



# NOTICE OF DEVELOPMENT CODE AMENDMENTS

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Two ordinances were recently adopted by the Board of Supervisors amending Title 8 of the San Bernardino County Code (Development Code). Ordinances 4188 and 4189 were effective on December 27, 2012. For those individuals or companies with a printed copy of the Development Code, replacement pages reflecting the changes made by this ordinance can be printed by using a print setting for 2-sided pages. Please remove all old pages and replace them with the new ones as indicated on the following list:

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# **COUNTY OF SAN BERNARDINO**

## **2007 DEVELOPMENT CODE**

*Prepared for:*

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

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Ordinance Disposition Table

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# DIVISION 2

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

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

**KEY**

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

**Notes:**

- (1) CUP required if maximum building coverage exceeds 10,000 sq. ft., the use will have more than 20 employees per shift, or if not exempt from CEQA; may qualify for a MUP in compliance with Section 85.06.020 (Applicability)..
- (2) Use allowed as an accessory use only, on the same site as a residential use permitted by this table.
- (3) PD permit required, if total floor area or use area exceeds 10,000 sq. ft.
- (4) Requires a General Plan Amendment to Institutional (IN) Land Use Zoning District.
- (5) The Special Development Land Use Zoning District may have a suffix to indicate the focus of a particular SD zone. A “RES” suffix indicates that the focus is on residential Planned Development projects. A “COM” suffix indicates that the focus is on commercial Planned Development projects. An “IND” suffix indicates that the focus is on industrial Planned Development projects. However, all can still have mixed uses within these zones.
- (6) A CUP shall be required for three or more rooms.

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

LAND USE <i>See Division 10 (Definitions) for land use definitions</i>	PERMIT REQUIRED BY DISTRICT						Specific Use Regulations
	IC	IR	IN	SD-RES <sup>(5)</sup>	SD-COM <sup>(5)</sup>	SD-IND <sup>(5)</sup>	
<b>SERVICES - GENERAL (Continued)</b>							
Personal services	P <sup>(1)</sup>	—	—	M/C	M/C	M/C	
Public safety facility <sup>(6)</sup>	—	—	CUP	—	—	—	
Social care facility - 7 or more clients	—	—	M/C	CUP	CUP	CUP	
Vehicle services - Major repair/body work	P <sup>(1)</sup>	P <sup>(1)</sup>	—	—	M/C <sup>(7)</sup>	M/C	
Vehicle services - Minor maintenance/repair	P <sup>(1)</sup>	P <sup>(1)</sup>	CUP <sup>(8)</sup>	—	M/C <sup>(7)</sup>	M/C	
Veterinary clinic, animal hospital	M/C	—	—	—	M/C	M/C	
<b>TRANSPORTATION, COMMUNICATIONS &amp; INFRASTRUCTURE</b>							
Ambulance, taxi, or limousine dispatch facility	M/C	M/C	M/C	M/C	M/C	M/C	
Broadcasting antennae and towers	M/C	M/C	M/C	CUP	CUP	CUP	
Broadcasting studio	M/C	M/C	M/C	CUP <sup>(3)</sup>	CUP <sup>(3)</sup>	CUP <sup>(3)</sup>	
Communication contractor	M/C	M/C	M/C	M/C <sup>(7)</sup>	M/C <sup>(7)</sup>	M/C <sup>(7)</sup>	
Electrical power generation <sup>(6)</sup>	CUP	CUP	CUP	—	—	—	
Parking lots, accessory	P <sup>(2)</sup>	P <sup>(2)</sup>	P <sup>(2)</sup>	P <sup>(2)</sup>	P <sup>(2)</sup>	P <sup>(2)</sup>	
Parking structures	P <sup>(2)</sup>	P <sup>(2)</sup>	P <sup>(2)</sup>	M/C	M/C	M/C	
Pipelines, transmission lines, and control stations <sup>(4)</sup>	(4)	(4)	(4)	(4)	(4)	(4)	
Sewage treatment and disposal facility <sup>(6)</sup>	—	—	CUP	—	—	—	
Solid waste disposal <sup>(6)</sup>	—	—	CUP	—	—	—	
Transportation facility	M/C	M/C	M/C	M/C	M/C	M/C	
Truck Stop	M/C	M/C	—	—	—	M/C	
Truck Terminal	M/C	M/C	—	—	—	M/C	
Utility facility	CUP	CUP	CUP	CUP	CUP	CUP	
Water treatment plants and storage tanks	—	CUP	CUP	—	CUP	CUP	
Wind energy system, accessory	S	S	S	S	S	S	84.26
Wireless telecommunications facility	S	S	S	S	S	S	84.27
<b>OTHER</b>							
Accessory structures and uses	P	P	P	P	P	P	84.01
Temporary special events	TSP	TSP	TSP	TSP	TSP	TSP	84.25
Temporary structures and uses	TUP	TUP	TUP	TUP	TUP	TUP	84.25

