

# NOTICE OF DEVELOPMENT CODE AMENDMENTS

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An ordinance was recently adopted by the Board of Supervisors amending Title 8 of the San Bernardino County Code (Development Code). Ordinance 4136 effective March 17, 2011. 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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Attachment





# **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

Adopted March 13, 2007  
Effective April 12, 2007  
Amended March 17, 2011



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**Special Acknowledgements**

Bill Postmus, Past First District Supervisor and Chairman of the Board

Theresa Kwappenberg, Past Third District Planning Commissioner

Michael E. Hays, AICP, Past Director, Land Use Services Department

Sam Gennawey, Past Project Manager for MIG

Chuck Bell, Past GPAC Member

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*List of Ordinances Amending the Development Code*

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**List of Ordinances Amending the Development Code**

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4011	03-13-2007	04-12-2007			
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4043	01-29-2008	02-28-2008			
4057	09-23-2008	10-23-2008			
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4085	07-21-2009	08-20-2009			
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4116	07-27-2010	09-25-2010			
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4136	02-15-2011	03-17-2011			



Ordinance Disposition Table

ORDINANCE DISPOSITION TABLE

ORDINANCE	DISPOSITION	DISPOSITION	ORDINANCE	
4011	Entire Title 8	810.01.060(k)(4); 810.01.140(hh); 810.01.200(k)		
4020	82.22.020; 82.22.030			
4043	82.03.040(b); 82.04.040(b); 82.05.040(b); 82.306.030; 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(nm) – (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)	
4057	82.01.030(d)(3); 82.03.040(b); 82.03.060; 82.04.040(b); 82.04.060; 82.05.060; 82.06.040(c); 82.06.060; 82.10.030; 82.13.050(b); 82.13.090(b); Chapter 82.24; 83.02.070(c)(1); 83.02.080(c)(3); 83.02.080(d); 83.10.070(b)(4); 83.11.080(f) and (h)(1)(A); 83.13.090(c)(5); 83.13.100(a)(6); 84.01.030(d); 84.01.040(c); 84.01.050(a)(3) and (b); 84.08.030; 84.08.040(a)(2) and (d)(3);84.14.030; 84.14.060; 84.21.030(i); 85.12.020(b)(1); 86.09.030(d); 86.09.090(c); 86.09.110(b)(9) and (d)(2)(D); 86.15.050(a)(3)(B); 88.01.080(b)(1);	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); 82.14.020(a); 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(h); 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)	4116 87.07.040	
		4121 82.04.060		
		4136 Chapter 83.10; 810.01.030(rr) – (jjj); 810.01.040; 810.01.050(o) – (aaaa); 810.01.070(v) – (z); 810.01.080(kk) – (ccc); 810.01.100(ee) and (ff); 810.01.110(m), (o), (p), (q), (r), (s), (t), (u) and (v); 810.01.140(m) – (ddd); 810.01.150(q) – (lll); 810.01.150(j) – (z); 810.01.180(w) – (sss); 810.01.200(o) – (ddd); 810.01.210(oo) – (www); 810.01.220(c) – (hh); 810.01.250(e) – (o); 810.01.260		

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82.19.010 - 82.19.050	4011	85.04.010 - 85.04.030	4011
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83.13.010 - 83.13.130	4011, 4043, 4057	86.04.010	4011
83.14.010 - 83.14.030	4011	86.05.010	4011
83.15.010 - 83.15.070	4043, 4085	86.06.010 - 86.06.090	4011, 4043, 4085
		86.07.010 - 86.07.070	4011
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84.06.010 - 84.06.040	4011	86.13.010 - 86.13.080	4011
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**Table 82-8B**  
**Residential Land Use Zoning 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
RL	2.5 acres <sup>(1)</sup>	150 ft	150 ft	1:3 for less than 10 acres; 1:4 for 10 or more acres.
RS	7,200 sf <sup>(1)</sup>	60 ft for interior lot 70 ft for corner lot	100 ft	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 82-8C**  
**Residential Land Use Zoning 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
RL	2.5 acres <sup>(1)</sup>	150 ft	150 ft	1:3 for less than 10 acres; 1:4 for 10 or more acres.
RS	7,200 sf <sup>(1)(2)</sup>	60 ft for less than 1 acre; 140 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.
- (2) The minimum residential lot size in the RS Land Use Zoning District in the Phelan-Pinon Hills Community Plan area shall be one acre.

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**82.04.060 Residential Land Use Zoning District Site Planning 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 82-9A, 82-9B and 82-9C, 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 82-9A**  
**Residential Land Use Zoning District Development Standards**  
**Valley Region**

Development Feature	Requirement by Land Use Zoning District		
	RL Rural Living	RS Single Residential	RM Multiple Residential
<b>Density</b>	<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	1 unit per 2.5 acres <sup>(1)</sup> Accessory dwellings as allowed by Chapter 84.01 (Accessory Structures and Uses)	4 units per acre <sup>(1)</sup> Accessory dwellings as allowed by Chapter 84.01 (Accessory Structures and Uses)	20 units per acre Accessory dwellings as allowed by Chapter 84.01 (Accessory Structures and Uses)
<b>Setbacks</b>	<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 <sup>(2)</sup>	25 ft <sup>(2)</sup>
Side - Street side	Local street - 15 ft Collector or wider - 25 ft	Local street - 15 ft Collector or wider - 25 ft	Local street - 15 ft Collector or wider - 25 ft
Side - Interior (each)	Lot 75 wide or less - 5 ft on one side, 10 ft on other; Other lots - 15 ft	5 ft on one side, 10 ft on other	5 ft on one side, 10 ft on other
Rear	15 ft	15 ft	15 ft
<b>Lot coverage</b>	<i>Maximum percentage of the total lot area that may be covered by structures and impervious surfaces.</i>		
Maximum coverage	20%	Lot less than 20,000 sf - Entire building envelope <sup>(3)</sup> Lot of 20,000 sf or larger - 40% <sup>(4)</sup>	60%
<b>Height limit</b>	<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	35 ft	35 ft	45 ft
<b>Accessory structures</b>	See Chapter 84.01 (Accessory Structures and Uses).		
<b>Infrastructure</b>	See Chapter 83.09 (Infrastructure Improvement Standards)		
<b>Parking</b>	See Chapter 83.11 (Parking Regulations).		
<b>Signs</b>	See Chapter 83.13 (Sign Regulations)		

- Notes:**
- (1) Map suffix may modify.
  - (2) A Final Map or Parcel Map may establish front yard setbacks of no less than 22 feet, provided that the average setback of all parcels in the subdivision is 25 feet.
  - (3) Setback, Building Code, and Composite Development Plan requirements still apply.
  - (4) The maximum lot coverage allowed in Chapter 82.06, Table 82-21A will prevail for allowed institutional land uses.

**Table 82-9B**  
**Residential Land Use Zoning District Development Standards**  
**Mountain Region**

Development Feature	Requirement by Land Use Zoning District		
	RL Rural Living	RS Single Residential	RM Multiple Residential
<b>Density</b>	<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	1 unit per 2.5 acres <sup>(1)</sup> Accessory dwellings as allowed by Chapter 84.01 (Accessory Structures and Uses)	4 units per acre <sup>(1)</sup> Accessory dwellings as allowed by Chapter 84.01 (Accessory Structures and Uses)	20 units per acre Accessory dwellings as allowed by Chapter 84.01 (Accessory Structures and Uses)
<b>Setbacks</b>	<i>Minimum setbacks required. See Chapters 83.02 for exceptions, reductions, and encroachments. See Division 5 for any setback requirements applicable to specific land uses.</i>		
Front	25 ft	Lot less than 14,000 sf =15 ft Lots 14,000 sf or larger=25 ft.	Lot less than 14,000 sf =15 ft Lots 14,000 sf or larger=25
Side - Street side	25 ft	15 ft	15 ft
Side - Interior (each)	20 ft	20% of lot width, need not exceed 15 ft <sup>(2)</sup>	20% of lot width, need not exceed 15 ft <sup>(2)</sup>
Rear	20 ft	15 ft	15 ft
Accessory structures	See Chapter 84.01 (Accessory Structures and Uses)		
<b>Lot coverage</b>	<i>Maximum percentage of the total lot area that may be covered by structures and impervious surfaces.</i>		
Maximum coverage	20%	40% <sup>(3)</sup>	60%
<b>Height limit</b>	<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	35 ft	35 ft	45 ft
<b>Accessory structures</b>	See Chapter 84.01 (Accessory Structures and Uses).		
<b>Infrastructure</b>	See Chapter 83.09 (Infrastructure Improvement Standards)		
<b>Parking</b>	See Chapter 83.11 (Parking Regulations).		
<b>Signs</b>	See Chapter 83.13 (Sign Regulations)		

**Notes:**

- (1) Map suffix may modify.
- (2) The side yard setback standards in the Fire Safety Overlay (Chapter 82.13) shall prevail. The setback provisions of the small lot development standards (Chapter 84.22) shall not apply.
- (3) The maximum lot coverage allowed in Chapter 82.06, Table 82-21B will prevail for allowed institutional land uses.

**Table 82-9C**  
**Residential Land Use Zoning District Development Standards**  
**Desert Region**

Development Feature	Requirement by Land Use Zoning District		
	RL Rural Living	RS Single Residential	RM Multiple Residential
<b>Density</b>	<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	1 unit per 2.5 acres <sup>(1)</sup> Accessory dwellings as allowed by Chapter 84.01 (Accessory Structures and Uses)	4 units per acre <sup>(1)</sup> Accessory dwellings as allowed by Chapter 84.01 (Accessory Structures and Uses)	20 units per acre Accessory dwellings as allowed by Chapter 84.01 (Accessory Structures and Uses)
<b>Setbacks</b>	<i>Minimum setbacks required. See Chapters 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 <sup>(2)</sup>	25 ft <sup>(2)</sup>
Side - Street side	25 ft	Local street - 15 ft <sup>(3)</sup> Collector or wider - 25 ft	Local street - 15 ft Collector or wider - 25 ft
Side - Interior (each)	Lot 75 wide or less - 5 ft on one side, 10 ft on other; Other lots - 15 ft	5 ft on one side, 10 ft on other <sup>(4)</sup>	5 ft on one side, 10 ft on other
Rear	15 ft	15 ft	15 ft
Accessory structures	See Chapter 84.01 (Accessory Structures and Uses)		
<b>Lot coverage</b>	<i>Maximum percentage of the total lot area that may be covered by structures and impervious surfaces.</i>		
Maximum coverage	20%	Lot less than 20,000 sf - Entire building envelope <sup>(5)</sup> Lot of 20,000 sf or larger - 40% <sup>(6)</sup>	60%
<b>Height limit</b>	<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	35 ft	35 ft	45 ft
<b>Accessory structures</b>	See Chapter 84.01 (Accessory Structures and Uses).		
<b>Infrastructure</b>	See Chapter 83.09 (Infrastructure Improvement Standards)		
<b>Parking</b>	See Chapter 83.11 (Parking Regulations).		
<b>Signs</b>	See Chapter 83.13 (Sign Regulations)		

**Notes:**

- (1) Map suffix may modify.
- (2) A Final Map or Parcel Map may establish front yard setbacks of no less than 22 feet, provided that the average setback of all parcels in the subdivision is 25 feet.
- (3) This setback shall be 25 feet in the Phelan-Pinon Hills Community Plan area.
- (4) This setback shall be 10 feet on both sides in the Phelan-Pinon Hills Community Plan area.
- (5) Setback, Building Code, and Composite Development Plan requirements still apply.
- (6) The maximum lot coverage allowed in Chapter 82.06, Table 82-21B will prevail for allowed institutional land uses.

Adopted Ordinance 4011 (2007); Amended Ordinance 4043 (2008); Amended Ordinance 4057 (2008); Amended Ordinance 4121 (2010)



# DIVISION 3 COUNTYWIDE DEVELOPMENT STANDARDS

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**CHAPTER 83.10 LANDSCAPING STANDARDS**

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**Sections:**

83.10.010	Purpose
83.10.020	Applicability
83.10.030	Exemptions from the Landscaping Requirements
83.10.040	Modification to the Landscaping Requirements
83.10.050	Landscape Documentation Package
83.10.060	Landscape Area Requirements
83.10.070	Landscape Standards
83.10.080	Regional Landscaping Standards
83.10.090	Irrigation Scheduling and Maintenance Required
83.10.100	Landscape Certificate of Completion
83.10.110	Non-potable/Recycled Water
83.10.120	Stormwater Management

**83.10.010 Purpose**

The purpose of this Chapter is to:

- (a) Enhance the aesthetic appearance of the County by providing standards related to the quality and functional aspects of landscaping and to recognize that landscapes are essential to the quality of life within County by providing areas for active and passive recreation. Additionally, landscapes are an enhancement to the environment by benefiting air and water quality, helping to prevent and manage erosion, offering fire protection, and helping to replace valuable ecosystems that may be lost during development.
- (b) Increase the compatibility between abutting land uses and public rights-of-way by providing landscape screening and buffers.
- (c) Protect public health, safety, and welfare by preserving property values and enhancing pedestrian and vehicular traffic and safety.
- (d) Provide for the conservation and protection of water resources through the efficient use of water; appropriate use of plant materials suitable for climate and location; regular maintenance of landscaped areas; and provide standards that are as effective in conserving water as the State Model Water Efficient Landscape Ordinance, and recognize the following:
  - (1) The waters within the of the State of California are of limited supply and are subject to ever increasing demands from new land uses, existing land uses, residents of the State, and more;

- (2) The continuation of the economic prosperity of the state and the County is dependent upon the availability of adequate water supplies for the future and future development.
- (e) Retain the land's hydrological role within the County's three main watersheds; Santa Ana, Lahontan, and Colorado and promote the infiltration of surface water into the groundwater tables.
- (f) Preserve existing natural vegetation, while incorporating the use of native plants, plant communities, and ecosystems into landscaping design, where possible.
- (g) Establish effective coordination with neighboring and local agencies, which promote benefits of consistent landscape ordinances and standards in accomplishing the common goal of managing the County's water supply and quality.
- (h) Promote the conservation of potable water by utilizing the use of recycled water and other water conserving technology, where possible.
- (i) Promote public education about water conservation and efficient water management.

Adopted Ordinance 4011 (2007); Amended Ordinance 4136 (2011)

**83.10.020    Applicability**

- (a) A landscape document package shall be submitted for review and approval for the following projects:
  - (1) All new and rehabilitated landscapes associated with homeowner installed residential uses (including single residential units/projects) with a total landscape area that is 5,000 square feet or greater.
  - (2) All new and rehabilitated landscapes associated with any developer-installed residential uses (including single and multiple residential projects) with a total landscape area that is 2,500 square feet or greater.
  - (3) All new and rehabilitated landscapes associated with any owner and/or developer installed commercial, institutional, and/or industrial uses with a total landscape area that is 2,500 square feet or greater.
  - (4) **All new and rehabilitated landscapes within cemeteries.** These projects need only prepare a water budget that specifies the facilities Maximum Applied Water Allowance (MAWA) and Estimated Annual Water Use (EAWU), and they must meet the provisions set forth in Sections 83.10.100 and 83.10.120 of this Chapter.
  - (5) **Existing uses and structures.** If existing physical constraints on the site (e.g., structures, parking, circulation, etc.) limit the amount of landscaping that can be provided, whatever additional landscaping the site can accommodate towards meeting the landscape area requirements of this Chapter shall be provided.

- (b) **Local Agencies.** If a local agency, such as a water purveyor, has adopted and implemented specific water-efficient landscaping requirements, as outlined by State Title 23, Division 2, Chapter 2.7 Model Water Efficient Landscape Ordinance, then those requirements may be used for properties located within its service area in lieu of this Chapter. If the local agency has not adopted and implemented specific water-efficient landscape requirements, then the water-efficient requirements outlined in this Chapter shall be used when developing landscape plans for properties within its service area.

Adopted Ordinance 4011 (2007), Amended Ordinance 4136 (2011)

### **83.10.030 Exemptions from the Landscaping Requirements**

The following projects shall be exempt from landscaping requirements:

- (a) Those properties that have been registered as local, state, and/or federally historical sites.
- (b) Undisturbed portions of residential subdivisions, such as areas which are to remain natural for native plant protection and/or management, for the protection of a wildlife corridor, or for other natural resource management approach all of which, will not require supplemental water or the approval as a viable landscape by the Director.
- (c) Undisturbed portions of nonresidential project sites.
- (d) Those properties that are currently in agricultural production are exempt from the requirements of this Chapter. Commercial agriculture production requiring more intense water usage shall be subject to separate water efficiency standards as regulated by the State of California and local water resource agencies.
- (e) Those properties that are part of an ecological restoration project(s) and do not require the use of a permanent irrigation system.
- (f) Those properties that are part of a mined-land reclamation project(s) and do not require the use a permanent irrigation system.
- (g) Those plant collections, as part of botanical gardens and arboretums that are open to the public.

Adopted Ordinance 4011 (2007), Amended Ordinance 4136 (2011)

### **83.10.040 Modification to the Landscaping Requirements**

- (a) **Director approval.** The Director may approve modifications to the requirements of this Chapter. The modifications shall be limited to the following:
  - (1) Minor modifications to the approved landscape documentation package that comply with the spirit and intent of the requirements, including, but not limited to, revising or substituting plant varieties, container sizes, plant locations,

irrigation specifications, hardscape components, berm heights and/or locations, slope features, and other similar changes.

- (2) Any minor modifications of planting, installation, and/or soil preparation details as listed within the approved landscape documentation package.
- (3) The occupancy of structures prior to the installation of landscaping due to exceptional and unforeseen circumstances when a bond or other surety is provided in compliance with Subsection 83.10.060(c) (Statement of surety).
- (b) **Conditions imposed in connection with modifications.** In granting modifications to any approved landscape documentation package, the Director may impose conditions as deemed necessary to comply with the spirit and intent of these regulations.
- (c) **Fire Safety (FS) Overlay.** The standards in this Chapter may be modified by Chapter 82.13 (Fire Safety (FS) Overlay).

Adopted Ordinance 4011 (2007), Amended Ordinance 4136 (2011)

**83.10.050 Landscape Documentation Package**

(a) **Landscape Documentation Package Requirements.** A landscape documentation package shall be submitted for review and approval for those projects specified in Subsection 83.10.020 (Applicability), consisting of the following:

- (1) **Title Sheet.** Pertinent project information (i.e. applicant contact information, representative contact information if applicable, assessor’s parcel number, etc.) shall be included on a title sheet. The following statement is to be placed on the title sheet of the landscape documentation package:

“I agree that this landscape documentation package complies with the landscaping requirements as outlined by Chapter 83.10 of the County of San Bernardino Development Code; as well as any other requirements as outlined in supporting documentation regarding water efficient-landscaping requirements provided by the County of San Bernardino.”

The Title sheet shall bear the signature of a licensed professional authorized to design landscape plans.

- (2) **Demolition Plan.** The landscape demolition plan, if applicable, shall show all landscape elements, and/or hardscape elements, that will affect the proposed landscaped areas, and identify each element to be removed or protected in place. Any existing native or protected tree species with a six-inch or greater stem diameter and/or 19 inches in circumference measured at four and half feet above the average ground level from the base of the tree base shall not be removed without a tree removal permit. The issuance of the tree removal permit and the removal of any native or protected tree on-site shall comply with Chapter 88.01 (Plant Protection and Management). Within the Valley Region, native trees are



defined as three or more palm trees in linear plantings that are 50 feet or greater in height in established windrows, or parkway plantings, which are considered heritage trees.

- (3) **Construction Plan.** The landscape construction plan shall detail the hardscape elements, i.e. sidewalks, mowcurbs, aesthetic elements, etc., that are proposed as part of the landscape design.

- (4) **Water Budget.** A project's water budget shall be based on the following calculations and shall be included on the irrigation plan:

- (A) **Maximum Applied Water Allowance (MAWA):** The MAWA for the project shall be calculated using the following formula:

$$\text{MAWA (in gallons)} = (\text{ETo})(0.62)[(0.7 \times \text{LA}) + (0.3 \times \text{SLA})]$$

Where:

- (I) ETo: The project area specific reference evapotranspiration rate (inches), as outlined in the California Irrigation Management Information System (CIMIS), other equivalent data, or soil moisture sensor data.
- (II) 0.62: The conversion factor, which converts acre-inches per acre per year to gallons per square foot per year.
- (III) 0.70: The ET adjustment factor, that, when applied to the ETo, adjusts for plant factors and irrigation efficiency, which are two major influences upon the amount of water that needs to be applied to the project's landscaped areas. Those areas using non-potable/recycled water for irrigation purposes may use the ET adjustment factor, which shall not exceed of 1.0. The ET adjustment factor is figured by dividing the average site-wide plant factor, found in the Water Use Classifications of Landscape Species, third edition (WUCOLS III), with the average irrigation efficiency of 0.71, as defined by State law;
- (IV) LA: The project's total landscaped area (including SLA) in square feet; and
- (V) SLA: The project's total special landscaped area (i.e. areas dedicated to edible plants, areas irrigated with non-potable/recycled water, and publicly accessible areas dedicated to active play such as parks, sports fields, golf courses, and where turf provides a playing field or where turf is needed for high traffic activities) in square feet.

- (B) **Estimated Annual Water Use (EAWU).** The EAWU for project specific hydrozones shall be calculated using the following formula:

$$\text{EAWU (in gallons)} = (\text{ETo})(0.62)[((\text{PF} \times \text{HA})/\text{IE}) + \text{SLA}]$$

Where:

- (I) ETo: The project area specific reference evapotranspiration rate (inches), as outlined in the California Irrigation Management

Information System (CIMIS), other equivalent data, or soil moisture sensor data.

- (II) 0.62: The conversion factor, which converts acre-inches per acre, per year to gallons per square foot, per year.
- (III) PF: The plant factor found in the Water Use Classifications of Landscape Species, third edition (WUCOLS III) publication, available from the Department of Water Resources. The plant factors range from: low (0 to 0.3), medium (0.4 to 0.6), and high (0.7 to 1.0).
- (IV) HA: The hydrozone area in a square foot number based on water usage areas within the particular landscaping area (i.e. high, medium, and low, see above). If plants with low water requirements are used within a medium water use hydrozone (those plants that can also survive/flourish in a medium water use application), they shall be counted as a medium water use in the water budget calculations. The same requirement applies for those plants that can also be utilized in a high water use application.
- (V) IE: The irrigation efficiency of the projects irrigation systems. For the purposes of determining the EAWU, the average irrigation efficiency is assumed to be 0.71, based on State law. All project irrigation systems shall be designed, maintained, and managed to meet or exceed an average irrigation efficiency of 0.71, as defined by State law.
- (VI) SLA: The project's total special landscaped area (i.e. areas dedicated to edible plants, areas irrigated with non-potable/recycled water, and publicly accessible areas dedicated to active play such as parks, sports fields, golf courses, and where turf provides a playing field or where turf is needed for high traffic activities) in square feet.
- (VII) The landscaping plans shall provide the EAWU (in the same units as the MAWA is provided) for each valve stationed on the project specific irrigation controller. The sum of the projected EAWU shall not exceed the projected MAWA for the project.

**(5) Landscape Planting Plan**

- (A) **Plant Groupings.** Plants selected for the landscape planting plan shall have similar water needs and be grouped together in distinct hydrozones for water maximum efficiency.
- (B) **Plant Hardiness.** Plants selected for the landscape planting plan shall be selected based upon their adaptability to the climate in which the project is located, as well as the geologic and topographical conditions. Where possible, the preservation and protection of existing native plant species and natural areas shall be encouraged.

- (6) **Landscape Irrigation Plan.** The plan shall include all components of the irrigation system (i.e., valves, heads, sensors, etc.). The water budget information shall be used in the preparation of the irrigation plan and shall be included on the plan.
- (7) **Hydrozone Plan.** A separate hydrozone plan shall be prepared in conjunction with the irrigation plan calling out the distinct hydrozone plant groupings.
- (8) **Landscape Grading Plan.** If the proposed grading exceeds 50 cubic yards, the developer shall submit the most recent rough/precise grading plans and elevations for the project site. These plans shall bear the signature of a licensed professional authorized by law.
- (9) **Soil Management Report.** To help further reduce runoff and help encourage healthy plant growth, a project-specific soil management report with soil amendment recommendations shall be submitted as part of the landscape documentation package.
- (b) **Review and approval.** Prior to the issuance of permits, the developer shall submit a complete Landscape Documentation Package for review and approval.
- (c) **Statement of surety.** When required by the Director, a statement of surety in the form of cash, performance bond, letter of credit, or certificate of deposit in an amount equal to 120 percent of the total value of all plant materials, irrigation equipment, installation, and maintenance shall be posted with the County for a two-year period. The Director may require statements of surety for phased development projects, a legitimate delay in landscape installation due to seasonal requirements (including adverse weather conditions) and similar circumstances where it may not be advisable or desirable to install all of a project's landscaping before occupancy of a site.
- (d) **Local Water Purveyor.** If special provisions have been arranged for a local water purveyor to review and approve a specific project's landscape documentation package, a stamped set of plans approved by the local water purveyor shall be provided.

Adopted Ordinance 4011 (2007), Amended Ordinance 4136 (2011)

**83.10.060 Landscape Area Requirements**

**(a) General requirements.**

- (1) **Setbacks.** Setback and open space areas required by this Development Code shall be landscaped based on the requirements of this Chapter, except the portion where a sidewalk or driveway occur in the required setback. Required setbacks that are screened from public view in commercial and industrial zones, and are not adjacent to residentially-zoned property, are exempt from the provisions of this Chapter.
- (2) **Unused areas.** Areas of a project site not intended for a specific use shall be landscaped based on the requirements of this Chapter, unless exempt in

compliance with Subsection 83.10.030 (Exemptions from the Landscaping Requirements).

- (3) **Parking areas.** Parking areas shall be landscaped in compliance with Chapter 83.11 (Landscape Requirements for Parking Areas) and the water-efficient landscaping requirements of this Chapter. Areas dedicated to parking lots shall not be counted as part of the total lot area needed when computing the minimum landscaped area in compliance with Table 83-12, nor shall the parking lot landscaping be counted as part of the minimum landscaping required.
- (4) **Minimum area.** Projects specified in Subsection 83.10.020 (Applicability) shall provide and maintain landscaped areas in compliance with Table 83-12 (Minimum Landscaped Area). No landscaped area having a width of less than five feet shall be considered in the minimum landscaping requirement.

<b>Table 83-12 Minimum Landscaped Area</b>		
Land Use	Minimum Landscape Area	
	The factor resulting in the larger landscaped area shall be used.	
	As a % of Lot Area	Area in Sq. Ft.
<b>Residential</b>		
Single-Family	Front and street side setbacks	900
Multi-Family (4 or more units)	40%	N/A
<b>Nonresidential</b>		
Industrial/Warehouse	15%	1,000
Institutional	20%	500
Office	20%	1,000
Retail	20%	1,000

- (b) **Area increase in lieu of parking spaces.** In addition to required landscaping areas, landscaping may be provided in lieu of 10 percent of the total number of parking spaces required, provided the landscaping is arranged so that parking may be installed at a later date if a demand arises, and further provided, that the owner agrees to provide parking at the request of the reviewing agency.
- (c) **Variation of area coverage in planned developments.** Variation of landscape coverage may be allowed for individual parcels within planned developments established in compliance with Chapter 85.10 (Planned Development Permits) when the development as a whole meets the required coverage and the landscape documentation package is consistent with the purpose and water-efficient requirements of this Chapter.

Adopted Ordinance 4011 (2007); Amended Ordinance 4043 (2008), Amended Ordinance 4136 (2011)

**83.10.070 Landscape Standards**

- (a) **Design Standards.** The elements within the landscape documentation package (i.e. planting, irrigation, construction, etc.) shall incorporate the following:

- (1) **Cohesive landscape design.** Landscaped areas shall be made an integral part of the overall project design and shall not be simply located in excess space after parking areas and structures have been planned on-site. Additionally, landscaped areas should have a coordinating design that blends with the architectural influence of the site. Larger developments may utilize a variety of themes throughout landscaped areas to distinguish key areas and elements within the development, yet these design concepts shall be consistent with the unifying concept established for the development.
- (2) **Scale and character.** Landscape materials (i.e. planting and hardscape) shall be selected so that the scale and character are appropriate to the site architecture and/or use of the site.
- (3) **Functional landscapes.** Landscaped areas shall be utilized to enhance and define entrances, sidewalks, and pedestrian areas. Additionally, landscaped areas shall be utilized to control microclimates as well as enhance views. Plant materials that provided seasonal color via flowers or foliage shall be provided as an accent to entrances and sidewalks, and shall be considered throughout the landscape.
- (4) **Landscape design features.** Aesthetic landscape design features such as sculptures, decorative paving, benches, trellises, arbors, etc. shall be strongly encouraged within landscaped areas. Aesthetic landscape design features do not include driveways, parking areas, and/or storage areas.
- (5) **Sidewalks.** All sidewalks shall be shown on the landscape plans (i.e. planting, irrigation, construction, etc.). This will ensure proper planting and irrigation design around proposed sidewalks.
- (6) **Alternative hardscape materials.** Decomposed granite, pea gravel, mulch, bark, recycled tire mulch, play area surfacing, and other similar materials may be used in functional activity areas (i.e., patios, rear entry walks, trails, etc.).
- (7) **Water features.** If a water feature such as a pond or fountain is used within a project's landscape then the project's water budget calculations (MAWA) will need to include the surface area of the water feature with the evaporation rate equivalent to that of a high water use plant. Where available, if not utilized by the public as a recreation source, a non-potable/recycled water source shall be used for any decorative water features. Decorative water features shall be on a recirculating system and shall be maintained on a regular basis.
- (8) **Screening.** Planting material and/or hardscape material, such as block walls, wood fencing, vinyl fencing, etc., shall be required to screen storage areas, trash enclosures, parking areas, air conditioning units, and other such elements (except residential driveways). Additionally, any above ground public utilities, such as, but not limited to electrical substations, water storage facilities, and treatment plants shall also be provided with perimeter landscape screening to the extent possible.

- (9) **Bio-swales.** Where possible, bio-swales shall be incorporated into landscaped areas to help maintain, manage, and prevent run-off. All bio-swales shall be a mixture of hardscape materials, i.e. rocks, boulders, rip rap, and plant materials suitable for bio-swales; impermeable surfacing shall be avoided in all bio-swales.
- (10) **High maintenance landscaping.** High maintenance landscaped areas shall be kept to a minimum. If high maintenance landscaped areas are proposed as part of a project's landscaping, these areas shall be located near primary uses and high activity areas.
- (11) **Maximum height for clear sight triangles.** Any planting material and/or hardscape elements over 30 inches in height shall not be allowed within a clear sight triangle formed by the intersection of public rights-of-way, parking lot entrances and exits, pedestrian rights-of-way, driveways, or alleys as described in Subsection 83.02.030 (Clear Sight Triangles).
- (12) **Phased development.** Disturbed nonresidential project sites, including those that have been approved with phasing, where future development is intended within six months of approval, or intended to begin within six months after the completion of a previous phase shall be hydro-seeded with a non-irrigated mix of annuals and natives. Supplemental water shall be provided to the hydro-seeded areas to establish plant health. The hydro-seeded areas shall be maintained in a weed-free condition until development occurs on-site. The proposed hydro-seed mix shall be submitted for review and approval.

