions and Modifications
- 82.14.070 Boundary Changes

82.14.010 Purpose

The Flood Plain Safety (FP) Overlay established by Sections 82.01.020 (Land Use Plan and Land Use Zoning Districts) and 82.01.030 (Overlays) is created to provide greater public safety, promote public health, and minimize public and private economic losses due to flood conditions by establishing regulations for development and construction within flood prone areas.

Adopted Ordinance 4011 (2007)

82.14.020 Location Requirements

- (a) The FP1, FP2, and FP3 Overlays described in Section 82.14.040 are applied to areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) or the Federal Insurance Administration in a scientific and engineering report entitled "Flood Insurance Study" for the County of San Bernardino, initially prepared in 1978, which has subsequent updates, with accompanying Flood Insurance Rate Maps (FIRMs). Subsequent report and map updates that may be published in the future shall further identify additional flood hazard areas. The most current copy of the Flood Insurance Study is on file with the Flood Control District.
- (b) The Flood Insurance Study establishes the minimum areas to which the FP Overlays may be applied. Additional areas may be added after studies for the areas are prepared by the Flood Control District or other governmental agencies (e.g., Corps of Engineers).

Adopted Ordinance 4011 (2007)

82.14.030 Applicability

No structure or land use shall hereafter be constructed, located, extended, converted, or altered without full compliance with the provisions of this Chapter and other applicable regulations. Violations of the provisions of this Chapter by failure to comply with any of its requirements (including violation of conditions and safeguards required by conditions of approval) shall be subject

to the penalties established by this Development Code. Nothing in this Chapter shall prevent the County from taking lawful action as is necessary to prevent or remedy any violation.

- (a) **Abrogation and greater restrictions.** The provisions of this section are not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this section and another section, easement, covenant, or deed restriction conflict or overlap, the more stringent regulations or standards shall govern.
- (b) **Interpretation.** In the interpretation and application of this section all provisions shall be considered as minimum requirements, liberally construed in favor of the governing body and, deemed neither to limit nor repeal any other powers granted under state statutes.
- (c) **Implementation.** The requirements of this section shall be integrated into the processing and review of all land use applications and development permits where specific flood hazard review and flood protection recommendations are made by the County.

Adopted Ordinance 4011 (2007); Amended Ordinance 4098 (2010)

82.14.040 Review Area Procedures and Standards

The Flood Plain Safety Overlay (FP) shall be subdivided into three review areas as follows. Proposed development shall comply with the following standards of the applicable require area.

- (a) **Flood Plain Review Area 1 - (FP1).** FP1 includes areas subject to a base flood (also called “100-year flood”) as defined by the Federal Flood Insurance Regulations. The following FEMA-designated flood hazard zones are included in FP1: A, AE, AH, AO and AR. The following standards shall apply to property within the FP1 area.
 - (1) **Elevation of first floor.** New construction and substantial improvement of any structure shall be constructed so that the first floor (including basement) shall be one foot or more above the base flood elevation, when the FEMA map base flood elevations are shown, and will not result in any significant increase in flood levels during the base flood discharge. When the base flood elevations are not shown, new construction and substantial improvement of any residential structure shall be constructed so that the first floor (including basement) shall be two feet or more above the highest adjacent grade.
 - (2) **Review procedures.** A project proposed in this area shall be subject to a Flood Hazard Development Review. This review shall ensure that the proposed project complies with this Development Code regarding flood protection measures and will require the submittal of an Elevation Certificate completed by a land surveyor, engineer, or architect who is authorized by State or local law to certify elevation information.
 - (3) **Development Restriction.** In areas where no regulatory floodway has been designated, no new construction, substantial improvement or other development (including fill) shall be permitted within any areas designated by FEMA as A or AE

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- (K) Monuments.
- (L) Noncommercial antennae up to 65 feet in residential land use zoning districts.
- (M) Observation and carillon towers.
- (N) Ornamental towers and spheres.
- (O) Radio and television station towers.
- (P) Residential chimneys, flues, smokestacks, and enclosures.
- (Q) Solar energy collectors in the RS (Single Residential) and RM (Multiple Residential) land use zoning districts. In other land use zoning districts, these structures shall be allowed up to 65 feet. These structures shall be set back from all property lines and habitable structures at least 100 percent of the height of the structure. For noncommercial windmills, refer to Chapter 84.26 (Wind Energy Systems).
- (R) Stairway housing.
- (S) Water tanks and water towers.
- (T) Distribution and transmission cables and towers.
- (U) Other roof structures and mechanical equipment similar to those listed above.

Adopted Ordinance 4011 (2007); Amended Ordinance 4098 (2010)

83.02.050 Parcel Area Measurements and Exceptions

- (a) **Purpose.** The purpose of this Section is to provide regulations for parcel area standards required by this Development Code. The intent is to clarify the circumstances in which exceptions to the standards may be allowed and to provide uniform methods of calculating parcel areas and measuring parcel dimensions.
- (b) **Applicability.** Except as provided in this Chapter, all parcels of land shall conform to the parcel area standards in Division 2 (Land Use Zoning Districts and Allowed Land Uses) for the land use zoning districts in which the parcels are located.
- (c) **Allowed substandard parcels.** A legally created parcel having an area, width, or depth less than that required by an applicable standard provided in Division 2 (Land Use Zoning Districts and Allowed Land Uses) may be used or built upon, provided the development otherwise conforms to the requirements of this Development Code.

(d) Exceptions to parcel area requirements.

- (1) Parcel area reduction as a result of government action for public purpose.** Where a parcel area or setback width or depth has been reduced by a government agency to not more than 25 percent below the minimum requirements identified in Division 2 (Land Use Zoning Districts and Allowed Land Uses), by condemnation, acquisition or dedication for a road, drain, or other public purpose, including any dedication as a result of a redistricting, Variance or Conditional Use Permit, the parcel area existing before reduction shall be what counts for meeting the requirements of this Development Code.
- (2) Preservation of historic structures.** Parcels to be used for the preservation of historic structures or land uses may have less than the minimum parcel area required for the land use zoning district where located, provided that:
 - (A) The parcel's structure and/or use have been or may be deemed historic by an incorporated, nonprofit historic preservation organization.
 - (B) The site shall not be used for human habitation nor generate sewage effluent unless it is:
 - (I) Served by common sewage facilities; or
 - (II) Contains at least 40,000 square feet and the facilities meet the approval of the Environmental Health Services Division.
 - (C) The parcel owner shall grant an easement in perpetuity to the County or other governmental body empowered to accept the easement, restricting further development of the site to historic preservation purposes.
- (3) Subdivision in compliance with Conditional Use Permit.** The subdivision of multi-family dwellings and mobile home parks in compliance with the conditions of an approved Conditional Use Permit shall not be held to the minimum parcel area requirements of the applicable land use zoning district.
- (4) Subdivision where topographical constraints or created by aliquot part.** Metes and bounds subdivisions may have actual parcel areas that are 10 percent less than those required by the applicable land use zoning district, where the parcels either:
 - (A) Have topographical constraints; or
 - (B) Are created by aliquot part division (i.e., using a "proper divisor", which is any divisor of a given number other than the number itself).
- (e) Parcel area calculations.** The minimum parcel area requirements identified in Division 2 (Land Use Zoning Districts and Allowed Land Uses) shall be calculated as follows:

CHAPTER 83.05 DEDICATIONS AND INSTALLATIONS OF STREET AND TRAIL IMPROVEMENTS

Sections:

- 83.05.010 Purpose
- 83.05.020 Applicability
- 83.05.030 Dedication of Street and/or Highway Right-of-Way
- 83.05.040 Dedication and Installation of Trail Right-of-Way
- 83.05.050 Installation of Street Improvements
- 83.05.060 Delayed Improvements
- 83.05.070 **(Reserved)**
- 83.05.080 Building Official Determination

83.05.010 Purpose

This Chapter regulates and controls dedications and the installation of street improvements and trails. The regulations are intended to preserve the public health, safety, and general welfare; to promote orderly growth and development; and to ensure the provision of adequate traffic circulation, utilities, and services.

Adopted Ordinance 4011 (2007); Amended Ordinance 4098 (2010)

83.05.020 Applicability

The requirements of this Chapter shall apply to all subdivision and single-parcel development.

Adopted Ordinance 4011 (2007)

83.05.030 Dedication of Street and/or Highway Right-of-Way

- (a) **Dedications required by approved plans or ordinances.** Before final inspection of structures, the dedication of additional street and/or highway right-of-way may, at the discretion of the Director of Public Works, be required to comply with the General Plan, an adopted specific plan, a Local Area Transportation Facilities Plan, or the provisions of any specific ordinance which has established a future right-of-way line.
- (b) **Dedications required in absence of approved plans or ordinances.** Where approved plans or ordinances do not exist, the required dedications shall be as follows:
 - (1) **Desert Region.** In the Desert Region, a 44-foot half width on section lines and quarter section lines and a 30-foot half width on sixteenth section lines shall be required.

- (2) **Mountain Region.** In the Mountain Region, a 20-foot half width from centerline shall be required; however, whenever the Director of Public Works waives this dedication requirement, a 10-foot half width shall be the absolute minimum required.
- (3) **Valley Region.** In the Valley Region, additional right-of-way shall be required in compliance with road widths established by the General Plan after review by the Director of Public Works.

Adopted Ordinance 4011 (2007); Amended Ordinance 4043 (2008)

83.05.040 Dedication and Installation of Trail Right-of-Way

- (a) **Dedications required by approved plans or ordinances.** Before final inspection of structures, the dedication of a trail right-of-way may, at the discretion of the Director, be required to comply with the General Plan, an adopted specific plan, or the provisions of any specific ordinance that has established a future right-of-way line.
- (b) **Dedications required in absence of approved plans or ordinances.** Where approved plans or ordinances do not exist, the required dedications may be required for specific plans and planned development projects and shall be as follows:
 - (1) Proposed development adjacent to trail systems may be required to dedicate land for trail access points, as determined by the Director.
 - (2) The dedication or offers of dedication of trail easements where appropriate may be required for establishing a planned trails system alignment or where an established trail is jeopardized by impending development.
- (c) **Development standards.**
 - (1) To ensure application of uniform design standards and to promote the safety of trail users and their enjoyment of the trails system, the Director shall apply the *County Trail Use and Design Guidelines*. These standards are intended to serve as a general guide, and may at times be superseded by standards of managing agencies other than San Bernardino County (e.g., U.S. Forest Service standards). Standards may vary depending on the proposed use and operation of the trail; more detailed standards for specific trails may be developed at the time specific siting and planning for a trail link is completed.
 - (2) The scenic corridor on either side of a proposed trail route, measured from the outside edge of the right-of-way, trail, or path shall be identified. Development along the scenic corridor shall be compatible with existing scenic qualities.
- (d) **Delayed improvements.** Delayed improvements may be allowed in compliance with Section 83.05.060 (Delayed Improvements).

- (e) **Waiver of Public Works requirements.** A waiver of the Public Works Department requirements may be allowed in compliance with Section 83.05.070 (Waiver of Public Works Requirements).

Adopted Ordinance 4011 (2007)

83.05.050 Installation of Street Improvements

- (a) **When installation of street improvements required.** Before final inspection of a structure or improvement resulting in an increase or change of vehicular traffic that necessitates the construction of street improvements for the purposes of protecting public safety and health, the installation of street improvements may, at the discretion of the Director of Public Works, be required in compliance with the current adopted County standards.
- (b) **Street improvements described.** Street improvements shall include any or all of the following:
 - (1) Curb and gutter.
 - (2) Sidewalks.
 - (3) Concrete driveway approaches.
 - (4) Drainage structures.
 - (5) Back filling and preparation of the road surface to rough grade for the placement of paving.
 - (6) Paving.
 - (7) Other necessary improvements as determined by the Director of Public Works.

Adopted Ordinance 4011 (2007)

83.05.060 Delayed Improvements

- (a) **Dedication and installation required first.** The right-of-way dedication and installation of street improvements shall be required before the occupancy of the premises or commencement of uses.
- (b) **Delayed improvements allowed with written agreement.** Where it is impractical to install the required improvements at the time of the proposed development, an agreement in writing shall be entered into with the County Department of Public Works to make the improvements.

- (c) **Surety required.** A cash deposit, a surety bond, a developer lien agreement, or other form of surety acceptable to the County Department of Public Works in an amount equal to the estimated cost of the improvements as determined by the County Engineer, shall be posted with the County Department of Public Works to guarantee the installation of the improvements. In the latter event, the actual installation of street improvements may be delayed until the County makes a written demand for the installment. If surety bonds are submitted, they shall be furnished by a surety company authorized to write the bonds in the State of California. If a developer lien agreement is used, it shall be used only for commercial or industrial development and shall be prepared and processed in compliance with County policy.

Adopted Ordinance 4011 (2007)

| **83.05.070** **(Reserved)**

Adopted Ordinance 4011 (2007); Amended Ordinance 4098 (2010)

83.05.080 **Building Official Determination**

Before final inspection of a structure, the Building Official shall determine that all of the following have been accomplished:

- (a) Dedications have been provided.
- (b) Street improvements have either been installed or that a cash deposit, surety bond or other form of acceptable surety in an amount equal to the estimated cost of the street improvements has been posted with the County Department of Public Works to ensure the installation of the street improvements.