**KEY**

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

## CHAPTER 82.22 SPHERE STANDARDS (SS) OVERLAY

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### Sections:

82.22.010	Purpose
82.22.020	Location Requirements
82.22.030	Development Standards within the Sphere of the City of Adelanto
82.22.040	Development Standards within the Sphere of the Town of Apple Valley
82.22.050	Development Standards within the Sphere of the City of Barstow
82.22.060	Development Standards within the Sphere of the City of Big Bear Lake
82.22.070	Development Standards within the Sphere of the City of Chino
82.22.080	Development Standards within the Sphere of the City of Colton
82.22.090	Development Standards within the Sphere of the City of Fontana
82.22.100	Development Standards within the Sphere of the City of Hesperia
82.22.110	Development Standards within the Sphere of the City of Highland
82.22.120	Development Standards within the Sphere of the City of Loma Linda
82.22.130	Development Standards within the Sphere of the City of Montclair
82.22.140	Development Standards within the Sphere of the City of Needles
82.22.150	Development Standards within the Sphere of the City of Rancho Cucamonga
82.22.160	Development Standards within the Sphere of the City of Redlands
82.22.170	Development Standards within the Sphere of the City of Rialto
82.22.180	Development Standards within the Sphere of the City of San Bernardino
82.22.190	Development Standards within the Sphere of the City of Twentynine Palms
82.22.200	Development Standards within the Sphere of the City of Upland
82.22.210	Development Standards within the Sphere of the City of Victorville
82.22.220	Development Standards within the Sphere of the City of Yucaipa

### 82.22.010 Purpose

- (a) **Purpose.** The Sphere Standards (SS) Overlay established by 82.01.030 (Overlays) is created to allow the implementation of County development standards or standards that more closely conform to city development standards within specified spheres of influence areas identified in this Chapter.
- (b) **Intent.** The intent is to ensure that the County's approval of a proposed development in a sphere of influence is consistent with the shared objectives of the County and the applicable city where the County has determined it is appropriate to adopt similar standards.

Adopted Ordinance 4011 (2007)

**82.22.020 Location Requirements**

The Sphere Standards Overlay shall only be applied to the city/town spheres of influence indicated in Table 82-23 (Sphere Standards Overlay) and shall be created upon adoption of an amendment to this Development Code in compliance with Chapter 86.12 (Amendments). **These standards apply only to the unincorporated portions of a city’s/town’s sphere of influence.**