**(b) Planting Plan Requirements:** Planting plans shall include the following:

- (1) **Plant material varieties.** Plant materials shall include water-conserving trees (deciduous and evergreen), shrubs, and groundcover that are attractive and useful for erosion control. The use of one predominant species shall be avoided to prevent spread of disease and pests.
- (2) **Plant material selection.** Plant material shall be selected based on mature width and spreads, level of maintenance, durability, aesthetic appeal, thematic qualities, horticulture attributes, resistance to pests and diseases, soil type, slope coverage, topography, and geologic conditions. Plant materials shall also be selected based on their appropriate plant hardiness climate zones as defined by Sunset Western Garden Book and their classifications per the WUCOLS III publication.
- (3) **Coordination of plant materials.** Plant types shall be grouped together based on their water, soil, sun, and shade requirements, as well as their relation to natural watercourses on-site, existing vegetation that is to remain, and their relationship to building orientation. Plant types with different water needs shall be placed on separate irrigation valves within specific hydrozones. Plant types with similar classifications such as high and moderate, moderate and low, low and very low, per the WUCOLS III publication, shall be grouped together in planting areas.
- (4) **Existing plant materials.** To the extent feasible, mature plant materials that are existing on-site and are deemed to be healthy shall be protected and preserved.

Protected plant material shall be retained on-site or be protected in place, unless otherwise approved in writing by the Director or the proper removal permit is granted in compliance with Chapter 88.01 (Plant Protection and Management).

- (5) **Native and drought-tolerant plant materials.** Native and drought-tolerant plant materials capable of surviving with a minimal amount of supplemental water shall be utilized.
- (6) **Mature Trees.** Mature trees should be incorporated into landscape plans, because specimen trees or groupings of existing trees can provide a new development with immediate character, and should be considered as design elements.
- (7) **Shade trees.** Shade trees, a mixture of deciduous and evergreen, shall be provided for residential, commercial, institutional, and industrial buildings, parking lots, open space areas, etc. The trees shall be incorporated to provide natural cooling opportunities and water conservation.
- (8) **Invasive plants.** The use of invasive plant materials shall be avoided in areas near parks, buffers, greenbelts, water bodies, conservation areas/reserves, and other open space areas because of the potential to cause harm to environmentally sensitive areas.
- (9) **Vines.** To aid in the prevention of graffiti, self-clinging vines shall be planted to help ensure full coverage of the public-facing side of all walls.
- (10) **Edible plants.** If edible plant material is proposed as part of the landscape design, it shall be clearly defined and kept separate from all other plant material. Non-potable/recycled water shall *not* be used to irrigate edible plant material areas.
- (11) **Fire-prone plants.** Plant materials that are fire-prone and highly flammable shall be avoided.
- (12) **Plant material spacing.** Trees proposed within the road right-of-way shall be planted 30 linear feet on-center from one another, unless another on-center spacing is specified within the project's conditions of approval. In open space areas, trees shall be planted in odd number groupings to allow for a more natural look and feel. The on-center spacing for shrub and groundcover materials shall be based on the size of the specific plant species at maturity. Careful consideration shall be given to proposed plant materials height and spreads so that at maturity they do not interfere with service lines, a driver's or pedestrian's view of public rights-of-way (e.g., the view of approaching, merging, or intersecting traffic, etc.), or otherwise impair public safety, or interfere with the safe operation of a motor vehicle on public streets.
- (13) **Plant material container sizes.** Plant materials shall be provided in an array of several of container sizes. Container sizes for plant material shall include:

- (A) **Trees:** 15 gallon, 24-inch box, 36-inch box, 48-inch box, and 52-inch box, 72-inch box, 96-inch box, and field dug.
  - (B) **Palms:** six- to 15-foot brown trunk height (BTH).
  - (C) **Shrubs:** one-gallon, two-gallon, five-gallon, and 15-gallon.
  - (D) **Groundcovers:** flats and one-gallon.
- (14) **Plant solar orientation.** Plant materials shall be planted in a manner considerate of solar orientation to help maximize summer shade and water conservation.
- (15) **Turf.** Turf areas shall be used in response to functional needs of the project, not solely for aesthetic purposes, and shall be in compliance with the project's water budget calculations (MAWA). Where turf is installed, the use of warm season turf shall be strongly encouraged. To help minimize irrigation runoff and overspray landscape designs shall avoid proposing small, irregularly shaped turf areas. Furthermore, unless subsurface or other low-flow or non-spray irrigation is proposed, all turf areas shall be a minimum 24 inches away from non-permeable surfaces as to minimize irrigation runoff and overspray.
- (A) **Turf on slopes.** Turf shall not be allowed on slopes that are greater than 25 percent and/or where the toe of the slope is adjacent to an impermeable hardscape surface.
  - (B) **Turf in rights-of way.** The placement of turf within County road rights-of-way shall be minimized. If turf is to be used in County road rights-of-way, there shall be no runoff or overspray from irrigation systems located in the turf areas. If irrigation runoff and overspray cannot be obtained, than turf shall not be used in that application.
- (16) **Mulch.** All non-turf planting areas (except those areas that have been hydro-seeded) shall be mulched to help in the retention of moisture, suppress weeds, to help moderate damage to trees and shrubs, and help moderate soil temperature. All non-turf planting areas shall be mulched with a two-inch minimum layer of mulch. In those areas where groundcover has been planted from flats, the mulch layer shall be one and one half inches.
- (A) **Mulch on revegetation projects.** The requirement for mulch may be omitted for native revegetation projects upon the recommendation of the project biologist.
  - (B) **Hydro-seeding mulch requirement.** The mulching portion of the seed/mulch slurry mix for hydro-seeding applications shall meet the mulching requirements.
  - (C) **Mulch on slopes.** The application of a stabilizing mulch product shall be used on all slopes to help with water retention and erosion control.



(17) **Slope design.** Slopes with a 5:1 ratio or greater; cut slopes with a five-foot vertical height or greater; and fill slopes with a three-foot vertical height or greater shall be protected against damage from erosion. In addition to the stabilizing mulch, drought-tolerant plant material and hardscape features shall be utilized on slopes to promote water retention and erosion control. Decorative boulders and other suitable hardscape materials may be utilized on slopes, but the dominant visual character of the slope shall be made up of drought-tolerant plant materials. Shrubs shall be used in combination with lateral spreading groundcovers; trees shall be used where slope exceeds 15' vertical height. Trees and shrubs shall be planted in visually attractive groupings that provide a more natural appearance.

(18) **Root barriers.** Any tree planted within five feet of hardscape material shall incorporate the use of a root barrier to help minimize hazards to the public. Where possible, trees shall be planted in areas of public view adjacent to structures, either individually or in groupings.

(c) **Irrigation Plan Requirements:** Irrigation plans shall include the following:

(1) **Efficiency.** Irrigation systems shall be designed, installed, maintained, and managed to achieve the highest efficiency rate as possible, and shall meet and maintain an average efficiency rate of 0.71, as defined by State law. High efficiency methods of irrigation (i.e., drip irrigation, efficient rotators, rotary nozzles, micro sprays, etc.) are recommended within the irrigation design.

(2) **Water pressure.** Static water pressure, dynamic, or operating pressure and flow reading of the water supply shall be measured at the point of connection (POC). These pressure and flow measurements shall be conducted at the design stage to help aid in the design of the irrigation systems. If these measurements are not available at the design stage, the measurements shall be obtained at time of construction and the irrigation design adjusted accordingly. The design of the irrigation systems will ensure that each emission device is within the manufacturer's recommended dynamic pressure range for optimal performance.

(3) **Variables in static pressure.** If the measured static pressure is above or below the required dynamic pressure for optimal performance of the irrigation system then pressure-regulating devices (i.e. inline pressure regulators, booster pumps, etc.) shall be specified and installed in order to meet the dynamic pressure required for optimal performance of the irrigation systems.

(4) **Matched precipitation rates.** Irrigation heads (i.e. spray heads, rotors, etc.) and other emission devices shall have matched precipitation rates unless otherwise directed by the manufacturer's specifications.

(5) **Capacity.** The capacity of the irrigation system shall not exceed the capacity required based on the water budget calculations for peak water demand, meter capacity, and/or the backflow preventer type and device capacity. If the project is served by a local water purveyor then it is recommended that the project developer contact the water purveyor and inquire about peak water demands (on

the main water supply system) and any known water restrictions that could possibly impact the effectiveness of the irrigation systems.

- (6) **Runoff and overspray.** Soil types and infiltration rates shall be taken into account when irrigation systems are designed and installed. Irrigation systems shall be designed and installed to prevent runoff, low head drainage, overspray, or other similar conditions where water flows onto adjacent property, non-irrigated areas, sidewalks, roadways, or structures. The use of check valves shall be required on all irrigation systems to prevent low head drainage. Proper irrigation design, equipment, and schedules, including repeating cycles, shall be used in order to match application rates and help minimize runoff.
- (7) **Head to head coverage.** Irrigation systems shall be designed to utilize head-to-head coverage with matched precipitation rate nozzles. Rotors and spray heads shall be zoned separately. When using rotors, half arc rotors and full rotors shall be zoned separately, unless matched precipitation rate nozzles are utilized.
- (8) **Water Waste.** Water waste is the result of inefficient irrigation due to runoff, overspray, low head drainage, and other similar conditions that causes flows to run onto adjacent non-irrigated areas, walks, roadways, parking lots, etc. It shall be the responsibility of the property owner to prevent water waste on their property by properly maintaining, managing, and replacing irrigation equipment per the regular maintenance schedule. Restrictions in regards to overspray may be considered and modified if the following occur:
  - (A) The landscaped area is directly adjacent to a permeable surface and no runoff occurs; or
  - (B) If the directly adjacent non-permeable surfaces have been designed and installed to drain entirely into a landscaped area on-site.
- (9) **Meters.** For irrigated landscape areas in excess of 2,500 square feet, separate water meters shall be installed for landscaping, which will help facilitate water management. This requirement shall not apply to single-family residential projects or those projects that utilize a well source for water on-site. Lettered lots or easements for landscaping or recreational purposes shall have a separate meter.
- (10) **Valves.** Separate valves shall be provided for those planting areas with similar water uses, so plantings with similar water needs are on the same irrigation valve. All turf areas shall be placed on a separate valve from non-turf areas. Where feasible, trees shall be placed on a separate deep root watering system with its own valve.
- (11) **Equipment.** All irrigation systems shall be equipped with the following:
  - (A) **“Smart” irrigation controller.** All irrigation systems shall be equipped with a smart irrigation control, which automatically adjusts the frequency and/or duration of irrigation events in response to changing environmental conditions. Landscaped areas shall be zoned together in relation to

- (B) moisture control zones, which shall be based on similarity of water needs (i.e. turf separate from shrubs and groundcovers, sun exposure areas separate from shade areas, top of slope separate from toe of slope, etc.).
- (C) **Weather sensing devices.** All irrigation systems shall be equipped with weather sensing devices (i.e. rain, wind, freeze, etc.), either integral or auxiliary, that suspend or alter system operations during unfavorable weather conditions.
- (D) **Flow Sensor.** A flow-sensing device is recommended for all irrigation systems so that irregular flows within the system can be detected and repaired.
- (E) **Manual shut-off valves.** All irrigation systems shall be equipped with manual shut-off valves (i.e. gate valve, ball valve, butterfly valve, etc.) that are located as close as possible to the irrigation systems point of connection (POC) and also where jointed transitions occur on the mainline to minimize water loss in case of an emergency and/or scheduled routine repair.
- (F) **Pressure regulator.** All irrigations systems shall be equipped with a pressure regulator that regulates when the static pressure is above or below the recommended operating pressure for the designed irrigation system.
- (G) **Backflow preventers.** All irrigation systems shall be equipped with a backflow prevention device. Upon approval from the Land Use Services Department in residential settings, an anti-siphon valve maybe used in lieu of a backflow prevention device.
- (H) **Swing joints/riser protection.** In order to prevent damage that maybe caused to irrigation heads adjacent to hardscape and high traffic areas, all irrigation systems shall utilize swing joints and other riser protection.
- (12) **Soils.** Relevant information provided in the soil management report, such as soil types and infiltration rates shall be utilized when irrigation systems are designed.
- (13) **Non-permeable surfaces.** Conventional spray irrigation shall not be permitted within 24 inches of any non-permeable surface. Irrigation systems that are allowed within the 24-inch setback from a non-permeable surface range from drip, drip line, other low-flow or non-spray technology. If the landscape area is adjacent to permeable surfacing and no overspray or run off occurs then there shall be no restrictions on the irrigation system type.
- (14) **Irregular shaped areas.** Those areas that are long, narrow, and/or irregular shaped, including turf areas, less than eight feet in any direction shall be irrigated with low-volume irrigation or subsurface irrigation technology.
- (15) **Irrigation on slopes.** Non-turf areas located on slopes greater than 25 percent shall be irrigated with a drip irrigation system or other low volume irrigation technology. This requirement may be modified and an alternative design and/or

technology proposed if that design/technology demonstrates that no run-off or erosion will occur.

- (16) **Mulched planting areas.** In planting areas that utilize a form of mulch, the use of a low volume irrigation system shall be required in order to maximize water infiltration into the plants root zone.
- (17) **Non-potable/Recycled water.** Where available, the use of non-potable/recycled water to irrigate planting areas shall be utilized. If facilities are made available, water systems for common open spaces (i.e. parks, preserves, etc.) shall use non-potable/recycled water. If non-potable/recycled water is used for irrigation systems then all systems shall be designed to meet all applicable local agency and State codes regarding the use of non-potable/recycled water.
- (18) **Hydrozones.** Irrigation systems shall be zoned in accordance to plant water use, slope aspects, and sun/shade microclimates.
- (d) **Hydrozone plan.** Each irrigation design plan shall include a separate hydrozone plan outlining the hydrozones that are valved separately within all landscaped areas.
- (e) **Grading Plan Requirements:** For the efficient use of water, grading of the project site shall be designed so that soil erosion, runoff, and water waste are minimized. As part of the landscape document package, if a project's grading exceeds 50 cubic yards, then the project developer shall submit the most recent rough and/or precise grading plan(s) that have been prepared and signed by a licensed professional as authorized by law.
- (f) **Soil Management Report:** A soil management report is required as part of the landscape documentation package when mass grading is not proposed. When mass grading is proposed, the soil management report shall be submitted with the certificate of completion.
  - (1) **Development of the soil management report.** The steps listed below are intended to help guide the developer in the preparation of the soil management report:
    - (A) Perform a preliminary site inspection;
    - (B) To obtain the necessary sample, determine the appropriate level of soil sampling and sampling method;
    - (C) To determine the soil in the landscape area has sufficient depth to support proposed plants perform a soil probe test; and
    - (D) Obtain appropriate soil sample.
  - (2) **Soil Sample(s).** Once a soil sample(s) has been obtained from the project site it shall be submitted to the appropriate laboratory for analysis and recommendations. Minimum requirements for the soil analysis should include

soil texture, infiltration rate determined by lab tests or soil texture infiltration rate table, pH, total soluble salts, sodium, and any recommendations.

Adopted Ordinance 4011 (2007); Amended Ordinance 4043 (2008); Amended Ordinance 4057 (2008), Amended Ordinance 4136 (2011)

**83.10.080 Regional Landscaping Standards**

(a) **Valley Region.** In the Valley Region, the following additional landscaping standards shall apply:

- (1) **Existing Trees.** Where possible, trees that are existing on a site shall remain and be protected in place. If existing trees are removed to accommodate development, those trees shall be replaced at the rate of 2:1. Fruit or nut bearing trees planted in groves shall be exempt from this provision. Replacement trees shall be a mixture of 15 gallon and 24-inch box container sizes. Wherever possible, preservation of existing trees and shrubs shall be used to meet site landscaping requirements.
- (2) **Plant materials.** Plant materials shall be a cohesive mix of deciduous and evergreen trees, shrubs, groundcovers, native plant material, and, where applicable, turf. A list of acceptable plant materials for the Valley Region is available from the Land Use Services Department to assist developers and their landscape professionals in preparing the landscape documentation package. If existing plant material is used as part of the site landscaping requirements, it shall be included into the sites water budget calculations. If any local, state, and/or federally protected plant material is found on-site, removal and/or protection shall be in compliance with Chapter 88.01 (Plant Protection and Management).
- (3) **Tree removal permit.**
- (4) **Landscaped setbacks.** The front yard and street side yard setback areas of a parcel shall be landscaped, except for sites where no disturbance of the natural terrain within a setback is proposed or the natural terrain precludes setback landscaping (i.e., mountainsides or hillsides). Landscaping of interior side yard setbacks may be required in compliance with Subsection 83.02.060 (Screening and Buffering).

(b) **Mountain Region.** In the Mountain Region, the following additional landscaping standards shall apply:

- (1) **Forest conservation plan and insect infestation prevention program.** Any landscaping proposed shall be in conjunction with a forest conservation plan and insect infestation prevention program. These plans shall be prepared by a Registered Professional Forester (RPF), and submitted with the landscape documentation package by the developer. The plan shall include guidelines for tree preservation, both during and after construction.

- (2) **Existing trees.** Any existing trees that are removed to accommodate development shall be replaced according to the recommendations of the forest conservation plan submitted with the landscape documentation package by the developer. Wherever possible, preservation of existing trees and shrubs shall be used to meet site landscaping requirements.
  - (3) **Plant materials.** Plant materials shall be a cohesive mix of evergreen and deciduous trees, shrubs, groundcovers, native plant materials that are drought and infestation tolerant, and fire-resistant; turf shall be minimized and be installed in compliance with this Chapter. A list of acceptable plant materials for the Mountain Region is available from the Land Use Services Department to help assist developers and their landscape professionals in the preparation of the landscape document package. If existing plant material is used as part of the site landscaping requirements, it shall be included into the site's water budget calculations. If any local, state, and/or federally protected plant material is found on-site, removal and/or protection shall be in compliance with Chapter 88.01 (Plant Protection and Management). Seedlings may be considered a viable container size as part of the planting plan.
  - (4) **Landscaped setbacks.** The front yard and street side yard setback areas shall be landscaped except for sites where no disturbance of the natural terrain is proposed. Landscaping of interior side yard setbacks may be required in compliance with Subsection 83.02.060 (Screening and Buffering).
- (c) **Desert Region.** In the Desert Region, the following additional landscaping standards shall apply:
- (1) **Existing plant material.** Any existing native desert plant material, or any part thereof, except the fruit, shall not be removed without the issuance of a tree removal permit in compliance with Chapter 88.01 (Plant Protection and Management). Additionally, if native desert plant materials are to be replaced, then the replacement of those materials are to be in compliance with Chapter 88.01 (Plant Protection and Management), except as provided for in this Subsection. If Joshua trees (*Yucca brevifolia*) exist on-site and are proposed to be relocated, they shall be relocated on-site in the landscaped areas; unless, in writing, the Director of the Land Use Services Department specifically allows another option.
  - (2) **Plant materials.** Plant materials shall be a cohesive mix of evergreen and deciduous trees, shrubs, groundcovers, succulents, and native plant material that are drought and infestation tolerant; turf shall be minimized and be placed in compliance with this Chapter. A list of acceptable plant materials for the Desert Region is available from the Land Use Services Department to help assist developers and their landscape professionals in preparing their landscape documentation package. If any local, state, and/or federally protected plant material is found on-site, removal and/or protection shall comply with Chapter 88.01 (Plant Protection and Management).

- (3) **Landscaped setbacks.** The front yard and street side yard setback areas of a parcel shall be landscaped using xeriscape landscaping techniques, which combines drought tolerant plant and hardscape materials in a variety of aesthetically pleasing designs. For sites where no disturbance of land within setbacks is proposed, landscaping shall not be required. Landscaping of side-yard setbacks may be required in compliance with Subsection 83.02.060 (Screening and Buffering).
- (4) **Unpaved parking lots.** Those parking lots not requiring paving shall not be required to be landscaped, nor will they count as part of the overall landscape total needed for the project. Only those parking lots required to be paved shall be landscaped in compliance with this Chapter and with Subsection 83.11.080 (Landscape Requirements for Parking Areas). Parking lot landscaping shall not be counted as part of the minimum landscaping requirement for a project.
- (5) **Dust Control.** If grading takes place, then a dust control plan shall be submitted for review. All grading and dust control measures shall be conducted in compliance with the provisions of Chapter 88.02 (Dust Control Desert Region).

Adopted Ordinance 4011 (2007); Amended Ordinance 4043 (2008), Amended Ordinance 4136 (2011)

**83.10.090 Irrigation Scheduling and Maintenance Required**

- (a) **Landscape Maintenance.** All landscaped areas shall be properly maintained to ensure water use efficiency and overall plant health. A regular maintenance schedule shall be submitted to the Land Use Services Department and the local water purveyor, if applicable, with the Landscape Certificate of Completion for all projects subject to the provisions of this Chapter.
  - (1) **Responsibilities of property owners.** Property owners shall be responsible for the installation and the regular maintenance and management of landscaped areas on their property and within the contiguous landscaped rights-of-way/parkways. Those rights-of way/parkways that are maintained by the County shall not be the responsibility of the property owner.
  - (2) **Maintenance practices.** The following maintenance practices shall be part of the regular maintenance schedule and shall be performed on a regular basis to ensure water use efficiency and overall plant health:
    - (A) For the overall health of plant material pruning, cultivating, weeding, fertilizing, watering, and replenishing mulch on a regular basis shall be part of a regular maintenance schedule. All pruning shall be in compliance with the adopted pruning standards of the Western Chapter of the International Society of Arboriculture.
    - (B) The removal of dead, decayed, diseased, or hazardous trees and/or shrubs, weeds, and debris constituting unsightly appearance, dangerous to public safety and welfare or detrimental to neighboring properties or property

values shall be accomplished on a regular basis. Any dead or dying plant material shall be removed and replaced as quickly as possible. Any accumulation of leaves, twigs, bark, and other similar materials shall be removed on a regular basis. All landscaped areas shall be kept in a weed-free fashion at all times.

- (C) Litter removal from all landscaped areas shall be performed on a regular basis.
  - (D) All turf areas shall be mowed, aerated, and dethatched on a regular basis to ensure the overall health of the turf.
  - (E) Plantings shall be irrigated as often as necessary to maintain healthy growing conditions. Damage to the landscaping and irrigation systems shall be corrected as quickly as possible.
  - (F) All irrigation systems, and components, shall be routinely inspected, adjusted, and repaired. Any obstructions to emission devices shall be removed. If repair to the irrigation equipment is necessary, the replacement parts shall conform to all standards that govern the original irrigation installation and/or approved landscaping plans.
  - (G) Mulch shall be routinely replenished as part of the regular maintenance schedule. The depth, type, and replenishment frequency of all mulch within landscaped areas shall be listed as part of the regular maintenance schedule.
  - (H) The operation of the irrigation systems outside of the normal watering window shall only be allowed for system auditing and maintenance.
  - (I) The property owner is encouraged to implement sustainable and/or environmentally friendly practices for overall landscape maintenance. If sustainable and/or environmentally friendly landscape maintenance practices are utilized then those practices shall be outlined within the regular maintenance schedule.
- (3) **Trimming to prevent encroachment or obstruction.** Plant material (i.e. trees and shrubs), when established, shall be trimmed so that they do not encroach upon sidewalks, property lines, or streets. Plant materials shall not encroach, impede and/or interfere with vehicle or pedestrian traffic, or obstruct the illumination from any streetlight to the street or sidewalk or sidewalk. Refer to Subsection 83.02.030 concerning clear sight triangles and Subsection 83.02.080 concerning projections into yards.
- (4) **Trees.**
- (A) In residential subdivisions, the developer shall guarantee street trees for a minimum of one year after acceptance of the tract or until 80 percent of the units are occupied, whichever is later. Maintenance of all trees shall become the responsibility of the homeowner upon occupancy.



- (B) As necessary, all tree guys, stakes, etc. shall be adjusted on a regular basis and replaced in order to maintain a neat appearance and to prevent damage to trees. All tree guys, stakes, etc. shall be removed after the first growing season to ensure the continuing health of the plant.
- (b) **Irrigation schedule.** An irrigation schedule shall be developed for all landscaped areas in order to ensure the efficient use of water. The site-specific irrigation schedule shall be developed, managed, and evaluated to utilize the least amount of water required to ensure plant health. The site-specific irrigation schedule shall meet the following criteria:
- (1) **Two separate irrigation schedules.** Two site-specific irrigation schedules shall be prepared. The first schedule shall be for the initial establishment period of six months and the second schedule shall be for the established landscape, and shall incorporate the specific water needs of on-site plant material throughout the calendar year.
  - (2) **Watering window for conventional (overhead) spray systems.** All conventional (overhead) spray systems shall be scheduled to run between the hours of 8:00 p.m. to 9:00 a.m. The project developer shall check with the local water purveyor, if applicable, to determine their suggested watering window, and the stricter of the two shall apply. The operation of the irrigation systems outside of the normal watering window shall only be allowed for system auditing and maintenance.
  - (3) **Maximum Applied Water Allowance (MAWA).** The total water applied to the site landscaping shall be less than or equal to the site-specific Maximum Applied Water Allowance (MAWA).
  - (4) **Copies of irrigation schedule.** A copy of the project-specific irrigation schedule shall be located within the irrigation controller enclosure for maintenance purposes. Additionally, a copy of the schedule shall be given to the property owner prior to occupancy.

Adopted Ordinance 4011 (2007), Amended Ordinance 4136 (2011)

**83.10.100 Landscape Certificate of Completion**

**Landscape Certificate of Compliance submittal.** Prior to the issuance of the certificate of occupancy or final inspection for a project that is subject to the requirements within this Chapter, a Landscape Certificate of Completion shall be submitted to the Land Use Services Department, Planning Division certifying that the landscape has been installed in accordance with the approved project specific landscape documentation package. The Landscape Certificate of Completion shall be signed and dated by the licensed professional who prepared the plans and shall include the following information:

- (a) Date.

- (b) Project information to include project name, project applicant name, telephone and mailing address, project address, location, and Assessor's Parcel Number, and property owner name and mailing address.
- (c) A statement certifying that the landscaping has been installed in accordance with the approved project specific landscape documentation package.
- (d) Evidence that the party who is responsible for the installation of the irrigation systems has conducted a preliminary field inspection prior to backfilling, and that the irrigation systems are in working order (evidence of field inspection shall be attached).
- (e) An irrigation audit report indicating that a certified irrigation auditor has performed and completed an irrigation audit on the installed irrigation systems, and has ensured water efficiency, and that the irrigation systems are not in excess of the site-specific Maximum Applied Water Allowance (MAWA) per the water budget.
- (f) Documentation that the specified "smart" irrigation controller has been set according to the correct irrigation schedule.
- (g) Documentation that all on-site irrigation systems have been adjusted to maximize irrigation efficiency and eliminate irrigation runoff and overspray.
- (h) Documentation that a copy of both of the project specific irrigation schedules have been given to the property owner for future maintenance and management obligations.
- (i) If mass grading occurred on the site, a soil management report shall be included.

Adopted Ordinance 4136 (2011)

**83.10.110 Non-Potable/Recycled Water**

Where available, the installation of non-potable/recycled water irrigation systems (i.e., dual distribution systems, purple pipe, and interchangeable components) shall be required to allow for the current and future use of non-potable/recycled water. See Subsection 83.10.070 (c)(17) for additional requirements.

Adopted Ordinance 4136 (2011)

**83.10.120 Stormwater Management**

Stormwater management combines practices to help minimize runoff and water waste while increasing infiltration, which helps to recharge groundwater tables and improve water quality. The implementation of stormwater best management practices into the landscape documentation package (i.e., planting, irrigation, grading plans, etc.) will help minimize runoff and increase retention and infiltration on-site. Refer to Chapter 85.11 (Pre-Construction Flood Hazard and Soil Erosion Pollution Prevention Inspection) for more information regarding Stormwater Management, and to Title 3, Division 5, Chapter 1, Pollutant Discharge Elimination Systems Regulations.

Adopted Ordinance 4136 (2011)

# DIVISION 10

## DEFINITIONS

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**CHAPTER 810.01 DEFINITIONS**

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**810.01.010 Purpose**

This Chapter provides definitions of terms and phrases used in this Development Code, many of which are technical or specialized, or that may not reflect common usage. If any of the definitions in this Chapter conflict with definitions in other provisions of the County Code, these definitions shall control for the purposes of this Development Code. If a word is not defined in this Chapter, within the text of this Development Code or in other provisions of the San Bernardino County Code, the Director shall determine the correct definition.

Adopted Ordinance 4011 (2007)

**810.01.020 Definitions of Specialized Terms and Phrases**

As used in this Development Code, the following terms and phrases shall have the meaning ascribed to them in this Section, unless the context in which they are used clearly requires otherwise. Whenever the word or phrase being defined is followed by “(see Land Use Tables),” the word or phrase is used in the land use tables in Division 2 (Land Use Zoning Districts and Allowed Land Uses).

Adopted Ordinance 4011 (2007)

**810.01.030 Definitions, “A.”**

- (a) **Access.** The physical arrangement for ingress to and egress from a parcel or structure (e.g., driveway, walkway, stairs, etc.)
  - (1) **Access Envelope.** An area delineated on the site plan to which all clearing and land disturbance for construction of access must be defined.
  - (2) **Access Rights.** The right, claim, title or privilege of access, by pedestrians or vehicles, or a public road or way.
  - (3) **Approved Access.** See “Approved Access.”
  - (4) **Legal Access.** For divisions of land resulting in parcels of less than 20 acres, legal access is defined as:
    - (A) A dedicated right-of-way;
    - (B) A dedication to the County of San Bernardino and to the public in general, an easement for public road, County highway and public utility purposes of a width as established by the Circulation Element of the General Plan. The easement or road constructed on the dedicated land shall not become a County highway until and unless the Board of Supervisors by appropriate resolution, has caused the road to be accepted into the County Maintained Road System;
    - (C) An existing traveled way that is substantially in compliance with County road standards, where a prescriptive right by the user has been established for public use by court decree.
    - (D) **Private road easement.**
  - (5) **Non-access.** Access rights that have been relinquished by appropriate dedication certificate and labeled on a recorded final map and/or parcel map.
  - (6) **Nonvehicular Access.** Vehicular access rights to abutting lots or right-of-way have been relinquished by appropriate dedication certificate and labeled on a recorded Final Map and/or Parcel Map or by separate instrument.