Adopted Ordinance 4011 (2007)

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CHAPTER 84.01 ACCESSORY STRUCTURES AND USES

Sections:

- 84.01.010 Purpose
- 84.01.020 General Development Standards
- 84.01.030 Agricultural Accessory Structures and Uses
- 84.01.040 Commercial and Industrial Accessory Structures and Uses
- 84.01.050 Residential Accessory Structures and Uses

84.01.010 Purpose

This Chapter establishes the regulations and criteria that determine the location of compatible accessory uses within various land use zoning districts.

Adopted Ordinance 4011 (2007)

84.01.020 General Development Standards

- (a) **Land use zoning district regulations applicable.** Unless otherwise provided, accessory structures and uses shall be subject to the same regulations as the primary structure or use, including projections into setbacks specified in Section 83.02.080 (Allowed Projections).
- (b) **Legally established primary use.** An accessory structure or use shall always exist in conjunction with, and never without, a legally established primary structure or primary use that has the same common owner. *Where the primary use is a residence, it shall not be enclosed within an accessory structure. Where the primary use has not yet been established, an accessory structure may only be built subject to the issuance of a Temporary Use Permit in compliance with Chapter 84.25 Temporary Structures and Uses.*
- (c) **Use of accessory structure.** The use of an accessory structure may be for either a primary or an accessory use allowed by the applicable land use zoning district.
- (d) **Determination of accessory uses.** In addition to the accessory uses specifically provided for by this Chapter or elsewhere within this Development Code, each land use shall be deemed to include other accessory uses that are necessarily and customarily associated with and are clearly incidental and subordinate to the primary land use. Whenever the accessory uses are questioned, the Director shall be responsible for determining if a proposed accessory use meets the criteria in this Chapter. Before making a determination, the Director shall give notice to contiguous property owners in compliance with Section 85.02.030 (Staff Review with Notice).
- (e) **Maximum site coverage.** The combination of accessory and primary structures on a parcel shall not exceed the maximum site coverage allowed by the applicable land use

zoning district regulations in Division 2 (Land Use Zoning Districts and Allowed Land Uses).

- (f) **Location on same or contiguous abutting parcel.** Accessory structures or uses shall be located on either:
- (1) The same parcel as the primary structure or use; or
 - (2) A contiguous abutting parcel that is owned by the same owner who owns the parcel that has the primary structure or use, with the exception of guest housing in compliance with Subsection 84.01.050(b), below. An accessory use may or may not entail the use of a structure.

Adopted Ordinance 4011 (2007); Amended Ordinance 4085 (2009)

84.01.030 Agricultural Accessory Structures and Uses

This Section provides standards for accessory structures and uses that are customarily related to an agricultural use.

- (a) **Animal keeping.** Animal keeping activities are governed by Chapter 84.04 (Animal Keeping)
- (b) **Row field tree and nursery crop and animal product sales stand.** The retail trade of plant or animal products primarily grown on the subject property shall be allowed when displayed from one stand with a floor area no larger than 200 square feet on parcels greater than 10,000 square feet in area. Standards for produce stands are provided in Chapter 84.03. (Agritourism Enterprises).
- (c) **Caretaker housing.** A caretaker dwelling unit may be located anywhere on the property at the discretion of the property owner. The unit shall be a minimum 600 square feet in area and a maximum 1,200 square feet in area. The unit shall be limited to two bedrooms, and its architectural design shall be compatible with the neighborhood. Recreational vehicles shall not be used for caretaker housing. **Existing residential structures are exempt from this maximum square footage requirement.**
- (d) **Seasonal Labor Quarters.** Labor quarters for agricultural operations that are limited to three months of the year that encompass the harvest season of the agricultural product may utilize recreational vehicles as temporary labor quarters. A Site Plan Permit shall still be required to ensure proper services are supplied to the temporary laborers. Also, a Special Use Permit shall be required to monitor the use. Failure to obtain both the Site Plan Permit and the Special Use Permit required under this subsection shall render the placement, use and/or occupancy of recreational vehicles or similar vehicles unlawful and subject to enforcement under Chapter 86.09 of this Title.

Adopted Ordinance 4011 (2007); Amended Ordinance 4057 (2008); Amended Ordinance 4098 (2010)

84.01.040 Commercial and Industrial Accessory Structures and Uses

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

- (a) **Exterior storage.** Exterior storage shall comply with Title 3 (Health and Sanitation and Animal Regulations) of the County Code. Screening of exterior storage shall comply with Section 83.02.060 (Screening and Buffering).
- (b) **Caretaker housing.** The caretaker dwelling unit may be located either above the first floor or behind a primary commercial use. The unit shall be a minimum 600 square feet in area and a maximum 1,200 square feet in area. The unit shall be limited to two bedrooms, and its architectural design shall be compatible with the neighborhood. Recreational vehicles shall not be used for caretaker housing. **Existing residential structures are exempt from this maximum square footage requirement.**
- (c) **Seasonal Labor Quarters.** Labor quarters for commercial or industrial operations that are limited to three months of the year may utilize recreational vehicles as temporary labor quarters. A Site Plan Permit shall still be required to ensure proper services are supplied to the temporary laborers. Also, a Special Use Permit shall be required to monitor the use. Failure to obtain both the Site Plan Permit and the Special Use Permit required under this subsection shall render the placement, use and/or occupancy of recreational vehicles or similar vehicles unlawful and subject to enforcement under Chapter 86.09 of this Title.

Adopted Ordinance 4011 (2007); Amended Ordinance 4057 (2008); Amended Ordinance 4098 (2010)

84.01.050 Residential Accessory Structures and Uses

This Section provides standards for Accessory Structures and Uses that are customarily related to residential single-family dwelling units (e.g., play yards, pools, storage sheds, etc.) or that are residential in nature (e.g., caretaker housing, guest housing, second dwelling units, etc).

- (a) **Number of accessory residential uses.** In addition to a single-family dwelling unit, only one of the following uses shall be allowed on parcels less than five acres in size:
 - (1) A second dwelling unit shall be allowed provided that the parcel area is at least two times the minimum lot size specified by the land use zoning district for the subject property. If a parcel with a second dwelling unit is subsequently subdivided, the County may require the second dwelling unit be moved if proper setbacks and other development standards cannot be met.
 - (2) Dependent housing.

- (3) Caretaker housing. The caretaker dwelling unit shall be a minimum 600 square feet in area and a maximum 1,200 square feet in area. The unit shall be limited to two bedrooms, and its architectural design shall be compatible with the neighborhood. In the Single Residential (RS) or the Multiple Residential (RM) land use zoning districts on parcels less than 2.5 acres in size, the caretaker dwelling unit shall not extend in front of the primary structure. Recreational vehicles shall not be used for caretaker housing. **The provisions of Subsection 84.21.030(i) of this Title shall apply to a manufactured home used as caretaker housing.**
- (b) **Guest housing.** Guest housing shall be located on the same parcel as the primary dwelling unit and shall be separated from it by at least 10 feet. Guest housing shall be for use by temporary guests of the occupants of the primary dwelling unit and shall not be rented or otherwise used as a separate dwelling. Only one guest house shall be allowed. In the Single Residential (RS) or the Multiple Residential (RM) land use zoning districts on parcels less than 2.5 acres in size, the guest housing unit shall not extend in front of the primary structure. **The provisions of Subsection 84.21.030(i) of this Title shall apply to a manufactured home used as guest housing.**
- (c) **Parking.** Parking for accessory residential dwelling units shall comply with Chapter 83.11 (Parking and Loading Standards).
- (d) **Carport and/or garage.** Detached carports or garages shall be limited to 1,200 square feet when located on parcels that are less than 20,000 square feet in size.
- (e) **Other residential accessory structures and uses.** Structures and uses such as cabanas, play yards, tennis courts, porches, ramadas, awnings, patio slabs, water towers and wells, swimming pools, storage buildings shall not extend into the existing front setback of the primary structure where the primary structure faces a street right-of-way. See Section 83.02.080 (Allowed Projections into Setbacks).
- (f) **Detached storage structures.** Parcels that are one acre or less in size shall be limited to only one detached storage structure that exceeds 120 square feet and the storage structure shall not exceed 1,000 square feet. Detached storage structures shall not extend in front of the primary structure where the primary structure faces a right-of-way.
- (g) **Prohibited accessory structures and uses.** Freight containers, railroad cars, intermodal containers, and other similar storage-type structures shall not be allowed as accessory structures in the RS (Single Residential), RM (Multiple Residential), Agriculture (AG) or Rural Living (RL) land use zoning districts unless they are altered to appear to be similar to, and compatible with, the appearance of the on-site primary structure and the surrounding neighborhood, subject to the satisfaction of the Director.
- (h) **Animal keeping.** Accessory animal keeping shall be conducted as specified in Chapter 84.04(Animal Keeping).
- (i) **Exterior storage.** Exterior storage shall be fully and solidly screened and kept below the level of the fence or other screening mechanism. Exterior storage shall comply with Title 3 (Health and Sanitation and Animal Regulations) of the County Code. Screening of exterior storage shall comply with Section 83.02.060 (Screening and Buffering).

CHAPTER 84.12 HOME OCCUPATIONS

Sections:

- 84.12.010 Purpose
- 84.12.020 Applicability
- 84.12.030 Classes of Home Occupations Described
- 84.12.040 Allowed Land Use Zoning Districts and Permit Requirements
- 84.12.050 Prohibited Home Occupations
- 84.12.060 Allowed Home Occupations in Desert Region
- 84.12.070 Development Standards Applicable to all Classes
- 84.12.080 Class I Home Occupation Standards
- 84.12.090 Class II Home Occupation Standards
- 84.12.100 Class III Home Occupation Standards
- 84.12.110 Other Restrictions on Home Occupations
- 84.12.120 Nonconforming Home Occupations

84.12.010 Purpose

This purpose of this Chapter is to provide locational and operational standards to ensure that home occupations cause minimal impact(s) on neighboring parcels.

Adopted Ordinance 4011 (2007)

84.12.020 Applicability

This Chapter shall apply to all residential dwelling units in the County, including legal nonconforming residential dwelling units. However, this Chapter shall not apply to a childcare institution, child day care facility, group home, adult day care facility or any other social care facility that is licensed by the appropriate Federal, State, or local agency. Refer to Chapter 84.23 (Social Care Facilities) for provisions governing those types of uses.

Adopted Ordinance 4011 (2007)

84.12.030 Classes of Home Occupations Described

Home occupations are commercial uses that are accessory and incidental to a residential land use and that clearly do not alter the character or the appearance of the residential environment. Home occupations shall be separated into the following three classes of operations.

- (a) **Class I Home Occupation.** Class I Home Occupations shall have no impact on the neighborhood in which they are located. Work is performed exclusively by phone and mail, or over the Internet; or the work is the activity of creative artists, music teachers, academic tutors, or similar educational instructors, and the activity is limited so that there are no impacts on the neighborhood. Typical activities shall include artist, writer, composer, teleworker, network marketer, music teacher, etc.

- (b) **Class II Home Occupation.** Class II Home Occupations shall have a limited impact on the neighborhood in which they are located. Generally, only one nonresident employee shall be allowed and only a limited number of customers or clientele may visit the site. In the Mountain and Desert Regions, up to two nonresident employees may be permitted subject to the approval of the Director. Typical activities shall include pet groomer, hair stylist (one work station), tax consultant, yard maintenance, etc.

- (c) **Class III Home Occupation.** Class III Home Occupations shall have a limited impact on the neighborhood in which they are located but also are slightly more intense than Class II in that they may involve the direct sales of products or merchandise to the public. Subject to specific standards in Section 84.12.100 (Class III Home Occupation Standards), up to five nonresident employees shall be allowed. Typical activities shall include an activity that has direct sales of products or merchandise or requires more than two nonresident employees. Certain allowed activities may also include those listed in 84.12.060 (Allowed Home Occupations in Desert Region).

Adopted Ordinance 4011 (2007)

84.12.040 Allowed Land Use Zoning Districts and Permit Requirements

Table 84-7 (Allowed Land Uses Zoning Districts and Permit Requirements for Home Occupations) indicates the regions in which home occupations shall be allowed and the permit requirements for each class of home occupation.

**Table 84-7
Allowed Land use zoning districts and Permit Requirements for Home Occupations**

Class of Home Occupation	Where allowed	Permit Requirements
Class I Home Occupation	Residential land use zoning districts in Desert, Mountain, and Valley Regions	None required. ⁽¹⁾
Class II Home Occupation	Residential land use zoning districts in Desert, Mountain, and Valley Regions	Special Use Permit renewable every 24 months.
Class III Home Occupation	Residential land use zoning districts in Desert Region only	Special Use Permit renewable every 24 months.

Notes:

(1) If the operator needs documentation that his/her business is legal, a Home Occupation Permit may be issued for the home occupation operations using the procedures for a Class II Home Occupation Permit.

Adopted Ordinance 4011 (2007); Amended Ordinance 4098 (2010)

dimension of 30 feet in any direction. A multi-family development shall not be located adjacent to an IR (Regional Industrial) land use zoning district, AG (Agriculture) land use zoning district, or mining operations unless the common open space constitutes 60 percent or more of the parcel and is designed to buffer the industrial, agricultural or mining uses.

- (2) **Calculation of area.** Required front, rear, and side setback areas along streets, driveways, parking areas, and walkways shall not be used to satisfy any part of the common open space requirement.
- (3) **Amenities.** The common open space area shall include amenities indicated in Section 84.16.050 (Common Amenities and Facilities).
 - (i) **Open space - private.** A minimum of 100 square feet of private open space (e.g., patios, balcony, decks, etc.), a minimum of six feet in width, shall be provided for each dwelling unit. Required private open space areas shall not be used to satisfy any part of the common open space requirement. Enclosure of private open space shall not prevent common open space surveillance by the residents.
 - (j) **On-site manager.** A full-time resident manager shall be required for multi-family projects with 15 or more dwelling units.
 - (k) **Common amenities and facilities.** Common open space amenities and laundry facilities shall be provided in compliance with Section 84.16.070 (Common Amenities and Facilities).