**Table 82-23  
Sphere Standards Overlays**

Name of City/Town with Sphere of Influence over County lands	Zoning Prefix	Adoption Date of City/Town Sphere Standards	Section Reference (Where sphere standards located in Development Code)
Adelanto	AD	Not adopted	82.22.030
Apple Valley	AV	December 27, 2012	88.22.040
Barstow	BW	Not adopted	88.22.050
Big Bear Lake	BB	Not adopted	88.22.060
Chino	CC	Not adopted	88.22.070
Colton	CL	Not adopted	88.22.080
Fontana	FT	May 8, 2007	88.22.090
Hesperia	HP	Not adopted	88.22.100
Highland	HD	Not adopted	88.22.110
Loma Linda	LL	Not adopted	88.22.120
Montclair	MC	Not adopted	88.22.130
Needles	ND	Not adopted	88.22.140
Rancho Cucamonga	RC	Not adopted	88.22.150
Redlands	RD	Not adopted	88.22.160
Rialto	RT	Not adopted	88.22.170
San Bernardino	SB	Not adopted	88.22.180
Twentynine Palms	TP	Not adopted	88.22.190
Upland	UP	Not adopted	88.22.200
Victorville	VV	Not adopted	88.22.210
Yucaipa	YU	Not adopted	88.22.220

Adopted Ordinance 4011 (2007); Amended Ordinance 4020 (2007); **Amended Ordinance 4189 (2012)**

**82.22.030 Development Standards within the Sphere of the City of Adelanto**

(Reserved)

Adopted Ordinance 4189 (2012)

**82.22.040 Development Standards within the Sphere of the Town of Apple Valley**

(a) **General Provisions.** The provisions contained in this section are only those provisions that are different from countywide provisions and unique to the Apple Valley Sphere of Influence.

- (b) **Agricultural and Resource Management Land Use Zoning Districts -- Allowed Uses and Permit Requirements.** As outlined in Table 82-4 of Chapter 82.04, except for the unique uses noted below:

**Table 82-24  
Allowed Land Uses and Permit Requirements  
for Agricultural and Resource Management Land Use Zoning Districts  
within the Apple Valley Sphere of Influence**

LAND USE <i>See Division 10 (Definitions) for land use definitions</i>	PERMIT REQUIRED BY DISTRICT			Specific Use Regulations
	AV/RC	AV/AG	AV/FW	
<b>AGRICULTURAL, RESOURCE &amp; OPEN SPACE USES</b>				
Community garden	A	A	A	
Nursery (Wholesale)	M/C	M/C	M/C	
<b>RECREATION, EDUCATION &amp; PUBLIC ASSEMBLY</b>				
Desert botanical garden	MUP	MUP	—	
Historical landmarks and structures	A	A	A	
Zoos	CUP	CUP	—	

**KEY**

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

- (c) **Residential Land Use Zoning Districts -- Allowed Uses and Permit Requirements.**  
 As outlined in Table 82-7 of Chapter 82.04, except for the unique uses noted below:

**Table 82-25  
 Allowed Land Uses and Permit Requirements for Residential Land Use Zoning Districts  
 within the Apple Valley Sphere of Influence**

LAND USE <i>See Division 10 (Definitions) for land use definitions</i>	PERMIT REQUIRED BY DISTRICT		Specific Use Regulations
	AV/RL	AV/RS	
<b>AGRICULTURAL, RESOURCE &amp; OPEN SPACE USES</b>			
Agricultural accessory structure (non-habitable) – 1,000 sf max.	A	A	
Agricultural accessory structure (non-habitable) – up to 10,000 sf max. on 5 ac. or less	A	—	
Agricultural accessory structure (non-habitable) – greater than 10,000 sf on 5 ac. or less	M/C	—	
Community garden	A	A	
Nursery (Wholesale)	M/C	—	
<b>RECREATION, EDUCATION &amp; PUBLIC ASSEMBLY</b>			
Historical landmarks and structures	A	A	
<b>RESIDENTIAL USES</b>			
Fitness/health facility	CUP	—	

**KEY**

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

(d) **Commercial Land Use Zoning Districts -- Allowed Uses and Permit Requirements.**  
As outlined in Table 82-11 of Chapter 82.05, except for the unique uses noted below.