- (7) **Vehicular Access Rights.** The right of access of owners or occupants of abutting lands to a public road or way, other than as pedestrians.
- (b) **Accessibility for the Disabled.** Accessible services, structure or facilities are those that may be entered and used by individuals despite handicapping conditions. Accessibility also includes responding to the needs of people with sight or hearing disabilities, in addition to those with developmental, activity, manual or mobility impairments, so that they may enjoy the full and free use of those services, structures or facilities.
- (c) **Accessory Building Sign.** See “Sign.”
- (d) **Accessory Crop Production (see Land Use Tables).** One or more of the activities included in the definition of “Crop Production, Horticulture, Orchard, Vineyard” occurring incidental to a primary residential use on the same site. This does not include wholesale or retail nurseries.
- (e) **Accessory Dwelling (see Land Use Tables).** A dwelling unit that is accessory and incidental to a primary agricultural, residential, commercial, industrial or institutional land use on the same site, and is for the purpose of providing a residence for one or more people needed to maintain, operate and/or secure the primary non-residential land use on the property. Accessory dwellings include:
- (1) **Caretaker Housing.** The residential occupancy of a dwelling unit by the owners, operators or caretaker employed to guard or operate part or all of the site where the caretaker dwelling is located as an accessory use. The caretaker unit may be located either above the first floor or behind a primary commercial use.
- (2) **Labor Quarters.** Residential occupancy of single or multiple dwelling units with individual, shared or no kitchen facilities to provide housing for the employees and their families of agricultural, mining, logging, major construction, scientific exploration or other remote land uses.
- (f) **Accessory Office.** See “Office.”

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

- (g) **Accessory Structure.** A subordinate structure, the use of which is incidental to that of the main structure on, or main use of, the land. The use of an accessory structure may be for either a primary or an accessory use allowed by the appropriate land use zoning district.
- (1) **Agricultural Accessory Structure (see Land Use Tables).** A structure for sheltering animals, or agricultural equipment (e.g., tools, supplies, hay, feed, etc.). Examples of these structures include barns, non-commercial greenhouses, coops, corrals, and pens. Does not include pasture fencing, which requires no County approval when in compliance with Chapter 83.06 (Fences, Hedges, and Walls).
- (2) **Residential Accessory Use or Structure (see Land Use Tables).** Any use and/or structure that is customarily a part of, and clearly incidental and secondary to a residence, and does not change the character of the residential use. This definition includes the following detached accessory structures, and other similar structures normally associated with a residential use of property. See also “Agricultural Accessory Structure.”
- garages
  - gazebos
  - greenhouses (non-commercial)
  - spas and hot tubs
  - storage sheds
  - studios
  - swimming pools
  - tennis and other on-site sports courts
  - workshops
- Also includes the indoor storage of automobiles, personal recreational vehicles and other personal property, accessory to a residential use.
- (h) **Accessory Use (see Land Use Tables).** A subordinate use, which may be permanent or temporary. The use is incidental and supported by the primary use. Example: A carport or garage for a single-family dwelling.
- (i) **Accessory Wind Energy System.** See “Wind Energy System.”
- (j) **Action.** The decision made by the Director on a land use application coupled together with the appropriate findings, environmental determination and conditions of approval.
- (k) **Active Thermal System.** See “Thermal System, Active.”



(l) Adult-Oriented Business (see Land Use Tables).

(1) **Adult-Oriented Business.** A business where employees or patrons expose “specified anatomical areas” or engage in “specified sexual activities”, or any business that offers to its patrons services or entertainment characterized by an emphasis on matter depicting, exposing, describing, discussing or relating to “specified sexual activities” or “specified anatomical areas.” Adult oriented businesses do not include bona fide medical establishments operated by properly licensed and registered medical personnel with appropriate medical credentials for the treatment of patients. In determining whether a use is an adult oriented business, only conduct or activities that constitute a regular and substantial course of conduct shall be considered. Isolated instances of conduct or activities described in this section as characterizing an adult oriented business shall not be considered except where the activities, taken together, constitute a regular and substantial course of conduct. Adult oriented businesses include the following:

(A) **Adult Bookstore.** An establishment having, as a substantial portion of its stock in trade, and offering for sale for any form of consideration, any one or more of the following:

- (I) Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, slides or other visual representations that are characterized by an emphasis upon the depiction or description of “specified anatomical areas”;
- (II) Instruments, devices or paraphernalia that are designed for use in connection with “specified sexual activities;” or
- (III) Goods that are replicas of, or that simulate, “specified anatomical areas”, or that are designed to be placed on or in “specified anatomical areas”, or to be used in conjunction with “specified sexual activities” to cause sexual excitement.

(B) **Adult Cabaret.** A bar, nightclub or similar establishment that features dancers, strippers, or similar entertainers who expose “specified anatomical areas” of their bodies.

(I) **Adult Theater.** A place, building, enclosure or structure, partially or entirely used for live performances or presentations, motion pictures, or pictures or images projected or produced from slides, films, video or other media, including, but not limited to, coin-operated or slug operated or electronically or mechanically controlled still or motion picture machines, projectors, video screens or other image producing devices, which place, building, enclosure or structure is used for presenting matter characterized by an emphasis on depicting, exposing, describing or relating to “specified sexual activities” or “specified anatomical areas,” for observation by patrons therein.

- (II) **Sexual Novelty Store.** An establishment having, as a substantial portion of its stock in trade, goods that are replicas of, or that simulate, “specified anatomical areas” or “specified sexual activities,” or goods that are designed to be placed on or in “specified anatomical areas,” or to be used in conjunction with “specified sexual activities,” to cause sexual excitement.
- (2) **Specified Anatomical Areas.** Shall include any of the following human anatomical areas:
- (A) Less than completely and opaquely covered genitals, pubic regions, buttocks, anuses or female breasts below a point immediately above the top of the areola; or
  - (B) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.
- (3) **Specified Sexual Activities.** Include all the following:
- (A) The fondling or other erotic touching of the following human anatomical areas: genitals, pubic regions, buttocks, anuses or female breasts;
  - (B) Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy;
  - (C) Masturbation, actual or simulated; or
  - (D) Excretory functions as part of or in connection with any of the activities set forth in Subsection (1) through (3) above.
- (m) **Advertising, Outdoor.** See “Outdoor Advertising.”
- (n) **Advertising Structure.** Any structure of any kind or character erected or maintained for advertising purposes, upon which any advertising sign may be placed, including advertising statuary.
- (o) **Affordable Housing.** Housing with the contract rent or price, including all housing costs, which is affordable by low and very low (lower and low or moderate) income households as defined by the Department of Housing and Urban Development (HUD) pursuant to the United States Housing Act of 1937 for the Riverside-San Bernardino Primary Metropolitan Statistical Area (PMSA)
- (p) **Affordable housing cost.** The cost defined in the Health and Safety Code Health and Safety Code Section 50052.5 for owner-occupied and tenant-occupied units. The housing manager, on or about July 1 of each calendar year shall publish the maximum affordable housing costs for sales prices and rents as calculated in compliance with the applicable provisions of the Health and Safety Code.

- (q) **Affordable Rent.** An amount based on the Section B existing program fair market rates established in compliance with 24 Code of Federal Regulations (CFR) Part 882 effective at the time of occupancy less the utility allowance then in effect.
- (r) **Affordable Rent - Lower Income.** A monthly rent that does not exceed an amount determined by calculating 30 percent of 50 percent of the San Bernardino median income (as published annually by the State Department of Housing and Community Development) adjusted in the case of a studio unit for one person household, in the case of a one bedroom unit for a two person household, in the case of a two bedroom unit for a three person household and in the case of a three bedroom unit for a four person household. For the current published median income, go to <http://housing.hcd.ca.gov/hpd/hrc/rep/state/incNote.html>.
- (s) **Affordable unit.** An ownership or rental-housing unit, including senior housing, occupied by and available to households of low and very low incomes at an affordable housing cost, adjusted for household size as defined in Chapter 83.03 (Affordable Housing Incentives Density Bonus), with deed restrictions as identified in Chapter 83.03 in favor of the County.
- (t) **Agriculture.** The tilling of soil, the raising of crops, horticulture, small livestock farming, dairying or animal husbandry. This includes all uses customarily incidental thereto, except the following: slaughterhouses, feed yards, hog farms, fertilizer works, bone yards, plants for the reduction of animal matter, or any other industrial or agricultural use that is determined by the Planning Commission to be similarly objectionable because of noise, odor, smoke, dust or fumes.
- (u) **Agricultural Accessory Structure (see Land Use Tables).** See “Accessory Structure.”
- (v) **Agricultural Commissioner.** The Agricultural Commissioner of San Bernardino County or authorized designee.
- (w) **Agricultural Grading.** Grading on land designated for exclusive agricultural use. See also “Grading.”
- (x) **Agricultural Preserve.** Designated areas of existing, viable and productive agricultural land within which land conservation contracts can be enforced under the provisions of the California Land Conservation Act of 1965 (Williamson Act), to stay in agricultural use for a designated period of time. Under the contracts, the property owner is granted certain tax advantages for the continuation of agricultural use of the land.
- (y) **Agricultural Produce Sales Stand (see Land Use Tables).** See “Produce Stand.”
- (z) **Agricultural Support Service (see Land Use Tables).** A use that directly supports or that is accessory or incidental to an established agricultural use within the general vicinity. These services do not adversely affect surrounding properties, groundwater or

infrastructure, are supportive of the farm community, and are fully compatible with agricultural uses. These uses include:

- (1) Agricultural chemicals, fuel and fuel oil, nonflammable bottled gas.
- (2) Animal husbandry services, veterinary services for large and small animals, horseshoeing, agricultural processing.
- (3) Animal waste processing, stockyards, organic fertilizer, feed lots.
- (4) Farm machinery equipment and supplies, display, sale and repair.
- (5) Farm produce sales and supply (feed, hay, grain and grain products, fertilizer).
- (6) Farm products packaging and processing.
- (7) Feed storage, farm products warehousing and storage (except stockyards).

**(aa) Agriculture Land, Prime.** Includes any of the following:

- (1) All land that qualifies for a rating as Class I or Class II in the Resource Conservation District land use capability classifications.
- (2) Land that qualifies for a rating 80 through 100 in the State Storie Index Rating.
- (3) Land that supports livestock used for the production of food and fiber and that has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture.
- (4) Land planted with fruit or nut bearing trees, vines, bushes or crops that have a nonbearing period of less than five years and that will normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than \$200 per acre.
- (5) Land from which the production of unprocessed agricultural plant products has returned an annual gross value of not less than \$200 per acre for three of the previous five years.

**(bb) Agricultural Use.** The use of land for the cultivation of food or fiber or the grazing or pasturing of livestock, usually for commercial purposes.

**(cc) Agritourism.** The act of visiting a working farm, ranch, agricultural, or horticultural operation for the purpose of active involvement in the educational, entertainment, or recreational activities offered by the farm or operation.

**(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) **Anti-drain Valve.** A valve that has been designed to be located under a sprinkler head to help keep water within the irrigation system and to prevent the drainage of the sprinkler head when the system is non-operational.

(ss) **Apparel and Other Finished Products.** See “Manufacturing Operation I and II.”

(tt) **Application Rate.** The depth of water that has been applied to a given area, measured in inches per minute, or inches per hour, or gallons per hour.

(uu) **Applied Water.** The portion of water that is supplied by an irrigation system for landscaped areas.

(vv) **Apex.** See “Flood Hazard.”

(ww) **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.

(xx) **Applicant.** The property owner(s), or authorized agent of the owner(s) who is legally authorized to act for the owner(s) of record.

(yy) **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 and 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.

| **(zz) Approved Structure.** See “Structure, Approved.”

| **(aaa) Architectural Lighting.** See “Lighting, Outdoor.”

| **(bbb) Area of Regional Significance.** See “Surface Mining Operations.”

| **(ccc) Area of Shallow Flooding.** See “Flood Hazard.”

| **(ddd) Area of Special Flood Hazard.** See “Flood Hazard.”

| **(eee) Area of Statewide Significance.** See “Surface Mining Operations.”

| **(fff) Art Gallery.** See “Library.”

| **(ggg) Attached Lighting.** See “Lighting, Outdoor.”

| **(hhh) Auction Yard.** See “Swap Meet, Outdoor Market, Auction Yard.”

| **(iii) 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.



| **(jjj) Automobile Parking Space.** See “Parking Space, Automobile.”

Adopted Ordinance 4011 (2007); Amended Ordinance 4043 (2008); Amended Ordinance 4098 (2010), Amended Ordinance 4136 (2011)

**810.01.040 Definitions, "B"**

- (a) **Backflow Prevention Device.** A safety device used to prevent pollution or contamination of the water supply due to the reverse flow of water from the irrigation system.
- (b) **Backfilling.** As it pertains to landscape construction, is the refill of an excavation area, usually with native soil material that has been excavated from the project site.
- (c) **Bail Bond Service (see Land Use Tables).** A business that provides bail bonds for incarcerated persons.
- (d) **Bar/Tavern (see Land Use Tables).** A business in which alcoholic beverages are sold for on-site consumption and that is not part of a larger restaurant. Includes bars, taverns, pubs, and similar establishments where any food service is subordinate to the sale of alcoholic beverages. May also include beer brewing as part of a microbrewery ("brew-pub"), and other beverage tasting facilities. Does not include adult oriented businesses (see "Adult-Oriented Business.>").
- (e) **Base Flood.** See "Flood Hazard."
- (f) **Basement or Cellar.** A room of a structure partly or wholly underground and having more than one half of its height below the average level of the adjoining ground. A basement, having more than one half of its height above the average level of the adjoining ground, shall be considered a story.
- (g) **Bed and Breakfast Inn (B&B) (see Land Use Tables).** An accessory use to a single dwelling where a limited or specified number of guest rooms are made available to transient guests for rent to provide overnight sleeping accommodations on a less than weekly basis. Bed and Breakfast Uses are subdivided into three basic categories as follows:
  - (1) **Host Home.** A single dwelling containing one to two guest rooms that are available for rent to transient guests to provide sleeping accommodations on a less than weekly basis where the dwelling is occupied by the owner of the property.
  - (2) **Bed and Breakfast Home.** A single dwelling containing three to five guest rooms that are available for rent to transient guests to provide sleeping accommodations on a less than weekly basis where the dwelling is occupied by the owner of the property.
  - (3) **Bed and Breakfast Inn/Lodge.** An existing single dwelling that has been designated a Historical Structure containing a at least of six but no more than 10 guest rooms that are available for rent to transient guests to provide sleeping accommodations on a less than weekly basis where the dwelling is occupied by the owner of the property.
- (h) **Beneficial Animals.** See "Animals."

- (i) **Block.** The property abutting on one side of a street between two nearest intersection streets, railroad right of way or other natural barrier, provided however, that where a street curves so that any two chords thereof form an angle of 120 degrees or less measured on the lot side, each curve shall be construed as an intersection street.
- (j) **Board, or Board of Supervisors.** The Board of Supervisors of the County of San Bernardino, State of California.
- (k) **Boarding House.** A dwelling with not more than five guest rooms, with not more than one person per room, where lodging and meals are provided for compensation on a weekly or greater basis, not including those facilities defined as social care facilities.
- (l) **Boat Sales.** See “Mobile Home, Boat or RV Sales.”
- (m) **Borrow Pit.** See “Surface Mining Operations.”
- (n) **Broadcasting Antennae and Towers (see Land Use Tables).** Any structure or device (e.g., antennas, towers, etc.) used for radio and television broadcasting and receiving.
- (o) **Broadcasting Studio (see Land Use Tables).** Commercial and public communications use including radio and television broadcasting and receiving stations and studios, with facilities entirely within buildings. Does not include transmission and receiving apparatus, including antennas and towers, which are instead defined under “Broadcasting Antennae and Towers”.
- (p) **Buffer.** A strip of land established to separate incompatible or different land uses. Normally a buffer area is landscaped and retained as open space. The term may be used more broadly to describe any area or use that separates two unlike land uses, such as the use of multi-family housing between single-family housing and commercial uses.
- (q) **Building.** Any structure built for the support, shelter or enclosure of persons, animals, fowl, chattels or property of any kind.
- (r) **Building and Landscape Materials Sales (see Land Use Tables).** A retail establishment selling hardware, lumber and other large building materials, plant materials, and other landscaping materials. Includes paint, wallpaper, glass, fixtures. Includes all these stores selling to the general public, even if contractor sales account for a major proportion of total sales. An establishment that primarily sells electrical, plumbing, heating, and air conditioning equipment and supplies is classified in “Wholesaling and Distribution.”
- (s) **Building Coverage.** The alterations of a lot by the creation of surface area upon which a building rests. It is the building footprint. The percentage surface coverage does not include roadways, swimming pools, tennis courts, solar collection devices or related apparatus. See also “Lot Coverage.”

- (t) **Building Envelope.** The area delineated on development plans in which all clearing and land disturbance for building construction must be confined unless otherwise authorized by this Development Code. If not delineated, it is the area of a lot not included within a required front yard, rear yard, side yard or side street yard setback area, or any recorded easement, or offer of dedication.
- (u) **Building Height.** See Section 83.02.040 (Height Measurement and Height Limit Exceptions).
- (v) **Building Official.** The Deputy Director of Land Use Services for Building and Safety, charged with the administration and enforcement of this Development Code, or an authorized designee.
- (w) **Building Site.** The ground area occupied or to be occupied by a building or group of buildings, together with all open spaces as required by this Development Code.
- (x) **Business Structure.** See “Structure, Business or Industrial.”

Adopted Ordinance 4011 (2007), Amended Ordinance 4136 (2011)

**810.01.050 Definitions, “C.”**

- (a) **Café.** See “Restaurant, Café, Coffee Shop (see Land Use Tables).”
- (b) **Calf Growing Ranch.** Any premises used for the raising or keeping of 10 or more weaned calves.
- (c) **California Building Code.** The currently adopted edition of the California Building Code with California Amendments as published by the International Conference of Building Officials.
- (d) **Camouflage Facility.** See “Wireless Telecommunication Facility).”
- (e) **Camp, or Campground (see Land Use Tables).** A site used or intended for use for temporary occupancy by campers traveling by automobiles or otherwise, which may include individual campsites, but where utility hookups for recreational vehicles are typically not provided. See also “Recreational Vehicle Park.” Other types of camping facilities regulated by this Development Code include the following.
  - (1) **Camp, Organized.** A site with program and facilities established for the primary purpose of providing an outdoor group living experience with social, spiritual, educational, or recreational objectives normally for five days or more during one or more seasons of the year.
    - (A) These camps are located on a permanent site and have a well-defined program of organized supervised activities in which campers are required to participate. There is present at the camp a qualified program director and a staff adequate to carry out the daily program activities, which are mainly out of doors.
    - (B) An establishment that rents or leases facilities on an individual family or group basis for the principal purpose of sporting or other unorganized recreational activities are not considered an organized camp.
  - (2) **Camp, Public.** A site used or intended to be used, let or rented for camping purposes by two or more camping parties in trailers, tents or other movable or temporary dwellings.
- (f) **Capital Facilities.** Physical facilities or equipment, such as roads, libraries, schools, government buildings, water and sewer systems.
- (g) **Caretaker Housing.** See “Accessory Dwelling.”
- (h) **Carnival.** The exhibiting or conducting of a traveling show or of entertainment open to the public, including any caravan, museum, menagerie, animal collection, circus, sideshow, burlesque show, rodeo, carnival, animal exhibition, feats of horsemanship, acrobatic performance, “wild west” show, or any other show or entertainment similar in character.

- (i) **Carport.** A permanent roofed structure with no more than two enclosed sides, used or intended to be used for shelter and storage.
- (j) **Casita.** See “Guest House.”
- (k) **Cattery (see Land Use Tables).** See “Kennels and Catteries.”
- (l) **Cellular Radiotelephone Service (CRS).** See “Wireless Telecommunication Facility.”
- (m) **Cemetery (see Land Use Tables).** Land used, or intended to be used, for the permanent interment of dead human bodies or the cremated remains of dead human bodies, or land dedicated for cemetery purposes “Pet Cemetery” shall be a cemetery for domesticated animals and shall be in compliance with applicable State and County regulation, including mapping and applicable Conditional Use Permit requirements.
- (n) **Centerline.** The centerline of a street shall mean the right of way centerline as established by the County Surveyor, the City Engineer of any city within the County, or the State Division of Highways of the State of California. If no centerline has been established and in any case in which the foregoing definition is not applicable, the reviewing authority shall designate the centerline.
- (o) **Certified Landscape Irrigation Auditor.** An individual who is certified to perform landscape irrigation audits, by an accredited educational institution or a professional trade organization, such as the Irrigation Association.
- (p) **Certify.** To authenticate or vouch for in writing, and signed by the certifying party, that the submitted data is true, as represented, or that the requirements of the regulations have been satisfied.
- (q) **Channel Acquisition.** The buying or leasing of drainage courses for the purpose of routing or controlling water runoff or floods.
- (r) **Chemicals and Related Products Manufacturing.** See “Manufacturing Operations II.”
- (s) **Child Care.** See “Day Care.”
- (t) **Church.** See “Places of Worship.”
- (u) **Circulation Element.** Any street, highway, boulevard, freeway, parkway, road, lane, alley, public easement or public right of way designed or designated for the use of pedestrians or vehicles by the General Plan and any applicable specific plan.
- (v) **Clay Products Manufacturing.** See “Manufacturing Operations I and II.”

- (w) **Club.** An association of persons, whether incorporated or unincorporated and organized for some common nonprofit purpose, but not including a group organized solely or primarily to render a service customarily carried on as a business.
- (x) **Coffee Shop.** See “Restaurant, Café, Coffee Shop (see Land Use Tables.”
- (y) **Collection Facility.** See “Recycling Facility.”
- (z) **Collector.** See “Road System.”
- (aa) **Co-location Wireless Telecommunication Facility.** See “Wireless Telecommunications Facility”
- (bb) **Commercial Coach.** A vehicle with or without motive power, designed and equipped for human occupancy for industrial, professional or commercial purposes, and shall include vehicles containing mobile offices.
- (cc) **Commercial Entertainment - Indoor (see Land Use Tables).** Establishments providing indoor amusement and entertainment services for a fee or admission charge, including:
- bowling alleys
  - coin-operated amusement arcades
  - dance halls, clubs and ballrooms
  - electronic game arcades (video games, pinball, etc.)
  - ice skating and roller skating
  - pool and billiard rooms as primary uses

This use does not include adult oriented businesses, which are separately defined. Four or more electronic games or coin operated amusements in any establishment, or a premises where 50 percent or more of the floor area is occupied by amusement devices, are considered an electronic game arcade as described above; three or fewer machines are not considered a land use separate from the primary use of the site.

- (dd) **Commercial Entertainment - Outdoor (see Land Use Tables).** A facility for various outdoor recreational activities, where a fee is charged for use. Examples include:
- amusement and theme parks
  - go-cart tracks
  - golf driving ranges
  - miniature golf courses
  - skating parks
  - water slides

May also include commercial facilities customarily associated with the above outdoor commercial recreational uses, including bars and restaurants, video game arcades, etc.

- (ee) **Commercial Kennels and Catteries (see Land Use Tables).** See “Kennels.”
- (ff) **Commercial Mobile Radio Service.** See “Wireless Telecommunications Facility”
- (gg) **Commercial Use.** One or more of the land use types listed in the tables of “Allowed Land Uses and Permit Requirements) in Division 2 (Land Use Zoning Districts and Allowed Land Uses) under the headings of “Retail,” “Services, Business and Professional,” and/or “Services, General.”
- (hh) **Commission.** The Planning Commission of the County of San Bernardino.
- (ii) **Common Carrier.** Any corporation or business that performs a service for, or delivers a commodity to the public or any portion thereof via a pipeline or other transmission line or device for which any compensation or payment whatsoever is received and is subject to the Federal Mineral Leasing Act of 1920, as amended by Public Law 93-153.
- (jj) **Common Interest Development.** A real property development that consists of, or will consist of, separately owned lots, parcels, areas, or spaces with either or both of the following features:
- (1) One or more additional contiguous or noncontiguous lots, parcels, areas, or spaces owned in common by the owners of the separately owned lots, parcels, areas, or spaces.
  - (2) Mutual, common, or reciprocal interests in, or restrictions upon, all or a portion of these separately owned lots, parcels, areas, or spaces, or both and, in which the owners of the separately owned lots, parcels, areas, or spaces have rights, directly or indirectly, to the beneficial use and enjoyment of all or a portion of the lots, parcels, areas, or spaces.

The estate in a separately or commonly owned lot, parcel, area, or space may be an estate of inheritance or perpetual estate, an estate for life, an estate for years, or any combination of the foregoing.

Either common ownership of the additional contiguous or noncontiguous lots, parcels, or areas or the enjoyment of the mutual, common, or reciprocal interests in, or restrictions upon, the separately owned lots, parcels, areas or spaces or both, may be through ownership of shares of stock or membership in an association or otherwise. Shares of stock, if any exist, shall be deemed to be interests in a common interest development and real estate development for purposes of Corporations Code Section 25100(f).

- (kk) **Common Open Space.** See “Open Space, Common”
- (ll) **Community Apartment Project.** A common interest development in which an undivided interest in land is coupled with the right of exclusive occupancy of any apartment located thereon. This use includes apartment complexes that were converted



to allow for individual ownership of units that were not constructed to condominium building standards.

- | **(mm) Community Celebration.** Those public affairs sponsored by chambers of commerce or community service groups in unincorporated communities for the promotion of community spirit by public parades, carnivals, and other outdoor activities.
- | **(nn) Community Noise Equivalency Level (CNEL).** The CNEL is a measure of the cumulative noise exposure level in the community. It results from a summation of average noise levels based on the average energy level of the sound over a 24-hour period, with an increased weighing factor applied to the evening and night time period.
- | **(oo) Community room.** A small facility (up to 1,500 sq. ft.), in a multiple-family project furnished more as a large living room, and may not have a kitchen or may only have a sink and counter for small meetings and other get-togethers.
- | **(pp) Compatible.** When used in relation to a structure, indicates that the structure is built so that its appearance is similar to that of the principal unit to which the structure is accessory or to the general character of the neighborhood with regards to color, materials, construction, lighting, signs, or the emission of sounds, noises and vibrations.
- | **(qq) Compatible Land Uses.** See “Surface Mining Operations.”
- | **(rr) Compliance Investigation.** Any building permit inspection, mobile home setdown inspection, Code compliance investigation, or any review by any County Agency, Department or office, or their designee to determine compliance with rules, regulations, standards and conditions of approval established either by or to implement the provisions of the San Bernardino County Code.
- | **(ss) Composite Development Plan.** A map or plan on file with the Building and Safety Division that reflects additional information related to the development of lots created by a Final or Parcel Map recorded after March 1, 1986. Notes on this plan or map are for informational purposes and indicate conditions and criteria that exist on the property that were known and identified as of the date of the recordation of the Final or Parcel Map. Authority for this plan is derived from California Government Code Section 66434.2.
- | **(tt) Complex Sign.** See “Sign.”
- | **(uu) Complex Occupant Sign.** See “Sign.”
- | **(vv) Composting.** Processing waste in a controlled environment to produce a stable product by microbiologically degrading organic matter under aerobic conditions.
- | **(ww) Composting operations.** A facility where organic matter that is derived primarily from off-site is to be processed by composting and/or is processed for commercial

purposes. Activities of a composting facility may include management, collection, transportation, staging, composting, curing, storage, marketing, or use of compost.

**(xx) Compressed Gas.** Any mixture or material having in the container either an absolute pressure exceeding 40 pounds per square inch at 70°F, or an absolute pressure exceeding 104 pounds per square inch at 130°F, or both; or any liquid flammable material having a vapor pressure as defined in Section 5415 in Title 8 (Industrial Relations) of the California Code of Regulations.

**(yy) Condominium.** A condominium consists of an undivided interest in common in a portion of real property coupled with a separate interest in space called a unit, the boundaries of which are described on a recorded condominium plan in sufficient detail to locate all boundaries thereof. The area within these boundaries may be filled with air, earth, or water, or any combination thereof, and need not be physically attached to land except by easements for access and, if necessary, support.

(1) The description of the unit may refer to:

(A) Boundaries described in the recorded condominium plan;

(B) Physical boundaries, either in existence, or to be constructed, such as walls, floors, and ceilings of a structure or any portion thereof;

(C) An entire structure containing one or more units; or

(D) Any combination thereof.

(2) An individual condominium within a condominium project may also include a separate interest in other portions of the real property. A condominium is an estate in real property. The estate may, with respect to the duration of its enjoyment, be either:

(A) An estate of inheritance or perpetual estate;

(B) An estate for life;

(C) An estate for years (i.e., leasehold or subleasehold); or

(D) Any combination of the foregoing.

**(zz) Condominium Plan.** A plan consisting of:

(1) A description or survey map of a condominium project, which shall refer to or show monumentation on the ground;

(2) A three dimensional description of a condominium project, one or more dimensions of which may extend for an indefinite distance upwards or

downwards, in sufficient detail to identify the common areas and each separate interest; and

- (3) A certificate consenting to the recordation of the condominium plan in compliance with this Development Code and signed and acknowledged by the following:
- (A) Record owner of fee title to the property included in the condominium project;
  - (B) All lessors and lessees of the estate for years in the case of a condominium project that will terminate upon the termination of an estate for years;
  - (C) All life tenants and remainder interests in the case of a condominium project subject to a life estate;
  - (D) Either the trustee or the beneficiary of each recorded deed of trust;
  - (E) Mortgagee of each recorded mortgage encumbering the property.

Owners of mineral rights, easements, rights of way, and other nonpossessory interests do not need to sign the condominium plan. A condominium plan may be amended or revoked by a subsequently acknowledged recorded instrument executed by all the persons whose signatures would be required to record a condominium plan in compliance with Subsection 3, above.

- (aaa) Condominium Project.** A common interest development consisting of condominiums.
- (bbb) Conference/Convention Facility (see Land Use Tables).** One or more structures accommodating multiple assembly, meeting, and/or exhibit rooms, and related support facilities (e.g., kitchens, offices, etc.).
- (ccc) Conservation.** The planned management, protection and use of natural resources in order to prevent the wasteful exploitation, destruction or neglect of these resources. Implicit in conservation is the concept of wise use as distinguished from nonuse or preservation.
- (ddd) Consistency.** A review to ensure that all plans and actions conform to guidelines set forth in the General Plan and any applicable or Specific Plans.
- (eee) Construction and Heavy Equipment Sales and Rental (see Land Use Tables).** Retail establishments selling or renting construction, farm, or other heavy equipment. Examples include cranes, earth moving equipment, tractors, combines, heavy trucks, etc.
- (fff) Construction Contractor (see Land Use Tables).** Office, and indoor and/or outdoor storage facilities operated by, or on behalf of a contractor licensed by the

State of California for storage of large equipment, vehicles, and/or other materials commonly used in the individual contractor's type of business; storage of scrap materials used for repair and maintenance of contractor's own equipment; and buildings or structures for uses such as repair facilities.