Adopted Ordinance 4011 (2007); Amended Ordinance 4043 (2008); Amended Ordinance 4085 (2009); Amended Ordinance 4098 (2010)

84.16.060 Development Standards for Multi-Family Projects – 20 or More Units

The standards in this Section apply to multi-family development projects that contain 20 or more dwelling units. These standards are in addition to the standards in Section 84.16.040 (Development Standards Applicable to All Multi-Family Projects) and the guidelines in Section 84.16.080 (Design Guidelines for Multi-Family Projects - 20 or More Units).

- (a) **Open space - common.**
 - (1) **Minimum size and dimensions.** In lieu of the provisions of Subsection 84.16.050(h)(1), the following shall apply for common open space for multi-family projects with 20 or more units: A minimum 900 square feet of usable common open space shall be provided for active or passive outdoor activity. For every dwelling unit above seven, an additional 125 square feet of usable common open space shall be provided. Usable common open space is defined as an open area or recreational amenity or facility that is designed and intended to be used for outdoor living and/or recreation. Usable open space shall have a minimum dimension of 30 feet in any direction. A multi-family development shall not be located adjacent to an IR (Regional Industrial) land use zoning district, AG

(Agriculture) land use zoning district, or mining operations unless the common open space constitutes 60 percent or more of the parcel and is designed to buffer the industrial, agricultural or mining uses.

- (2) **Calculation of area.** Required front, rear, and side setback areas along streets, driveways, parking areas, and walkways shall not be used to satisfy any part of the common open space requirement.
- (3) **Amenities.** The common open space area shall include amenities indicated in Section 84.16.050 (Common Amenities and Facilities).
- (b) **Open space - private.** A minimum of 125 square feet of private open space (e.g., patios, balcony, decks, etc.), a minimum of six feet in width, shall be provided for each dwelling unit. Required private open space areas shall not be used to satisfy any part of the common open space requirement. Enclosure of private open space shall not prevent common open space surveillance by the residents.
- (c) **On-site manager.** A full-time resident manager shall be required for all multi-family projects with 20 or more dwelling units.
- (d) **Management office.** A separate management office shall be required for all multi-family projects of 20 or more dwelling units. If applicable, the management office shall be located in a central, visible location. See Figure 84-5 (Management Office in Central Location).



Figure 84-5
Management Office in Central Location

- (e) **Signs.**
 - (1) Clear legible entry signs shall be provided to identify the development. Internal circulation signs and visitor parking areas shall also be clearly indicated. A directory that shows the location of structures and individual dwelling units within the development shall be provided. Professionally designed, creative signs are strongly encouraged
 - (2) Structure numbers and individual unit numbers shall be readily visible, in a consistent location, well lit at night, and compatible with the overall design of the residential project.

CHAPTER 84.19 RECYCLING FACILITIES

Sections:

84.19.010	Purpose
84.19.020	Applicability
84.19.030	Modification of Standards
84.19.040	Permit Requirements
84.19.050	Site Clean-Up Required
84.19.060	Standards for Small Collection Facilities
84.19.070	Standards for Large Collection Facilities
84.19.080	Light Processing Facilities
84.19.090	Heavy Processing Facilities

84.19.010 Purpose

This Chapter establishes standards and procedures for the siting and operation of various types and sizes of commercial recycling facilities.

Adopted Ordinance 4011 (2007)

84.19.020 Applicability

The standards and procedures in this Chapter shall apply to recycling facilities where allowed in compliance with Division 2 (Land Use Zoning Districts and Allowed Land Uses).

Adopted Ordinance 4011 (2007)

84.19.030 Modification of Standards

Recycling facilities shall meet the applicable criteria and standards listed in this Chapter, provided that the Director, Chief of the County Fire Department, Commission, or Board may relax the standards or impose stricter standards at their discretion upon a finding that modifications are reasonably necessary in order to implement the general intent of this Chapter and the purposes of this Development Code.

Adopted Ordinance 4011 (2007)

84.19.040 Permit Requirements

In addition to the permit requirements in Division 2 (Land Use Zoning Districts and Allowed Land Uses), recycling facilities may require a Health Permit in compliance with Title 3 (Health and Sanitation and Animal Regulations) of the County Code. Reverse vending machines shall **only be allowed as an accessory use.**

Adopted Ordinance 4011 (2007); Amended Ordinance 4098 (2010)

84.19.050 Site Clean-Up Required

The operator and host business of any recycling collection or processing facility shall, on a daily basis, remove any and all recyclable materials or solid wastes that have accumulated or are deposited outside the containers, bins, or enclosures intended as receptacles for these materials. Upon the failure to remove these materials, the County may deem them to be abandoned and may enter the site to remove the materials. The property owner(s) of the premises and the operator of the facility shall be liable for the full cost of cleanup work done by the County.

Adopted Ordinance 4011 (2007)

84.19.060 Standards for Small Collection Facilities

The standards in this Section shall apply to small collection facilities.

- (a) **Accessory use.** A small collection facility shall be established as an accessory use to a primary commercial, industrial, or institutional use that is in compliance with this Development Code, the California Building Code, and the Uniform Fire Code.
- (b) **Maximum floor space.** A small collection facility shall not occupy more than 500 square feet of floor space.
- (c) **Containers.**
 - (1) Containers shall be constructed and maintained with durable, waterproof, and rustproof material and shall be covered.
 - (2) Containers shall be clearly marked to identify the:
 - (A) Type(s) of recyclable(s) that may be deposited.
 - (B) Name and telephone number of the facility operator.
- (d) **Daily cleaning and maintenance.** The site shall be swept and maintained in a dust-free, litter-free condition on a daily basis.
- (e) **Setback.** The small collection facility shall be set back at least 10 feet from any street right-of-way and shall not obstruct pedestrian or vehicular circulation.
- (f) **Landscaping.** The small collection facility shall not impair the landscaping required by this Development Code for a concurrent use nor conflict with a permit issued in compliance with this Development Code.
- (g) **Noise.** Noise level shall not at any time exceed 65 dB(A) as measured at the property line of residentially zoned or occupied property; and shall not exceed 70 dB(A) at any point.

CHAPTER 84.23 SOCIAL CARE FACILITIES

Sections:

- 84.23.010 Purpose
- 84.23.020 Applicability
- 84.23.030 Development Standards

84.23.010 Purpose

This Chapter provides standards for the establishment and operation of social care facilities.

Adopted Ordinance 4011 (2007)

84.23.020 Applicability

The standards in this Chapter apply to social care facilities where allowed in compliance with Division 2 (Land Use Zoning Districts and Allowed Land Uses).

Adopted Ordinance 4011 (2007)

84.23.030 Development Standards

- (a) **Social care facilities serving 6 or fewer persons.** Each social care facility shall conform to the property development standards for the land use zoning district in which it is located.
- (b) **Social care facilities serving 7 or more persons.**
 - (1) **Applicable land use zoning district development standards.** Each social care facility shall conform to the property development standards for the land use zoning district in which it is located.
 - (2) **Separation.** Social care facilities shall not be located within 300 feet of another similar facility.
 - (3) **Walls.** Social care facilities shall provide a 6-foot high solid decorative block wall along all property lines, except in the front yard. Walls shall provide for safety with controlled points of entry and shall incorporate decorative materials and features.
 - (4) **Landscaping.** On-site landscaping shall comply with Chapter 83.10 (Landscaping Standards) and shall be regularly maintained, including providing irrigation.

- (5) **Outdoor lighting.** Outdoor lighting shall comply with Chapter 83.07 (Glare and Outdoor Lighting).
- (6) **Signs.** No signs shall be allowed within a residential land use zoning district. Signs for social care facilities within nonresidential land use zoning districts shall comply with Chapter 83.13 (Signs).
- (7) **Fire Department requirements.** Each social care facility shall provide fire extinguishers and smoke detector devices and shall meet all standards established by the Fire Chief.
- (8) **Noise.** Outdoor activities shall be conducted only between the hours of 7:00 a.m. and 10:00 p.m.
- (9) **Applicable health and safety regulations.** Social care facilities shall be operated in compliance with applicable State and local health and safety regulations.
- (10) **Required permits and licenses.**

Social care facilities shall be in conformance with the California Building Code. A certificate of occupancy shall be obtained from the Building and Safety Division before occupancy of social care facilities.

Adopted Ordinance 4011 (2007); Amended Ordinance 4098 (2010)

- (b) **Construction yards - Off-site.** Off-site contractors' construction yards, for an approved construction project. The construction yard shall be removed immediately upon completion of the construction project, or the expiration of the Building Permit authorizing the construction project, whichever first occurs.
- (c) **Events.** Art and craft exhibits, auctions, carnivals, circuses, concerts, fairs, farmer's markets, festivals, flea markets, food events, open-air theaters, outdoor entertainment/sporting events, religious revivals, rummage sales, second hand sales, swap meets, and other special events for up to five days, or four two-day weekends, within a 12-month period, allowed only on nonresidential properties. Refer to Chapter 85.16 (Temporary Special Event Permits) for specific requirements for a Temporary Special Event Permit.
- (d) **Seasonal holiday sales facilities.** Seasonal holiday sales activities (e.g., Christmas, Halloween, Thanksgiving, etc.) including temporary residence/security trailers, on nonresidential properties, for up to 45 days.
- (1) **Date of opening.** A Christmas tree sales facility shall not be open for business during any calendar day before Thanksgiving. Other holiday sales facilities shall not be open more than 30 days before the holiday.
 - (2) **Additional permits.** The applicant shall secure an electrical permit if the facility is to be energized and the proper permits from the Building Division for any temporary structure or shelter.
 - (3) **Fire prevention.** Each Christmas tree/holiday sales facility shall comply with fire prevention standards as approved and enforced by the Fire Chief, including any burning or open fires or flocking or painting.
 - (4) **Maintenance.** Seasonal holiday sales facilities shall be kept clean and free of debris at all times during use of the property.
 - (5) **Merchandise.** A seasonal holiday sales facility shall not engage in the sale of any merchandise not directly associated with the holiday identified by the applicant as the basis for the seasonal holiday facility.
 - (6) **Off-street parking.** Public Works shall approve all public access and surfacing of the parking area.
 - (7) **Removal of facility.** The seasonal holiday facility shall be removed within 14 days after Christmas or other holiday.
- (e) **Temporary occupancy.** A temporary occupancy use shall be located on the same parcel or on a contiguous parcel under the same ownership or control as the primary construction project, property being protected, or other primary use for which the Temporary Use Permit was requested and approved.

(1) **During construction.**

- (A) **Major development projects.** Temporary structures and property may be used during the construction phase of an approved major development project (e.g., residential projects with five or more dwelling units or any commercial or industrial project). The structures or property may be used as offices or for the storage of equipment and/or tools.
- (B) **Minor development projects.** An existing dwelling unit or a temporary structure and property may be used during the construction phase of an approved minor development project (e.g., residential projects with four or fewer dwelling units). The structure or property may be used as a temporary residence, an office, or for the storage of equipment and/or tools.
- (C) **Appropriate conditions.** The permit shall contain reasonable and necessary conditions regarding the following matters:
- (I) Provisions for adequate ingress and egress.
 - (II) Provisions for the work to be performed on-site.
 - (III) Provisions for the storage of asphalt, concrete, and dirt at designated sites within the subject property; provided, the applicant furnishes a schedule, acceptable to the Director, for the periodic disposal or recycling of these materials.
 - (IV) Provisions designed to minimize potential conflicts between the work to be performed on-site and the ordinary business and uses conducted within the County.
- (D) **Length of permit.** The permit may be approved for up to 12 months following the issuance of the companion Building Permit, or upon completion of the subject development project, whichever first occurs.
- (E) **Extension of permit.** The permit may be extended by the Director if a written request for extension is submitted at least 14 days before expiration of the permit and reasonable reasons are provided by the applicant to justify the requested extension (e.g., the delay was caused by reasons beyond the control of the applicant). The permit may be extended for up to an additional 12 months.
- (F) **Validity of permit.** A Temporary Use Permit issued in conjunction with a construction project shall become invalid upon the occurrence of one of the following:
- (I) Cancellation of the Building Permit for the approved temporary structure or use; or

- (II) Completion of the Building Permit for the approved temporary structure or use; or
 - (III) Expiration of the time for which the approval has been granted.
- (G) **Condition of site following completion.** All temporary structures and related improvements shall be completely removed from the subject site following expiration of the Temporary Use Permit or within 30 days of completion of the development project, whichever first occurs.
- (2) **Property protection by security personnel.**
- (A) Temporary residential structures shall be allowed for security personnel engaged in the short-term protection of:
 - (I) Legally established and permitted commercial, commercial agricultural, industrial or institutional uses; or
 - (II) Construction projects that have current and valid permits issued by the Building and Safety Division.
 - (B) A Temporary Use Permit for a temporary residential structure for security personnel shall not be granted or extended for a period of time to exceed five years after the date the Temporary Use Permit was first issued. If a structure is needed for a longer term than three years, a caretaker's residence shall be established in compliance with the applicable land use zoning district and Section 84.01.040 (Commercial and Industrial Accessory Structures and Uses).
- (f) **Temporary outdoor storage or sales.** Interim operation of an exterior storage area or short-term exterior sales display area. Provisions regulating seasonal sales lots are in Section 84.25.040 (d) (Seasonal Sales Lots.)
- (g) **Temporary sale offices/model homes.**
- (1) **Model homes.** A model home or model home complex may be authorized before the completion of subdivision improvements in compliance with the following standards.
 - (A) The sales office and any off-street parking shall be converted back to residential use and/or removed before the issuance of the Final Occupancy Permit or within 14 days from the close of escrow of the last parcel in the subdivision, whichever first occurs.
 - (B) The model home complex shall be used to sell only units within the development within which the complex is located.