**Table 82-26**  
**Allowed Land Uses and Permit Requirements for Commercial Land Use Zoning Districts**  
**within the Apple Valley Sphere of Influence**

LAND USE <i>See Division 10 (Definitions) for land use definitions</i>	PERMIT REQUIRED BY DISTRICT			Specific Use Regulations
	AV/CR	AV/CN	AV/CG	
<b>INDUSTRY, MANUFACTURING &amp; PROCESSING, WHOLESALING</b>				
Storage - Personal storage (mini-storage)	M/C	—	CUP	
Storage - Recreational vehicles	CUP	—	CUP	
<b>RECREATION, EDUCATION &amp; PUBLIC ASSEMBLY</b>				
Historical landmarks and structures	A	A	A	
School - Specialized education/training	M/C	M/C	M/C	
<b>RETAIL</b>				
Construction and heavy equipment sales and rental	M/C	—	CUP	
Nurseries (Retail)	M/C	—	M/C	
<b>SERVICES - GENERAL</b>				
Crematorium	CUP	—	CUP	
Mortuary services	CUP	—	CUP	
Repair Services – non-automotive	MUP	MUP	MUP	
Social Care Facility - 7 or more clients	—	—	—	

**KEY**

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

- (e) **Industrial and Special Use Land Use Zoning Districts -- Allowed Uses and Permit Requirements.** As outlined in Table 82-17 of Chapter 82.05, except for the unique uses noted below.

**Table 82-27  
Allowed Land Uses and Permit Requirements  
for Industrial and Special Purpose Land Use Zoning Districts  
within the Apple Valley Sphere of Influence**

LAND USE <i>See Division 10 (Definitions) for land use definitions</i>	PERMIT REQUIRED BY DISTRICT			Specific Use Regulations
	AV/IC	AV/IR	AV/SD-PD	
<b>RECREATION, EDUCATION &amp; PUBLIC ASSEMBLY</b>				
Historical landmarks and structures	A	A	A	
<b>RETAIL</b>				
Building and landscape materials sales - Indoor	M/C	M/C	—	
Building and landscape materials sales - Outdoor	M/C	M/C	—	
<b>SERVICES – BUSINESS, FINANCIAL, PROFESSIONAL</b>				
Office - Government	M/C	M/C	M/C	
<b>SERVICES - GENERAL</b>				
Lodging – Hotel or motel – 20 or fewer guest rooms	CUP	CUP	M/C	
Lodging – Hotel or motel – More than 20 guest rooms	CUP	CUP	M/C	

**KEY**

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

- (f) **Single-Family Residential Dwellings.** The exception to the ten-year standard outlined in Subsection 84.21.030(i) [Certification tag or label required] shall not be allowed. Therefore, in the Apple Valley Sphere of Influence, a permit from the Building and Safety Division for the installation of a manufactured home not within an approved and properly licensed mobile home park shall not be issued, if more than ten years have elapsed between the date of manufacture and the date of the application for the issuance of the permit to install such manufactured home.

Adopted Ordinance 4189 (2012)

**82.22.050 Development Standards within the Sphere of the City of Barstow**

(Reserved)

Adopted Ordinance 4189 (2012)

**82.22.060 Development Standards within the Sphere of the City of Big Bear Lake**

(Reserved)

Adopted Ordinance 4189 (2012)

**82.22.070 Development Standards within the Sphere of the City of Chino**

Adopted Ordinance 4189 (2012)

(Reserved)

Adopted Ordinance 4189 (2012)

**82.22.080 Development Standards within the Sphere of the City of Colton**

(Reserved)

Adopted Ordinance 4189 (2012)

**82.22.090 Development Standards within the Sphere of the City of Fontana**

**Fontana Sphere of Influence:** The density within the FT/RM (Fontana/Multiple Residential) Land Use Zoning District shall be up to 24 units per acre depending on the design of the project and the amenities provided. The density of 24 units per acre shall be allowed if the Total Amenity Points as outlined in Section 84.16.050 (Common Amenities and Facilities) is 12 points or greater and all other required design standards of Chapter 84.16 (Multi-Family Residential Development Standards) are met.