- (**ggg**) **Construction Projects.** A construction activity that is subject to approval of either a County ministered permit, or approval of a discretionary decision on a land use application.
- (**hhh**) **Contiguous or Contiguous Property.** In actual close contact; touching; bounded or traversed by. "Contiguous property" shall be those properties that touch property lines of any parcel including those properties that touch the property lines of a subject parcel when the lines are projected across public or private rights of way, easements, roads, streets, or railroad rights of way.
- (**iii**) **Convenience and Support Services (see Land Use Tables).** Establishments that provide convenience or support services to people in employment locations or to the traveling public in locations away from developed commercial centers. These limited services include food, beverage, gasoline, retail services and minor automobile service.
- (**jjj**) **Convenience Store (see Land Use Tables).** A retail store of 3,500 square feet or less in gross floor area that carries a range of merchandise oriented to convenience and/or travelers' shopping needs.
- (**kkk**) **Conventional Spray Irrigation.** Is the use of aerial/overhead sprinklers to distribute irrigation water to landscaped areas (e.g. pop-up and fixed spray heads, impact rotors, rotary nozzles, rotors, etc.).
- (**lll**) **Conversion Factor (0.62).** 0.62 is the conversion factor for the Maximum Applied Water Allowance (MAWA) and the Estimated Annual Water Use (EAWU) calculations. This number converts the acre-inches per acre, per year to gallons per square foot, per year.
- (**mmm**) **Cooling Opportunities, Passive or Natural.** The ability to orient or site a structure, including a dwelling on its lot in order to take optimum advantage of prevailing breezes for cooling purposes.
- (**nnn**) **Corner Lot.** See "Lot."
- (**ooo**) **Correctional Institution (see Land Use Tables).** An incarceration facility owned and operated by a Federal, State, local government or private entity.
- (**ppp**) **Corrosive Soils.** See "Soil."
- (**qqq**) **County.** The County of San Bernardino, State of California.
- (**rrr**) **County Code.** County of San Bernardino Code.

- (**sss**) **County Fire Department.** See “Fire Department.”
- (**ttt**) **County Procedures.** Any policies or procedures that have been adopted by the Board of Supervisors, and are described, delineated and on file for use and examination by the public in the Office of Clerk of the Board of Supervisors.
- (**uuu**) **County Standards.** Any current improvement standards or design standards that have been adopted by the Board of Supervisors, and are described, delineated and on file for use and examination by the public in the Office of the Clerk of the Board of Supervisors.
- (**vvv**) **County Surveyor.** The County Surveyor of San Bernardino County, or authorized designee.
- (**www**) **County Veterinarian.** Any veterinarian of the County designated by the Department of Public Health
- (**xxx**) **Court.** An open, unoccupied space, other than a yard, that is bounded on two or more sides by a building or buildings and is created by the required separation of the buildings.
- (**yyy**) **Crop Production, Horticulture, Orchard, Vineyard (see Land Use Tables).** Commercial agricultural production field and orchard uses, including the production of the following, primarily in the soil on the site and not in containers, other than for initial propagation before planting in the soil on the site, and/or in containers occupying one acre or less:
- field crops
  - flowers and seeds
  - fruits
  - grains
  - melons
  - ornamental crops
  - tree nuts
  - trees and sod
  - vegetables
  - wine grapes and table grapes
- Also includes associated crop preparation services and harvesting activities, such as mechanical soil preparation, irrigation system construction, spraying, crop processing and retail sales in the field, not including sales sheds.
- (**zzz**) **Cultural Resource Damage.** Any destruction or harm done to or inflicted upon any paleontological, archaeological or historical remains that could contribute to the study and interpretation of biological and cultural development.
- (**aaaa**) **Curb Cut.** The lowering of a curb to permit access by vehicles, wheelchairs, carts and pedestrians.

Adopted Ordinance 4011 (2007); Amended Ordinance 4043 (2008), Amended Ordinance 4136 (2011)

**810.01.060 Definitions, "D."**

- (a) **Dairy.** Any premises where milk is produced for sale or distribution and where 10 or more cows or goats are in lactation.
- (b) **Days.** Any reference to day or days shall mean calendar days, unless otherwise specified.
- (c) **Days, Business.** Any day a specified Office, Department or other agency is open to the public for normal business. This term shall normally exclude all Saturdays, Sundays and any holiday that is recognized and observed by the specified Office, Department or other agency.
- (d) **Day Care, Adult (see Land Use Tables).** A state-licensed facility that provides nonmedical care and supervision for adult clients for periods of less than 24 hours for any client.
- (e) **Day Care, Child (see Land Use Tables).** Facilities that provide non-medical care and supervision of minor children for periods of less than 24 hours. These facilities include the following, all of which are required to be licensed by the California State Department of Social Services.
  - (1) **Day Care Center.** Commercial or non-profit child day care facilities designed and approved to accommodate 15 or more children. Includes infant centers, preschools, sick-child centers, and school-age day care facilities. These may be operated in conjunction with a school or church facility, or as an independent land use.
  - (2) **Family Day Care Home.** As defined by Health and Safety Code Section 1596.78, a home that regularly provides care, protection, and supervision for 14 or fewer children, in the provider's own home, for periods of less than 24 hours per day, while the parents or guardians are away, and is either a large family day care home or a small family day care home.
  - (3) **Large Family Day Care Home.** As defined by Health and Safety Code Section 1596.78, a day care facility in a single-family dwelling where an occupant of the residence provides family day care for seven to 14 children, inclusive, including children under the age of 10 years who reside in the home.
  - (4) **Small Family Day Care Home.** As defined by Health and Safety Code Section 1596.78, a day care facility in a single-family residence where an occupant of the residence provides family day care for eight or fewer children, including children under the age of 10 years who reside in the home.
- (f) **Debris Flow (mudflow).** The downhill movement of saturated debris often a mixture of mud, rock and vegetation.

- (g) **Decibel (dBA).** A measure of sound pressure on a logarithmic scale, with respect to a standard reference value.
- (h) **Decision.** Any decision to approve, disapprove, or modify a request to develop, divide, or otherwise utilize land or to alter or establish land use regulations.
- (i) **Density Bonus.** A density increase over the otherwise maximum allowable residential density under the applicable land use plan designation and land use zoning district. Also, see Government Code Section 65915.
- (j) **Department.** The Department of Land Use Services of the County of San Bernardino.
- (k) **Dependent Housing (see Land Use Tables).** Residential occupancy of an accessory dwelling unit located on the same parcel as the principal dwelling unit that is occupied by:
- (1) One or two adults, who have reached the age of 60, and are dependents of the residents of the primary unit;
  - (2) Court appointed conservatees of a resident of the principal unit; or
  - (3) Members of a very low income household as specified as Section 50105 of the Health and Safety Code and are related to the residents of the principal unit by birth, marriage, or adoption.
  - (4) One or two adults of any age who are dependent upon the residents of the primary unit for health care.

For the purposes of this section, “Dependent” means a related individual who is dependent upon the resident of the principal unit for financial support or health care. An individual will be determined to be a financial dependent if claimed by the resident of the primary unit as a dependent on his or her Federal or State income tax return. An individual will be determined to be a dependent for health care reasons if he or she is considered blind or disabled as defined in Section 1614(a) of Part A of Title XVI of the Social Security Act.

- (l) **Dependent Mobile Home.** See “Mobile Home, Dependent.”
- (m) **Desert Native Plant.** See “Plant, Desert Native.”
- (n) **Desert Native Plant Expert.** See “Plant Expert, Desert Native.”
- (o) **Desert Region.** Desert Region shall mean and include all of the unincorporated area of San Bernardino County lying north and east of the Mountain Region as defined in this Division.
- (p) **Design.** Includes the planning and engineering of the following:

- (1) Street alignments, grades and widths;
  - (2) Drainage and sanitary facilities and utilities, including alignment and grades thereof;
  - (3) Location and size of all required easements and rights of way;
  - (4) Fire roads and firebreaks;
  - (5) Lot size and configuration;
  - (6) Traffic access;
  - (7) Grading;
  - (8) Land to be dedicated for park or recreational purposes;
  - (9) Location of proposed and existing structures and improvements; and
  - (10) Other specific physical requirements in the plan and/or configuration of a subdivision as may be necessary to ensure consistency with, and implementation of this Development Code, the General Plan, and any applicable specific plan.
- (q) **Detailed Site Plan.** See “Site Plan, Detailed.”
- (r) **Design Flood.** See “Flood Hazard.”
- (s) **Developer.** Any person, association, firm, corporation, partnership and other business entity or public agency installing or constructing a development. This includes any person, business entity or public agency seeking to perform earthwork grading on any project or development for which the conditions of approval require any specific or general features to be incorporated in the earthwork or which restrict or limit the earthwork grading in any way, other than in compliance with the grading provisions as prescribed in the California Building Code.
- (t) **Development.** The use to which land shall be put, the buildings to be constructed on it, and all alteration of the land and construction incident thereto.
- (u) **Development Application.** Any application, review and/or process acted upon by the Department. See “Land Use Application.”
- (v) **Development Code.** A set of land use regulations adopted by San Bernardino County in conformance with the General Plan. All actions and undertakings necessary for project planning, land acquisition, demolition or construction of a project must conform with the County Code before approval. The Development Code is Title 8 of the San Bernardino County Code.
- (w) **Development Moratorium.** A development moratorium shall include a water or sewer moratorium, as well as other actions of public agencies that regulate land use, development, or the provision of services to the land, other than the authority of the



County to approve or conditionally approve the Tentative Map, which prevents, prohibits, or delays the approval of a Final or Parcel Map. A development moratorium is also deemed to exist for any period of time during which a condition imposed by the County could not be satisfied because the condition was one which, by its nature, necessitated action by the County, and the County either did not take the necessary action or by its own action or inaction was prevented or delayed in taking the necessary action before expiration of the Tentative Map.

- (x) **Development Perimeter.** A line that indicates the outer perimeter of structural development or proposed structural development of one structure or a group of structures within a development project. For the purposes of this Section, structures within one hundred feet of another structure shall be considered as part of the same group of structures. The development perimeter may be derived from one of the following methods:
- (1) A line formed by interlinking the exterior walls or exterior building envelope boundaries of a series of proposed or existing structures that form the perimeter of a development project;
  - (2) Where a development project indicates the location of buildings or building envelopes on a site plan, a composite development plan or a final development plan, the development perimeter may be delineated by the outer limit of the location of each building. The development perimeter between the planned location of each building shall be delineated by the shortest line between the outer faces of adjacent buildings or building envelopes or;
  - (3) The development perimeter may be derived through alternate means provided they meet or exceed the limitations described in Subsections 1 and 2 above.
- (y) **Development Permit.** A permit issued by the Building Official, Fire Marshall, or Chief of the Environmental Health Services Division for construction or land disturbance, including, but not limited to, Building Permits, Mobile Home Setdown Permits and Grading Permits.
- (z) **Development Plan.** A detailed, comprehensive plan of development for a Special Development. The development plan applies limits and parameters for development derived from a development suitability analysis to a specific development scheme. Development Plans shall include a detailed description of the proposed development and its effects including, but not limited to, a written text, diagrams or maps describing the program for development and the functional arrangement of structures and uses, the effect of such arrangement upon the physical characteristics of the site, available public services, the capacity of the existing circulation system and the existing and planned land use of adjacent properties. It includes a dimensioned site plan showing the location of all structures and lots in sufficient detail to permit recordation and the preparation of construction drawings.
- (aa) **Development Project.** Any one or a series of related development applications that constitute a single development proposal.

- (bb) **Development Restrictions.** Include, but are not limited to, any of the following restrictions on property:
- (1) Open space easements.
  - (2) Transfer of development rights.
  - (3) Conveyance of development rights to the County.
  - (4) Land Use Zoning District restrictions on development.
- (cc) **Development Review Committee.** A committee consisting of representatives from various public agencies whose functions are to review and make recommendations on development proposals.
- (dd) **Development Suitability Analysis.** A comprehensive examination of the opportunities and constraints affecting development of a given site.
- (ee) **Deviations.** Authorized variances from required distances, setbacks, areas or physical improvements.
- (ff) **Directional Sign.** See “Sign.”
- (gg) **Director.** The Director of Land Use Services or authorized designee.
- (hh) **Director of Airports.** The Director of the County Airports Department or an authorized designee.
- (ii) **Director of Department of Public Works.** The Director of the County Department of Public Works or an authorized designee.
- (jj) **Director of Special Districts.** The Director of the Special Districts Department or an authorized designee.
- (kk) **Dismantlers.** See “Motor Vehicle Dismantling Facility.”
- (ll) **Display Sign.** See “Sign.”
- (mm) **Distribution.** See “Wholesaling and Distribution.”
- (nn) **Drainage Course.** A natural or man made water course that could convey runoff either year around or intermittently.
- (oo) **Drainage Plan, Local Area.** A drainage plan adopted for a particular drainage area. These plans shall include a map of the area showing its boundaries, the location of existing and future drainage facilities and an accompanying text that contains an estimate of the total costs of constructing the local drainage facilities.

- (pp) **Dripline.** A line that may be drawn on the ground around a tree directly under its outermost branch tips which is projected vertically down to the ground and which identifies that area where rainwater tends to drop from the tree.
- (qq) **Dwelling, Multiple Family (see Land Use Tables).** A building or portion thereof used and/or designed as two or more independent dwelling units.
- (rr) **Dwelling, Single Family (see Land Use Tables).** A detached building designed and/or used as one dwelling unit.
- (ss) **Dwelling, Single Family Attached (see Land Use Tables).** A single family dwelling that is attached to not more than one other single family dwelling.
- (tt) **Dwelling Unit.** Any building or portion thereof, including a manufactured home or portion thereof, that contains living facilities, including provisions for sleeping, eating, cooking and sanitation as required by the California Building Code, for not more than one family, including domestic employees of the family.
- (uu) **Dwelling Unit, Second.** A second dwelling unit is an additional dwelling unit either attached or detached.
- (vv) **Dwelling Use in Conjunction with Commercial Use.** One or more dwelling units developed along with one or commercial uses in a mixed-use project.

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

**810.01.070 Definitions, “E.”**

- (a) **Earth Material.** Rock, natural soil or combination thereof.
- (b) **Easement.** A grant of one or more property rights by the property owner to and/or for the use by the public, a corporation, or another entity, including:
  - (1) **Road Easement.** Any property that is reserved for or in general use for road purposes to provide access for the public to otherwise inaccessible parcels of land, provided that the easements are not included in the definition herein of “street”.
  - (2) **Road Easement, Private.** Any property that is reserved for road purposes to provide access for property owners to their private property, provided that the easements are not included in the definition of “street” herein.
- (c) **Educational Animal Project.** An animal husbandry project under the supervision of an educationally oriented youth program or organization connected to a school or non-profit organization (e.g., 4-H, Future Farmers of America, etc.)
- (d) **Educational Institutions.** See “Schools.”
- (e) **Electrical Power Generation (see Land Use Tables).** A facility that generates and distributes electrical energy for sale. The electricity may be generated from oil, gas, coal or fuels or from “alternate” sources including water, wind, the sun, bio gas, municipal or agricultural wastes. This includes “cogeneration,” which means the sequential use of energy for the production of electrical and useful thermal energy. The sequence can be thermal use followed by electric power production or the reverse. See also “Wind Energy System.”
- (f) **Emergency Access Route.** See “Road System.”
- (g) **Endangered Animals.** See “Animals.”
- (h) **Endangered Species.** See “Rare or Endangered Species.”
- (i) **Enforcement.** For the purposes of this code, certain words relative to enforcement are defined as follows:
  - (1) “Abatement costs” means any and all costs or expenses reasonably related to the abatement or removal of conditions which violate any provision of this code or any permit or any condition of land use approval granted pursuant thereto or the correction of such violation, and shall include, but not be limited to, enforcement, investigation, collection, and administrative costs; and attorney’s fees.
  - (2) “Administrative costs” means all costs incurred by or on behalf of the County

from the first discovery of the violation of the this Development Code or any permit or condition of land use approval granted pursuant thereto through the appeal process and until compliance is achieved, including but not limited to, staff time in investigating the violation, inspecting the property where the violation occurred, preparing investigation reports, sending notices, preparing for and attending any appeal hearing, telephone contacts, and correspondence.

- (3) “Codified Ordinances of the County of San Bernardino,” and “San Bernardino County Code,” and “this code” shall mean the San Bernardino County Development Code (Title 8 of the San Bernardino County Code), including all pertinent provisions of state codes as adopted therein, enacted by the Board of Supervisors of the County of San Bernardino acting pursuant to authority granted under the County Charter, California Government Code Sections 25126, 25127, and 25128; or other applicable law.
- (4) “Enforcement Officer” shall mean any County employee or agent of the County with the authority to enforce any provision of the Development Code, specifically:
  - (A) The Deputy Director, each Code Enforcement Supervisor, and each Code Enforcement Officer or other designated employee of the Code Enforcement Division of the Land Use Services Department;
  - (B) The Fire Chief/Fire Warden, each Deputy Chief, each Assistant Chief, each Division Chief, the Fire Marshal, Assistant Fire Marshal, each Fire Prevention Supervisor, and each Fire Prevention Officer or other designated employees of the County Fire Department;
  - (C) The Director and each Inspector or other designated employees of the Environmental Health Services Division of the Department of Public Health;
  - (D) The Program Manager and each Animal Control Officer or other designated employees of the Animal Care and Control Program of the Environmental Health Division of the Department of Public Health;
  - (E) The Sheriff-Coroner and each Deputy Sheriff (all ranks) or other designated employee of the Department of the Sheriff-Coroner;
  - (F) Any other Director and other designated employee of a county department as designated by the County Administrative Officer.
- (5) “Person” shall mean any natural person, firm, association, club, organization, corporation, partnership, business trust, company or other entity, which is recognized by law as the subject of rights or duties.
- (6) “Responsible party,” for the purpose of this Chapter shall mean each person committing or allowing the violation or causing a condition on a parcel of real

property located within the unincorporated area of the County of San Bernardino to violate any provision of this Development Code or any permit or any condition of land use approval granted pursuant thereto; each person who has an ownership interest in that property; and each person who, although not an owner, nevertheless has a legal right or legal obligation to exercise possession and control over that property. In the event the person who commits the violation or causes the violating condition is a minor, then the minor's parents or legal guardian shall be deemed the responsible party for that violation. In the event the violation or violating condition is most reasonably attributable to a business and not to an employee, then that business, to the extent it is a legal entity such that it can sue and be sued in its own name, and each person who is an owner of that business shall be deemed responsible parties.

- (j) **Enhanced Specialized Mobile Radio Service.** See “Wireless Telecommunication Facility.”
- (k) **Entertainment Assembly.** See “Sports or Entertainment Assembly.”
- (l) **Entertainment Services.** See “Recreation and Entertainment Services.”
- (m) **Environmental Constraints.** Environmental factors that limit or inhibit the potential for land development, including, but not limited to, flood hazards, seismic hazards, air quality and water supply.
- (n) **Environmental Impact.** Projected long-term or short-term effects (adverse or beneficial) that a development project or plan may have on the natural and built environment if the project is carried out.
- (o) **Environmental Impact Report (EIR).** An environmental impact report (EIR) is the public document used by a governmental agency to analyze the significant environmental effects of a proposed project, to identify alternatives, and to disclose possible ways to reduce or avoid possible environmental damage.
- (p) **Environmental Review Guidelines.** Written procedures adopted by the Board of Supervisors for the purpose of implementing the requirements of the California Environmental Quality Act (CEQA).
- (q) **Equestrian Facility (see Land Use Tables).** A commercial facility for horses, donkeys, and/or mules. Examples include horse ranches, boarding stables, riding schools and academies, horse exhibition facilities (for shows or other competitive events), and barns, stables, corrals and paddocks accessory and incidental to these uses. Does not include the simple pasturing of horses, donkeys, and/or mules, which is instead included in “Animal Keeping.” Does not include rodeo arenas, which are under “Rural Sports and Recreation.”
- (r) **Equipment Rental.** A service establishment that may offer a wide variety of household and business equipment, furniture, and materials for rental. Does not include construction equipment rental, which is separately defined.

- (s) **Erosion.** The wearing away of the ground surface as a result of the movement of wind or water or machine.
- (t) **Erosion, Accelerated.** Erosion caused by a human induced alteration of the vegetation, land surface, topography or runoff pattern. Evidence of accelerated erosion is often indicated by exposed soils, gullies, rills, sediment deposits or slope failures caused by human activities.
- (u) **Erosion Hazard.** The susceptibility of a site to erode based on condition of slope, rock type, soil and other site factors. Hazard may be determined based on a site-specific investigation and the soil disturbance may be caused by wind, water or machine.
- (v) **Established Landscape.** The point at which plant material within the landscaped areas have established a significant root growth. A typical timeframe for plant material establishment ranges between one to two years of growth.
- (w) **Estimated Annual Water Use (EAWU).** The estimated total water use per year for a landscape, as calculated with the formula found in County Code Subsection 83.10.060 (A)(3)(b).
- (x) **Exotic Animal.** Any warm-blooded or cold-blooded animal of the biological kingdom *Animalia* generally considered as wild, exotic, dangerous, venomous or not normally domesticated and as determined by County veterinarian. Includes genetically engineered animals.
- (y) **Expansive Soils.** See “Soil.”
- (z) **Exploration or Prospecting.** The search for minerals by geological, geophysical, geochemical, or other techniques. These include but are not limited to, sampling, assaying, drilling, or any surface or underground works needed to determine the type, extent, or quantity of mineral present.

Adopted Ordinance 4011 (2007); Amended Ordinance 4043 (2008); Amended Ordinance 4136 (2011)

**810.01.080 Definitions, "F."**

- (a) **Fabricated Metal Products Manufacturing.** See "Manufacturing Operations I and II."
- (b) **Factory-built housing (modular unit).** A residential building, dwelling unit, or an individual dwelling room or combination of rooms thereof, or building component, assembly, or system manufactured in such a manner that all concealed parts or processes of manufacture cannot be inspected before installation at the building site without disassembly, damage, or destruction of the part, including units designed for use as a part of an institution for resident or patient care, that is either wholly manufactured or is in substantial part manufactured at an offsite location to be wholly or partially assembled onsite in accordance with building standards published in the California Building Standards Code and other regulations adopted by the commission pursuant to section 19990. Factory-built housing does not include a mobile home, as defined in Section 18008, a recreational vehicle, as defined in Section 18010.5, or a commercial modular, as defined in Section 18012.5 of the California Health and Safety Code (CHSC).
- (c) **Family.** A person or persons living together as a single housekeeping unit in a dwelling unit.
- (d) **Family Day Care Home.** See "Day Care, Child."
- (e) **Farm.** See "Ranch/Farm."
- (f) **Farm Visit.** The activity of visiting a farm for short periods of time for the purpose of participating in or enjoying farm activities and/or other attractions offered.
- (g) **Fee Schedule.** A schedule of fees established by the Board of Supervisors in compliance with Division 6 (County Fees) or Title 1 (Government and Administration) of the San Bernardino County Code.
- (h) **FEMA.** The Federal Emergency Management Agency.
- (i) **Festival, Outdoor.** See "Outdoor Festival."
- (j) **Final Map.** See the California Government Code, Title 7, Division 2 definition.
- (k) **Findings.** A set of conclusions that are required before specified permits, land use applications, deviations, ordinance changes or other entitlements may be granted.
- (l) **Fire Authority.** The San Bernardino County Fire Marshall, State Forest Ranger in charge of the California Department of Forestry, U.S. Forest Supervisor, or if within the jurisdiction of a Fire Protection District, the Board of Directors of the district.
- (m) **Fire Authority, Local.** The fire department or agency serving a subject area as specified by County Code Subsection 23.015(h).



- (n) **Fire Department.** The San Bernardino County Fire Department.
- (o) **Fire Flow.** The required rate of flow times duration for fire protection varies according to density and type of development.
- (p) **Fire Resistive or Fire Resistive Construction.** Construction to resist the spread of fire, details of which may be specified in the Building Code of the jurisdiction.
- (q) **Fire Resistive Rating.** The time that the material or construction will withstand the standard fire exposure as determined by a fire test made in conformity with the standard methods of fire tests of buildings, construction and materials in the U.B.C. Standards.
- (r) **Fire Safety Areas.** See Chapter 82.15 (Fire Safety Overlay District).
- (s) **Firewood Contractor (see Land Use Tables).** A business that cuts, sells, stores and/or delivers firewood.
- (t) **First Floor.** See “Flood Hazard.”
- (u) **Fitness/health facility.** A fitness center, gymnasium, health and athletic club, which may include any of the following: swimming pool, sauna, spa or hot tub facilities; indoor tennis, handball, racquetball, archery and shooting ranges and other indoor sports activities. Does not include adult entertainment businesses.
- (v) **Fixture.** See “Lighting, Outdoor.”
- (w) **Fixed Wireless.** See “Wireless Telecommunication Facility.”
- (x) **Flag Lot.** See “Lot.”
- (y) **Flammable Liquid.** Any liquid having a flashpoint below 100°F and having a vapor pressure not exceeding 40 pounds per square inch (absolute) at 100°F. Class I liquids shall include those having flash points below 100°F and may be subdivided as follows:
- (1) Shall include those having flash points below 73°F and having a boiling point below 100°F.
  - (2) Shall include those having flash points below 73°F and having a boiling point at or above 100°F.
  - (3) Shall include those having flashpoints at or above 73°F and below 100°F.
- (z) **Flammable Solid.** A solid substance, other than one classified as an explosive, that is liable to cause fires through friction, through absorption of moisture, through spontaneous chemical changes or as a result of retained heat from manufacturing or processing.

- (aa) **Flood.** See “Flood Hazard.”
- (bb) **Flood Boundary and Flooding Map.** See “Flood Hazard.”
- (cc) **Flood Control District.** The San Bernardino County Flood Control District.
- (dd) **Flood Control Engineer.** The Engineer of the San Bernardino County Flood Control District appointed by the Board of Supervisors, or an authorized designee.
- (ee) **Flood Control Infrastructure.** Facilities constructed for the purpose of preventing or controlling flood waters, including dams, lined channels, and similar structures.
- (ff) **Flood Hazard.** A substantial possibility of damage to life or property by overflow water, ponded water, or other water on the surface of the land, or by debris, or silt carried in the water. The following flood related terms are defined as follows:
- (1) **Alluvial Fan.** A geomorphologic feature characterized by a cone or fan-shaped deposit of boulders, gravel, and fine sediments that have been eroded from mountain slopes, transported by flood flows, and then deposited on the valley floors, and which is subject to flash flooding, high velocity flows, debris flows, erosion sediment movement and deposition, and channel migration.
  - (2) **Apex.** The point of highest elevation on an alluvial fan, which on undisturbed fans is generally the point where the major stream that formed the fan emerges from the mountain front.
  - (3) **Area of shallow flooding.** An area designated AO or AH Zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and velocity flow may be evident. The flooding is characterized by ponding or sheet flow.
  - (4) **Area of special flood hazard.** See “Special flood hazard area.”
  - (5) **Base Flood.** Base Flood means the flood having a one percent chance of being equaled or exceeded in any given year (also called the “100 year flood”).
  - (6) **Certify.** To authenticate or vouch for in writing, and signed by the certifying party, that the submitted data is true, as represented, or that the requirements of the regulations have been satisfied.
  - (7) **Design Flood.** That flood against which protection is provided, or eventually will be provided, by means of flood protective or control works. When a Federal flood control project survey has been authorized, the design flood will be that established by the cognizant Federal agency and in all other cases will be determined by the San Bernardino County Flood Control District.

- (8) **First Floor.** The lowest floor in a structure usable for living purposes, which may include working, sleeping, eating cooking, recreation or a combination thereof.
- (9) **Flood.** Any temporary rise in stream flow or water surface level that results in significant adverse effects in the floodplain. Adverse effects of floods may include damages from overflow of land areas, effects of temporary backwater or sewers and local drainage channels, bank erosion or channel shifts, unsanitary conditions or other unfavorable conditions resulting from deposition of materials in stream channels during flood recessions, rise of ground water coincident with increased stream flow and interruption of traffic at bridge crossings.
- (10) **Flood Boundary and Flooding Map.** The official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of flood hazard and the floodway.
- (11) **Flood Insurance Rate Map (FIRM).** The official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community. The following flood hazard zones are shown on the FIRM:
- (A) **Zone A.** Areas that are subject to inundation by the 1-percent-annual-chance flood event (100-year flood). Because detailed hydraulic analyses have not been performed, no base flood elevation or depths are shown. Mandatory flood insurance purchase requirements apply.
- (B) **Zone AE.** Areas that are subject to inundation by the 1-percent-annual-chance flood event (100-year flood) determined by detailed methods. Base flood elevations are shown within these zones. Mandatory flood insurance purchase requirements apply.
- (C) **Zone AH.** Areas that are subject to inundation by 1-percent-annual-chance shallow flooding (100-year flood) (usually areas of ponding) where average depths are between one and three feet. Base flood elevations derived from detailed hydraulic analyses are shown in this zone. Mandatory flood insurance purchase requirements apply.
- (D) **Zone AO.** Areas that are subject to inundation by 1-percent-annual-chance shallow flooding (100-year flood) (usually sheet flow on sloping terrain) nowhere average depths are between one and three feet. Average flood depths derived from detailed hydraulic analyses are shown within this zone. Mandatory flood insurance purchase requirements apply.
- (E) **Zone A99.** Areas that are subject to inundation by the 1-percent-annual-chance flood event (100-year flood), but which will ultimately be protected upon completion of an under-construction federal flood protection system. These are areas of special flood hazard where enough progress has been

made on the construction of a protection system, such as dikes, dams, and levees, to consider it complete for insurance rating purposes. Zone A99 may only be used when the flood protection system has reached specified statutory progress toward completion. No base flood elevations or depths are shown. Mandatory flood insurance purchase requirements apply.

- (F) **Zone AR.** Areas that result from the decertification of a previously accredited flood protection system that is determined to be in the process of being restored to provide base flood protection. Mandatory flood insurance purchase requirements apply.
  - (G) **Zone D.** Unstudied areas where flood hazards are underdetermined, but flooding is possible. No mandatory flood insurance purchase requirements apply, but coverage is available in participating communities.
  - (H) **Zone X.** Areas that are identified in the community FIS as areas of moderate or minimal hazard from the principal source of flood in the area. However, buildings in these zones could be flooded by severe, concentrated rainfall coupled with inadequate local drainage systems. Local storm water drainage systems are not normally considered in the community's FIS. The failure of a local drainage system creates areas of high flood risk within these rate zones. Flood insurance is available in participating communities but is not required by regulation in these zones.
- (12) **Floodplain.** The relatively flat area or lowlands adjoining the channel of a stream or watercourse and subject to overflow by flood waters.
- (13) **Floodplain Review Areas.** See Chapter 82.14 (Flood Plain Safety Overlay District).
- (14) **Floodway.** The channel of a river or other water course and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot. Also referred to as "Regulatory Floodway".
- (15) **Functionally Dependent Use.** A use that cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.
- (16) **Highest Adjacent Grade.** The highest natural elevation of the ground surface before construction next to the proposed walls of a structure.
- (17) **Historic Structure.**
- (A) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by

the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

- (B) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
  - (C) Individually listed on a state inventory of historic places in states with historic preservation programs that have been approved by the Secretary of the Interior; or
  - (D) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
    - (I) By an approved state program as determined by the Secretary of the Interior or
    - (II) Directly by the Secretary of the Interior in states without approved programs.
- (18) **Lowest Floor.** For floodplain management purposes the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that the enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.
- (19) **Manufactured Home.** For floodplain management purposes, means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term "manufactured home" also includes park trailers, travel trailers and other similar vehicles placed on a site for greater than 180 consecutive days.
- (20) **Manufactured Home Park or Subdivision.** For flood-plain management purposes, means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for sale or rent.
- (21) **New Construction.** For the purposes of determining insurance rates, structures for which "the start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, including any subsequent improvements to the structures. For flood plain management purposes, structures for which the "start of construction" commenced on or after the effective date of a flood plain management regulation adopted by a community and includes any subsequent improvements to the structures.