- (C) Model home permits and model home sign permits will be finalized and the model homes will be allowed to be open to the public only after all required bonding has been accomplished and accepted by the County and a Temporary Use Permit has been issued.
 - (D) At least one model home shall be fully landscaped with drought tolerant xeriscape materials.
 - (E) The review authority may require other conditions of approval deemed necessary to protect the public health, safety, and general welfare of persons residing or working in the neighborhood.
- (2) **Real estate sales offices.** A temporary real estate sales office (modular structure) may be established within the area of an approved subdivision, solely for the first sale of homes. An application for a temporary real estate office may be approved for a maximum of 12 months from the date of approval.
- (3) **Temporary on-your-lot builder model home/sales office.** Single-family dwelling unit when used as a temporary sales office and model home for the sale of construction services to build single-family residential units on vacant lots, subject to the following:
- (A) **Activities restricted to construction services and related sales of vacant lots.** The on-your-lot builder model home/sales office shall be used only for the sale of construction services to build single-family residential dwelling units on vacant lots and related real estate sales. Real estate sales shall be limited to the sale of vacant lots in conjunction with the sale construction services for the same lot. Real estate sales shall be an accessory and subordinate use to the primary use of construction service or sales.
 - (B) **Inspection annually by Fire Department.** An annual inspection shall be made by the Fire Department in order to ensure compliance with conditions of approval of the Temporary Use Permit.
 - (C) **Location of structure.** The on-your-lot builder model home/sales office structure shall be located fronting on a roadway designated by the General Plan in the Circulation and Infrastructure Element as one of the following:
 - (I) Major Arterial Highway.
 - (II) Major Divided Highway.
 - (III) Major Highway.
 - (IV) Secondary Highway.
 - (V) Mountain Major.

(VI) Mountain Secondary.

(D) **Parking.** A minimum of two paved and two other alternate parking spaces shall be provided. The Fire Chief shall approve alternate parking spaces subject to surfacing requirements and possible alternate locations (e.g., on-street parking) where it is deemed necessary and appropriate.

(E) **Pennants, flags, and signs.**

(I) **Freestanding or monument sign.** Only one accessory freestanding or monument sign shall be allowed and it shall neither exceed 32 square feet nor 12 feet in height. The sign shall only be allowed on the same lot as the model home/sales office and shall be kept in good repair. A freestanding sign shall maintain a minimum clearance of eight feet between the bottom edge of the sign and the ground. The leading edge of a freestanding sign shall be no closer than one foot from the planned right-of-way. Signs shall comply with the provisions of Chapter 83.13 (Sign Regulations) that are not in conflict with this Subsection.

(II) **Open house sign and pennants.** One "open house sign" no larger than 24 inches by 18 inches on poles no higher than four feet may be displayed. No more than two pennants shall be displayed. Pennants shall be no greater than two feet by three feet and shall be mounted on poles no higher than four feet. Hours of open house sign and pennant flag displays shall be no earlier than sunrise and no later than sunset.

(III) **Flags.** Also, each site shall be allowed to have a maximum of four flags that are each a maximum 12 square feet in area and a maximum 12 feet in height. Flags shall be maintained in good repair. For the purpose of this Section, this shall mean no weathered, faded or tattered flags are allowed.

(IV) **Prohibited signs.** Other than as allowed by this Section, moveable or portable signs, off-site directional signs, plastic banners, balloons, streamers, propellers, or other similar apparatus that are primarily placed and intended to attract the attention of the general public shall not be allowed.

(F) **Performance bond.** A bond shall be required to ensure removal of any signs or flags and to reconvert, where necessary, any garage conversion.

(G) **Xeriscape.** The model home shall be fully landscaped with drought-tolerant xeriscape materials.

- (H) **Transfer of permit.** A Temporary Use Permit for an on-your-lot builder model home/sales office may be transferred to another party. A transfer shall not entitle the new owner to use the Temporary Use Permit for a longer time period than five years from the issuance of the original permit. The Code Enforcement Division shall be notified of any transfer of ownership.
- (I) **Agreement to terminate a temporary use.** Before the issuance of the Temporary Use Permit for the first year and as a condition of the permit approval, the permittee shall enter into an agreement with the County, which shall be recorded in the Official Records of the County by the County Recorder. The agreement shall establish the responsibility of the permittee to comply with the provisions of this Chapter. This will include acknowledgement that the permittee shall terminate the model home/sales office no later than five years from the date of the initial permit and shall restore the structure to a use allowed by the current land use zoning district in which the subject property is located.
- (h) **Temporary nonresidential structures.** A temporary structure, including a manufactured or mobile unit, used to provide temporary office, retail, meeting, assembly, wholesale, manufacturing and/or storage space, may be approved for a maximum of 12 months from the date of approval, as an accessory use for commercial, commercial agricultural, industrial, or institutional uses or as the first phase of a development project.
- (1) The Building Official shall determine that the proposed use complies with the development standards in Division 2 (Land Use Zoning Districts and Allowed Land Uses) and Division 3 (Countywide Development Standards) including:
- (A) Adequate access, circulation, and parking.
 - (B) Appropriate buffering from abutting uses.
 - (C) Fencing.
 - (D) Landscaping.
 - (E) Lighting.
 - (F) Signage.
- (2) Under exceptional or extraordinary circumstances, a Temporary Use Permit for temporary nonresidential structures may be extended beyond the 5-year limitation at the discretion of the review authority.
- (i) **Temporary work trailers.** A trailer or mobile home used as a temporary work site for employees of a business; provided, that:

- (1) The use is authorized by a Building Permit for the trailer or mobile home, and the Building Permit for the permanent structure;
 - (2) The use is appropriate because:
 - (A) The trailer or mobile home will be in place during construction or remodeling of a permanent commercial or manufacturing structure for a maximum of 12 months, or upon expiration of the Building Permit for the permanent structure, whichever first occurs; or
 - (B) The applicant has demonstrated that the temporary work site is a short-term necessity for a maximum of 12 months, while a permanent work site is being obtained; and
 - (3) The trailer or mobile home is removed before final building inspection or the issuance of a Certificate of Occupancy for the permanent structure.
 - (4) A Temporary Use Permit issued in conjunction with a construction project shall become invalid upon:
 - (A) Cancellation of the Building Permit for the approved temporary structure or use; or
 - (B) Completion of the Building Permit for the approved temporary structure or use; or
 - (C) Expiration of the time for which the approval has been granted.
- (j) **Temporary signs.** See Section 83.13.070 (Temporary Signs).
- (k) **Temporary transportable treatment units (TTTU).** Temporary Transportable Treatment Units (TTTU) used for treating hazardous waste or groundwater contamination.
- (1) Temporary transportable treatment units shall only be allowed in either of the following instances:
 - (A) The site where a TTTU will be located and operated complies with the siting criteria and procedures identified in the San Bernardino County Hazardous Waste Management Plan; or
 - (B) The Chief of Environmental Health Services Division determines that the proposed TTTU use does not create additional health risks as demonstrated by a site-specific health risk assessment and a Certificate of Land Use Compliance is issued and recorded in compliance with Chapter 85.05 (Certificate of Land Use Compliance).

- (2) A Temporary Use Permit issued in conjunction with a TTTU shall become invalid upon the occurrence of one of the following:
 - (A) Violation of a permitting requirement; or
 - (B) Completion of the project; or
 - (C) Expiration of the time for which the approval has been granted.
 - (3) The Environmental Health Services Division shall conduct an annual inspection in order to ensure compliance with any conditions of approval.
 - (4) A Temporary Use Permit for a temporary transportable treatment unit shall not be granted or extended for a period of time to exceed five years after the date the Temporary Use Permit was first issued.
- (l) Accessory storage structures.** A detached, accessory storage structure, where the primary use does not yet exist, shall only be allowed with appropriate bonding to remove the accessory structure if the primary use is not completed within two years.
- (m) Similar temporary activities.** A temporary activity that the Director determines is similar to the other activities listed in this Section and compatible with the applicable land use zoning district and surrounding land uses.

Adopted Ordinance 4011 (2007); Amended Ordinance 4085 (2009); Amended Ordinance 4098 (2010)

84.25.050 Additional Development Standards

- (a) **Additional standards.** In addition to the standards in Section 85.15.020 (Types of Temporary Use Permits and Review Authority), above, the Director shall establish the following additional standards for a proposed temporary structure or use, using the requirements of the applicable land use zoning district, Division 3 (Countywide Development Standards), and Division 4 (Standards for Specific Land Uses and Activities) for guidance:
 - (1) **Structure and property development improvements.** Access, floor areas, heights, landscaping, off-street parking, setbacks, signs, utilities, and other structure and property development improvements and features;
 - (2) **Removal of the activity and site restoration.** Measures for removal of the activity and site restoration, to ensure that no changes to the site would limit the range of possible future land uses otherwise allowed by this Development Code. Performance security may be required before installation of the temporary structure or initiation of the temporary use to ensure cleanup after the structure is removed or the use is finished in compliance with Section 86.06.050 (Performance Guarantees); and

- (3) **Time limitation.** Limitation on the duration of an approved "temporary structure," to a maximum of 12 months, so that it shall not become a permanent or long-term structure.
- (b) **Display of permit and approvals.** A valid Temporary Use Permit shall be prominently displayed so that it is visible at all times from the exterior of the permitted structure or use and available for inspection. A permitted temporary structure shall provide evidence of approval by the State Department of Housing and Community Development as required by the Health and Safety Code or the U.S. Department of Housing and Urban Development, where applicable.
- (c) **Other regulations.** Installation of a permitted structure or use shall comply with the requirements and regulations of the Department and the following:
- (1) Development Code.
 - (2) Building and Safety Division.
 - (3) Fire Department.
 - (4) Environmental Health Services Division.
 - (5) Applicable State and Federal regulations.

Adopted Ordinance 4011 (2007)

84.25.060 Interim Operation of Activities Requiring a Conditional Use Permit

- (a) **Interim operation of activities requiring a Conditional Use Permit.** A Temporary Use Permit may be issued for the interim operation of any use requiring a Conditional Use Permit for a period of time not to exceed 12 months, provided the Temporary Use Permit does not authorize the construction or establishment of new permanent structures and the review authority makes the findings required for approval of a Conditional Use Permit in compliance with Chapter 85.06 (Conditional Use Permit/Minor Use Permit).
- (b) **Concurrent application filing.** The Temporary Use Permit application shall be filed concurrently with an application for Conditional Use Permit, where appropriate.

Adopted Ordinance 4011 (2007)

84.25.070 Camping or Occupancy of Temporary Structure Prohibited

- (a) **Prohibited use.**
- (1) **Prohibition.** It shall be unlawful to place, install, build, maintain, use, or occupy any temporary structure on any parcel of real property subject to the provisions of this Development Code for the purpose of camping, dwelling, maintaining or establishing temporary or permanent residency unless such placement,

installation, construction, maintenance, use, or occupancy is first authorized by a Temporary Use Permit, Special Event Permit, or other land use approval required by this Development Code or as otherwise made an exception herein.

- (2) **Exception.** It shall not be a violation of this subsection and no permit shall be required to place, maintain, use and/or occupy any temporary structure for no more than four days in a 30-day period when used for recreational camping on a property by the property's owner(s) in the RC (Resource Conservation), AG (Agriculture) or RL-5 (Rural Living-five acre minimum parcel size) or larger land use zoning districts.

(b) **Applicability.** This section shall apply to the following temporary structure:

- (1) Any tent, lean-to, box, or other make-shift building or enclosure constructed of any material for which no building permit has been issued and no Temporary Use Permit, Special Use Permit, or other land use approval has been granted;
- (2) Any vacant building, temporary or permanent, deemed substandard pursuant to Health and Safety Code Section 17920.3 and Sections 63.063 or 63.064 of Title 6 of the San Bernardino County Code; and
- (3) Any building under construction and unfinished, regardless of whether or not building, (plumbing, etc.) permits have been issued.

(c) **Camping in Vehicle Prohibited.**

- (1) **Prohibition.** It shall be unlawful to place, maintain, use, or occupy any vehicle on any parcel of real property for the purpose of camping, dwelling, or maintaining or establishing a temporary or permanent residency unless such placement, maintenance, use, or occupancy is authorized pursuant to this chapter.
- (2) **Exception.** It shall not be a violation of this subsection and no permit shall be required to place, maintain, use and/or occupy any temporary structure for no more than four days in a 30-day period when used for recreational camping on a property by the property's owner(s) in the RC (Resource Conservation), AG (Agriculture) or RL-5 (Rural Living-five acre minimum parcel size) or larger land use zoning districts. This exception shall also apply when such vehicles are lawfully used as seasonal labor quarters upon the issuance of the Site Plan Permit and Special Use Permit pursuant to Sections 84.01.030 and 84.01.040.

(d) **Vehicle applicability.** This section shall apply to the following vehicle types:

- (1) All recreational motor vehicles;
- (2) Recreational towed vehicles;
- (3) Mobile homes;
- (4) Commercial coaches;

- (5) Office trailers;
- (6) Park trailers
- (7) Passenger vehicles;
- (8) Trailers;
- (9) Campers; and
- (10) Commercial vehicles.