Adopted Ordinance 4011 (2007); Amended Ordinance 4020 (2007); Amended Ordinance 4189 (2012)

**82.22.100 Development Standards within the Sphere of the City of Hesperia**

(Reserved)

Adopted Ordinance 4189 (2012)

**82.22.110 Development Standards within the Sphere of the City of Highland**

(Reserved)

Adopted Ordinance 4189 (2012)

**82.22.120 Development Standards within the Sphere of the City of Loma Linda**

(Reserved)

Adopted Ordinance 4189 (2012)

**82.22.130 Development Standards within the Sphere of the City of Montclair**

(Reserved)

Adopted Ordinance 4189 (2012)

**82.22.140 Development Standards within the Sphere of the City of Needles**

(Reserved)

Adopted Ordinance 4189 (2012)

**82.22.150 Development Standards within the Sphere of the City of Rancho Cucamonga**

(Reserved)

Adopted Ordinance 4189 (2012)

**82.22.160 Development Standards within the Sphere of the City of Redlands**

(Reserved)

Adopted Ordinance 4189 (2012)

**82.22.170 Development Standards within the Sphere of the City of Rialto**

(Reserved)

Adopted Ordinance 4189 (2012)

**82.22.180 Development Standards within the Sphere of the City of San Bernardino**

(Reserved)

Adopted Ordinance 4189 (2012)

**82.22.190 Development Standards within the Sphere of the City of Twentynine Palms**

(Reserved)

Adopted Ordinance 4189 (2012)

| **82.22.200**      **Development Standards within the Sphere of the City of Upland**

| (Reserved)

|        Adopted Ordinance 4189 (2012)

| **82.22.210**      **Development Standards within the Sphere of the City of Victorville**

| (Reserved)

|        Adopted Ordinance 4189 (2012)

| **82.22.220**      **Development Standards within the Sphere of the City of Yucaipa**

| (Reserved)

|        Adopted Ordinance 4189 (2012)

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## CHAPTER 82.23 COMMUNITY PLANS, SPECIFIC PLANS AND AREA PLANS

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### Sections:

- 82.23.010 Purpose
- 82.23.020 Location Requirements

### 82.23.010 Purpose

- (a) **Purpose.** Specific Plans, Community Plans and Area Plans may be established to allow the implementation of special development standards for specified areas.
- (b) **Intent.** The intent is to ensure that the County's approval of a proposed development in these specified areas is consistent with the standards as adopted for specific areas.

Adopted Ordinance 4011 (2007)

### 82.23.020 Adopted Community Plans

- (a) **Available for review.** All adopted Community Plans are available for review at the Department and are posted on the Department web page ([www.sbcounty.gov/landuseservices](http://www.sbcounty.gov/landuseservices)).
- (b) **Adopted plans.** The following symbols appear as a prefix on the land use zoning district maps to identify the various community plan areas that have been adopted by the Board:

#### (1) Valley Community Plans:

- (A) Bloomington BL
- (B) Muscoy MS

#### (2) Mountain Community Plans:

- (A) Bear Valley BV
- (B) Crest Forest CF
- (C) Hilltop HT

- (D) Lake Arrowhead LA
- (E) Lytle Creek LC
- (F) Oak Glen OG

**(3) Desert Community Plans:**

- (A) Homestead Valley HV
- (B) Joshua Tree JT
- (C) Lucerne Valley LV
- (D) Morongo Valley MV
- (E) Oak Hills OH
- (F) Phelan/Pinon Hills PH

Adopted Ordinance 4011 (2007)