- (22) **Regulatory Floodway.** The channel of a river or other water course and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.
- (23) **Start of Construction.** Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the state of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.
- (24) **Substantial Damage.** Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.
- (25) **Substantial Improvement.** Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures that have incurred “substantial damage”, regardless of the actual repair work performed. The term does not, however, include either (1) any project for improvement of a structure to correct existing violation of state or local health, sanitary, or safety code specification that have been identified by the local code enforcement official and that are the minimum necessary to assure safe living conditions or (2) any alteration of a “historic structure”, provided that the alteration will not preclude the structure's continued designation a “historic structure”.
- (26) **San Bernardino County Flood Control District.** A district established by act of the State Legislature, empowered to protect the watercourses of the District and governed by the Board of Supervisors of the County of San Bernardino acting as ex officio Governing Board of the District.
- (27) **Selected Flood.** A flood of a recurrence interval determined by the Planning Commission or Board of Supervisors after a recommendation of the Engineer of the San Bernardino County Flood Control District.
- (28) **Special Flood Hazard Area (SFHA).** An area in the floodplain subject to a 1 percent or greater chance of flooding in any given year. It is shown on an FHBM or FIRM as Zone A, AO, AE, AH or A99.

- (29) **Standard Project Flood.** A flood that would result from a storm that is considered reasonably characteristic of the region in which the drainage area is located, giving consideration to the runoff characteristics of the drainage area and excluding rare combinations of meteorologic and hydrologic conditions. Such a flood provides a reasonable upper limit to be considered in designing flood control improvements and floodplain limits.
- (gg) **Flood Insurance Rate Map (FIRM).** See “Flood Hazard.”
- (hh) **Floodplain.** See “Flood Hazard.”
- (ii) **Floodplain Review Areas.** See “Flood Hazard.”
- (jj) **Floodway.** See “Flood Hazard.”
- (kk) **Flow Rate.** The rate in which the water flows through the pipes, valves, and emission devices of an irrigation system measured in gallons per minute, gallons per hour, or cubic feet per second.
- (ll) **Flow Sensor.** A device within the irrigation system that detects irregular flows indicating leaks, breaks, or another problem.
- (mm) **Food and Related Products Manufacturing.** See “Manufacturing Operations I and II.”
- (nn) **Freestanding Lighting.** See “Lighting, Outdoor.”
- (oo) **Freestanding Sign.** See “Sign.”
- (pp) **Freeway.** Any dedicated or deeded public right of way to which the owners of abutting lands have no right or easement of access to or from their abutting lands. In addition, freeway shall include those rights of way designated by official action as freeways by the California State Highway Commission or the County Board of Supervisors. See “Road System.”
- (qq) **Freight Container.** Container primarily used to transport goods on trucks, railroad cars, ships, aircraft or other forms of transportation.
- (rr) **Front Lot Line.** See “Lot.”
- (ss) **Front Wall.** The nearest wall of a building or other structure to the street upon which the building faces, but excluding cornices, canopies, eaves or any other architectural embellishments that may extend beyond the front wall, not to exceed a distance of four feet.
- (tt) **Front Yard.** See “Yard.”
- (uu) **Frontage, Lot.** See “Lot.”

- (vv) **Frontage Road.** A minor street that is parallel to, and adjacent to, an arterial street or freeway, and that provides access to abutting properties and protection from through and fast traffic.
- (ww) **Fuel Break.** Areas also known as greenbelts that separate communities or clusters of structures from native vegetation. Within the fuel break boundaries the vegetation is thinned out, pruned, modified or landscaped to effectively reduce the volume and flammability of fuel, thereby substantially reducing or preventing the rate of spread and intensity of wildland fires.
- (xx) **Fuel Dealer.** A retail trade establishment that sells fuel oil, butane, propane and liquefied petroleum gas (LPG), bottled or in bulk, to consumers.
- (yy) **Fuel Modified Area.** An area where living and dead vegetation is managed regularly, usually by trimming, removal or substitution of natural vegetation, in order to reduce fire hazard, by use of mechanical, chemical and biological means and/or prescribed burning.
- (zz) **Fully-Shielded Fixture.** See “Lighting, Outdoor.”
- (aaa) **Functionally Dependent Use.** See “Flood Hazard.”
- (bbb) **Furniture and Fixture Manufacturing.** See “Manufacturing Operations I.”
- (ccc) **Future Right-of-Way.** Future right-of-way of streets shown in the Circulation Element of the General Plan shall be based upon the adopted County Road Standards assuming an equal dedication of right-of-way on both sides of the existing centerline, or shall otherwise be determined as shown on any adopted specific plan.

Adopted Ordinance 4011 (2007), Amended Ordinance 4136 (2011)



**810.01.090 Definitions, “G.”**

- (a) **Garage, Private.** An accessory building or an accessory portion of the main building designed and/or used for the shelter or storage of motor vehicles belonging to the occupants of the main building.
- (b) **Garage, Public.** Any building, other than a private or storage garage, used for the storage, care or repair of motor vehicles and where any vehicles are equipped for operation or kept for hire or sale.
- (c) **Garage, Storage.** Any building, other than a public or private garage, used exclusively for the storage of motor vehicles.
- (d) **General Plan.** The San Bernardino County General Plan, including all elements, adopted in compliance with California Government Code, Title 7, Division 1, Chapter 3.
- (e) **General Retail (see Land Use Tables).** Stores and shops selling many lines of merchandise. Examples of these stores and lines of merchandise include:
- antique stores
  - art galleries, retail
  - art supplies, including framing services
  - auto parts sales with no installation services
  - bicycles
  - books, magazines, and newspapers
  - cameras and photographic supplies
  - clothing, shoes, and accessories
  - collectibles (cards, coins, comics, stamps, etc.)
  - consumer electronics
  - department stores
  - drug stores and pharmacies
  - dry goods
  - fabrics and sewing supplies
  - farm supply and feed stores
  - florists and houseplant stores (indoor sales only (outdoor sales are “Building and Landscape Materials Sales”))
  - furniture, furnishings, appliances
  - hobby materials
  - jewelry
  - luggage and leather goods
  - musical instruments (small), parts and accessories (large instruments are under “Furniture, Furnishings, and Appliance Store”)
  - orthopedic supplies
  - small wares
  - specialty shops
  - sporting goods and equipment
  - stationery
  - toys and games
  - variety stores
  - videos, DVDs, records, CDs, including rental stores

Does not include adult-oriented businesses or second hand stores, which are separately defined.

- (f) **Glare.** See “Lighting, Outdoor.”

- (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)

**810.01.100 Definitions, "H."**

- (a) **Habitable Space (Room).** Space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas, are not considered habitable space.
- (b) **Half Story.** See "Story, Half."
- (c) **Hardscape.** Landscaping elements, other than plant materials, consisting of components such as decorative rock, boulders, masonry work, woodwork, stone walls, decorative concrete or brick patios, tile paths, wooden decks and wooden arbors. Hardscape does not include paving for driveways or parking of vehicles.
- (d) **Haul Road.** See "Surface Mining Operations."
- (e) **Hazardous Area.** An area subject to or containing elements that pose a potential threat to life or property. Flood plains, earthquake fault zones, nuclear or chemical waste disposal sites, or areas of inherently unsafe soil conditions are examples.
- (f) **Hazardous Excavation, Mining.** An unattended pit, shaft, portal or other surface opening that, if not secured by covering, fencing, or have access restricted by gates, doors, or other reasonable means, presents a threat to the physical safety of the public.
- (g) **Hazardous Fire Area.** Any land that is covered with grass, grain, brush, or forest, whether privately or publicly owned, that is so situated or is in such an inaccessible location that a fire originating upon the land would present an abnormally difficult job of suppression or would result in great and unusual damage through fire or resulting erosion.
- (h) **Hazardous Material.** A material or waste or combination of materials and wastes, that because of its quantity, concentration, or physical, chemical, or infectious characteristics may either:
  - (1) Cause, or significantly contribute to, an increase in mortality, serious irreversible illness or incapacitating reversible illness; or
  - (2) Pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported, disposed of, or otherwise managed.
- (i) **Hazardous Waste.** Means either of the following:
  - (1) A waste, or combination of wastes, that because of its quantity, concentration, or physical, chemical, or infectious characteristics may either:
    - (A) Cause, or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible, illness.

- (B) Pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported, or disposed of, or otherwise managed.
  - (2) A waste that meets any of the criteria for the identification of a hazardous waste adopted by the State Department of Health Services in compliance with Health and Safety Code Section 25141.
  - (3) Includes, but is not limited to, RCRA (Resource Conservation and Recovery Act) hazardous waste.
  - (4) Unless expressly provided otherwise, the term “hazardous waste” shall be understood to also include extremely hazardous waste and acutely hazardous waste.
- (j) **Hazardous Waste Operation or Facility (see Land Use Tables).** A hazardous waste operation or facility includes the following.
- (1) **Specified Hazardous Waste Facilities.** Off-site facilities that accept wastes from more than one generator. A facility must have carefully engineered and designed means for acceptance, storage, and treatment of the wastes as well as trained personnel operating the site.
  - (2) **Transfer and Storage Facilities.** Facilities that collect small quantities of hazardous waste and store them until it is economical to transfer the wastes to a treatment or disposal site.
  - (3) **Treatment Facilities.** Facilities that alter the chemical form, toxicity, or volume of a waste. They do this generally through the use of one of the following processes:
    - (A) Destruction or detoxification to transform a hazardous waste into a material safe for disposal;
    - (B) Concentration or volume reduction to facilitate the safe handling and disposal of hazardous components; and
    - (C) Immobilization to isolate the hazardous components from the environment.
  - (4) **Transportable Treatment Units (TTUs).** Temporary mobile facilities that treat hazardous waste at the site of generation.
  - (5) **Incineration Facilities.** Facilities that burn some wastes such as organic liquids and solids that cannot be reclaimed economically or are technically difficult to treat. Incinerators destroy the waste, leaving a small hazardous waste residue. They can be developed as on-site or off-site facilities and are often used in hospitals to burn infectious wastes.

- (6) **Solidification and Stabilization.** The two most common methods of immobilizing hazardous wastes, and involve changing a liquid to a solid or altering the characteristics of a solid to immobilize the contaminants. A variety of materials are used including cement, lime, and polymeric materials. This method is used for wastes that cannot be recycled, treated or destroyed. Often, wastes undergo several treatment methods; solidification or stabilization is usually the last method applied in a treatment train.
- (7) **Recycling Facilities.** Facilities that process hazardous wastes so that they may be reclaimed, used or reused. See “Recycling Facility.”
- (8) **Residuals Repository.** A hazardous waste facility or part of a facility that is permitted to accept for land disposal only non-liquid, treated hazardous waste (as defined in Section 25179.3(1), State Health and Safety Code). Non-liquid means non-liquid and containing less than 50 fifty moisture by weight as determined in compliance with Section 67425 of Title 22, California Code of Regulations.
- (9) **Land Disposal.**
- (A) Disposal of hazardous wastes on or into the land, including, but not limited to, landfill, surface impoundment, waste piles, deep-well injection, land spreading, and co-burial with municipal garbage.
  - (B) Treatment of hazardous wastes on or in the land, such as neutralization and evaporation ponds and land farming, where the treatment residues are hazardous wastes and are not removed for subsequent processing or disposal within one year.
  - (C) Storage of hazardous wastes on or in the land, such as waste piles and surface impoundments, other than neutralization and evaporation ponds, for longer than one year.
- (k) **Hazardous Waste Management Plan (HWMP).** The primary planning document for the management of hazardous waste in San Bernardino County prepared in compliance with Health and Safety Code Section 25135 et seq. The HWMP was adopted by the Board of Supervisors and approved by the California Department of Health Services in February 1990.
- (l) **Heating Opportunities, Passive or Natural.** The ability to orient or site any structure, including a dwelling on its lot in order to take optimum advantage of natural solar heating capabilities. Structures should wherever possible orient their longest/largest axis from east to west and include special treatment of the south facing wall.
- (m) **Heavy Processing Facility.** See “Recycling Facility.”
- (n) **Height.** See Section 83.02.040 (Height Measurement and Height Limit Exceptions)

- (o) **Hierarchy of Space.** Defined areas for public space (e.g., streets), community space (e.g., common open space, play areas, communal laundry, community center, etc.), and private space (e.g., individual units and private open space).
- (p) **Highest Adjacent Grade.** See “Flood Hazard.”
- (q) **Historic Structure.** See “Flood Hazard.”
- (r) **Holiday Lighting.** See “Lighting, Outdoor.”
- (s) **Hog Ranch.** Any premises used for the raising or keeping of 10 or more weaned animals.
- (t) **Home Occupation (see Land Use Tables).** Any occupation customarily conducted entirely within a dwelling by its inhabitants, the purpose being incidental to the use of the dwelling for dwelling purposes. These uses are regulated in Chapter 84.12 (Home Occupations).
- (u) **Homeless Shelter (see Land Use Tables).** A facility providing sleeping and eating facilities for the homeless.
- (v) **Host Home.** See “Bed and Breakfast Inn.”
- (w) **Hospital.** See “Medical Services, Hospital.”
- (x) **Hotel (see Land Use Tables).** Any building or portion of thereof containing six or more guest rooms, designed for and/or used by six or more guests for compensation on a daily basis, and with no provision for cooking in any individual room or suite, but not including social care facilities. These establishments provide lodging, and may also offer meals, various personal services, retail services and sometimes entertainment and recreational opportunities.
- (z) **Hotel, Residential (see Land Use Tables).** A hotel in which 75 percent or more of the available rooms are occupied by or reserved for permanent guests for compensation on a monthly or longer basis.
- (aa) **Housing, Caretaker.** See “Caretaker Housing.”
- (bb) **Housing, Dependent (see Land Use Tables).** See “Dependent Housing.”
- (cc) **Housing, Group (see Land Use Tables).** See “Group Housing.”
- (dd) **Hydrocollapsible Soils.** See “Soil.”
- (ee) **Hydrozone.** A portion of the landscaped area that contains plant material with similar water needs/requirements. A hydrozone may be an irrigated or non-irrigated area.

(ff) **Hydrozone Plan.** A plan that outlines all the separate hydrozone areas created by planting material within the landscaped areas, both irrigated and non-irrigated.

Adopted Ordinance 4011 (2007), Amended Ordinance 4136 (2011)



**810.01.110 Definitions, “I.”**

- (a) **Impound Facilities.** See “Motor Vehicle Storage/Impound Facilities.”
- (b) **Incineration Facilities.** See “Hazardous Waste.”
- (c) **Incompatible Land Uses.** See “Surface Mining Operations.”
- (d) **Individual Sign.** See “Sign.”
- (e) **Idle.** See “Surface Mining Operations.”
- (f) **Indoor Storage.** See “Storage, Warehouse.”
- (g) **Interior Lot.** See “Lot.”
- (h) **Interior Lot Line.** See “Lot.”
- (i) **Interior Side Yard.** See “Yard.”
- (j) **Industrial Structure.** See “Structure, Business or Industrial.”
- (k) **Industrial Use.** One or more of the land use types listed in the tables of “Allowed Land Uses and Permit Requirements) in Division 2 (Land Use Zoning Districts and Allowed Land Uses) under the heading of “Industry, Manufacturing & Processing, Wholesaling.”
- (l) **Industrial Use Requiring Extensive Buffering.** A general manufacturing operation (see “Manufacturing, General) determined by the review authority to require a remote location to operate without creating nuisance, health or safety problems for nearby residents or communities.
- (m) **Infiltration Rate.** The rate in which water enters the soil. This rate is expressed as the depth of water per unit of time (i.e., inches per hour).
- (n) **Intensity.** The density of development versus open space of an area or property. For example, a Multiple Dwelling land use is a higher land use intensity than Single Dwelling land use.
- (o) **Invasive Plant Species.** Plant material, which is non-indigenous species to an area that adversely affects the habitats they invade, either economically, environmentally, and/or ecologically. Invasive plant species may be regulated by the County’s agricultural agency as a noxious species. “Noxious weed” is any weed designated by the Weed Control Regulations in the Weed Control Act and identified on a Regional District noxious weed control list. A complete list of invasive plant material can be found in the California Invasive Plant Inventory and the USDA invasive and noxious weed database.

- (p) **Irrigation Audit.** An in-depth evaluation of the performance of an irrigation system, which is conducted by a Certified Landscape Irrigation Auditor. An irrigation audit includes, but is not limited to, an inspection, a systems tune-up, a systems test with distribution uniformity, the reporting of overspray and/or runoff that causes overland flow, and preparation of an irrigation schedule.
- (q) **Irrigation Efficiency (IE).** The measurement of the amount of water beneficially used divided by the amount of water applied. Irrigation efficiency is derived from measurements and estimates from irrigation system characteristics and management practices. The minimum irrigation efficiency rate shall be 0.71.
- (r) **Irrigation Head.** The device that delivers water to landscaped areas by means of a nozzle or emission device (e.g. pop-up and fixed spray heads, impact rotors, rotary nozzles, rotors, etc.)
- (s) **Irrigation Lateral Line.** The secondary pressurized pipeline that delivers water to the emitters, spray/irrigation heads, rotors, etc. from the valve.
- (t) **Irrigation Mainline.** The main pressurized pipeline that delivers water from the point-of-connection/water source to the valves or outlets within an irrigation system.
- (u) **Irrigation Schedule.** A list of irrigation run times per valve station, based on water use, plant material, and irrigation efficiency, throughout a given year.
- (v) **Irrigation System.** The designed networking of piping, valves, irrigation heads, sensors, and a controller.

Adopted Ordinance 4011 (2007), Amended Ordinance 4136 (2011)

**810.01.120 Definitions, “J.”**

- (a) **Junk and Salvage Facility.** Primary or accessory use of a parcel of land for open storage, dismantling and/or selling of old cast off, unused, scrap or salvage material of any sort. Materials shall include but to be limited to:
- (1) Copper, aluminum, brass, ferrous or nonferrous metals, whether fabricated or not.
  - (2) Rope, rags, paper, glass, rubber, plastic or other polymer material.
  - (3) Scrap lumber or other construction material.
  - (4) Appliances, batteries or junk, dismantled or wrecked motor vehicles or parts thereof.
  - (5) Trash, debris (organic and inorganic) or other waste material.
- (b) **Joint Location.** See “Wireless Telecommunication Facility.”

Adopted Ordinance 4011 (2007)

**810.01.130 Definitions, “K.”**

- (a) **Kennels and catteries (see Land Use Tables).** Facilities for the care of dogs and cats.
- (1) **Commercial Kennel or Cattery.** The boarding, breeding, raising or training of five or more dogs or cats of any age not owned by the owner or occupant of the premises, and/or for commercial gain. For the purposes of this section and of Section 84.04.050, a commercial kennel or cattery also includes the breeding of 5 or more dogs or cats of any age owned by the owner or occupant of the premises for commercial gain.
- (2) **Private Kennels or Cattery.** The keeping, raising, showing, or training of five to 15 dogs or cats over six months of age for personal enjoyment of the owner or occupants of the property, and for which commercial gain is not the objective. All such animals shall be spayed or neutered.
- (b) **Key Lot.** See “Lot.”
- (c) **Kitchen.** Any room, all or any part of which is designed or used for cooking and the preparation of food.

Adopted Ordinance 4011 (2007)

**810.01.140 Definitions, “L.”**

- (a) **Labor Camp (see Land Use Tables).** Premises used for residential purposes for temporary or seasonal periods by five or more persons employed to perform agricultural or industrial labor.
- (b) **Labor Quarters (see Land Use Tables).** See “Accessory Dwelling.”
- (c) **Local Agency Formation Commission (LAFCO).** A commission created in compliance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56000 et seq.) to oversee proposals for organization and boundary changes, including the incorporation and disincorporation of cities, the formation and dissolution of special districts, and the consolidation, merger, annexation, and reorganization of cities and special districts.
- (d) **Lake.** A naturally occurring or artificially created body of water (impounded above or below surface level) with a designated holding capacity of at least one acre-foot of water. Does not include “Pond.” See also “Reservoir.”
- (e) **Lamp.** See “Lighting, Outdoor.”
- (f) **Land Clearing.** Removal of vegetation down to duff or bare soil, by any method.
- (g) **Land Disposal.** See “Hazardous Waste.”
- (h) **Land Disturbance.** Clearing, excavating, grading or other manipulation of the terrain.
- (i) **Land Use.** The manner in which land is developed and used. The general categories of land use include: residential, commercial, industrial, institutional, agricultural, recreational, and planned development.
- (j) **Land Use Application.** An applicant-initiated request for County approval of a discretionary permit that is subject to one of the review processes specified by the County Code in Division 5 (Permit Application and Review Procedures) Ministerial permit actions (e.g., Building Permits, Mobile Home Setdown Permits, etc.) are not land use applications.
- (k) **Land Use Types.** Land use activities that are grouped together by their common performance characteristics in the tables in Division 2 (Land Use Zoning Districts and Allowed Land Uses) (e.g., agricultural, resource, and open spaces; industry, manufacturing & processing, wholesaling uses, etc.).
- (l) **Land Use Zoning District.** A land use regulatory district adopted in compliance with the provisions of Division 2 (Land Use Zoning Districts and Allowed Land Uses) and the General Plan, establishing all necessary rules and regulations necessary to guide development within the area affected by the district.

- (m) **Landscape Architect.** An individual who holds a license to practice landscape architecture within the State of California per California Business and Professions Code, Section 5615.
- (n) **Landscape Area.** All planting areas, turf areas, and water features within a landscape design plan that are subject to the Maximum Applied Water Allowance (MAWA, see “Maximum Applied Water Allowance”) calculation. The landscape area does not include footprints of buildings or structures, walkways, driveways, parking lots, decks, patios, decomposed granite or stone walks, areas with pavers, other pervious or non-pervious hardscapes, and other non-irrigated areas that have been designated for non-development purposes (e.g., opens spaces and existing native vegetation areas).
- (o) **Landscape Contractor.** An individual who holds a license to construct, maintain, repair, install, and/or subcontract the development of landscape systems within the State of California.
- (p) **Landscape Documentation Package.** A set of plans that includes a title page, planting plan, irrigation plan, hydrozone plan, rough and or precise grading plan, soil management report, and that complies with Chapter 83.10, Landscape Standards.
- (q) **Landslide.** The perceptible downward sliding of a mass of earth and/or rock.
- (r) **Large Collection Facility.** See “Recycling Facility.”
- (s) **Large Family Day Care Home.** See “Day Care, Child.”
- (t) **Leaching.** The washing or draining of dissolved minerals or pollutants from the soil surface to the subsurface.
- (u) **Lead Agency, Mining and Reclamation.** For the purposes of mining and reclamation, a city or county that has the principal responsibility for approving a surface mining operation, in compliance with the California Public Resources Code.
- (v) **Legal Access.** See “Access.”
- (w) **Library, Museum, Art Gallery, Outdoor Exhibit (see Land Use Tables).** Public or quasi-public facilities, examples of which include: aquariums, arboretums, art galleries and exhibitions, botanical gardens, historic sites and exhibits, libraries, museums, planetariums, and zoos. May also include accessory retail uses (e.g., gift/book shop, restaurant, etc.) Does not include commercial art galleries, which are included under “General Retail.”
- (x) **Lighting, Outdoor.** The following outdoor lighting related terms are defined as follows:
  - (1) **Architectural Lighting.** Lighting that is either directed towards a residence with the intent of highlighting an architectural feature or a light fixture that is architecturally ornamental in nature or purpose.

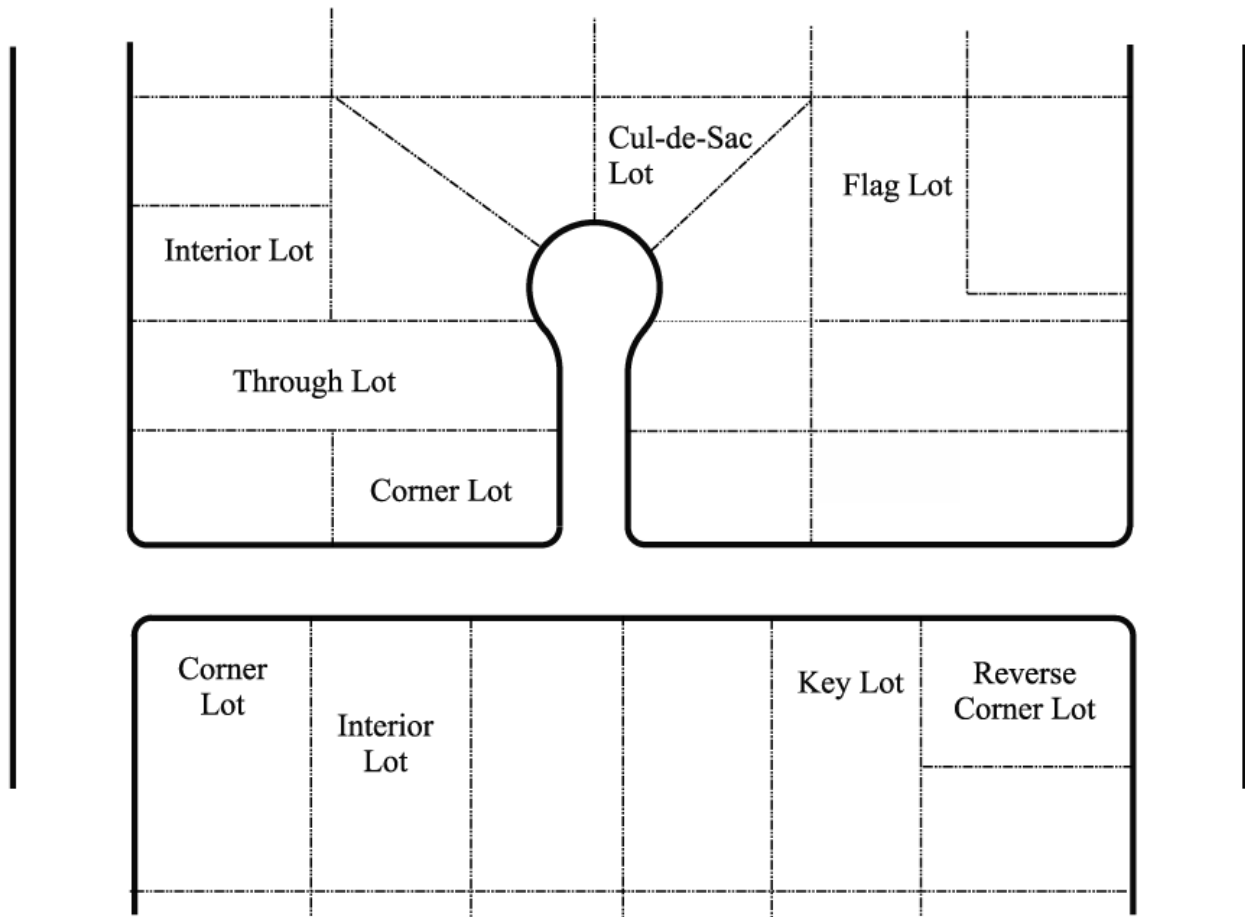
- (2) **Attached Lighting.** A light fixture that is attached to a structure.
- (3) **Fixture.** The assembly that holds the lamp and may include an assembly housing, a mounting bracket or polo socket, lamp holder, ballast, a reflector or mirror and a refractor or lens.
- (4) **Freestanding Lighting.** A light fixture that is not attached to a structure.
- (5) **Fully-Shielded Fixture.** Outdoor lighting fixture shielded or constructed so that no light is emitted above the horizontal plane, and light rays are only emitted by the installed fixtures in a manner that does not direct light or light trespass onto adjacent property, on any other property within the line of sight (direct or reflected) of the light source, or to any member of the public who may be traveling on adjacent roadways or rights-of-way.
- (6) **Glare.** Direct and unshielded light striking the eye to result in annoyance, discomfort or reduced visual performance to a reasonable person under the circumstances.
- (7) **Holiday Lighting.** Seasonal displays of 60 days or less within one calendar year, using multiple low wattage bulbs (approximately 15 lumens or less) provided they do not constitute a fire hazard, create a nuisance, and are maintained in a safe condition.
- (8) **Lamp.** The generic term for an artificial light source installed in the socket portion of the fixture, to be distinguished from the whole assembly. Commonly referred to as a “bulb”.
- (9) **Light Pollution.** Artificial light generated and emitted into the night sky.
- (10) **Light Trespass.** Light from any outdoor lighting onto neighboring property or property that is within a direct line from the light source that interferes with viewing of night sky, eliminates the ability to have darkness on the property or shines on any area on these properties or structures. A determination of light trespass shall be made in compliance with Chapter 83.07 (Glare and Outdoor Lighting).
- (11) **Night Sky.** A clear sky, between dusk and dawn, with visible stars, despite necessary or desired illumination of private and public property.
- (12) **Partially-Shielded Fixture.** A fixture employing a top shield to reduce upward light, but otherwise does not shield the lamp from view.
- (13) **Pedestrian Lighting.** Freestanding lighting fixtures not exceeding a height of 36 inches from ground grade level.

(y) **Light Pollution.** See “Lighting, Outdoor.”

- (z) **Light Processing Facility.** See “Recycling Facility.”
- (aa) **Light Trespass.** See “Lighting, Outdoor.”
- (bb) **Liquefaction.** A temporary fluid condition in water saturated, loose, sandy soil caused by shock, such as an earthquake, which can cause serious soil settlement, slumping or failure of structure foundations.
- (cc) **Live/Work Unit (see Land Use Tables).** An integrated housing unit and working space, occupied and utilized by a single household in a structure, either single-family or multi-family, that has been designed or structurally modified to accommodate joint residential occupancy and work activity, and that includes:
- (1) Complete kitchen space and sanitary facilities in compliance with the Building Code; and
  - (2) Working space reserved for and regularly used by one or more occupants of the unit.
- (dd) **Livestock Operations (see Land Use Tables).** Intensive commercial hooved animal keeping operations including dairies, feedlots, hog ranches, etc.
- (ee) **Load.** See “Occupant Load.”
- (ff) **Loading Space.** An off street space or berth on the same lot with a building or contiguous to a group of buildings for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, which abuts upon a street, alley or other appropriate means of access.
- (gg) **Local Agency.** The County of San Bernardino.
- (hh) **Local Area Transportation Facilities Plan.** See “Transportation Facilities Plan, Local Area.”
- (ii) **Local Ordinance.** A local ordinance that implements State Planning, Zoning, and Development Laws, enacted by the Board of Supervisors of the County of San Bernardino.
- (jj) **Local Street.** See “Road System.”
- (kk) **Local Water Purveyor.** An entity, including the local agency, a public agency, or private water company that provides retail water services to customers within the unincorporated areas of the County of San Bernardino.
- (ll) **Locational Standards.** Criteria utilized to establish the circumstances under which a particular base land use zoning district would be appropriate or desirable for a given area or site.