(e) Notice to Abate

- (1) The Director may issue to any person occupying any structure or vehicle prohibited in violation of this Section a notice, including an order to vacate the structure or vehicle after 30 days of the date of the notice.
- (2) If deemed necessary by the Director to prevent or remedy an immediate threat to health and safety of the public or occupants of the structure, the Director may issue any person occupying any structure or vehicle prohibited in violation of this Section an order to vacate the structure or vehicle with less than 30 days notice; or institute any appropriate action or proceeding to prevent, restrain, correct, or abate the violation or nuisance.

Adopted Ordinance 4043 (2008); Amended Ordinance 4085 (2009); Amended Ordinance 4098 (2010)

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CHAPTER 84.26 WIND ENERGY SYSTEMS - ACCESSORY

Sections:

- 84.26.010 Purpose
- 84.26.020 Applicability
- 84.26.030 Development standards

84.26.010 Purpose

As allowed by Government Code Section 65892.13, the purpose of this Chapter is to provide a uniform and comprehensive set of standards for the placement of accessory wind energy systems on parcels in unincorporated areas of the County in order to encourage the generation of electricity for on-site use, thereby reducing the consumption of electrical power supplied by utility companies. These regulations are intended to ensure that accessory wind energy systems are designed and located in a manner that minimizes visual and safety impacts on the surrounding community.

Adopted Ordinance 4011 (2007)

84.26.020 Applicability

This Chapter provides development standards for accessory wind energy systems.

Adopted Ordinance 4011 (2007)

84.26.030 Development Standards

- (a) **Number of units and required separation.** Normally, only one unit per parcel shall be allowed. However, additional units may be allowed at the rate of one unit for every 10 acres to a maximum of three units. The acreage requirement may be met by one parcel or the total acreage of multiple parcels held under common ownership. Units shall be installed with at least 240 feet separation from each other. If the units are to 50 feet in height, a maximum of two units may be installed per five acres. **For every additional five acres, one additional unit may be added not to exceed a maximum of five units.** Additionally, the separation between the units may be reduced to twice the height of the systems.
- (b) **Maximum tower height.** The tower height limitations in Table 84-12 (Maximum Tower Heights for Accessory Wind Energy Systems) shall apply to all accessory wind energy systems, provided that the application for a system includes evidence that the proposed height does not exceed the height recommended by the manufacturer or distributor of the system. Variances to the tower height limitations may be approved in compliance with Chapter 85.17 (Variances).

Table 84-14
Maximum Tower Heights for Accessory Wind Energy Systems

Land Use Zoning District (parcel size within zoning district)	Region		
	Valley	Mountain62	Desert
AG	80'	80'	120'
RC	80'	80'	120'
RL (1 acre to less than 2.5 Acres)	65'	65'	80'
RL (2.5 acres to less than 5 acres)	65'	65'	80'
RL (5 acres or greater)	80'	80'	100'
RM (minimum one acre)	52.5'	52.5'	52.5'
RS (minimum one acre)	52.5'	52.5'	52.5'
All other land use zoning districts	65' ⁽¹⁾	65' ⁽¹⁾	80' ⁽¹⁾
Note: (1) Or the maximum structure height specified in Division 2 (Land Use Zoning Districts and Allowed Land Uses) for the land use zoning district in which the system is located, whichever is greater.			

- (c) **Setbacks.** The minimum setback from any property line shall be equal to the system height.
- (d) **Climbing apparatus.** Climbing apparatus shall be located at least 12 feet above the ground, and the tower shall be designed to prevent climbing within the first 12 feet.
- (e) **Lighting.** Tower structure lighting shall be prohibited unless required by another code or regulation.
- (f) **Noise.** The noise performance standards in Section 83.01.080 (Noise) shall apply, except during short-term events (e.g., utility outages, windstorms, etc.).
- (g) **Visual effects.** An accessory wind energy system shall not substantially obstruct views of adjacent property owners.
- (h) **Location.**
- (1) An accessory wind energy system shall be placed or constructed below any major ridgeline when viewed from any designated scenic corridor as identified in the Open Space Element of the General Plan and in Chapter 82.19 (Open Space (OS) Overlay).
 - (2) An accessory wind energy system shall not be:
 - (A) Located within a scenic corridor as identified in the Open Space Element of the General Plan and in Chapter 82.19 (Open Space (OS) Overlay).

- (B) Allowed where otherwise prohibited by any of the following:
 - (I) The Alquist-Priolo Earthquake Fault Zoning Act.
 - (II) The terms of any easement.
 - (III) The listing of the proposed site in the National Register of Historic Places or the California Register of Historical Resources.
- (i) **Turbine certification.** The system's turbine shall be approved or shall have been approved by the California Energy Commission or certified by a national program (i.e., National Electrical Code (NEC), American National Standards Institute (ANSI), and Underwriters Laboratories (UL)).
- (j) **Engineering analysis.** The application shall include standard drawings and an engineering analysis of the system's tower, showing compliance with the Uniform Building Code (UBC) or the California Building Code and certification by a professional mechanical, structural, or civil engineer licensed by the State. However, a wet stamp shall not be required, provided that the application demonstrates that the system is designed to meet the:
 - (1) UBC requirements for wind exposure D;
 - (2) UBC requirements for Seismic Zone 4;
 - (3) Requirements for a soil strength of not more than 1,000 pounds per square foot;
or
 - (4) Other relevant conditions normally required by a local agency.
- (k) **Compliance with aviation law.** The system shall comply with all applicable Federal Aviation Administration requirements and the State Aeronautics Act (Public Utilities Code Section 21001 et seq.).
- (l) **Compliance with electrical code.** The application shall include a line drawing of the electrical components of the system in sufficient detail to allow for a determination that the installation conforms to the National Electric Code.
- (m) **Reduction in onsite electricity consumption.** The system shall be used primarily to reduce onsite consumption of electricity.

Adopted Ordinance 4011 (2007); Amended Ordinance 4098 (2010)

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- (2) To avoid excessive heights of towers that are associated with co-location of antenna arrays, co-location is not required in the Mountain Region.
 - (3) Towers that are designed to accommodate the co-location of additional providers in the future shall be initially constructed to the lowest possible height. When additional providers are ready to be installed, the additional height needed to accommodate the extra antenna array(s) shall be constructed at that time.
- (b) **Separation from existing facility.** No telecommunications facility or antenna that is visible to the general public from off of the applicant's property shall be installed closer than 2000 feet from another visible telecommunications facility or antenna without a variance, unless it is a co-location or joint location facility. This provision shall not apply to situations where either the existing or the proposed telecommunications facility or antenna within 2000 feet uses a camouflage or stealth design approved by the County. Antennas proposed to be mounted on existing utility towers, utility streetlights and utility poles, or their substantially similar replacements shall also be exempt from this requirement.
- (c) **Ridgeline sites.** Telecommunication facilities in areas of high visibility within sensitive viewsheds shall be sited below the ridgeline as viewed from a distance and designed to minimize their profile (e.g., screened, depressed, or located behind berms, trees, etc.)
- (d) **Non-reflective colors.** Structures, poles, towers, antenna supports, antennas and other components of each telecommunication site shall be treated with non-reflective colors to provide concealment of the facilities.
- (e) **Camouflaging.** For facilities that are not stealthed, telecommunication facilities and antennas and ground equipment shall blend with the predominant viewing background to the maximum extent practical, except when the treatment does not comply with Federal Aviation Authority (FAA) requirements.
- (f) **Support facilities.**
- (1) Freestanding aboveground telecommunication support facilities (i.e., equipment shelters) shall be no taller than one story in height and shall be constructed to look like a structure or facility typically found in the area.
 - (2) Where there are no structures in the immediate vicinity or for projects where a cabinet is proposed, the support facilities shall be designed and constructed to blend with the predominant viewing background or screened from view by landscaping or other method to the maximum extent practical.
- (g) **Parking.** Parking for service vehicles may be allowed on site. Paving or other surfacing shall be required in compliance with Chapter 83.11 (Parking and Loading Standards). Screening shall be required where appropriate.

- (h) **Lighting.** Tower structure lighting shall be prohibited unless required by the FAA, FCC or the California Building Code (CBC). External structure and area lighting shall be allowed only where the lighting is activated and controlled by motion sensors.
- (i) **Outside storage.** No outdoor storage of equipment, materials or supplies shall be allowed.
- (j) **Area disturbance.** The applicant shall avoid or minimize disturbance to the natural landscape. Applicant shall repair disturbed areas immediately following construction and shall regularly check to ensure that disturbances to the natural landscape do not occur or are promptly repaired.
- (k) **Power and communication lines.** No aboveground power or communication lines shall be extended to the site, unless clear and convincing evidence demonstrates that undergrounding these lines would result in substantial environmental impacts. Underground utilities shall be installed in a manner to minimize the disturbance of existing vegetation and wildlife habitats.

Adopted Ordinance 4011 (2007)

84.27.060 Review Procedures

- (a) **Conditional Use Permit/Minor Use Permit required.** All wireless telecommunications facility projects shall be subject to a Conditional Use Permit/Minor Use Permit in compliance with Chapter 85.06 (Conditional Use Permit/Minor Use Permit), with controversial projects requiring a public hearing before the Commission. Projects shall not be considered controversial solely on the basis of radio frequency emissions.
- (b) **Projects exempt from Conditional Use Permit requirement.** The following projects shall be exempt from the Conditional Use Permit/Minor Use Permit requirement and shall be subject to a Site Plan Permit in compliance with Chapter 85.08 (**Site Plan Permits**) provided they do not require a Variance. The limitations of Subsection 85.08.020(b) shall not apply for projects that include any of the following:
 - (1) Any building or roof mounted antenna that does not extend above the top of the parapet wall by more than 12 feet and painted to match the structure, or that is completely screened from public view.
 - (2) Antennas mounted on or contained within other existing or proposed structures (e.g., appurtenances to existing structure, penthouses, elevator structures, parapets, steeples, signs, water tanks, pump stations, utility towers and poles, utility streetlights, ball field lighting, etc.) so as not to be readily identifiable as a wireless communication facility. This may include the replacement of an existing structure to accommodate a wireless telecommunications facility.
 - (3) The co-location of a new antenna to an existing approved support structure, or the replacement of an existing approved support structure in order to co-locate a new antenna, without an increase in height.

CHAPTER 84.29 RENEWABLE ENERGY GENERATION FACILITIES

Sections:

- 84.29.010 Purpose
- 84.29.020 Applicability and Land Use Zoning Districts
- 84.29.030 Wind Energy Development standards
- 84.29.040 Solar Energy Development standards
- 84.29.050 Special Fencing Standards
- 84.29.060 Decommissioning requirements

84.29.010 Purpose

The purpose of this Chapter is to establish standards and permit procedures for the establishment, maintenance and decommissioning of renewable energy generation facilities. These regulations are intended to ensure that renewable energy generation facilities are designed and located in a manner that minimizes visual and safety impacts on the surrounding community.

Adopted Ordinance 4098 (2010)

84.29.020 Applicability and Land Use Zoning Districts

This Chapter provides development standards for wind and solar renewable energy generation facilities.

The Land Use Zoning Districts that allow renewable energy facilities are limited to the following:

RC (Resource Conservation)

AG (Agriculture)

FW (Floodway)

RL (Rural Living) Note: If a facility is proposed solely in the Rural Living land use zoning district, it must include a minimum of 20 acres in the development proposal with the exception of the following parcels:

0654-282-12	0538-161-11	0421-281-08
0436-162-17	0434-112-47	0632-281-57
0436-142-17	0437-063-21	0502-085-77
3131-411-02	0538-081-58	0507-141-61
0538-081-20	0498-131-04	
0455-053-21	0503-081-18	

IR (Regional Industrial)

Adopted Ordinance 4098 (2010)

84.29.030 Wind Energy Development Standards

(a) **Height limits.** Wind generator machine and associated meteorological tower overall height shall not exceed 500 feet. For the purposes of this chapter, machine height shall be measured as follows:

- (1) Overall machine height of horizontal axis machines shall be measured from grade to the top of the structure, including the uppermost extension of any blades.
- (2) Machine height of vertical axis or other machine designs shall be measured from grade to the highest point of the structure. Further restrictions may apply to ensure aviation safety.

(b) **Setbacks and Spacing.** Wind generator setbacks shall be as follows:

- (1) **Setback Where Adjacent Parcels Contain Less Than 40 Acres.** A minimum wind generator setback of two times the overall machine height (measured from grade to the top of the structure, including the uppermost extension of any blades) or 500 feet, whichever is less, shall be maintained from exterior project boundaries where the project site is adjacent to existing parcels of record that contain less than 40 acres and are not zoned as any of the compatible districts, which are as follows.

- RC (Resource Conservation)
- AG (Agriculture)
- FW (Floodway)
- RL (Rural Living)
- IR (Regional Industrial)

The Director may allow a reduction in this setback, not to exceed a minimum setback of one times the overall machine height (measured from grade to the top of the structure, including the uppermost extension of any blades) if a letter of consent from the owner(s) of record of adjacent parcels is filed with the County Advance Planning Division.