**82.23.030 Adopted Specific Plans**

- (a) **Available for review.** Specific plans are adopted by the Board and shall be shown on the appropriate land use zoning district map with a Specific Plan (SP) Land Use Zoning District designation. All adopted Specific Plans are available for review at the Department and are posted on the Department web page ([www.sbcounty.gov/landuseservices](http://www.sbcounty.gov/landuseservices)).
- (b) **Adopted plans.** The following symbols appear as a prefix on the land use zoning district maps to identify the various specific plan areas that have been adopted by the Board:

- (1) Agua Mansa Industrial Corridor Specific Plan AM
- (2) Glen Helen Specific Plan GH
- (3) Kaiser Commerce Center Specific Plan KC

Adopted Ordinance 4011 (2007)

**82.23.040 Adopted Area Plans**

- (a) **Available for review.** All adopted Areas Plans are available for review at the Department and are posted on the Department web page ([www.sbcounty.gov/landuseservices](http://www.sbcounty.gov/landuseservices)).
- (b) **Adopted plans.** The following symbols appear as a prefix on the land use zoning district maps to identify the area plan that has been adopted by the Board:

East Valley Area Plan (EV)

Adopted Ordinance 4011 (2007)

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# DIVISION 4 STANDARDS FOR SPECIFIC LAND USES AND ACTIVITIES

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## CHAPTER 84.26 ACCESSORY WIND ENERGY SYSTEMS

### Sections:

- 84.26.010 Purpose.
- 84.26.020 Applicability.
- 84.26.030 Development standards.

#### 84.26.010 Purpose

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

Adopted Ordinance 4011 (2007); Amended Ordinance 4188 (2012)

#### 84.26.020 Applicability

This Chapter provides development standards for accessory wind energy systems.

Adopted Ordinance 4011 (2007)

#### 84.26.030 Development Standards

- (a) **Maximum Number of Accessory Wind Energy Systems.** The maximum number of Accessory Wind Energy Systems on a single parcel is determined by the total combined rated kW hours for all the wind turbines in a system. Wind turbines are defined in Subsection 810.010.250(m)(4) of this Title. The maximum number of Accessory Wind Energy Systems is as follows:

**Table 84-14a  
Maximum Number of Accessory Wind Energy Systems**

	Type of System	Requirements
Maximum Number of kW	Residential	10 kW
	Non-Residential	50 kW or verified actual energy use
Maximum Number of Turbines in the System	Building-Mounted Turbines	Based on the maximum number of kW
	Tower-Mounted Turbines	Based on the maximum number of kW. Only 1 turbine shall be attached to each tower
	Combined Building Mounted and Tower Turbines	Based on the maximum number of kW. Only 1 turbine shall be attached to a tower

- (b) **Maximum tower height.** The tower height limitations in Table 84-14b (Maximum Tower Heights for Accessory Wind Energy Systems) shall apply to all accessory wind energy systems, provided that the application for a system includes evidence that the proposed height does not exceed the height recommended by the manufacturer or distributor of the system.

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

Land Use Zoning District (parcel size within zoning district)	Region		
	Valley	Mountain	Desert
AG	80'	80'	120'
RC	80'	80'	120'
RL (minimum one-half acre)	65'	65'	80'
RL-5, RL-10, RL-20, RL-40	80'	80'	100'
RM (minimum one-half acre)	52.5'	52.5'	52.5'
RS (minimum one-half acre)	52.5'	52.5'	52.5'
All other land use zoning districts	65' <sup>(1)</sup>	65' <sup>(1)</sup>	80' <sup>(1)</sup>
Note: (1) Or the maximum structure height specified in Division 2 (Land Use Zoning Districts and Allowed Land Uses) for the land use zoning district in which the system is located, whichever is greater.			