- (mm) **Lodging Services.** Establishments engaged in the provision of lodging services, normally on a daily or weekly basis with incidental food, alcoholic beverages, sales and service intended for the convenience of the guests at a hotel, motel and tourist court or recreational vehicle park. Recreational vehicle parks shall not exceed twelve (12) spaces per acre.
- (nn) **Lot.** An area shown on and created by a final map, official map or parcel map recorded with the County Recorder. Types of lots include the following (See Figure 10-1 Lot Types):
- (1) **Corner Lot.** A lot situated at the intersection of two or more streets, or bounded on two or more adjacent sides by street lines, provided that the angle of intersection does not exceed 135 degrees.
  - (2) **Flag lot.** A lot having access from the building site to a public street by means of private right-of-way strip that is owned in fee.
  - (3) **Interior Lot.** A lot other than a corner lot.
  - (4) **Key Lot.** The first interior lot to the rear of a reversed corner lot, the front line of which is a continuation of the side line of the reversed corner lot, exclusive of the width of an alley, and fronting on the street that intersects or intercepts the street upon which the corner lot fronts.
  - (5) **Reversed Corner Lot.** A corner lot that rears upon the side of another lot, whether or not across an alley. See Diagram Section 812.27005
  - (6) **Through Lot.** A lot having frontage on two parallel or approximately parallel streets.



**Figure 810-1**  
**Lot Types**

- (oo) **Lot Coverage.** The percentage of a lot that has been altered to create a surface area that is either impervious (i.e., does not absorb water) or is covered by primary and accessory structures footprints. See “Building Coverage.”
- (pp) **Lot Depth.** The horizontal distance between the front and rear lot lines measured in the mean direction of the side lot lines.
- (qq) **Lot Dimension Ratio.** A land area ratio of width to depth that determines the shape of a lot.
- (rr) **Lot, Frontage.** The dimension of a lot or portion of a lot that abuts a street or an approved road easement, except the side of a corner lot.
- (ss) **Lot Line or Property Line.** Any recorded boundary of a lot. Types of lot lines are as follows:

- (1) **Front Lot Line.** In the case of an interior lot, a line separating the lot from the street; and in the case of a corner lot, a line separating the narrowest street frontage of the lot from the street, except in those cases where the latest tract deed restrictions or the recorded map specify another line as the front lot line. In the case of a corner lot where precise dimensions are not readily available and the lot appears to be substantially equal in street frontage or if the known dimensions of the lot lines are within 10 percent of one another, the reviewing authority shall have the discretion to determine the front lot line.
  - (2) **Interior Lot Line.** Any lot line not abutting a street.
  - (3) **Rear Lot Line.** A line that is opposite and most distant from the front lot line, and in the case of a triangular or other irregularly shaped lot, a line within the lot 10 feet in length, parallel to and at the maximum distance from the front lot line.
  - (4) **Side Lot Line.** Any lot line other than the front or rear lot lines.
- (**tt**) **Lot Line Adjustment.** The adjustment of a lot line between two or more adjacent parcels, where the land taken from one parcel is added to an adjacent parcel, and where no additional parcels are thereby created or the number of parcels reduced.
- (**uu**) **Lot Merger.** A process by which contiguous lots are merged into one land holding. In order to be merged, the lots must be held by the same owner and the lots must have a common lot line. This process is subject to all of the requirements of the County Code and may be initiated by either the owners of the lots or the County.
- (**vv**) **Lot, Mobile Home Park.** See “Mobile Home Park Lot.”
- (**ww**) **Lot Size, Minimum.** The smallest unit of land permitted through subdivision within a specific land use zoning district, specified as minimum lot size in each land use zoning district in Division 2 (Land Use Zoning Districts and Allowed Land Uses).
- (**xx**) **Lot, Substandard.** See “Substandard Lot.”
- (**yy**) **Lot Width** The following method that yields the smallest dimension shall be chosen to measure lot width:
- (1) The distance measured at the building setback line (BSL) along a line or arc that is parallel or concentric to the right of way; or
  - (2) The average horizontal distance between the side lot lines measured at right angles to the lot depth.
- (**zz**) **Lowest Floor.** See “Flood Hazard.”
- (**aaa**) **Low Head Drainage.** Drainage from an irrigation head, which is caused by the flow of water down a system’s lateral lines from a high point of elevation within the system. Such drainage causes water waste and unnecessary runoff.

**(bbb)Low Volume Irrigation.** The application of irrigation water at low pressure through a system of tubing or lateral lines; and the use of low volume emitters, such as a drip, drip line, bubblers and micro-sprays, which apply small volumes of water slowly at or near the root zone of plant material.

**(ccc)Low Water Use Landscaping.** Landscaping that has a plant factor of 0.3 or less.

**(ddd)Lumber and Wood Products Manufacturing.** See “Manufacturing Operations I and II.”

Adopted Ordinance 4011 (2007); Amended Ordinance 4057 (2008), Amended Ordinance 4136 (2011)

**810.01.150 Definitions, "M."**

- (a) **Maintained Public Street.** Any roadway maintained by a public agency for public use.
- (b) **Major Arterial Highway.** See "Road System."
- (c) **Major Divided Highway.** See "Road System."
- (d) **Major Event.** See "Special Event, Temporary."
- (e) **Major Grading.** See "Grading."
- (f) **Major Highway.** See "Road System."
- (g) **Major Repair/Body Work.** See "Vehicle Services."
- (h) **Managing Agency or Agent.** A person, firm or agency representing the owner(s) of a private home rental unit(s), or a person, firm or agency owning one or more private home rental units.
- (i) **Manufactured Home.** A structure manufactured on or after June 15, 1976 that meets the requirements of the National Manufactured Housing and Safety Act of 1974, transportable in one or more sections, which in the traveling mode, is eight body feet or more in width, or 40 feet or more in length, or, when erected on site, is 320 or more square feet, and designed to be used as a dwelling unit with or without a permanent foundation when connected to utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein; except that such term will include any structure which meets all the requirements of this paragraph except the size requirements and with the respect to which manufacturer voluntarily files a certification and complies with the standards established under this part. See also "Flood Hazard."
- (j) **Manufactured Home Park or Subdivision.** See "Flood Hazard" and "Mobile Home Park."
- (k) **Manufacturing Operations.** The on-site production of goods by methods other than agricultural or extractive in nature.
- (l) **Manufacturing Operations I - Limited Manufacturing (see Land Use Tables).** Manufacturing operations that are totally enclosed within a structure and employ fewer than 20 employees on the largest shift. This land use generally involves the assembly of specific products rather than the manufacturing of the various components of the products. Limited exterior storage is permitted but is fully screened from public view.

- (1) **Apparel and Other Finished Products.** The manufacture of clothing and accessories by cutting and sewing purchased woven or knit textile fabrics and related materials. Typical uses include: garments, leather goods.
- (2) **Food and Related Products.** The processing or production of a natural or man-made solid or liquid food substances used for human or animal internal consumption. Typical uses include: food packaging, egg processing, butter or cheese processing.
- (3) **Fabricated metal products.** The fabrication or further processing and assembly of metal parts into equipment or machinery. Typical uses include: coating, engraving and allied services.
- (4) **Furniture and Fixtures.** The assembly of furniture and related fixtures. Typical uses include: assembly of household, office or other furniture.
- (5) **Lumber and Wood Products.** The assembly and finishing of wood articles, except furniture and related fixtures and miscellaneous household or office products made wholly or partially of wood. Typical uses include: cabinet shops.
- (6) **Miscellaneous Manufacturing.** The manufacture or repair of products not included in any other category and mainly consisting of small household or office luxuries, recreational goods or supplies and large scale printing operations. Typical uses include: jewelry, silverware and plated ware, and musical instruments.
- (7) **Paper and Related Products.** The manufacture of paper goods generally from purchased paper materials. Typical uses include: envelopes, bags, stationery, tablets and related products.
- (8) **Professional and Scientific Goods.** The manufacture of instruments for measuring, testing, sensing, analyzing and controlling natural or man-made objects, physical conditions or states. Typical uses include: engineering, laboratory, scientific, measuring and controlling instruments, optical, surgical, medical and dental instruments, photographic equipment and supplies, watches, clocks and clock operated devices.
- (9) **Rubber and Miscellaneous Plastic Products.** The manufacture from natural, synthetic or reclaimed rubber, and from chemicals or rubber or plastic products. Typical uses include: fabricated rubber products.
- (10) **Stone, Clay, and Glass Products.** The manufacture of products from stone, clay, sand and other nonmetallic minerals, excluding fuels. Typical uses include: glass products made of purchased glass, pottery and related products.
- (11) **Textile Mill Products.** The preparation of fiber and subsequent manufacturing, drying, finishing or coating of fiber, thread, yarn, woven, knit, or nonwoven fabrics or miscellaneous textiles. Typical uses include: knitting mills, lace goods.

- (m) **Manufacturing Operations II - General manufacturing (see Land Use Tables).** Manufacturing operations that involve exterior storage, large equipment, large number of employees, or that have historically been controversial.
- (1) **Apparel and Other Finished Products.** The manufacture of clothing and accessories by cutting and sewing purchased furs and related materials. Typical uses include: fur dressing and dying.
  - (2) **Chemicals and Related Products.** The manufacture or processing of basic, organic, or inorganic chemicals. This includes chemicals to be used in making other products and finished chemical products used for direct consumption or as industrial supplies. Typical uses include: industrial chemicals, plastics materials, synthetic resins or rubber, paints, varnishes, lacquers, agricultural chemicals.
  - (3) **Food and Related Products.** The processing or production of a natural or man-made solid or liquid food substances used for human or animal internal consumption. Typical uses include: slaughter houses, poultry dressing plants and flour mills.
  - (4) **Fabricated metal products.** The fabrication or further processing and assembly of metal parts into equipment or machinery. Typical uses include: automobile assembly plants, fabricated structural metal, metal forging and stampings.
  - (5) **Furniture and Fixtures.** The manufacture of furniture and related fixtures. Typical uses include: manufacture of household, office or other furniture.
  - (6) **Lumber and Wood Products.** The cutting, planing, compression and finishing of wood articles, except furniture and related fixtures and miscellaneous household or office products made wholly or partially of wood. Typical uses include: logging camps, saw mills.
  - (7) **Paper and Related Products.** The manufacturing of pulp, paper (both recycled and paper products from wood), other cellulose fibers, used paper, and rag cloth. Typical uses include: paper mills, paper coating and glazing.
  - (8) **Petroleum Refining and Related Industries.** The modification, refining, and mixing or storage of fossil fuels that are composed of petroleum or coal. Typical uses include: petroleum refining, asphalt batch plants, lubricating oils and greases.
  - (9) **Primary Metal Industries.** The smelting, refining, rolling, drawing and alloying of metals, manufacture of metal castings and production of coke. Typical uses include: blast furnaces, steel works and rolling and finishing mills, foundries, smelting and refining of nonferrous metals.
  - (10) **Rubber and Miscellaneous Plastic Products.** The manufacture from natural, synthetic or reclaimed rubber, and from chemicals or rubber or plastic products.

Typical uses include: tires, inner tubes, rubber and plastic footwear, rubber and plastic hoses and belts.

- (11) **Stone, Clay, and Glass Products.** The manufacture of products from stone, clay, sand and other nonmetallic minerals, excluding fuels. Typical uses include: brick, tile, dish, glass and insulation manufacturing and concrete plants.
- (12) **Textile Mill Products.** The preparation of fiber and subsequent manufacturing, drying, finishing or coating of fiber, thread, yarn, woven, knit, or nonwoven fabrics or miscellaneous textiles. Typical uses include: broad woven fabric mills, dyeing and finishing textiles, floor covering mills.
- (n) **Masonry Construction.** As defined in the Uniform Building Code, 1991 Edition with amendments.
- (o) **Map Act.** California Subdivision Map Act, Government Code Section 66410 et seq.
- (p) **May.** A permissive or optional provision, regulation or specification.
- (q) **Maximum Applied Water Allowance (MAWA).** The upper limit of the annual amount of applied water allowed for an established landscape.
- (r) **Medical Services, Hospital (see Land Use Tables).** Hospitals and similar facilities engaged primarily in providing diagnostic services, and extensive medical treatment, including surgical and other hospital service. These establishments have an organized medical staff, inpatient beds, and equipment and facilities to provide complete health care. May include on-site accessory clinics and laboratories, accessory retail uses, and on-site ambulance dispatch facilities.
- (s) **Medical Services - Rehabilitation Center (see Land Use Tables).** A facility providing skilled nursing and/or medical care to persons recovering from injuries or dependencies.
- (t) **Meeting Facility, Public or Private (see Land Use Tables).** A facility for public or private meetings, including community centers, civic and private auditoriums, grange halls, mortuaries, union halls, meeting halls for clubs and other membership organizations, etc. Also includes functionally related internal facilities such as kitchens, multi-purpose rooms, and storage. Does not include conference and meeting rooms accessory and incidental to another primary use that are typically used only by on-site employees and clients, and occupy less floor area on the site than the offices they support (see "Offices"). Does not include: sports or other commercial entertainment facilities (see "Theater," and "Sports and Entertainment Assembly"); or convention centers (see "Conference/Convention Facility"). Related on-site facilities including day care centers and schools are separately defined. Also see "Places of Worship."



- (u) **Menagerie.** A private collection of three or more wild, exotic or dangerous animals that are raised, bred, trained and/or maintained without any public display or exhibition on the site.
- (v) **Microclimate.** The climate of a small, specific landscaped area that may contrast with the climate of the overall landscaped areas due to varying factors such as wind, sun/shade exposure, the density of planting material, and/or the proximity to adjacent reflective surfaces.
- (w) **Mined Lands.** Includes the surface, subsurface, and groundwater of an area where surface mining operations will be, are being, or have been conducted. This includes private ways and roads appurtenant to any land excavations, workings, mining waste, and areas where structures, facilities, equipment, machines, tools or other materials or property that result from, or are used in, surface mining operations are located. See also “Surface Mining Operations.”
- (x) **Mineral Resources.** A collective term for all mineral deposits of a particular kind, or for mineral deposits in general.
- (y) **Minerals.** See “Surface Mining Operations.”
- (z) **Minimum Lot Size.** See “Lot Size, Minimum.”
- (aa) **Mining and Reclamation Lead Agency.** See “Lead Agency.”
- (bb) **Mining and Reclamation Operator.** See “Surface Mining Operations.”
- (cc) **Mining and Reclamation Plan.** A plan required by the County for all surface mining operations. The plan requires measures to be taken that provide for reclamation of mined lands to a usable condition that is readily adaptable for alternative land use and creates no danger to public health or safety.
- (dd) **Mining Hazardous, Excavation.** See “Hazardous Excavation.”
- (ee) **Mining Reclamation.** See “Surface Mining Operations.”
- (ff) **Mining Waste.** Includes the residual of soil, rock, mineral, liquid, vegetation, equipment, machines, tools, or other materials or property directly resulting from, or displaced by, surface mining operations.
- (gg) **Mini-Storage.** See “Storage, Personal.”
- (hh) **Minor Grading.** See “Grading.”
- (ii) **Minor Event.** See “Special Event, Temporary.”
- (jj) **Minor Maintenance/Repair.** See “Vehicle Services.”

- (kk) **Minor Subdivision Plot Plan.** Any application plot plan requesting the subdivision of any parcel or parcels of land shown as a unit or contiguous units under one or a common ownership, and that is proposed for subdivision for the purpose of sale, lease, financing, or other conveyance, including gift, either immediate or in the future, into two, three or four lots, parts or parcels and a remainder parcel. For the purposes of this definition, a Minor Subdivision Plot Plan shall also mean a Tentative Parcel Map.
- (ll) **Mitigation Measures.** Necessary steps taken to lessen potential impacts of development or actions on the environment.
- (mm) **Mixed Land Use.** The unspecified mixture of compatible land uses within one building or within a section or sections of a community.
- (nn) **Mobile Home, Boat, or RV Sales (see Land Use Tables).** Retail establishments selling both mobile home dwelling units, and/or various vehicles and watercraft for recreational uses. Includes the sales of boats, campers and camper shells, jet skis, mobile homes, motor homes, and travel trailers.
- (oo) **Mobile Home, Dependent.** A mobile home or travel trailer coach not equipped with a toilet for sewage disposal.
- (pp) **Mobile Home.** A structure that was constructed prior to June 15, 1976, is transportable in one or more sections, which in the traveling mode, is eight body feet or more in width, or 40 feet or more in length, or, when erected on site, is 320 or more square feet, and designed to be used as a dwelling unit with or without a permanent foundation when connected to utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein; except that such term will include any structure which meets all the requirements of this paragraph and complies with the state standards in effect at the time of construction. “Mobile home does not include commercial modulars, as defined in Section 18001.8, factory-built housing, as defined in Section 19971, a manufactured home, as defined in Section 18007, or a recreational vehicle, as defined in Section 18010 of the California Health and Safety Code (CHSC).
- (qq) **Mobile Home Park/manufactured home land-lease community (see Land Use Tables).** An area or tract of land designed as a single unit where spaces for two or more mobile homes used for human habitation are rented or leased on a monthly or greater basis, or owned separately.
- (rr) **Mobile Home Park Lot.** A portion of a mobile home park designated or used for the occupancy of one trailer coach or camping party.
- (ss) **Mobile Home, Self-Contained.** A mobile home or trailer equipped with a toilet, water storage tank for potable water and a sewage holding tank.
- (tt) **Mobile Recycling Unit.** See “Recycling Facility.”

- (uu) Modular unit (Factory-built housing).** A residential building, dwelling unit, or an individual dwelling room or combination of rooms thereof, or building component, assembly, or system manufactured in such a manner that all concealed parts or processes of manufacture cannot be inspected before installation at the building site without disassembly, damage, or destruction of the part, including units designed for use as a part of an institution for resident or patient care, that is either wholly manufactured or is in substantial part manufactured at an offsite location to be wholly or partially assembled onsite in accordance with building standards published in the California Building Standards Code and other regulations adopted by the commission pursuant to section 19990. Factory-built housing does not include a mobile home, as defined in Section 18008, a recreational vehicle, as defined in Section 18010.5, or a commercial modular, as defined in Section 18012.5 of the California Health and Safety Code (CHSC).
- (vv) Monopole.** See “Wireless Telecommunication Facility.”
- (ww) Monument Sign.** See “Sign.”
- (xx) Moratorium.** See “Development Moratorium.”
- (yy) Motel.** A building or group of two or more detached, semi detached or attached buildings containing guest rooms designed, used and intended, wholly or in part, for the accommodation of transients for compensation on a daily or weekly basis. These establishments provide lodging and parking for automobile travelers and the rooms are usually accessible from outdoor parking area. These establishments may include guest rooms with food preparation areas (kitchenettes) and are designed, intended or used primarily for the accommodation of automobile travelers. Included are lodging establishments designated as cabins, motor courts, and similar designations; not including those facilities defined in social care facilities or any jail, hospital, asylum, sanitarium, orphanage, prison or other building in which human beings are housed and detained under legal restraint.
- (zz) Motor Vehicle.** A self-propelled device by which persons or property may be moved upon a highway, excepting a device moved by human power or used exclusively upon stationary rails or tracks.
- (aaa) Motor Vehicle Dismantling Facility (see Land Use Tables).** Any premises used for the dismantling of wrecking of vehicles required to be registered under the Vehicle Code of the State of California. Activities may include the buying, selling or dealing in vehicles, their integral parts, or component materials thereof, and the storage, sale or dumping of dismantled, partially dismantled, wrecked or inoperative vehicles. See also “Recycling Facilities – Scrap and Dismantling Yard.”
- (bbb) Motor Vehicle Storage/Impound Facility (see Land Use Tables).** Any lot, lot area, or parcel of land used, designed, or maintained for the specific purpose of storing, impounding, or keeping motor vehicles, but not including dismantling or wrecking activities.

- (ccc) **Mountain Major Highway.** See “Road System.”
- (ddd) **Mountain Region.** Areas within the following described boundary: Beginning at the intersection of the boundary line between San Bernardino and Los Angeles Counties and the north line of Section 31 Township 4 North, Range 7 West, SBB&M, thence generally easterly and southerly along the National Forest boundary to its intersection with the boundary line between San Bernardino and Riverside Counties; thence westerly along the County line to the southwest corner of Township 1 South, Range 1 East; thence generally northerly and westerly following the National Forest boundary to the intersection of north boundary of Section 24, Township 1 North, Range 8 West, SBB&M and the boundary line between San Bernardino and Los Angeles Counties; thence northerly along the County line to the point of beginning.
- (eee) **Mountain Secondary Highway.** See “Road System.”
- (fff) **Mudslide.** The flow of mud and debris in a downslope direction due to slope failure, caused by poor structural and water retention properties of the soil. They are generally experienced after heavy precipitation, fast snowpack melt, an earthquake or any combination thereof.
- (ggg) **Mulch.** Organic material such as leaves, bark, or inorganic material such as pebbles, stones, gravel, decorative sand, and decomposed granite that is left loose and applied to the soil surface for the beneficial purposes of reducing evaporation, suppressing weeds, moderating soil temperatures, and preventing soil erosion.
- (hhh) **Multi-Family Residential Projects.** Development project in which two or more attached or detached units are located, including apartments or condominiums.
- (iii) **Multiple Dwelling Unit (see Land Use Tables).** A multiple dwelling unit is a series or combination of dwelling units, either attached or detached, designed to house more than one family with individual, shared or no kitchen privileges (e.g. apartments, condominiums, boarding houses, residential hotels). See also “Dwelling, Multiple Family.”
- (jjj) **“Multi-unit manufactured housing.”** Pursuant to California Health and Safety Code (CHSC) Section 18008.7, multi-unit manufactured housing means either of the following:
- (1) A structure transportable under permit in one or more sections designed and equipped to contain not more than two dwelling units, a dormitory, or an efficiency unit as defined in Section 17958.1, to be used with a support system pursuant to Section 18613 or a foundation system pursuant to Section 18551.
  - (2) A structure transportable under permit in one or more sections, designed to be used with a foundation system for either of the following purposes:
    - (A) Three or more dwelling units, as defined in Section 18003.3.

- (B) A residential hotel, as defined by paragraph (1) of subdivision (b) of Section 50519.

“Multi-dwelling unit manufactured housing” shall be constructed in compliance with all applicable department regulations. The egress and fire separation requirements of Title 24 of the California Code of Regulations (CCR) applicable to dormitories, hotels, apartment houses, and structures that contain two dwelling units shall also be applicable to all multi-dwelling manufactured housing constructed for those purposes. The accessibility and adaptability requirements of Title 24 of the CCR applicable to dormitories, hotels and apartment homes shall also be applicable to multi-dwelling unit manufactured housing containing three or more dwelling units.

Notwithstanding any other provision of law, all provisions of law that apply to manufactured homes shall apply to equally to multi-dwelling unit manufactured housing. For purposes of this section:

- (1) “Dormitory” means a room or rooms inhabited for the purposes of temporary residence by two or more persons
- (2) “Efficiency unit” has the same meaning as defined in Section 17958.1.

| **(kkk) Multi-use Center.** An area of service, retail or publicly oriented facilities that are centrally located along collector streets or major arterials and serve the local residents.

| **(III) Museum.** See “Library, Museum, Art Gallery, Outdoor Exhibit.”

Adopted Ordinance 4011 (2007); Amended Ordinance 4043 (2008), Amended Ordinance 4136 (2011)

**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) **Operating Pressure.** Is the pressure, based on the recommendations of the irrigation equipment manufacture for optimal performance, at which an irrigation system with sprinkler/irrigation heads is designed. Operating pressure is usually indicated at the base of the sprinkler/irrigation head.
- (k) **Off-site Sign.** See “Sign.”
- (l) **On-Site Sign.** See “Sign.”
- (m) **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.
- (n) **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.
- (o) **Operator, Mining and Reclamation.** See “Surface Mining Operations.”
- (p) **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.
- (q) **Outdoor Exhibit.** See “Library, Museum, Art Gallery, Outdoor Exhibit.”
- (r) **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.
- (s) **Outdoor Lighting.** See “Lighting, Outdoor.”
- (t) **Outdoor Market.** See “Swap Meet, Outdoor Market, Auction Yard.”
- (u) **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.
- (v) **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.
- (w) **Overspray.** The water that is applied beyond the landscaped areas onto pavement, walkways, structures, and other non-landscaped areas by the irrigation system.



- | (x) **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.
- | (y) **Original Parcel.** See "Parcel, Original."
- | (z) **Operative Vehicles.** See "Vehicles, Operative."

Adopted Ordinance 4011 (2007); Amended Ordinance 4098 (2010), Amended Ordinance 4136 (2011)

**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                            | ▪ massage (licensed, therapeutic, non-sexual) |
| ▪ clothing rental                                    | ▪ pet grooming with no boarding               |
| ▪ dry cleaning pick up stores with limited equipment | ▪ psychics, palm readers                      |
| ▪ home electronics and small appliance repair        | ▪ shoe repair                                 |
| ▪ laundromats (self service laundries)               | ▪ tailors                                     |
| ▪ locksmiths   | ▪ 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) **Pervious Surface.** A surface or material that allows water to pass through the material into the underlying surface.
- (x) **Pet Cemetery.** See “Cemetery.”
- (y) **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.
- (z) **Petroleum Refining and Related Industries.** See “Manufacturing Operations II.”
- (aa) **Phase.** Any contiguous part or portion of a single unified development project that is developed as a unit in the same time period.
- (bb) **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 liquified 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.”
- (cc) **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.
- (dd) **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.
- (ee) **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).

- (ff) **Planning Fee Schedule.** See “Fee Schedule.”
- (gg) **Planning Permit.** Issued as a result of an approval of a land use application.
- (hh) **Plant Factor.** The factor, when multiplied by the reference evapotranspiration rate  $E_{To}$ , estimates the amount of water that is needed by plant material. The plant factor range for low water use plant material shall be 0 to 0.3, the plant factor for medium water use plant material shall be 0.4 to 0.6, and the plant factor for high water use plant material shall be 0.7 to 1.0. These plant factors have been derived from the Department of Water Resources publication, *Water Use Classification of Landscape Species*, third edition (WUCOLS III).
- (ii) **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).
- (jj) **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.
- (kk) **Plant Material.** A living organism such as a tree, shrub, groundcover, succulent, grass (native and turf variety), annual, perennial, vines, herbs, ferns, and/or conifer used within a landscaped area, and needs permanent and/or supplemental irrigation.
- (ll) **Plastic Manufacturing.** See “Manufacturing Operations I and II.”
- (mm) **Playground.** An area occupied by children’s play equipment, including climbing equipment, sandboxes, slides, swings, and/or similar equipment.
- (nn) **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.
- (oo) **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.”

- (pp) **Potable Water.** Water that is meant for human consumption and has been treated to legal standards.
- (qq) **Precipitation Rate.** The application rate of water measured in inches per hour.
- (rr) **Preserve.** See “Nature Preserve.”
- (ss) **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.
- (tt) **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.
- (uu) **Pressure Regulator.** A device used within an irrigation system to regulate pressure and maintain irrigation head radius control.
- (vv) **Primary Metal Industries.** See “Manufacturing Operations II.”
- (ww) **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.”
- (xx) **Private Garage.** See “Garage, Private.”
- (yy) **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.
- (zz) **Private Meeting Facility.** See “Meeting Facility.”
- (aaa) **Private Open Space.** See “Open Space, Private.”
- (bbb) **Private Stable.** See “Stable, Private.”
- (ccc) **Processing Facility.** See “Recycling Facility.”
- (ddd) **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.
- (eee) **Professional and Scientific Goods Manufacturing.** See “Manufacturing Operations I.”

- (fff) 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.
- (ggg) Projecting Sign.** See “Sign.”
- (hhh) Property Line.** See “Lot.”
- (iii) 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.
- (jjj) Public Building.** A structure used for public assembly purposes in conjunction with an institutional use.
- (kkk) Public Directional Sign.** See “Sign.”
- (lll) 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.
- (mmm) Public Garage.** See “Garage, Public.”
- (nnn) 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.
- (ooo) Public Meeting Facility.** See “Meeting Facility.”
- (ppp) Public Parking Area.** See “Parking Area, Public.”
- (qqq) Public Stable.** See “Stable, Public.”
- (rrr) 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.
- (sss) 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), Amended Ordinance 4136 (2011)



**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)

**810.01.200 Definitions, "R."**

- (a) **Raised Sleeping Beds.** A piece of furniture on, or in, which to lie and sleep and which is elevated off of the floor at least two feet. For the purposes of this definition, a single (or twin) bed will accommodate one person, while a double, queen or king bed will each accommodate two persons.
- (b) **Ranch/Farm.** An establishment primarily engaged in growing crops and raising animals. A ranch/farm may consist of a single tract of land or a number of separate tracts that may be held under different tenures (i.e., the ranch/farm operator may own one tract and rent another). A ranch/farm may be operated by the owner alone or with the assistance of members of the household or hired employees. See also "Agriculture," "Agricultural Use," and "Agritourism." Does not include "Agricultural Support Service."
- (c) **Rare or Endangered Species.** As used in the Development Code or the San Bernardino County Environmental Review Guidelines, shall be as defined in Section 15380 of the California Environmental Quality Act (CEQA) Guidelines.
- (d) **Rear Lot Line.** See "Lot."
- (e) **Rear Yard.** See "Yard."
- (f) **Reclamation.** See "Surface Mining Operations."
- (g) **Recreational and Entertainment Services.** Establishments that provide leisure time activities and services that involve many people in a public assembly use where people either participate individually or are entertained by an activity. See also "Rural Sports and Recreation."
- (h) **Recreational Use.** Public use of land for walking, hiking, skiing, riding, driving, picnicking, camping, swimming, boating, fishing, hunting or other outdoor games or sports for which land or facilities are provided for public participation.
- (i) **Recreational Vehicle (RV).** A motor home, travel trailer, truck camper or camping trailer, with or without self-propelled motive power, designed for human habitation for recreational or emergency occupation, and that may be moved upon a public highway without a special permit or chauffeur's license or both without violating any provision of the California Vehicle Code. A "Self Contained Recreational Vehicle" shall be a recreational vehicle with a kitchen sink, cooking appliance, refrigeration facilities, and a separate bathroom containing a water closet with a flush toilet, lavatory and bathtub or shower. A self-contained recreational vehicle shall have adequate provisions for the sleeping, bathing, sanitation, food preparation and eating by the number of people occupying the self contained recreational vehicle.