- (2) **Setback Where Adjacent Parcels Contain 40 Acres or More.** A minimum wind generator setback of one and one-half times the overall machine height (measured from grade to the top of the structure, including the uppermost extension of any blades) or 500 feet, whichever is less, shall be maintained from all exterior project boundaries. The Director may allow a reduction or waiver of this setback requirement in accordance with both of the following provisions:

- (A) The project exterior boundary is a common property line between two (2) or more approved wind energy projects or both properties are located within compatible districts as listed above; and

- (B) The property owner of each affected property has filed a letter of consent to the proposed setback reduction with the Director.
- (3) **Setback from Off-site Residence(s) On Adjacent Parcels.** In all cases, regardless of parcel area, a minimum wind generator setback of one and one-half times the overall machine height (measured from grade to the top of the structure, including the uppermost extension of any blades) or 1,500 feet, whichever is greater, shall be maintained from any off-site residence. The Director may allow a reduction in this setback, not to exceed a minimum setback of one times the overall machine height, if a letter of consent from the owner(s) of record of the adjacent parcel is filed with the Director.
- (4) **Setback from On-site Residences and Accessory Structures Designed for Human Occupancy.** A minimum wind generator setback of one times the overall machine height (measured from grade to the top of the structure, including the uppermost extension of any blade) shall be maintained from any on-site residence or accessory structure designed for human occupancy.
- (5) **Setback from Public Highways and Streets, Public Access Easements, Public Trails, and Railroads.** A minimum wind generator setback of one and one-half times the overall machine height (measured from grade to the top of the structure, including the uppermost extension of any blade) shall be maintained from any publicly maintained public highway or street. A minimum wind generator setback of one times the overall machine height shall be maintained from any public access easement or railroad right-of-way. A minimum wind generator setback of 150 feet shall be maintained from the outermost extension of any blade to any public trail, pedestrian easement, or equestrian easement.
- (6) **Project Interior Wind Generator Spacing.** Wind generator spacing within the project boundary shall be in accordance with accepted industry practices pertaining to the subject machine.
- (c) **Compliance with aviation law and Department of Defense restrictions.** The wind generator machines shall comply with all applicable Federal Aviation Administration requirements and the State Aeronautics Act (Public Utilities Code Section 21001 et seq.). Additionally, the local Department of Defense contact person(s) shall be notified and clearance from the Department of Defense shall be required for all wind generators.

Adopted Ordinance 4098 (2010)

84.29.040 Solar Energy Development Standards

- (a) **Setbacks.** Solar energy generating equipment and their mounting structures and devices shall be set back from the property line either pursuant to the standards in the Land Use Zoning District, or 130 percent of the mounted structure height, whichever is greater.

84.29.050 Special Fencing Standards

Special fencing standards may be applied without a variance in recognition of the capital costs of renewable energy facilities. Total fence heights allowed are inclusive of any height extension devices such as slanted razor-wire panels.

- (a) **Fencing on street side.** Chainlink fencing up to 8 feet in height may be installed no closer than 15 feet from the right-of-way on streetside boundaries. Security devices such as razor-wire height extensions may only be directed inward to the property, and may not extend beyond the property boundary to overhang the right-of-way.
- (b) **Fencing on interior boundaries.** Chainlink fencing up to 8 feet in height may be installed along the property line on interior (non-streetside) boundaries. Security devices such as razor-wire height extensions may only be directed inward to the property, and may not extend beyond the property boundary to overhang any other property.
- (c) **Electric Fencing.** Electric fencing is not allowed.

Adopted Ordinance 4098 (2010)

84.29.50 84.29.060 Decommissioning Requirements

- (a) **Closure Plan.** Following the operational life of the project; the project owner shall perform site closure activities to meet federal, state and local requirements for the rehabilitation and revegetation of the project site after decommissioning. The Applicant shall prepare a Closure, Revegetation, and Rehabilitation Plan and submit to the Planning Division for review and approval prior to building permit issuance. Under this plan, all aboveground structures and facilities shall be removed to a depth of three feet below grade, and removed offsite for recycling or disposal. Concrete, piping, and other materials existing below three feet in depth may be left in place. Areas that had been graded shall be restored to original contours unless it can be shown that there is a community benefit for the grading to remain as altered. Succulent plant species native to the area shall be salvaged prior to construction, transplanted into windrows, and maintained for later transplanting following decommissioning. Shrubs and other plant species shall be revegetated by the collection of seeds, and re-seeding following decommissioning.
- (b) **Compliance with other requirements.** Project decommissioning shall be performed in accordance with all other plans, permits and mitigation measures that would assure the project conforms with applicable requirements and would avoid significant adverse impacts. These plans include the following as applicable:
 - Water Quality Management Plan
 - Erosion and Sediment Control Plan
 - Drainage Report
 - Notice of Intent and Stormwater Pollution Prevention Plan
 - Air Quality Permits
 - Biological Resources Report
 - Incidental Take Permit, Section 2081 of the Fish and Game Code
 - Cultural Records Report

The County may require a Phase 1 Environmental Site Assessment be performed at the end of decommissioning to verify site conditions.

Adopted Ordinance 4098 (2010)

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CHAPTER 85.18 ACCESSORY WIND ENERGY SYSTEM PERMIT

Sections:

- 85.18.010 Purpose
- 85.18.020 Applicability
- 85.18.030 Procedures
- 85.18.040 Abandonment

85.18.010 Purpose

As allowed by Government Code Section 65892.13, the purpose of this Chapter is to provide a uniform and comprehensive set of standards, conditions, and procedures for the placement of accessory wind energy systems on parcels in unincorporated areas of the County in order to encourage the generation of electricity for on-site use, thereby reducing the consumption of electrical power supplied by utility companies. These regulations are intended to ensure that accessory wind energy systems are designed and located in a manner that minimizes visual and safety impacts on the surrounding community.

Adopted Ordinance 4011 (2007)

85.18.020 Applicability

- (a) **Accessory Wind Energy System Permit.** An accessory wind energy system, where allowed by Division 2 (Land Use Zoning Districts and Allowed Land Uses), shall require an Accessory Wind Energy System Permit and shall be subject to the requirements and standards in this Chapter.
- (b) **Exemptions.** An accessory wind energy system that is 35 feet or less in height shall be exempt from the requirement to obtain an Accessory Energy System Permit.

Adopted Ordinance 4011 (2007); Amended Ordinance 4098 (2010)

85.18.030 Procedures

- (a) **Action.** The Director shall review and act upon an application for approval of an Accessory Wind Energy System Permit.
- (b) **Procedure.** Staff Review With Notice in compliance with Section 85.02.030 (Staff Review with Notice).
- (c) **Notification.**
 - (1) **Surrounding property owners.** Notice shall be given by first class mail or delivery to all surrounding property owners within 300 feet of the boundaries of

the parcel of the subject site when a request is submitted to the Department for review.

- (2) **Electric utility service provider.** If the applicant plans to connect the system to the electricity grid, the applicant shall submit documentation from the electric utility service provider that serves the proposed site confirming they have been informed of the applicant's intent to install an interconnected customer-owned electricity generator. If the applicant does not plan to connect the system to the electricity grid, notice to the electric utility service provider shall not be required.
 - (3) **Pest control service providers.** In the event an accessory wind energy system is proposed to be sited in an agricultural area that may have aircraft operating at low altitudes, the applicant shall take reasonable steps to notify pest control aircraft pilots registered to operate in the County.
 - (4) **Military airspace authority.** An accessory wind energy system shall not be sited on land within a restricted military airspace without first giving adequate notice to the governing authority of that airspace.
- (d) **Review Authority.** Director.
- (e) **Findings required.** Before approving an application for an Accessory Wind Energy Permit, the Director shall find and justify that all of the following are true:
- (1) The site for the proposed use is adequate in size and shape to accommodate the proposed use and all yards, open spaces, setbacks, walls and fences, parking areas, loading areas, landscaping and other features pertaining to the proposed use.
 - (2) The site for the proposed use has adequate access (i.e., the site design incorporates street and highway limitations).
 - (3) The proposed use will not have a substantial adverse effect on adjacent property or the use of the adjacent property (e.g., excessive noise, vibration, traffic, other disturbance, etc.) and will not have a substantial visual impact on adjacent property.
 - (4) The proposed use is consistent with the goals, policies, standards and maps of the General Plan and any applicable Community Plan or Specific Plan.
 - (5) The lawful conditions stated in the approval are deemed necessary to protect the public health, safety, and general welfare.

The design of the site has taken into consideration the potential for the use of solar energy systems and passive or natural heating and cooling opportunities in compliance with Government Code Section 65850.5.

Adopted Ordinance 4011 (2007)

85.18.040 Abandonment

Under normal occupancy, an accessory wind energy system that is not operated for a continuous period of 12 months shall be considered abandoned. The owners of the system shall remove all structures within 90 days of receipt of notice from the County advising the owner of the abandonment. If the system is not removed within 90 days, the County may remove all structures at the owner's expense.

Adopted Ordinance 4011 (2007)

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- (d) **Authority to Inspect.** All persons authorized to enforce the provisions of this Development Code are authorized to enter upon any property or premises within the unincorporated areas of the County of San Bernardino to ascertain whether the property or premises is in compliance with this Development Code, and to make any inspection as may be necessary in the performance of their enforcement duties. These inspections may include the taking of photographs, samples, or other physical evidence, and the making of video and/or audio recordings. All such entries and inspections shall be done in a reasonable manner. If an owner, lawful occupant, or the respective agent, employee, or representative thereof refuses permission to enter and/or inspect, the County, acting by and through such persons authorized to enforce this Development Code, may seek an administrative inspection warrant pursuant to the procedures provided by California Code of Civil Procedure §§ 1822.50 through 1822.59, as may be amended from time to time, or the successor provisions thereto.

Adopted Ordinance 4011 (2007); Amended Ordinance 4043 (2008); Amended Ordinance 4057 (2008)

86.09.040 Unlawful to Violate Development Code Provisions

- (a) It is unlawful for any person to violate or to cause or to allow a violation of any provision of this Development Code. Any act or omission constituting a violation of the Development Code includes the aiding, abetting, allowing, or causing that act or omission.
- (b) Each and every day, and during any portion of which, any violation of this Development Code, or of the provisions of any code adopted and incorporated by reference by this Development Code, is committed, continued, or allowed, is a new and separate offense.

Adopted Ordinance 4011 (2007); Amended Ordinance 4043 (2008)

86.09.050 Violations of Development Code Declared Public Nuisance

- (a) **Use of land.** Any use of land that is not allowed by this Development Code (either as a matter of right or through the application of the appropriate land use approval or permit) and/or which is conducted without first obtaining all permits and/or licenses otherwise required pursuant to all applicable state and/or federal laws and/or other provisions of the San Bernardino County Code (and thereafter maintaining each such permit and/or license so as to remain legally valid at all times) is hereby declared unlawful and a public nuisance.
- (b) **Projects exempt from Conditional Use Permit requirement.** The following projects shall be exempt from the Conditional Use Permit/Minor Use Permit requirement and shall be subject to a Site Plan Permit in compliance with Chapter 85.08 (Site Plan Permits) provided they do not require a Variance. The limitations of Subsection 85.08.020(b) shall not apply for projects that include any of the following:

- (c) **Use or occupancy of structure.** Any structure used or occupied in a manner not allowed by this Development Code (either as a matter of right or through the application of the appropriate land use approval or permit) and/or which is used or occupied without first obtaining all permits and/or licenses otherwise required pursuant to all applicable state and/or federal laws and/or other provisions of the San Bernardino County Code (and thereafter maintaining each such permit and/or license so as to remain legally valid at all times) is hereby declared unlawful and a public nuisance.

Adopted Ordinance 4011 (2007); Amended Ordinance 4043 (2008); Amended Ordinance 4085 (2009); Amended Ordinance 4098 (2010)

86.09.060 Unlawful to Refuse or Fail to Comply With a Condition of Land Use Approval

- (a) It is unlawful for the owner, the owner's agent or representative, or other person in whose favor or for whose benefit, a land use approval of any kind has been granted for the parcel of real property at issue, to refuse or to fail to comply with the condition of approval or the conditions of approval, either individually or collectively in any number.
- (b) Each and every day, and during any portion of which, any failure or refusal to comply with the condition or conditions of approval imposed on any land use approval, authorization, permit, or variance, is committed, continued, or allowed, is a new and separate offense.