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

- (2) An accessory wind energy system shall not be:
- (A) Located within a scenic corridor as identified in the Open Space Element of the General Plan and in Chapter 82.19 (Open Space (OS) Overlay).
  - (B) Allowed where otherwise prohibited by any of the following:
    - (I) The Alquist-Priolo Earthquake Fault Zoning Act.
    - (II) The terms of any easement.
    - (III) The listing of the proposed site in the National Register of Historic Places or the California Register of Historical Resources.
- (j) Turbine certification.** All Wind Turbines in an Accessory Wind Energy System must be approved by the California Energy Commission as eligible in the Emerging Renewables Program or certified by a national program recognized and approved by the Energy Commission including the Clean Energy States Alliance.
- (k) Engineering analysis.** The application shall include standard drawings and an engineering analysis of the system's tower, showing compliance with the California Building Code (CBC) or the California Residential Code (CRC) and certification by a professional mechanical, structural, or civil engineer licensed by the State. However, a wet stamp shall not be required, provided that the application demonstrates that the system is designed to meet the:
- (1) CBC or CRC requirements for the applicable wind speed and exposure;
  - (2) CBC or CRC requirements for the applicable seismic design category;
  - (3) Requirements for a soil strength of not more than 1,000 pounds per square foot; or
  - (4) Other relevant conditions normally required by a local agency.
- (l) Compliance with aviation law.** The system shall comply with all applicable Federal Aviation Administration requirements and the State Aeronautics Act (Public Utilities Code Section 21001 et seq.).
- (m) Compliance with electrical code.** The application shall include a line drawing of the electrical components of the system in sufficient detail to allow for a determination that the installation conforms to the California Electric Code (CEC).
- (n) Reduction in onsite electricity consumption.** The system shall be used primarily to reduce onsite consumption of electricity.

Adopted Ordinance 4011 (2007); Amended Ordinance 4098 (2010); Amended Ordinance 4188 (2012)

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## CHAPTER 85.18 ACCESSORY WIND ENERGY SYSTEM PERMIT

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### Sections:

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

### 85.18.010 Purpose

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

Adopted Ordinance 4011 (2007)

### 85.18.020 Applicability

- (a) **Accessory Wind Energy System Permit.** An **Accessory Wind Energy System, as defined by Section 810.10.250 (Definitions, "W")** and where allowed by Division 2 (Land Use Zoning Districts and Allowed Land Uses) **of this Development Code**, shall require an Accessory Wind Energy System Permit and shall be subject to the requirements and standards **set forth** in this Chapter **and Chapter 84.26 of Division 4 of this Development Code**.
- (b) **Exemptions.** A **single** Accessory Wind Energy System that is 35 feet or less in height shall be exempt from the requirement to obtain an Accessory Energy System Permit. **Multiple systems on the same parcel, even if they are 35 feet or less in height, shall be required to obtain an Accessory Wind Energy System Permit. All Accessory Wind Energy Systems, including those systems exempted from the Accessory Wind Energy System Permit Process pursuant to this subsection, shall comply with the standards set forth in Chapter 84.26 of Division 4 of this Development Code.**

Adopted Ordinance 4011 (2007); Amended Ordinance 4098 (2010); **Amended Ordinance 4188 (2012)**

### 85.18.030 Procedures

- (a) **Action.** The Director shall review and act upon an application for approval of an Accessory Wind Energy System Permit.