- (j) **Recreation Hall.** A relatively large room or hall (over 3,000 sq. ft.) within a multiple-family project with a kitchen for hosting fairly large events and concerts (60-80+ people) and may have an area set up, more or less permanently, for indoor games (e.g. ping pong tables, pool tables, foosball tables, etc.), for a library, for small gatherings, or for use as a mini cinema.
- (k) **Recreational Vehicle Park (RVP) (see Land Use Tables).** An area or tract of land, within an area where the land use zoning district allows recreational uses and where one or more lots are rented or leased or held out for rent, or lease to owners or users of recreational vehicles for temporary occupancy. **Incidental food, alcoholic beverages, sales and service intended for the convenience of the guests at the recreational vehicle park are allowed.**
- (l) **Recyclable Material.** Reusable material including but not limited to metals, glass, plastic and paper, which are intended for reuse, remanufacture, or reconstitution for the purpose of using the altered form. Recyclable material does not include refuse or hazardous material. Recyclable material may include used motor oil collected and transported in compliance with Health and Safety Code Sections 25250.11 and 25143.2(b)(4).
- (m) **Recycling Facility (see Land Use Tables).** A center for the collection and/or processing of recyclable materials. A “Certified Recycling Facility” or “Certified Processor” is a recycling facility certified by the California Department of Conservation as meeting the requirements of the California Beverage Container recycling and Litter Reduction Act of 1986. A recycling facility does not include storage containers or processing activity located on the premises of a residential, commercial, or manufacturing use and used solely for the recycling of material generated by that residential property, business or manufacturer. Recycling facilities may include the following:
- (1) **Collection Facility.** A center for the acceptance, by donation, redemption, or purchase, of recyclable materials from the public. The facility does not use power-driven processing equipment except as provided by this Title. Collection facilities may include the following:
- (A) **Reverse Vending Machine(s).** As defined below.
- (B) **Small Collection Facility.** Occupies an area of not more than 500 square feet and may include:
- (I) A mobile unit;
- (II) Bulk reverse vending machines or a grouping of reverse vending machines occupying more than 50 square feet;
- (III) Kiosk type units, which may include permanent structures;
- (IV) Unattended containers placed for the donation of recyclable materials.

- (C) **Large Collection Facility.** May occupy an area of more than 500 square feet and may include permanent structures.
- (2) **Processing Facility.** A building or enclosed space used for the collection and processing of recyclable material. Processing means the preparation of material for efficient shipment, or to an end-user's specifications, by means such as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning, and remanufacturing. Processing facilities include the following:
- (A) **Light Processing Facility.** Occupies an area of under 45,000 square feet of gross collection, processing, and storage area and has up to an average of two outbound truck shipments per day. Light Processing Facilities are limited to baling, briquetting, crushing, compacting, grinding, shredding and sorting of source-separated recyclable materials and repairing of reusable materials sufficient to qualify as a Certified Processing Facility. A Light Processing Facility shall not shred, compact, or bale ferrous metals other than food and beverage containers.
- (B) **Heavy Processing Facility.** Any processing facility other than a Light Processing Facility.
- (3) **Reverse Vending Machine.** An automated mechanical device that accepts at least one or more types of empty beverage containers, including, but not limited to aluminum cans, glass and plastic bottles, and cartons, and issues a cash refund or a redeemable credit slip with a value not less than the container's redemption value as determined by the State. A Reverse Vending Machine may sort and process containers mechanically provided that the entire process is enclosed within the machine. In order to accept and temporarily store all three container types in a proportion commensurate with their relative redemption rates, and to meet the requirements of certification as a recycling facility, multiple grouping of Reverse Vending Machines may be necessary. A "Bulk Reverse Vending Machine" is a reverse vending machine that is larger than 50 square feet; is designed to accept more than one container at a time; and will pay by weight instead of by container.
- (4) **Mobile Recycling Unit.** An automobile, truck, trailer or van, licensed by the Department of Motor Vehicles, which is used for the collection of recyclable materials. A Mobile Recycling Center also means the bins, boxes or containers transported by trucks, vans, or trailers, and used for the collection of recyclable materials.
- (5) **Scrap and Dismantling Yard.** Outdoor establishments primarily engaged in assembling, breaking up, sorting, and the temporary storage and distribution of recyclable or reusable scrap and waste materials, including auto wreckers engaged in dismantling automobiles for scrap, and the incidental wholesale or retail sales of parts from those vehicles. Includes light and heavy processing facilities for recycling (see the definitions above). Does not include: pawn shops,

and other secondhand stores; the sale of operative used cars; or landfills or other waste disposal sites. See also “Motor Vehicle Dismantling Facility” and “Salvage Operations.”

- (n) **Recycling Facility, Accessory** (see **Land Use Tables**). A recycling facility as defined above, that is incidental to a primary industrial or commercial use.
- (o) **Recycled Water**. See “Non-Potable Water”
- (p) **Reference Evapotranspiration Rate (ET<sub>o</sub>)**. The quantity of water, which evaporates from adjacent soils and/or other surfaces, and which also is transpired by plant material during a specified time. Specified times are normally collected as monthly and daily readings. Monthly and daily ET<sub>o</sub>'s can be found on the California Irrigation Management Information Systems (CIMIS) website.
- (q) **Regulatory Floodway**. See “Flood Hazard.”
- (r) **Rehabilitation**. The restoration of deteriorated structures, neighborhoods and public facilities. It may involve repair, renovation, conversion, expansion, remodeling, reconstruction or any combination thereof.
- (s) **Rehabilitation Center**. See “Medical Services Rehabilitation Center.”
- (t) **Rehabilitated Landscape**. A re-landscaping project that meets the applicability requirements of Chapter 83.10, **Landscaping Standards**.
- (u) **Related Land Use**. A land use that is supportive of the predominant land use of an area. For example, a neighborhood commercial center is a supportive use in the residential land use category.
- (v) **Religious Assembly Facility**. See “Meeting Facility, Public or Private” and “Places of Worship.”
- (w) **Remainder Parcel**. See “Parcel, Remainder.”
- (x) **Remote Unit**. See “Wireless Telecommunication Facilities.”
- (y) **Repair Services**. Establishments engaged in the provision of repair services to individuals, households and firms.
- (z) **Reserve Parcel**. See “Parcel, Reserve.”
- (aa) **Reservoir**. A naturally occurring or artificially created body of water (impounded above or below surface level) with a designated holding capacity of at least one acre-foot of water. Does not include “Pond.” See also “Lake.”
- (bb) **Residential Accessory Use or Structure** (see **Land Use Tables**). See “Accessory Structure.”

- (cc) **Residential Development.** A project containing one or more residential dwelling units, including mobile homes, or a subdivision of land for the purpose of constructing one or more residential dwelling units.
- (dd) **Residential Hotel.** See “Hotel, Residential.”
- (ee) **Residential Use.** One or more of the dwelling unit types listed in the tables Division 2 (Land Use Zoning Districts and Allowed Land Uses) under the heading of “Residential.”
- (ff) **Residuals Depository.** See “Hazardous Waste.”
- (gg) **Responsible Person.** Any person who creates a condition that may lead to accelerated erosion. If a specific person cannot be identified, the owner of the land where the condition exists shall be considered the responsible person.
- (hh) **Restaurant, Café, Coffee Shop (see Land Use Tables).** A retail business selling ready-to-eat food and/or beverages for on- or off-premise consumption. These include eating establishments where customers are served from a walk-up ordering counter for either on- or off-premise consumption (“counter service”); and establishments where customers are served food at their tables for on-premise consumption (“table service”), that may also provide food for take-out.
- (ii) **Retail, General.** See “General Retail.”
- (jj) **Retail Sale.** A sale of commodities or goods for personal household or farm consumption directly to the ultimate consumer. Sales are normally in small quantities and may include the rendering of services incidental to and supportive of the sale of the merchandise.
- (kk) **Reversed Corner Lot.** See “Lot.”
- (ll) **Reverse Vending Machine.** See “Recycling Facility.”
- (mm) **Reversion to Acreage.** The process by which subdivided real property may be reverted to acreage.
- (nn) **Review Authority.** Person, body or agency authorized to render land use decisions or provide technical recommendations to the Planning Agency.
- (oo) **Right-of-way.** Any strip or area of land, including surface, overhead, or underground, granted by easement, for construction and maintenance according to a designated use, such as drainage canals and ditches, electric power and telephone lines, gas, oil, water, and other pipelines, highways and roads and/or flowage or impoundment of surface waters.
- (pp) **Right-of-Way, Transportation.** See “Transportation **Right-of-Way.**”

- (qq) **Riparian habitat.** A natural plant community located along, and dependent upon, a water body or water course (e.g., sides of canyon bottoms, creeks, streams, rivers, etc.)
- (rr) **Road or Roadway.** An open way for vehicular traffic.
- (ss) **Road Easement.** See “Easement.”
- (tt) **Road Easement, Private.** See “Easement.”
- (uu) **Road System.** The classification of streets and highways by their diverse functions and design. The following is the commonly used hierarchy of streets and highways for planning purposes:
- (1) **Local Street.** A roadway allowing access to abutting land, serving local traffic only.
  - (2) **Collector.** A street used by traffic to travel from local streets to secondary or major highways; usually it allows direct access to abutting properties.
  - (3) **Emergency Access Route.** A two-lane street of high standards, designed, constructed and specifically identified as an emergency access route to serve as a collector or distributor of neighborhood traffic and as an alternative access route in an emergency situation.
  - (4) **Mountain Secondary Highway.** A controlled access, moderate speed, two-lane highway, designed and constructed to accommodate high volumes of intercommunity traffic.
  - (5) **Mountain Major Highway.** A limited access, high speed, four-lane highway, designed and constructed to accommodate large volumes of intercommunity traffic. The mountain expressway connects intensely developed areas and points of interest. It is a four-lane highway with intersections at grade. It is striped for two lanes with shoulders in each direction. Turn lanes at intersections when necessary will require additional rights-of-way and roadway widths.
  - (6) **Secondary Highway.** A street serving traffic from collector streets and major highways that provides for traffic movement to and from traffic generators and attractors; the street is subject to controlled access from the properties fronting on the right of way; intersecting streets are subject to appropriate spacing. It is a four-lane highway with intersections at grade. It is striped for two lanes with shoulders in each direction. Turn lanes at intersections when necessary will require additional rights-of-way and roadway widths.
  - (7) **Major Highway.** A street or thoroughfare that serves through traffic movement across urban areas or to major traffic generators and attractors; it is subject to controlled access from properties fronting on the right of way; intersecting streets are subject to appropriate spacing. It is a four-lane highway with intersections at grade. It is striped for two lanes with shoulders in each direction with turn lanes

at intersections. Additional rights-of-way and roadway widths may be necessary for turn lanes.

- (8) **Major Divided Highway.** A road or thoroughfare that that serves through traffic movement across urban areas, subject to controlled access from properties fronting on the right of way; intersecting streets are subject to appropriate spacing. It is a divided four-lane road with intersection at grade. It is striped for two lanes with shoulders in each direction with a raised median and turn lanes. Additional rights-of-way and roadway widths may be necessary for turn lanes.
- (9) **Major Arterial Highway.** A road or thoroughfare that serves through traffic movement across urban areas, subject to controlled access from properties fronting on the right of way; intersecting streets are subject to appropriate spacing. It is a six-lane highway that may have grade separations at intersections. It is striped for three lanes with shoulders in each direction with turn lanes at intersections. Additional rights-of-way and roadway widths may be necessary for turn lanes.
- (10) **Freeway.** A multilane highway with full grade separation (i.e., intersections are separated by under or overpasses), median strips and fencing or landscaping strips along the sides. It basically services intercity and interstate traffic. See also “Freeway.”
- (vv) **Rockfall.** Failure and rapid downhill movement of rocks as a result of gravity, which can be initiated by earthquake shaking.
- (ww) **Roof Sign.** See “Sign.”
- (xx) **Rooming or Boarding (see Land Use Tables).** Residential occupancy of a building with no more than five bedrooms and no more than one person per room, where lodging is provided for compensation on a weekly or greater basis; but not including facilities defined as social care facilities.
- (yy) **Root Barrier.** A plastic wall-like structure that is installed underground and designed to prevent the roots from trees from causing damage to streets, sidewalks, walkways, foundations, and other hardscapes.
- (zz) **Rubber Manufacturing.** See “Manufacturing Operations I and II.”
- (aaa) **Rumpus Room.** See “Recreation Room.”
- (bbb) **Runoff.** Water that is not absorbed by the soil or the landscape in which it has been applied and flows from the landscaped area onto adjacent surfaces, creating water waste.
- (ccc) **Rural Sports and Recreation (see Land Use Tables).** Facilities for sports and recreational activities requiring large sites and/or remote locations, including hunting



and fishing clubs, off-road vehicle parks, and shooting (rifle, pistol, and archery) ranges, ski resorts. See also “Recreational Use.”

| **(ddd) RV Sales.** See “Mobile Home, Boat or RV Sales.”

Adopted Ordinance 4011 (2007); Amended Ordinance 4043 (2008); Amended Ordinance 4057 (2008), Amended Ordinance 4136 (2011)

**810.01.210 Definitions, "S."**

- (a) **Salvage Operations (see Land Use Tables).** Establishments involved in the storage, sale, wholesale and processing of salvage materials. This land use classification does not include **any of the sub-classifications of recycling collection facilities** ("Recycling Collection Facilities) **except "Scrap and Dismantling Yard."** See also "Junk and Salvage Facility."
- (1) **Contained.** These uses are conducted entirely within enclosed structures and provide environmentally sound practices in collecting and recycling oils and other toxic materials. No outside storage of parts occurs, and establishments are monitored annually to ensure they are maintained appropriately.
- (2) **General.** These uses create major environmental disruption even when carefully regulated. Dust, dirt, noise and unsightly conditions often prevail with these operations.
- (b) **Scenic Corridor.** The area outside a highway or an adopted trail right-of-way that is generally visible to persons traveling on the highway or trail.
- (c) **School (see Land Use Tables).** A public or private academic educational institution that offers instruction in the several branches of learning and study required to be taught in the public schools by the Education Code of the State of California. Schools types include:
- boarding school
  - elementary, middle, and junior high schools
  - community college, college, or university
  - high school
  - military academy

Also includes schools providing specialized education/training. Examples include the following:

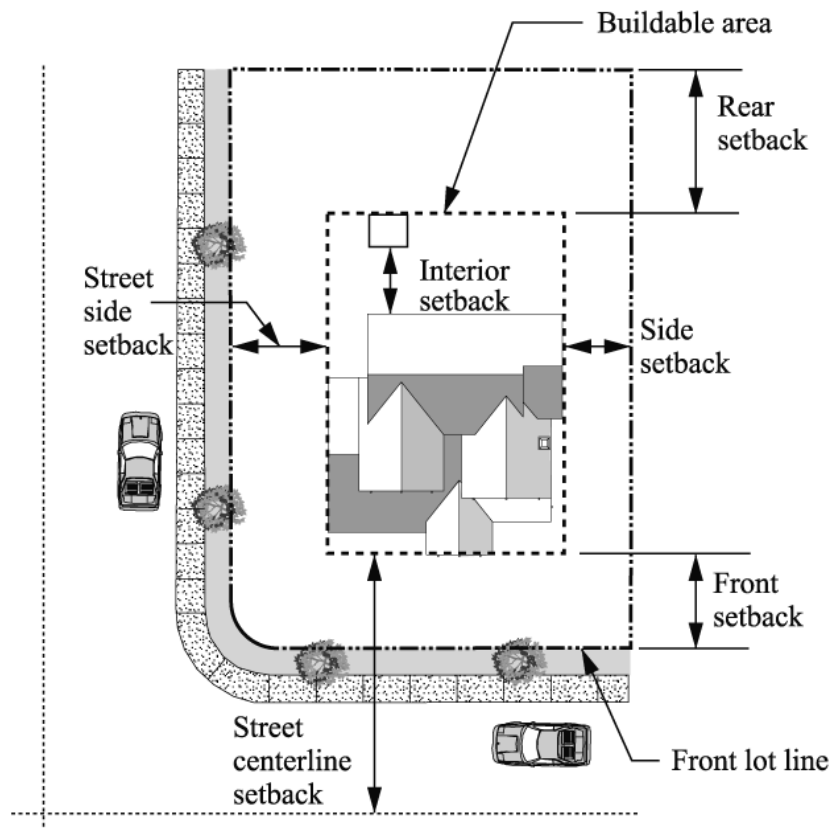
- art school
- establishments providing courses by mail
- ballet and other dance school
- language school
- business, secretarial, and vocational school
- martial arts
- computers and electronics school
- music school
- drama school
- professional school (law, medicine, etc.)
- driver education school
- seminaries/religious ministry training facility

Also includes facilities, institutions and conference centers that offer specialized programs in personal growth and development, such as fitness, environmental awareness, arts, communications, and management. Does not include pre-school and child day care facilities (see also "Day Care Facility").

- (d) **Scientific Goods Manufacturing.** See "Manufacturing Operations I."

- (e) **Screening.** The use of landscaping, earth, fences, walls, trees, shrubs, or other materials for visual, background, noise or sun exposure control.
- (f) **Scrap Metal Processing Facility (see Land Use Tables).** Any establishment or place of business that is maintained, used, or operated solely for the processing and preparing of scrap metals for remelting by steel mills and foundries.
- (g) **Seal.** A metal, tamperproof clamp issued in compliance with the California Desert Native Plants Act (Food and Agricultural Code Section 80001 et seq.) by the Agricultural Commissioner used to permanently affix a tag to a native plant.
- (h) **Searchlight.** See “Sign.”
- (i) **Second Hand Stores, Pawnshops (see Land Use Tables).** Retail establishments that buy and sell used products, including clothing, furniture and household goods, jewelry, appliances, musical instruments, business machines and office equipment, tools, motors, machines, instruments, firearms, or any similar secondhand articles or objects; includes indoor flea markets. Does not include bookstores (“General Retail”); secondhand farm and construction equipment (“Construction, Farm, and Heavy Equipment Sales”); junk dealers, or scrap/dismantling yards (“Recycling Facilities - Scrap and Dismantling Yards”); the sale of antiques and collectibles (“General Retail”); the sale of cars and other used vehicles (“Auto and Vehicle Sales, Leasing, and Rental, Used”).
- (j) **Secondary Highway.** See “Road System.”
- (k) **Section.** A section of the this Development Code, unless in reference to some other specified statute, ordinance, chapter, division or title; or the survey term regarding the subdivision of a Township into normally 36 equal parts, each of which is approximately 640 acres.
- (l) **Security Quarters.** Temporary residential occupancy of a dwelling unit, commercial coach, or travel trailer utilized to provide temporary quarters to security personnel hired to guard part or all of the property on which the security quarters are located as an accessory use. Does not include caretaker housing (“Caretaker Housing”).
- (m) **Sediment.** Eroded earth material that is carried by runoff and/or deposited in a stream, drainage course, natural watercourse, lake or other area.
- (n) **Seiche.** The high frequency fluctuation of an enclosed body of water, which can be initiated by earthquake shaking.
- (o) **Seismic Safety Hazard Areas.** Areas where a potential hazard exists due to ground rupture from earthquakes. Seismic safety hazard areas encompass active or potentially active faults within the County (includes Alquist-Priolo Special Studies Zones). Hazard area boundaries extend approximately 660 feet on each side of known active or potentially active faults.

- (p) **Selected Flood.** See “Flood Hazard.”
- (q) **Self-Contained Mobile Home.** See “Mobile Home, Self-Contained.”
- (r) **Semipassive Thermal System.** See “Thermal System, Semipassive.”
- (s) **Sensitive Viewshed.** See “Wireless Telecommunication Facilities.”
- (t) **Service Station (see Land Use Tables).** A site where the primary activity is the retail sale and dispensing of motor fuels or oils, the retail sale of lubricants, tires, batteries and other automobile accessories, and the installation and servicing of the lubricants, tires, batteries and other automobile accessories.
- (u) **Setback.** The distance by which a structure, parking area or other development feature must be separated from a lot line, other structure or development feature, or street centerline. See also “Yard,” and Section 83.02.070 (Setback Regulations and Exceptions). See Figure 10-2 (Setbacks).



**Figure 810-2  
Setbacks**

- (v) **Setback, Street.** See “Yard, Front” and “Yard, Side Street”.

- (w) **Setback Line, Street.** A line that defines the depth of the required street setback, front yard, or side yard or side street where the yard or yards abut a street. The street setback line shall be parallel or concentric with the street right of way line.
- (x) **Sewage Disposal Area.** An area utilized for the holding, leaching and percolation of sewage wastes including an area that would provide a 100 percent expansion of the leaching and percolation field for future use.
- (y) **Sewage Treatment and Disposal Facility (see Land Use Tables).** A site with equipment and other facilities to treat sewage effluent transmitted to the site via underground sewer lines to the water quality standard required by the California Regional Water Quality Control Board.
- (z) **Shall.** A mandatory provision, regulation or specification.
- (aa) **Shopping Center (see Land Use Tables).** A shopping center is two or more business establishments under a single ownership, unified control or designated as a unit located on a single parcel or combination of contiguous parcels having a minimum frontage of 150 feet.
- (bb) **Short-Term Private Home Rental.** See “Private Home Rental, Short-Term.”
- (cc) **Shrub.** Any woody, perennial plant having multiple stems and bearing foliage from the ground up, commonly maintained at less than eight and more than two feet in height when fully grown, adaptable to trimming, shaping and pruning without injury to the plant itself.
- (dd) **Side Lot Line.** See “Lot.”
- (ee) **Side Yard.** See “Yard.”
- (ff) **Sign.** Words, letters, numerals, emblems, designs, or other marks shown on any flag, card, cloth, paper, metal, painted surface, glass, wood, plaster, stone or other device of any kind or character by which anything is made known and used to attract attention, including lighting devices the as searchlights. Signs include four basic categories, (i.e., off-site, on-site, directional and temporary) and may take many forms (e.g. freestanding, monument, wall, roof, projecting walkway, display, etc.) Also signs are located individually or in clusters (i.e., shopping center complex). The following definitions clarify the differences between these categories and types:
- (1) **Off-Site Sign.** A sign that is allowed only in certain specified land use zoning districts as an independent use of the property not dependent upon the location of another structure or use. The signs often advertise or identify a business, function, establishment or product at a location other than the property on which a business is located or a product is manufactured or sold. The signs may advertise political viewpoints, political campaigns and other noncommercial messages.

- (2) **On-Site Sign.** A sign that is allowed only in conjunction with another use as an accessory use. The signs often advertise or identify a commodity, service, business or profession that is sold, produced, conducted or offered as one of the major functions of the primary use on the same site. The signs may advertise political viewpoints, political campaigns and other noncommercial messages. The signs may also advertise any commercial message.
- (3) **Complex Sign.** A sign that is allowed in conjunction with a shopping center, business, or other complex that is under a single ownership or unified control having two or more establishments located on a single parcel or combination of contiguous parcels.
- (4) **Complex Occupant Sign.** A sign that is allowed in conjunction with an individual occupant within a shopping center, business, or other complex.
- (5) **Directional Sign.** Signs that provide directional or traffic flow information.
  - (A) **Public Directional Sign.** Signs containing directional information about public places owned or operated by Federal, State or local governments or their agencies. Also included are historic, cultural, scientific and educational signs, signs relating to publicly owned natural phenomena, publicly owned or operated areas of natural scenic beauty, and areas naturally suited for outdoor recreation, deemed to be in the interest of the traveling public.
- (6) **Display Sign.** A single-faced sign that is affixed to any type of display window or is adjacent to a display window.
- (7) **Freestanding Sign.** A single or multi-faced sign that is not attached to any building or structure.
- (8) **Individual Signs or Accessory Business Sign.** Accessory signs that are allowed in conjunction with a nonresidential use that is not located within a complex (e.g., shopping center).
- (9) **Monument Sign.** A single-or double-faced sign that is designed and constructed as part of and placed on a monument base.
- (10) **Pedestrian Walkway Sign.** An accessory sign hung from or on a canopy and being oriented to pedestrian traffic.
- (11) **Projecting Sign.** A single- or double-faced sign attached to a structure that extends in a perpendicular plane from the wall to which it is attached.
- (12) **Roof Sign.** A single-faced sign that is affixed to a roof of a building or structure.
- (13) **Searchlight.** An apparatus containing a light source and a reflector for projecting a strong, far-reaching beam greater than 200 feet in any direction.

- (14) **Temporary Sign.** A sign that provides temporary information and/or directions. The signs often are subject to the issuance of Temporary Use Permits and often provide information regarding residential developments, political candidates or issues, and real estate signs.
- (15) **Wall Sign.** A single-faced sign that is in any manner affixed to any exterior wall of a structure, the exposed face of which is in a plane parallel to the plane of the wall.
- (gg) **Single Family Dwelling (see Land Use Tables).** See “Dwelling, Single Family.”
- (hh) **Single Family Dwelling, Attached (see Land Use Tables).** See “Dwelling, Single Family Attached.”
- (ii) **Singular Plural.** Words used in the singular number include the plural and words used in the plural number include the singular.
- (jj) **Site.** A parcel of land or contiguous parcels where land alterations, including grading, clearing or construction are performed or proposed.
- (kk) **Site Plan, Detailed.** A drawing, to scale, on one sheet of paper of the entire land parcel showing buildings, improvements, other physical features and all dimensions.
- (ll) **Site Planning.** A process to develop a plan that shows how a parcel of land may be developed, taking into consideration the natural and man made characteristics of the parcel.
- (mm) **Small Family Day Care Home.** See “Day Care, Child.”
- (nn) **Small Collection Facility.** See “Recycling Facility.”
- (oo) **“Smart” Irrigation Controller.** An irrigation controller that is weather and soil moisture-based, and monitors and uses historical environmental conditions for the specific location in which a landscape is located, by automatically adjusting irrigation watering times based on the information collected.
- (pp) **Social Care Facility (see Land Use Tables).** Any facility in the general classification of boarding home for aged persons, boarding home for children, day care home for children, day nursery, nursing home or parent child boarding home. These facilities consist of a building or group of buildings used or designed for the housing of sick, demented, injured, convalescent, infirm, or well, normal healthy persons, requiring licensing or certification by regulating government agencies. This definition shall not include use of a part of any single or multiple dwelling, hotel, apartment, or motel not ordinarily intended to be occupied by these persons unless so licensed or certified by the governmental agency concerned with the administration of each specific classification.

- (qq) **Soil.** The unconsolidated mineral and organic material on the immediate surface of the earth.
- (1) **Corrosive Soils.** Natural soils that, as a result of their chemical makeup, may aggressively deteriorate concrete, metal or other susceptible building material.
  - (2) **Expansive Soils.** Natural clays that swell when saturated and shrink when dry.
  - (3) **Hydrocollapsible Soils.** Natural soils that collapse or compact after a wetting event.
- (rr) **Soil Management Report.** A report that shall be submitted with the Landscape Documentation Package, as outlined by Chapter 83.10, Landscaping Standards, that outlines the result of the soil tests along with recommendation for soil amendments.
- (ss) **Solar Energy System.** Any solar collector solar device, or structural design feature of a building whose primary purpose is to provide for the collection, storage, and distribution of solar energy for space heating or cooling; for domestic, recreational, therapeutic, or service water heating; for the generation of electricity; for the production of process heat; and for the production of mechanical work. Solar energy systems include passive thermal systems, semipassive thermal systems, active thermal systems and photovoltaic systems. This category does not include parabolic mirror and devices of a similar nature.
- (tt) **Solid Waste Disposal Site.** A site used for the final disposal of solid waste, which may also include facilities for separating and differentiating waste products, and/or recycling the waste products. Includes landfills.
- (uu) **Solid Waste.** Any variety of waste, including household garbage, metal, glass, shattered concrete, bricks from demolished houses, radioactive wastes and mining talus.
- (vv) **Solidification and Stabilization.** See “Hazardous Waste.”
- (ww) **Special District.** A governmental entity created in a given area to provide services within that area. Special Districts can provide services such as water, sewers, fire protection, and parks and recreation.
- (xx) **Special Events, Temporary (see Land Use Tables).** All carnivals, community celebrations, off-road vehicle races, outdoor festivals, music events, sporting events, parades, fairs, animal races, religious festivals, revival meetings and similar public gatherings at locations and facilities without an approved Conditional Use Permit, Minor Use Permit, or Site Plan Permit. Special events shall be categorized based upon scope, longevity, magnitude and use, into one of the following event types.



**(1) Minor Event.**

- (A) Class I.** Anticipated attendance of 500 to 1,000 persons per day; or a community celebration, religious festivals, revival meetings and similar public gatherings with anticipated attendance of 500 or more. Staging events of off-highway motor vehicles as defined in Section 28.0401 of Title 2 shall also be included as a Class I Minor Event as required by Section 28.0404 of Title 2 of this code.
- (B) Class II.** Intensive sporting events, the as off-road vehicle races or rodeos, etc., and music events with an anticipated attendance of 200 to 500 persons per day. Included in this class are any events that are advertised by a means of mass media (i.e., radio, television, newspaper, Internet, phone trees, fliers, etc.) provided that a means of limiting attendees to 500 persons per day is available and is strictly enforced.

**(2) Major Event.**

- (A) Class I.** Anticipated attendance of over 1,000 persons per day.
- (B) Class II.** Intensive sporting events, such as off-road vehicle races or rodeos, etc., or music events with an anticipated attendance of over 500 persons per day. Included in this class are any events that are advertised by a means of mass media (i.e., radio, television, newspaper, Internet, phone trees, fliers, etc.) where a means of limiting attendees is not available.

**(yy) Special Flood.** See “Flood Hazard.”

**(zz) Special Flood Hazard Area.** See “Flood Hazard.”

**(aaa) Special Landscape Area.** Are those areas of landscape that are dedicated to edible plant material, those areas that are irrigated with non-potable/recycled water, and those areas that are dedicated to active play such as parks, sports fields, golf courses, or where turf provides a playing surface.

**(bbb) Specified Anatomical Areas.** See “Adult-Oriented Business.”

**(ccc) Specified Hazardous Waste Facilities.** See “Hazardous Waste.”

**(ddd) Specified Sexual Activities.** See “Adult-Oriented Business.”

**(eee) Specimen Tree.** See “Tree, Specimen.”

**(fff) Sphere of Influence.** A sphere of influence is the probable ultimate physical boundary of a city as established by the San Bernardino Local Agency Formation Commission (LAFCO) in compliance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56000 et

seq.). A sphere of influence contains unincorporated County land that is outside a city's boundaries and that relates to the city's planning.

- (ggg) Sports or Entertainment Assembly (see Land Use Tables).** A large-scale indoor or outdoor facility accommodating spectator-oriented sports, concerts, and other entertainment activities. Examples of this land use include amphitheaters, race tracks, rodeo arenas, stadiums and coliseums. May also include commercial facilities customarily associated with the above uses, including bars and restaurants, gift shops, video game arcades, etc.
- (hhh) Stable, Private.** A detached accessory building for the keeping of horses, burros or mules owned by the occupants of the premises and not for remuneration, hire or sale.
- (iii) Stable, Public.** A stable other than a private stable for keeping of horses, burros or mules.
- (jjj) Standard Project Flood.** See "Flood Hazard."
- (kkk) Start of Construction.** See "Flood Hazard."
- (lll) State.** State of California.
- (mmm) State Geologist.** Individual holding office as provided in the California Public Resources Code, Section 677, Article 3, Chapter 2, Division 1.
- (nnn) Static Water Pressure.** The pressure of the pipeline or municipal water supply when the water is not flowing.
- (ooo) Station.** An area that is served by an automatic irrigation valve that has been programmed into the "smart" irrigation controller as a specific number, which is to be recognized and controlled.
- (ppp) Stealth Facility.** See "Wireless Telecommunication Facilities."
- (qqq) Stock Cooperative.** A common interest development in which a corporation is formed or availed of primarily for the purpose of holding title to, either in fee simple or for a term of years, improved real property, and all or substantially all of the shareholders of the corporation receive a right of exclusive occupancy in a portion of the real property, title to which is held by the corporation. The owner's interest in the corporation, whether evidenced by a share of stock, a certificate of membership, or otherwise, shall be deemed to be an interest in a common interest development and a real estate development for purposes of Subdivision (f), Section 25100 of the California Corporations Code. In a stock cooperative, both the separate interest, as defined in paragraph (4) of Subdivision (l) of Section 1351 of Title 6 of Part 4 of Division 2 of the California Civil Code, and the correlative interest in the stock cooperative corporation, however designated, are interests in real property. Includes a limited equity housing cooperative, which is

a stock cooperative that meets the criteria of Section 33007.5 of the California Health and Safety Code.