Adopted Ordinance 4011 (2007); Amended Ordinance 4043 (2008)

86.09.070 Property Not in Compliance With a Condition of Land Use Approval Declared Public Nuisance

Any property not in compliance with an applicable condition of approval imposed upon any land use approval, authorization, permit, or variance is hereby declared to be unlawful and a public nuisance

Adopted Ordinance 4011 (2007); Amended Ordinance 4043 (2008)

86.09.080 Enforcement

(dd) Agritourism enterprise (see Land Use Tables). An enterprise conducted by an owner of a working farm, ranch, agricultural, or horticultural operation in order to generate income for the farm or operation that is in addition to income derived from the primary farming, ranching, or agricultural activities. Activities and events are designed to educate the public about farming and ranching activities; promote the heritage and culture of farming, ranching, and a rural lifestyle, and promote the products of a farm or ranch. Activities and events may take place indoors or outdoors. Indoor facilities may include classrooms, meeting rooms, overnight accommodations, party facilities, renovated barns, etc. Outdoor facilities may include picnicking areas, trails, riding rings, paddocks, and similar areas for education, entertainment, and recreation. Examples of activities and events include:

- Agricultural food and craft shows
- Agricultural heritage museums and tours
- Barn dances (including square dancing)
- Cattle drives
- Cider pressing/tasting
- Craft skills demonstrations (weaving, candle dipping, clothes making, etc.)
- Crop mazes
- Educational and interpretive seminars, clinics, walks, workshops
- Farm equipment displays
- Farm visits
- Food festivals
- Food service
- Gardens (harvesting flowers, greenery, herbs, dried flowers, berries, vegetables)
- Gift shops
- Guided crop tours
- Harvest festivals
- Hayrides
- Historical reenactments (e.g., Revolutionary War or Civil War battle reenactments)
- Living history events where families can experience the lives of 18th or 19th century farmers, pioneers, ranchers, etc.
- Horse and pony rides
- Living History displays
- Music festivals
- Pet farms
- Picnicking
- Ranch skills demonstrations (horseshoeing, leatherwork, camp cooking, horse training, etc.)
- Retreats
- School tours
- Storytelling
- Wagon rides
- Wine tasting
- **U-pick farm or orchard**

- (ee) **Airport or Heliport (see Land Use Tables).** Any area of land or water designed and set aside for the landing and taking off of any aircraft. An airport or heliport must be utilized in the interest of the public for these purposes, have a valid airport permit from the State of California Aeronautics Division, have airspace clearance as required by the Federal Aviation Agency, and have approval under the County Adopted General Plan of Airports. Military airports are not required to obtain the listed Federal, State, or County approvals.
- (ff) **Airport Hazard.** Any structure or tree or use of land that obstructs the airspace required for the flight of aircraft in landing or taking off at an airport, or is otherwise hazardous to the landing or taking off of aircraft.
- (gg) **Aliquot Part.** A notation used by the Public Land Survey System to represent the exact subdivision of a section of land. Aliquot parts are described as a half or quarter of the largest subdivision of the section, except fractional lots which cannot be described by aliquot parts. The divisions shall not be less than five acres.
- (hh) **Alley.** A public thoroughfare, not exceeding 30 feet in width for the use of pedestrians or vehicles, that affords only a secondary means of access to the abutting property.
- (ii) **Alluvial Fan.** See “Flood Hazard.”
- (jj) **Alquist-Priolo Earthquake Fault Zoning Act.** Also, formerly known as the Alquist-Priolo Special Studies Zones Act of 1972 (Public Resources Code Section 2621 *et seq.*). The purpose of this Act is to provide for public safety in hazardous fault zones. The Act requires the delineation of potential damage areas along known active faults throughout California. It requires local governments to withhold approval of construction permits in those zones until geologic investigation has determined that the site is not threatened by surface displacement from future faulting.
- (kk) **Alterations.** See “Structural Alterations.”
- (ll) **Ambulance, Taxi, or Limousine Dispatch Facility (see Land Use Tables).** A base facility where ambulances, taxis, limousines, armored cars, tow trucks, and similar vehicles for specialized transportation are stored, and from which they are dispatched, and/or where ambulance vehicles and crews not based at a hospital or fire department stand by for emergency calls. Does not include storage facilities for towed vehicles, which is classified under “Storage - Vehicle.”
- (mm) **Animal Keeping (see Land Use Tables).** See Chapter 84.04 (Animal Keeping) and Chapter 82.07 (Additional Agricultural Overlay District).
- (nn) **Animals, Beneficial or Endangered.**
- (1) **Beneficial.** Those species that do not contribute to a strain on an ecosystem. They may also serve to eradicate pest species for agricultural or health purposes.

- (2) **Endangered.** An animal species that has been diminished in quantities sufficiently large enough to raise questions regarding the future propagation of the species.
- (oo) **Animal Hospital.** See “Veterinary Clinic, Animal Hospital (see Land Use Tables).”
- (pp) **Animal-Proofed.** Resistant to animals (such as dogs, coyotes, raccoons) opening, tipping over or otherwise gaining access to trash thereby causing trash to be scattered.
- (qq) **Antenna.** See “Wireless Telecommunication Facility.”
- (rr) **Apparel and Other Finished Products.** See “Manufacturing Operation I and II.”
- (ss) **Apex.** See “Flood Hazard.”
- (tt) **Apartment.** A room, or suite of rooms that when combined constitute a single dwelling unit in a multiple dwelling structure and that are designed for, intended for, suitable as a residence for, and/or occupied by one family.
- (uu) **Applicant.** The property owner(s), or authorized agent of the owner(s) who is legally authorized to act for the owner(s) of record.
- (vv) **Approved Access.**
- (1) A dedicated right of way to the County of San Bernardino, an easement for public road, County Highway and public utility purposes, of a width as established by the Circulation Element of the County General Plan. The road constructed thereon shall not be brought into the County maintained road system until an unless the Board of Supervisors of the County of San Bernardino, by appropriate resolution, has caused the road to be accepted into the County Road System.
 - (2) An existing traveled way where a prescriptive right by user has been established for public use by a Court decree.
 - (3) A traveled way that was in existence before 1967, as determined by the County Surveyor. The traveled way must connect to a publicly maintained roadway and must meet each of the following criteria:
 - (A) Have all-weather capability for normal passenger car use.
 - (B) Be of adequate width to provide two-way vehicular access.
 - (C) Be improved and maintained by the use of hand or power machinery or tools in order to allow relatively regular and continuous use. A traveled way maintained solely by the passage of vehicles does not constitute “Approved Access.”

(4) Approved Access shall not be approved by the County Surveyor unless the access:

(A) Substantially conforms to the alignment shown in the Circulation Element of the County General Plan or Community Plan where applicable; and

(B) May practically and feasibly be applied to road use. The approved access provisions apply to divisions of land resulting in lots of 20 acres or more.

- (ww) **Approved Structure.** See “Structure, Approved.”
- (xx) **Architectural Lighting.** See “Lighting, Outdoor.”
- (yy) **Area of Regional Significance.** See “Surface Mining Operations.”
- (zz) **Area of Shallow Flooding.** See “Flood Hazard.”
- (aaa) **Area of Special Flood Hazard.** See “Flood Hazard.”
- (bbb) **Area of Statewide Significance.** See “Surface Mining Operations.”
- (ccc) **Art Gallery.** See “Library.”
- (ddd) **Attached Lighting.** See “Lighting, Outdoor.”
- (eee) **Auction Yard.** See “Swap Meet, Outdoor Market, Auction Yard.”
- (fff) **Auto and Vehicle Sales and Rental (see Land Use Tables).** A retail or wholesale establishment selling and/or renting automobiles, trucks and vans, trailers, motorcycles, and bicycles (bicycle sales are also included under “General Retail”). Vehicles for sale may be displayed outdoors or indoors, as authorized by the required Conditional Use Permit.

May also include repair shops and the sales of parts and accessories, incidental to vehicle dealerships. Does not include: the sale of auto parts/accessories separate from a vehicle dealership; mobile home, recreational vehicle, or watercraft sales (see “Mobile Home, RV and Boat Sales”); tire recapping establishments; businesses dealing exclusively in used parts, (see “Recycling - Scrap and Dismantling Yards”); or “Service Stations,” which are separately defined.

- (ggg) **Automobile Parking Space.** See “Parking Space, Automobile.”

Adopted Ordinance 4011 (2007); Amended Ordinance 4043 (2008); Amended Ordinance 4098 (2010)

- (g) **Glass Products Manufacturing.** See “Manufacturing Operations I and II.”
- (h) **Goals.** General statements that describe a desired end state toward which effort should be directed.
- (i) **Golf Course.** Golf courses, and accessory facilities and uses including: clubhouses with bar and restaurant, locker and shower facilities; driving ranges; “pro shops” for on-site sales of golfing equipment; and golf cart storage and sales facilities.
- (j) **Government Code.** The State of California Government Code.
- (k) **Government Office.** See “Office.”
- (l) **Grading.** Excavating, filling, leveling or smoothing, or combination thereof, for which a grading permit is required by the California Building Code. “Major grading” is grading in excess of one hundred (100) cubic yards, whereas “minor grading” is one hundred (100) cubic yards or less.
- (m) **Grading Provisions.** One or more standards in the San Bernardino County Grading Ordinance.
- (n) **Groceries, Specialty Foods (see Land Use Tables).** A retail business where the majority of the floor area open to the public is occupied by food products packaged for preparation and consumption away from the store. Includes retail bakeries, where any on-site baking is only for on-site sales.
- (o) **Ground Shaking Levels.** The physical movement of the land surface due to earthquakes, the extent of which is dependent upon the magnitude of the tremor, the subsurface material of the area, and the proximity to the epicenter of the quake. Ground shaking levels may be measured on the Modified Mercalli Intensity Scale.
- (p) **Group Housing (see Land Use Tables).** Residential occupancy of a building or set of buildings each of which contains group quarters in permanently fixed building or a portions thereof with shared or no kitchen privileges.
- (q) **Growth Monitoring.** A process that follows the amount and rate of population growth within a city or other specified area. It normally involves some estimation of population growth for small areas through the analysis of development applications (zone changes, subdivisions, etc.) from submittal, through review, to final approval and issuance of building permits.
- (r) **Guest House (see Land Use Tables).** Residential occupancy of a living unit, with bathroom plumbing only, separated from the primary dwelling by at least 10 feet, and located on the same parcel as the primary dwelling on a contiguous parcel in the same ownership. This unit is for use by the occupants or temporary guests of the occupants of the premises and is not rented or otherwise used as a separate dwelling, except when approved as a Dependent Unit.

- (s) **Guest Room.** A room that is designed for or used by one or more guests for sleeping purposes, but in which no provision is made for cooking.

Adopted Ordinance 4011 (2007); Amended Ordinance 4098 (2010)

810.01.160 Definitions, “N.”

- (a) **National Forest Lands.** Lands under the jurisdiction of U.S. Forest Service and within the boundaries of the San Bernardino and Angeles National Forests.
- (b) **Native Tree.** See “Tree, Native.”
- (c) **Native Vegetative Species.** All plant species indigenous to the State of California and compatible to the climate and elevation of the area to be landscaped.
- (d) **Natural Resources Development (see Land Use Tables).** The development and extraction of mineral deposits, natural vegetation and energy sources, together with the necessary incidental buildings, apparatus or appurtenances.
- (e) **Natural Hazards.** Any one or combination of naturally occurring phenomena (e.g., earthquakes, forest and brush fires, landslides, mudslides, etc.) that pose a potential threat to the manmade environment.
- (f) **Nature Preserve.** An area of land maintained in its natural state for the preservation of habitat or other natural resources
- (g) **New Construction.** See “Flood Hazard.”
- (h) **Night Club (see Land Use Tables).** A facility with the primary function of providing entertainment, examples of which include live music and/or dancing, comedy, etc., which may serve alcoholic beverages for on-site consumption. Does not include adult entertainment businesses, which are separately defined.
- (i) **Night Sky.** See “Lighting, Outdoor.”
- (j) **Noise Contour.** A mapped line connecting points where the same sound pressure level prevails. Contours form bands of width emanating from a noise source, and approximate true ambient noise levels.
- (k) **Non-access.** See “Access.”
- (l) **Nonconforming or Nonconforming Use.** Any building, structure or portion thereof, or use of building or land that does not conform to the regulations of the San Bernardino County Code or applicable specific plan and that lawfully existed at the time the regulations, or an amendment thereto, with which it does not conform became effective.
- (m) **Nonvehicular Access.** See “Access.”
- (n) **Notice.** A method of conveying information pertaining to a pending land use decision that may affect members of the public.

810.01.170 Definitions, “O.”

- (a) **Occupancy Group.** The California Building Code classification of the intended use or character of all areas of the structure/building.
- (b) **Occupant Load.** The number of persons for which the California Building Code required exiting system must be designed.
- (c) **Office.** This Development Code distinguishes between the following types of offices. See also “Professional Services.”
 - (1) **Accessory (see Land Use Tables).** Office facilities for administration, and/or on-site business and operations management, that are incidental and accessory to another business, sales, and/or service activity that is the primary use.
 - (2) **Government (see Land Use Tables).** Administration, clerical, or public contact and/or service offices of a local, state, or federal government agency or service facilities. Includes post offices, but not bulk mailing distribution centers, which are under “Truck Terminal.”
- (d) **Official Map.** An Official Map is a map prepared in compliance with this Development Code and shall be substituted for a final map when it is certified, filed and bound, but not before.
- (e) **Off-Highway or Off-Road Vehicle Race.** Any organized sporting event or rally where motorized vehicles are utilized in a contest of speed, or in a competitive trial of speed or skill or recreational event, all or a portion of which is conducted outside dedicated public rights-of-way maintained by a public agency.
- (f) **On-Site Detention.** Temporary storage of stormwater runoff on the site.
- (g) **On-Site Retention.** Permanent holding of stormwater runoff on the site through percolation to the ground.
- (h) **Open Lot Services.** Commercial establishments that are primarily involved in the delivery of their service from an open lot with relatively few support structures.
- (i) **Open Space.** Land where basic natural values have been retained. Open space can include wilderness areas, a small park in the middle of a city, pastures, forested areas, agricultural groves, vineyards, golf courses, floodwashes, etc. The function of open space may differ, depending upon the location. It may have a protective function, as in the case of open space in flood plain areas, where it serves to protect health and safety. It can have a structural or buffer function to space and separate conflicting land uses. It may serve a recreational function, or a scenic function to provide aesthetic views of forests or mountains.
- (j) **Off-site Sign.** See “Sign.”