**(rrr) Stone Products Manufacturing.** See “Manufacturing Operations I and II.”

**(sss) Storage, Garage.** See “Garage, Storage.”

**(ttt) Storage/Impound Facility.** See “Motor Vehicle Storage/Impound Facility.”

**(uuu) Storage - Personal Storage, Mini-Storage (see Land Use Tables).** Structures containing generally small, individual compartmentalized or lockers rented as individual storage spaces and characterized by low parking demand.

**(vvv) Storage - Vehicles Storage (see Land Use Tables).** A facility for the storage of operative cars and other fleet vehicles, trucks, buses, recreational vehicles, and other motor vehicles. Includes facilities for the storage and/or servicing of fleet vehicles. Also includes the parking of a vehicle on private property for more than 72 hours without operation. Does not include commercial parking lots, or dismantling yards (classified in “Recycling - Scrap and Dismantling Yards”).

**(www) Storage - Warehouse, Indoor Storage (see Land Use Tables).** Facilities for the storage of furniture, household goods, or other commercial goods of any nature. Includes cold storage. Does not include: warehouse, storage or mini storage facilities offered for rent or lease to the general public (“Storage - Personal Storage, Mini-Storage”); warehouse facilities primarily used for wholesaling and distribution (see “Wholesaling and Distribution”); or terminal facilities for handling freight (see “Truck Terminal”).

**(xxx) Storm, Ten Year.** See “Ten Year Storm.”

**(yyy) Story.** That portion of a building included between the surface of any floor and the surface of the floor immediately above it, or, if there is no floor above it, then the space between the floor and ceiling immediately above it.

**(zzz) Story, Half.** A story with at least two of its opposite sides meeting a sloping roof, nor more than two feet above the floor of the story.

**(aaaa) Stream.** Any watercourse designated by a solid line or dash and three dots symbol on the largest scale of the United States Geological Survey map most recently published, or as indicated in the development permit when it has been field determined that a watercourse either:

- (1) Supports fish at any time of the year;
- (2) Has a significant water flow after any rainstorm; or
- (3) Has a well defined channel.

- (**bbbb**) **Stream Bed Skimming.** See “Surface Mining Operations.”
- (**cccc**) **Street.** Any public or private thoroughfare, with a width of 20 feet or more, that affords a primary means of access to abutting property. See “Road System.”
- (**dddd**) **Street Line.** The boundary line between a street and abutting property.
- (**eeee**) **Structural Alterations.** Any change in the supporting members of a structure, such as the bearing walls or partitions, columns, beams or girders.
- (**ffff**) **Structure.** Anything constructed, built, or installed by man, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner, including, but without limitation; buildings, towers, smokestack, and overhead lines.
- (**gggg**) **Structure, Approved.** A structure, paved area of impervious substance or sewage disposal area that has been approved by the Building Official or the Chief of the Environmental Health Services Division as an improvement of the site, and that complies with all codes, ordinances and regulations of San Bernardino County.
- (**hhhh**) **Structure, Business or Industrial.** An occupied, permanent building, attached to a permanent foundation, approved for the use under the California Building Code, where one or more persons are employed on an eight hour shift, at least five days per week.
- (**iiii**) **Structure Envelope.** The interior of a parcel outside of the building setback lines.
- (**jjjj**) **Structure Footprint.** The area of a parcel included within the surrounding exterior walls of a structure. In the absence of surrounding exterior walls, the structure footprint shall be the area under the horizontal projection of the roof.
- (**kkkk**) **Structure Height.** See Section 83.02.040 (Height Measurement and Height Limit Exceptions). For buildings see “Building Height”.
- (**llll**) **Subdivider.** A person, firm, corporation, partnership or association who proposes to divide, divides or causes to be divided real property into a subdivision for himself or for others except that employees and consultants of these persons or entities, acting in such capacity, are not “subdividers.”
- (**mmmm**) **Subdivision.** The division, by any subdivider, of any unit or units of improved or unimproved land, or any portion of land thereof, shown on the latest equalized County assessment roll as a unit or as contiguous units, for the purpose of sale, lease or financing, whether immediate or future, except for leases of agricultural land for agricultural purposes (i.e., the cultivation of food or fiber or the grazing or pasturing of livestock). Property shall be considered as contiguous units even if it separated by roads, streets, utility easement or railroad rights of way. “Subdivision” includes a condominium project, as defined in Section 1350 of the Civil Code, or a community apartment project, as defined in Section 11004 of the

California Business and Professions Code or the conversion of five or more existing dwelling units to a stock cooperative, as defined in Section 11003.2 of the California Business and Professions Code. A conveyance of land to or from a governmental agency, public entity, public utility, common carrier or subsidiary of a public utility for conveyance to the public utility for rights of way shall not be considered a division of land for the purpose of computing the number of parcels. See also "Minor Subdivision Plot Plan."

**(nnnn) Subsidence.** The sinking of the earth's surface, usually due to mining, groundwater extraction, oil and gas withdrawal, earthquakes or other physical forces.

**(oooo) Substandard Lot.** A unit of land, the area, width or other characteristic that fails to meet the requirements of the land use zoning district in which it is located.

**(pppp) Substandard Housing Unit.** A dwelling unit that is either dilapidated or unsafe, thus endangering the health or safety of the occupant, or does not have adequate plumbing or heating facilities.

**(qqqq) Substantial Damage.** See "Flood Hazard."

**(rrrr) Substantial Improvement.** See "Flood Hazard."

**(ssss) Supplemental Irrigation.** See "Temporary Irrigation."

**(tttt) Surface Mining Operations (see Land Use Tables).** All, or any part of, the process involved in the mining of minerals on mined lands by removing overburden and mining directly from the mineral deposits, open pit mining of minerals naturally exposed, mining by the auger method, dredging and quarrying, or surface work incident to an underground mine. Surface mining operations include, but are not limited to, in place distillation or retorting or leaching, the production and disposal of mining waste, prospecting and exploratory activities, borrow pitting, streambed skimming, and segregation and stockpiling of mined materials (and recovery of same). The following definitions shall further clarify mining issues:

(1) **Area of Regional Significance.** An area designated by the State Mining and Geology Board that is known to contain a deposit of minerals, the extraction of which is judged to be of prime importance in meeting future needs for minerals in a particular region of the State within which the minerals are located, and which, if prematurely developed for alternate incompatible land uses, could result in the permanent loss of minerals that are of more than local significance.

(2) **Area of Statewide Significance.** An area designated by the Board that is known to contain a deposit of minerals, the extraction of which is judged to be of prime importance in meeting future needs for minerals in the State and which, if prematurely developed for alternate incompatible land uses, could result in the permanent loss of minerals that are of more than local or regional significance.

- (3) **Borrow Pits.** Excavations created by the surface mining of rock, unconsolidated geologic deposits or soil to provide material (borrow) for fill elsewhere.
- (4) **Compatible Land Uses.** Land uses inherently compatible with mining and/or that require a minimum public or private investment in structures, land improvements, and that may allow mining because of the relative economic value of the land and its improvements. Examples of these uses may include, but shall not be limited to, very low density residential, geographically extensive but low impact industrial, recreational, agricultural, silvicultural, grazing, and open space.
- (5) **Haul Road.** A road along which material is transported from the area of excavation to the processing plant or stockpile area of the surface mining operation.
- (6) **Idle.** Surface mining operations curtailed for a period of one year or more, by more than 90 percent of the operation's previous maximum annual mineral production, with the intent to resume those surface mining operations at a future date.
- (7) **Incompatible Land Uses.** Land uses inherently incompatible with mining and/or that require public or private investment in structures, land improvements, and landscaping and that may prevent mining because of the greater economic value of the land and its improvements. Examples of these uses may include, but shall not be limited to, high density residential, low density residential with high unit value, public facilities, geographically limited but impact intensive industrial, and commercial.
- (8) **Mined Lands.** The surface, subsurface, and ground water of an area in which surface mining operations will be, are being, or have been conducted, including private ways and roads appurtenant to any area, land excavations, workings, mining waste, and areas in which structures, facilities, equipment, machines, tools, or other materials or property that result from, or are used in, surface mining operations are located.
- (9) **Minerals.** Any naturally occurring chemical element or compound, or groups of elements and compounds, formed from inorganic processes and organic substances, including, but not limited to, coal, peat, and bituminous rock, but excluding geothermal resources, natural gas, and petroleum.
- (10) **Operator.** Any person who is engaged in surface mining operations, or who contracts with others to conduct operations on his/her behalf, except a person who is engaged in surface mining operations as an employee with wages as his/her sole compensation.

- (11) **Reclamation.** The combined process of land treatment that minimizes water degradation, air pollution, damage to aquatic or wildlife habitat, flooding, erosion, and other adverse effects from surface mining operations, including adverse surface effects incidental to underground mines, so that mined lands are reclaimed to a usable condition that is readily adaptable for alternate land uses and create no danger to public health or safety. The process may extend to affected lands surrounding mined lands, and may require backfilling, grading, resoiling, revegetation, soil compaction, stabilization, or other measures.
- (12) **Stream Bed Skimming.** Excavation of sand and gravel from stream bed deposits above the mean summer water level or stream bottom, whichever is higher.
- (13) **Vested Right.** For the purpose of mining and reclamation, a person shall be deemed to have vested rights, if, before January 1, 1976, the person has, in good faith and in reliance upon a permit, (if the permit or other authorization was required, and was in compliance with County regulations), diligently commenced surface mining operations and incurred substantial liabilities for work and necessary materials. Expenses incurred in obtaining the enactment of an ordinance in relation to a particular operation or the issuance of a permit shall not be deemed liabilities for work or materials.

(uuuu) **Swap meet, Outdoor Market, Auction Yard (see Land Use Tables).** The sale of used and/or new merchandise by individual vendors in a temporary or permanent facility operated and managed by a different proprietor or business entity, provided that the operator may also be engaged in sales. An indoor swap meet or flea market occupies a building typically designed for retail sales with tables, booths, or other spaces for the individual vendors.

(vvvv) **Swing Joint.** An irrigation component that provides a flexible, maneuverable, leak-free connection between the irrigation head body and irrigation lateral pipeline, allowing for movement in any direction helping to prevent equipment damage.

(wwww) **System Height.** See “Wind Energy System.”

Adopted Ordinance 4011 (2007); Amended Ordinance 4043 (2008), Amended Ordinance 4136 (2011)

**810.01.220 Definitions, “T.”**

- (a) **Tag.** A paper or cloth label issued in compliance with the California Desert Native Plants Act (Food and Agricultural Code Section 80001 et seq.) by the Agricultural Commissioner that can be attached to a native plant or a commercial load by means of a string and a Seal. A Tag specifies a serial number, type of plant, fee required, location of origin, date of removal, witnessing authority, applicant, destination, and proposed use (e.g., commercial processing, commercial landscaping, etc.).
- (b) **Telecommunication Facility, Wireless.** See “Wireless Telecommunication Facility.”
- (c) **Temporary Irrigation.** Irrigation solely for the purposes of establishing plant material, or irrigation that will not continue after plant material establishment. Temporary/Supplemental irrigation is intended for a period of six months or less.
- (d) **Temporary Sign.** See “Sign.”
- (e) **Temporary Special Events.** See “Special Events, Temporary.”
- (f) **Tentative Map.** A map made for the purpose of showing the design and improvements of the proposed subdivision, to include the street pattern, lot layout, easements that are to remain, and existing and proposed subdivision. The Tentative Map need not be based upon an accurate or detailed final survey of the property. See also “Vesting Tentative Map.”
- (g) **Ten Year Storm.** A storm of an intensity that would be exceeded on the average only once every 10 years. The intensity for the storm shall be determined according to San Bernardino County Hydrology Manual. The duration of the storm used in runoff calculation shall be equivalent to the concentration time for the area that drains through the project.
- (h) **Terminals, Truck.** See “Truck Terminals.”
- (i) **Textile Mill Products.** See “Manufacturing Operations I and II.”
- (j) **Theater.** An indoor facility for public assembly and group entertainment, other than sporting events. Examples include:
- civic theaters, and facilities for “live” theater and concerts
  - movie theaters
  - similar public assembly facilities
- See also “Meeting Facility, Public or Private,” and “Sports and Entertainment Assembly.”
- (k) **Thermal System, Active.** A system that utilizes solar devices thermally isolated from the living space to provide for collection, storage, and distribution of solar energy for heating or cooling.



- (l) **Thermal System, Passive.** A system that utilizes the structural elements of the building, and is not augmented by mechanical components, to provide for collection, storage, and distribution of solar energy for heating or cooling.
- (m) **Thermal System, Semipassive.** A system that utilizes the structure of a building and is augmented by mechanical components to provide for collection, storage, and distribution of solar energy for heating or cooling.
- (n) **Through Lot.** See “Lot.”
- (o) **Trailer Camp or Park (see Land Use Tables).** A site where space for house trailers is rented for compensation on a daily basis, or where free occupancy or camping is permitted to house trailer owners or users, but not including automobile or trailer sales lots on which unoccupied house trailers are parked for inspection and sales.
- (p) **Tower Height.** See “Wind Energy Systems.”
- (q) **Trailer Coach.** A mobile home, trailer, recreation trailer, travel trailer, camp car or other vehicle with or without motive power, designed and constructed to travel on the public thoroughfare in compliance with the provisions of the California Motor Vehicle Code and designed or used for human habitation.
- (r) **Trailer, Travel.** A vehicle, other than a motor vehicle, that is designed or used for human habitation and for travel or recreational purposes, that does not exceed eight feet in width and 40 feet in length, and that may be moved upon a public highway without a special permit and/or chauffeur's license without violating any provisions of the California Vehicle Code.
- (s) **Transfer and Storage Facilities.** See “Hazardous Waste.”
- (t) **Transmission Lines.** See “Pipelines, Transmission Lines.”
- (u) **Transportable Treatment Unit (TTU).** Hazardous waste or groundwater contamination treatment works that are designed to be moved either intact or in modules and that are intended to be operated at a given location for a limited period of time.
- (v) **Transportation Facilities (see Land Use Tables).** Roads or bridges, and the appurtenant improvements necessary for the safe and efficient movement of vehicular traffic including but not limited to the following: signalization and other traffic controls; sidewalks; bikeways when they are within the ultimate right-of-way of a road or bridge. It also includes park and rides, airports, bus terminals, bus stops, and train stations.
- (w) **Transportation Facilities Plan, Local Area.** A transportation plan adopted by the Board of Supervisors for a particular transportation facilities area. A plan shall include a map of the area showing its boundaries, the location of the proposed Transportation

Facilities, and an accompanying text that contains a description of all proposed Transportation Facilities that will be needed to serve new development within the boundaries of the Plan and the cost of constructing each proposed transportation facility within the boundaries of the plan. Costs may include, but are not limited to, engineering studies, acquisition of rights-of-way, construction of bridges, tunnels, roadways, traffic signals and any other appurtenant Transportation Facilities. The plan shall also include a schedule of fees, a detailed description of the methods that will be utilized to finance the proposed Transportation Facilities, including any fee calculations needed, and a construction priority listing of the proposed Transportation Facilities.

- (x) **Transportation Right of Way.** The acquired right that an agency possesses to pass across and improve the lands of another for access purposes.
- (y) **Treatment Facilities.** See “Hazardous Waste.”
- (z) **Travel Trailer.** See “Trailer, Travel.”
- (aa) **Tree.** Any woody perennial plant, normally having a single, elongated main stem or trunk bearing the foliage or crown, a formed crown, and generally with few or no branches on its lower part. For tree removal purposes, it shall mean a tree attaining somewhere in its natural or planted range a height of at least six feet and a diameter of not less than two inches, measured at average ground level.
- (bb) **Tree, Damaged.** Any tree certified by a tree expert, as defined in this Code, that is damaged by insects, smog, fire, disease or other natural or man made causes (including, but not limited to, any artificial attachments such as wires or signs).
- (cc) **Tree Expert.** A California Registered Professional Forester, 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 practice in one or more regions of the County.
- (dd) **Tree, Native.** Trees that grow or live naturally in San Bernardino County, including smog resistant trees introduced as part of a reforestation program. This shall not be construed to mean orchards, commercial nursery stock or planted landscaping. Trees planted and/or growing outside their normal habitat, except where the trees have been transplanted in compliance with Chapter 88.01 (Plant Protection and Management) shall not be considered to be native trees.
- (ee) **Tree Removal.** Any intentional act that will cause a tree to die, including, but not limited to acts that inflict damage upon root systems, bark, or other parts of the tree by fire, application of toxic substances, operation of equipment or machinery, changing the natural grade of land by excavation or filling the drip line area around the trunk, or to cut down, fell, push over, dig up, poison, burn, or severely prune, trim or top, so that death of the tree results, or such that the tree is severely damaged and/or is destroyed in any manner, by any cause.

- | **(ff) Tree, Specimen.** Any tree with a root ball greater than a 20-gallon container.
- | **(gg) Truck Stop (see Land Use Tables).** A facility that provides convenience services primarily for the trucking community. These services include but are not limited to food, beverage, gasoline and retail services.
- | **(hh) Truck Terminal (see Land Use Tables).** A lot, lot area or parcel of land used, designed or maintained for the purpose of storing, parking, refueling, repairing, dispatching, servicing or keeping motor trucks and associated equipment, together with those facilities necessary to service, dispatch, store or maintain aforementioned vehicles, and their cargos and crews.

Adopted Ordinance 4011 (2007), Amended Ordinance 4136 (2011)

**810.01.230 Definitions, “U.”**

- (a) **U-Pick Farm and/or Orchard (see Land Use Tables).** A farm and/or orchard where customers personally harvest fruit, vegetables, flowers, or herbs. A variety of activities in addition to fruit/vegetable picking may be offered (e.g., pet farms, hayrides, puppet shows, etc.). Restroom facilities may or may not be offered. U-pick farms may also operate a produce stand selling the produce grown on the farm, along with other value-added products (e.g., home-made pies, preserves, cider, candies, etc.).
- (b) **Unincorporated Communities.** A definable urban area that is not legally a city, but has the physical characteristics of one. An unincorporated community does not have independent jurisdiction for land use planning within its boundaries.
- (c) **Urban Services.** The provision of water, gas, electricity, schools, recreational facilities, fire and police protection, waste disposal, circulation and other services that are necessary for high intensity uses.
- (d) **Use.** The purpose for which the land or a building is arranged, designed or intended, or for which either land or a building is or may be occupied or maintained. A primary, principal or main use is the use that occupies the majority of the subject land, a building, business production or activity as opposed to an accessory use. See Accessory use.
- (e) **Utility Facility (see Land Use Tables).** A fixed base structure or facility serving as a junction point for transferring electric utility services from one transmission voltage to another or to local distribution and service voltages, and similar facilities for water supply and natural gas distribution. These uses include any of the following facilities that are not exempted from County permit requirements by Government Code Section 53091:
- electrical substations and switching stations
  - natural gas regulating and distribution facilities
  - public water system wells, treatment plants and storage, water tanks
  - pumping plants
  - reservoirs
  - telephone switching facilities
  - utility corporation and maintenance yards.

These uses do not include office or customer service centers (classified in “Offices”). See also “Pipelines, Transmission Lines.”

Adopted Ordinance 4011 (2007)

**810.01.240 Definitions, “V.”**

- (a) **Valley Region.** The unincorporated area of the southwest portion of San Bernardino County lying south and west of the Mountain Region as herein defined.
- (b) **Variance.** A process for County consideration of requests to modify certain standards of this Development Code when, because of special circumstances applicable to the property, including location, shape, size, surroundings, topography, or other physical features, the strict application of the development standards otherwise applicable to the property denies the property owner privileges enjoyed by other property owners in the vicinity and in the same land use zoning district.
- (c) **Vehicle, Motor.** See “Motor Vehicle.”
- (d) **Vehicle Services (see Land Use Tables).** The repair, servicing, alteration, restoration, towing, painting, cleaning, or finishing of automobiles, trucks, recreational vehicles, boats and other vehicles as a primary use, including the incidental wholesale and retail sale of vehicle parts as an accessory use. This use includes the following categories.
- (1) **Major Repair/Body Work.** These establishments include towing, collision repair, other body work, and painting services; tire recapping; truck maintenance.
- (2) **Minor Maintenance/Repair.** Minor facilities providing limited repair and maintenance services. Examples include: minor auto repair with no exterior overnight storage of vehicles; muffler and radiator shops; quick-lube services; tire and battery sales and installation (not including recapping).
- Does not include automobile parking (see “Parking Facilities”), repair shops that are part of a vehicle dealership on the same site (see “Auto and Vehicle Sales and Rental,” and “Mobile Home, RV, and Boat Sales and Rental”); gas stations, which are separately defined; or dismantling yards, which are included under “Recycling - Scrap and Dismantling Yards.”
- (e) **Vehicular Access Rights.** See “Access.”
- (f) **Vehicles, Operative.** A new or used vehicle that is self propelled or capable of being self-propelled with the installation of minor parts (e.g. batteries, tires, plugs).
- (g) **Vested Right (Mining and Reclamation).** See “Surface Mining Operations.”
- (h) **Vesting Tentative Map.** A “tentative map” for a residential subdivision, as defined in the County Code, that shall have printed conspicuously on its face the words “Vesting Tentative Map.”
- (i) **Veterinarian, County.** See “County Veterinarian.”

- (j) **Veterinary Clinic, Animal Hospital (see Land Use Tables).** Office and indoor medical treatment facilities used by veterinarians, including large and small animal veterinary clinics, and animal hospitals. See also “Kennel.”

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

**810.01.250 Definitions, “W.”**

- (a) **Wall Sign.** See “Sign.”
- (b) **Warehouse.** See “Storage Warehouse.”
- (c) **Warehouse Retail (see Land Use Tables).** A retail store that emphasizes the packaging and sale of products in large quantities or volumes, some at discounted prices, where products are typically displayed in their original shipping containers. Sites and buildings are usually large and industrial in character. Patrons may be required to pay membership fees.
- (d) **Watercourse.** Any natural or man-made channel where water is concentrated or collected from a tributary drainage area.
- (e) **Water-Intensive Landscaping.** Landscaping that has a plant factor of 0.7 or greater.
- (f) **Watering Window.** The time within a 24 hour period in which an irrigation system is allowed to operated.
- (g) **Water Use Classification of Landscape Species (WUCOLS).** The third edition of the publication from the University of California Cooperative Extension, the Department of Water Resources, and the Bureau of Reclamation regarding plant material and their water use needs.
- (h) **Weather Sensing Devices.** Irrigation components that detect adverse weather conditions (e.g. rain, wind, frost, etc.) and will automatically override the pre-programmed irrigation schedule during adverse weather events.
- (i) **Wholesale.** A sale of commodities or goods to others for resale and not normally to the ultimate consumer. Sales can normally employ warehouses, open enclosures and office space for the assembly, storage, distribution and display of merchandise for large quantity sales to community or regional retailers, manufacturers, and agricultural, commercial, industrial, institutional and professional uses. Sales may include the rendering of services incidental to and supportive of the sale of merchandise.
- (j) **Wholesaling and Distribution (see Land Use Tables).** Establishments engaged in selling merchandise to retailers; to contractors, industrial, commercial, institutional, farm, or professional business users; to other wholesalers; or acting as agents or brokers in buying merchandise for or selling merchandise to persons or companies. Examples of these establishments include:
- agents, merchandise or commodity brokers, and commission merchants
  - assemblers, buyers and associations engaged in the cooperative marketing of farm products
  - merchant wholesalers

- stores primarily selling electrical, plumbing, heating and air conditioning supplies and equipment.

Also includes storage, processing, packaging, and shipping facilities for mail order and e-commerce retail establishments.

(k) **Wine Tasting.** A facility or area within a winery where wine and related products are offered for retail sale, where wine may be tasted for a fee, or without charge.

(l) **Wildland.** Timber, range, watershed and brush lands not under cultivation and in which development is essentially nonexistent; usually rugged open space terrain.

(m) **Wind Energy System (see Land Use Tables).** A system that utilizes wind energy to pump a fluid or gas, or to drive a mechanical device to generate electricity. Related wind energy terms are defined as follows:

(1) **Accessory Wind Energy System.** A wind energy conversion system consisting of a wind turbine and blades, a tower, and associated control or conversion electronics, which will be used primarily to reduce onsite consumption of utility power.

(2) **System Height.** The combined height of the tower, the turbine and any blade when at the 12 o'clock position.

(3) **Tower Height.** The height above grade of the fixed portion of the tower, excluding the wind turbine.

(n) **Wireless Telecommunication Facility (Telecommunication Facility) (see Land Use Tables).** A land use that sends and/or receives radio frequency signals, including, but not limited to, cell towers, antennas, microwave dishes or horns, structures or towers to support receiving and/or transmitting devices, accessory development and structures, and the land on which they all are situated. For the purposes of this Title, wireless telecommunication facilities shall refer to the non-broadcast services identified in the rules and regulations promulgated in compliance with the Federal Telecommunication Act of 1996 as amended. Non-broadcast services require special equipment for transmissions and/or reception and serve specific users. Services include commercial wireless CRS (Cellular Radiotelephone Services), ESMR (Enhanced Specialized Mobile Radio Service), and PCS (Personal Communication Services). Amateur users are specifically excluded in this definition as they are governed by FCC PRB-1. Commercial radio and television systems are considered "broadcast services" and shall not be included in this definition. The following terms related to non-broadcast wireless telecommunication facilities are defined as follows:

(1) **Antenna.** Any structure or device used to radiate or collect electromagnetic fields or waves. Specifically, a device of one or more electrical parts that converts radio frequency electrical energy into radiated electromagnetic energy and/or vice versa.



- (2) **Co-located Wireless Telecommunication Facility.** A telecommunication facility used by more than one public or private entity.
- (3) **Commercial Mobile Radio Service.** A wireless communications service that is provided for profit (i.e., with the intent of receiving compensation or monetary gain), is an interconnected service, and is available to the public, or to classes of eligible users so as to be effectively available to a substantial portion of the public.
- (4) **Camouflage Facility.** A wireless telecommunications facility that is designed or located so that it blends to the maximum extent possible with the predominant viewing background.
- (5) **CRS (Cellular Radiotelephone Service).** Commercial Mobile Radio Services (Cellular) normally operating in the frequency range between 824 to 849 MHz, and between 869 to 894 MHz and other frequency bands as may be authorized by the FCC.
- (6) **Enhanced Specialized Mobile Radio Service.** One of the wireless communication services regulated by the Wireless Telecommunications Bureau (WTB) of the FCC operating at 800 MHz or 900 MHz and other frequency bands as may be authorized by the FCC. In general, a wide geographic area Commercial Mobile Radio Service that offers real-time, two-way switched voice service that is interconnected with the public switched network, either on a stand-alone basis or packaged with other telecommunications services, including dispatch and paging services to specialized customers in a non-cellular system configuration not interconnected to the public switched network.
- (7) **Fixed Wireless.** A local operation providing services such as local and long distance telephone and high-speed Internet to residential and business customers by means of a small equipment installation (the “Camouflage Remote Unit”) on the exterior of each home or business that elects to use this service.
- (8) **Joint Location.** The location of a telecommunication facility on a parcel where two or more towers or structures supporting one or more antennas have already been sited. A joint location site is also referred to as an “antenna farm.”
- (9) **Monopole.** A wireless communication facility that consists of a vertical ungued structure, erected to support wireless communication antennas and connecting appurtenances. As defined here, a monopole may, without limitation, be designed to look like a pole, tree, light standard, flag pole or other similar structure.
- (10) **Personal Communications Services (PCS).** One of the Commercial Mobile Radio Services regulated by the Wireless Telecommunication Bureau (WTB) of the FCC under 47 CFR Part 24; also identified as one of the Personal Wireless Services regulated by the Telecommunications Act of 1996. The PCS provide a wide array of mobile and ancillary fixed communications services to individuals

and businesses including unlicensed wireless services and common carrier wireless exchange access services as defined in 47 USC 332(c)(7)(C)(i).

- (11) **Remote Unit.** A small equipment box that is attached to the exterior of a residence or business that elects to use “fixed wireless” technology for their local and long distance telephone and high-speed Internet service.
  - (12) **Sensitive Viewshed.** A feature or vista that provides scenic value as discussed in the Scenic Resources section of the General Plan, specifically in Policy OR-50.
  - (13) **Stealth Facility.** A wireless telecommunications facility that is designed or located so that the equipment installed at the facility is not readily recognizable as telecommunications equipment.
- | (o) **Wood Receipt.** A receipt that is to accompany one or more cords of harvested wood and that is issued in compliance with the California Desert Native Plants Act (Food and Agricultural Code Section 80001 et seq.) by the Agricultural Commissioner. A Wood Receipt specifies a serial number, species of wood, fee required, location of origin, date of removal, witnessing authority, applicant, destination, and proposed use of the wood (e.g., commercial processing, commercial landscaping, etc.).

Adopted Ordinance 4011 (2007), Amended Ordinance 4136 (2011)

**810.01.260 Definitions, “X.”**

**Xeriscape.** A landscaping method that has been developed especially for those climates that are susceptible to drought conditions and that utilize water-conserving techniques, such as drought tolerant plant material, mulches, and efficient irrigation practices.

Adopted Ordinance 4011 (2007), Amended Ordinance 4136 (2011)

**810.01.270 Definitions, “Y.”**

- (a) **Yard.** An open space on a lot or parcel extending between a lot line and a setback, other than a court, unobstructed and unoccupied from the ground upward except for projections allowed by this Development Code. See “Setback” and Section 83.02.070 (Setback Regulations and Exceptions).
- (1) **Front Yard.** An area extending across the full width of the lot between the front lot line or the existing or future street right of way and a street setback line parallel thereto.
- (2) **Interior Side Yard.** An area extending from the required front yard or, where there is no required front yard, from the front lot line to the required rear yard or, where there is no required rear yard, to the rear lot line and from the interior side lot line to a setback line parallel thereto.
- (3) **Rear Yard.** An area extending across the full width of the lot between the rear lot line and a setback line parallel thereto.
- (4) **Side Street Yard.** An area extending from the required front yard or, where there is no required front yard, from the front lot line to the rear lot line, and from the side street lot line, or the existing or future side street right of way (whichever is greater) to a street setback line parallel thereto.

Adopted Ordinance 4011 (2007)

**810.01.280 Definitions, “Z.”**

- (a) **Zone, Zone District, or Zoning District.** See “Land Use Zoning District.”
- (b) **Zones A, AE, AH, AO, A99, AR, D, and X.** See “Flood Hazard.”
- (c) **Zoo.** A zoological garden or other collection of wild, exotic or dangerous animals that are raised, bred, trained and/or maintained for regular public display and exhibition on the site.

Adopted Ordinance 4011 (2007)