- (k) **On-Site Sign.** See “Sign.”
- (l) **Open Space, Common.** Open space within a single unified development owned, designed and set aside for all occupants of the development or by occupants of a designated portion of the development. Common open space is not dedicated to the public and is owned and maintained by a private organization made up of the open space users.
- (m) **Open Space, Private.** Open space directly adjoining the living areas of dwelling units, which is intended for all private enjoyment of the residents of the dwelling unit. Private open space shall in some manner be defined so that its boundaries are evident.
- (n) **Operator, Mining and Reclamation.** See “Surface Mining Operations.”
- (o) **Outdoor Advertising.** A structure, of any kind or character, erected or maintained for outdoor advertising purposes, upon which any poster, bill, printing, painting or other advertisement of any kind whatsoever may be placed, including statuary, for advertising purposes.
- (p) **Outdoor Exhibit.** See “Library, Museum, Art Gallery, Outdoor Exhibit.”
- (q) **Outdoor Festival (see Land Use Tables).** Any music festival, dance festival, “rock” festival, or similar musical activity or gathering where live or prerecorded entertainment is presented to the public at facilities without permanent land use approval for the activity.
- (r) **Outdoor Lighting.** See “Lighting, Outdoor.”
- (s) **Outdoor Market.** See “Swap Meet, Outdoor Market, Auction Yard.”
- (t) **Overburden.** Soil, rock, or other materials that lie above a natural mineral deposit or in between deposits, before or after their removal by surface mining operations.
- (u) **Overlay Districts.** An area within which a set of standards and requirements are employed to deal with special physical characteristics such as flood plains or geologically hazardous areas. Overlay Districts are described in Division 2 (Allowed Land Uses and Permit Requirements) and are mapped and imposed in conjunction with, and in addition to, the underlying land use zoning district.
- (v) **Owner.** A person or persons shown by the most current legally prepared document that has been recorded by the County Recorder's Office that transfers, grants or imports total or partial ownership of a parcel.
- (w) **Original Parcel.** See “Parcel, Original.”
- (x) **Operative Vehicles.** See “Vehicles, Operative.”

Adopted Ordinance 4011 (2007); Amended Ordinance 4098 (2010)

810.01.180 Definitions, P.

- (a) **Paper and Related Products Manufacturing.** See “Manufacturing Operations I and II.”
- (b) **Parcel.** Any real property described or created by map or deed. “Parcel” shall also refer to a legally defined lot, or contiguous group of lots in single ownership or under single control, and considered a unit for purposes of development. See also “Lot.”
- (c) **Parcel Map.** Means parcel map as defined in California Government Code, Title 7, Division 2, Chapter 2, Article 3.
- (d) **Parcel, Original.** Any improved or unimproved land shown on the latest County equalized assessment roll as a unit or contiguous units.
- (e) **Parcel, Remainder.** That portion of an original lot or parcel that is not a part of the subdivision but, after recordation of the final or parcel map may be sold subject to the recordation of a certificate of compliance or a conditional certificate of compliance. The designated remainder shall not be counted as a parcel for the purposes of determining whether a parcel map or final map is required.
- (f) **Parcel, Reserve.** A strip of land not less than one foot wide reserved for the purpose of regulating access to part width and dead-end streets until the time that the streets may be completed or extended.
- (g) **Park.** An outdoor recreation facility that may provide a variety of recreational opportunities including playground equipment, open space areas for passive recreation and picnicking, and sport and active recreation facilities.
- (h) **Park and Ride.** A voluntary system where participants drive to a centrally located public parking area or transportation facility in order to carpool or gain access to public transportation to another location.
- (i) **Parking Lots and Structures, Accessory (see Land Use Tables).** Off street parking spaces within parking lots and/or parking structures on the site of a primary land use that are intended for use by patrons, employees, and/or residents of the primary land use.
- (j) **Parking Area, Public (see Land Use Tables).** An open area, other than a street, used for the temporary parking of automobiles and available for public use, whether free, for compensation or as an accommodation for clients, customers or employees.
- (k) **Parking Space, Automobile.** Space within a public or private parking area or a building for the temporary parking or storage of one automobile.
- (l) **Partially-Shielded Fixture.** See “Lighting, Outdoor.”

Adopted Ordinance 4011 (2007)

- (m) **Passive Thermal System.** See “Thermal System, Passive.”
- (n) **Pawnshops.** See “Second-Hand Stores.”
- (o) **Pedestrian Lighting.** See “Lighting, Outdoor.”
- (p) **Pedestrian Walkway Sign.** See “Sign.”
- (q) **Perch Tree.** A dominant conifer, having open areas (dead limbs) in the upper portion of the tree located:
- (1) Within one-quarter mile of the shoreline of Lake Arrowhead, Erwin Lake, Baldwin Lake or Big Bear Lake; or
 - (2) In an identified area [i.e. Known Day Use Area or Potential Day Use Area] as shown on the U.S. Forest Service Bald Eagle Habitat Map.
- (r) **Permittee.** Any person undertaking development activities upon a site in compliance with a permit granted by the County.
- (s) **Person.** Any individual, firm, co partnership, joint venture, association, social club, fraternal organization, company, joint stock association, corporation, estate, trust, organization, business, business trust, public agency, school district, the State of California and its political subdivisions or instrumentalities, receiver, syndicate or any group or combination thereof, acting as a unit, including any trustee, receiver or assignee.
- (t) **Personal Communication Services (PCS).** See “Wireless Telecommunication Facilities.”
- (u) **Personal Services (see Land Use Tables).** Establishments providing nonmedical services to individuals as a primary use. Examples of these uses include:
- barber and beauty shops
 - clothing rental
 - dry cleaning pick up stores with limited equipment
 - home electronics and small appliance repair
 - laundromats (self service laundries)
 - locksmiths
 - massage (licensed, therapeutic, non-sexual)
 - pet grooming with no boarding
 - psychics, palm readers
 - shoe repair
 - tailors
 - tanning salons
 - tattoo and body piercing services

These uses may also include accessory retail sales of products related to the services provided.

- (v) **Personal Storage.** See “Storage Personal Storage, Mini-Storage.”

- (w) **Pet Cemetery.** See “Cemetery.”
- (x) **Pet Farm.** A facility in which livestock, farm animals, and other animals are kept for public exhibition, viewing and contact, regardless of compensation, and which may include related accessory uses and activities (e.g., picnic areas, recreational activities, etc.). A pet farm shall not include retail pet stores and kennels, horse races, and activities such as State and County fairs, livestock shows, rodeos, field trials, and horsing events.
- (y) **Petroleum Refining and Related Industries.** See “Manufacturing Operations II.”
- (z) **Phase.** Any contiguous part or portion of a single unified development project that is developed as a unit in the same time period.
- (aa) **Pipelines, Transmission Lines (see Land Use Tables).** Facilities primarily engaged in the pipeline transportation of crude petroleum; refined products of petroleum including gasoline and fuel oils; natural gas; mixed, manufactured or liquefied petroleum gas; or the pipeline transmission of other commodities. Also includes pipeline surface and terminal facilities, including pump stations, bulk stations, surge and storage tanks. Power transmission includes facilities for the transmission of electrical energy for sale, including transmission lines for a public utility company. Also includes telephone, telegraph, cable television and other communications transmission facilities utilizing direct physical conduits. Does not include offices or service centers (classified in “Offices”), equipment and material storage yards (classified under “Storage Yards and Sales Lots”), distribution substations (classified under “Public Utility Facilities”), or power plants (classified under “Electrical Power Generation”). See also “Utility Facility.”
- (bb) **Places of Worship.** (see Land Use Tables). Facilities operated by religious organizations for worship, or the promotion of religious activities and instruction; together with accessory buildings and uses on the same site. Includes churches, synagogues, mosques, temples, etc. Related on-site facilities including day care centers and schools are separately defined.
- (cc) **Planned Development.** A large, integrated development consisting of residential, commercial or industrial uses, or a mixture of these uses and associated ancillary uses and structures; that is situated on one or more contiguous parcels or noncontiguous parcels separated solely by a road or other right of way or easement; and that is planned and developed as a unified project within a single development operation or series of development operations in compliance with a detailed comprehensive development plan.
- (dd) **Planning Agency.** The Planning Agency is a reviewing authority with the powers and charged with the duty of making investigations and reports on land use application and to approve, conditionally approve or disapprove land use applications. The Planning Agency of San Bernardino County is described in Chapter 86.01 (Planning Agency).
- (ee) **Planning Fee Schedule.** See “Fee Schedule.”

- (ff) **Planning Permit.** Issued as a result of an approval of a land use application.
- (gg) **Plant, Desert Native.** Any tree, shrub, bulb or plant or part thereof, except its fruit, named in the California Desert Native Plants Act, as amended, (Food and Agricultural Code Section 8000a et seq.), which is growing wild. Also “Desert Native Plant” includes any of the species listed in Subsection 88.01.060(c) (Desert Native Plant Protection Regulated desert native plants.
- These plants do not include commercial nursery stock or planted landscaping, including those trees planted and/or growing outside their normal habitat, except where the plants have been transplanted in compliance with Chapter 88.01 (Plant Protection and Management).
- (hh) **Plant Expert, Desert Native.** A County Agricultural Commissioner Biologist, an arborist certified by the Western Chapter of the International Society of Arborists, or a person certified by the County Agricultural Commissioner for the desert area.
- (ii) **Plastic Manufacturing.** See “Manufacturing Operations I and II.”
- (jj) **Playground.** An area occupied by children’s play equipment, including climbing equipment, sandboxes, slides, swings, and/or similar equipment.
- (kk) **Policies.** Statements, more specific than goals, that are guides for decision-making, imply commitments to goals and define directions for action toward fulfillment of these goals.
- (ll) **Pond.** A naturally occurring or artificially created body of water (impounded above or below surface level) with a designated holding capacity of less than one acre-foot of water. Does not include “Lake or Reservoir.”
- (mm) **Preserve.** See “Nature Preserve.”
- (nn) **Prezone.** The process by which a city or County determines the actual future land use zoning districts for specified parcels of land before these parcels are annexed to the city.
- (oo) **Premature Development.** The building or construction of new projects in areas usually outside city limit boundaries or in areas where necessary public facilities cannot economically be provided by city or county jurisdictions.
- (pp) **Primary Metal Industries.** See “Manufacturing Operations II.”
- (qq) **Primary Use.** A primary, principal or main use of a subject property that is allowed by the applicable land use zoning district independent of any other use of the property. A property may have more than one primary use of the property (e.g., a warehouse and an off-site sign could be both primary uses of a property. See also “Use.”
- (rr) **Private Garage.** See “Garage, Private.”

- (ss) **Private Home Rental, Short-Term.** A dwelling unit, including either a single-family detached or multi-family attached unit, owned, leased or rented on a less than 30-day basis. This definition includes a second dwelling unit on-site. This does not include the ongoing month-to-month tenancy granted to the same renter for the same unit.
- (tt) **Private Meeting Facility.** See “Meeting Facility.”
- (uu) **Private Open Space.** See “Open Space, Private.”
- (vv) **Private Stable.** See “Stable, Private.”
- (ww) **Processing Facility.** See “Recycling Facility.”
- (xx) **Produce Stand.** A temporary business established and operated for a specific time, selling raw, unprocessed fruits, vegetables, nuts, and other produce in its raw or natural state, and that is accessory to an on-site or adjacent agricultural operation.
- (yy) **Professional and Scientific Goods Manufacturing.** See “Manufacturing Operations I.”
- (zz) **Professional Services (see Land Use Tables).** Establishments that provide advice, designs, information, medical treatment, commercial education, consultation, travel, job placement, advertising, finance, insurance and real estate services, generally from an office with no on-site storage of goods. This category includes all types of business offices and service-type businesses where service is basically on an individual-to-individual or firm-to-firm basis as opposed to services that are performed on objects or personal property.
- (aaa) **Projecting Sign.** See “Sign.”
- (bbb) **Property Line.** See “Lot.”
- (ccc) **Property Owners Association.** A private organization composed of property owners of a single unified project that may own common property and shall be responsible for the maintenance and management of commonly owned property.
- (ddd) **Public Building.** A structure used for public assembly purposes in conjunction with an institutional use.
- (eee) **Public Directional Sign.** See “Sign.”
- (fff) **Public Facilities.** Any civic or service oriented facility available to the general public such as schools, fire protection, water and sewerage, rapid or mass transit routes, public golf courses, libraries, public health centers, etc.

- (ggg) **Public Garage.** See “Garage, Public.”
- (hhh) **Public Improvements.** Includes traffic controls, streets, roads, highways, freeways, bridges, overcrossings, street interchanges, flood control or storm drain facilities, sewer facilities, water facilities, lighting facilities, and any other service and/or infrastructure improvement that is publicly maintained and operated by a public agency and/or quasi public agency, excepting utilities and common carriers.
- (iii) **Public Meeting Facility.** See “Meeting Facility.”
- (jjj) **Public Parking Area.** See “Parking Area, Public.”
- (kkk) **Public Stable.** See “Stable, Public.”
- (lll) **Public Safety Facility (see Land Use Tables).** A facility operated by a public agency including fire stations, other fire prevention and fire fighting facilities, police and sheriff substations and headquarters, including interim incarceration facilities. May include ambulance dispatch facilities on the same site.
- (mmm) **Public Way.** Includes street, highway, avenue, boulevard, parkway, road, lane, walk, alley, channel, viaduct, subway, tunnel, bridge, public easement, public right of way, and other ways in which a public agency has a proprietary right.

Adopted Ordinance 4011 (2007); Amended Ordinance 4085 (2009)

810.01.190 Definitions, “Q.”

- (a) **Quality Control Engineer.** A registered civil engineer working under a contract with the County who is responsible to the County to assure compliance by the developer with the conditions of approval adopted by the County. This definition does not include the civil engineer responsible for professional inspection as required by the California Building Code.

Adopted Ordinance 4011 (2007)