- (b) **Procedure.** Staff Review With Notice in compliance with Section 85.02.030 (Staff Review with Notice).
- (c) **Notification.**
- (1) **Surrounding property owners.** Notice shall be given by first class mail or delivery to all surrounding property owners within 300 feet of the boundaries of the parcel of the subject site when **an application is accepted as complete.**
  - (2) **Electric utility service provider.** If the applicant plans to connect the system to the electricity grid, the applicant shall submit documentation from the electric utility service provider that serves the proposed site confirming they have been informed of the applicant's intent to install an interconnected customer-owned electricity generator. If the applicant does not plan to connect the system to the electricity grid, notice to the electric utility service provider shall not be required.
  - (3) **Pest control service providers.** In the event an **Accessory Wind Energy System** is proposed to be sited **as an accessory to** an agricultural use that may involve aircraft operating at low altitudes, the applicant shall take reasonable steps to notify pest control aircraft pilots registered to operate in the County.
  - (4) **Military airspace authority.** An accessory wind energy system shall not be sited on land within a restricted military airspace without first giving adequate notice to the governing authority of that airspace.
- (d) **Application Submittal Requirement.** The noise ratings as published by the manufacturer of a system proposed for installation shall be submitted to the County for review at the time of the submittal of an application for an Accessory Wind Energy System Permit. If multiple systems are being proposed, the noise ratings shall be modified to address the number of systems being installed.
- (e) **Review Authority.** Director.
- (f) **Findings required.** Before approving an application for an Accessory Wind Energy Permit, the Director shall find and justify that all of the following are true:
- (1) The site for the proposed use is adequate in size and shape to accommodate the proposed use and all yards, open spaces, setbacks, walls and fences, parking areas, loading areas, landscaping and other features pertaining to the proposed use.
  - (2) The site for the proposed use has adequate access (i.e., the site design incorporates street and highway limitations).
  - (3) The proposed use will not have a substantial adverse effect on adjacent property or the use of the adjacent property (e.g., excessive noise, vibration, traffic, other disturbance, etc.) and will not have a substantial visual impact on adjacent property.

- (4) The proposed use is consistent with the goals, policies, standards and maps of the General Plan and any applicable Community Plan or Specific Plan.
- (5) The lawful conditions stated in the approval are deemed necessary to protect the public health, safety, and general welfare.

Adopted Ordinance 4011 (2007); Amended Ordinance 4188 (2012)

**85.18.040 Abandonment**

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

Adopted Ordinance 4011 (2007)

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- (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 Gardens (see Land Use Tables).** A private or public facility for the non-commercial cultivation of fruits, flowers, vegetables, or ornamental plants by more than one person or family.
- (oo) **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.
- (pp) **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.
- (qq) **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.
- (rr) **Compatible Land Uses.** See “Surface Mining Operations.”
- (ss) **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.
- (tt) **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.
- (uu) **Complex Sign.** See “Sign.”
- (vv) **Complex Occupant Sign.** See “Sign.”
- (ww) **Composting.** Processing waste in a controlled environment to produce a stable product by microbiologically degrading organic matter under aerobic conditions.

**(xx) 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.

**(yy) 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.

**(zz) 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.

**(aaa) 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.

- (bbb) **Condominium Project.** A common interest development consisting of condominiums.
- (ccc) **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.).
- (ddd) **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.
- (eee) **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.
- (fff) **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.
- (ggg) **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.
- (hhh) **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.

- (iii) **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.
- (jjj) **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.
- (kkk) **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.
- (lll) **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.).
- (mmm) **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.
- (nnn) **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.
- (ooo) **Corner Lot.** See “Lot.”
- (ppp) **Correctional Institution (see Land Use Tables).** An incarceration facility owned and operated by a Federal, State, local government or private entity.
- (qqq) **Corrosive Soils.** See “Soil.”
- (rrr) **County.** The County of San Bernardino, State of California.
- (sss) **County Code.** County of San Bernardino Code.
- (ttt) **County Fire Department.** See “Fire Department.”
- (uuu) **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.
- (vvv) **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.

**(www) County Surveyor.** The County Surveyor of San Bernardino County, or authorized designee.

**(xxx) County Veterinarian.** Any veterinarian of the County designated by the Department of Public Health

**(yyy) 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.

**(zzz) Crematorium (see Land Use Tables).** A location containing properly installed, certified apparatus intended for use in the act of cremation

**(aaaa) 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       | ▪ ornamental crops             |
| ▪ flowers and seeds | ▪ tree nuts                    |
| ▪ fruits            | ▪ trees and sod                |
| ▪ grains            | ▪ vegetables                   |
| ▪ melons            | ▪ 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.

**(bbbb) 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.

**(cccc) 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); Amended Ordinance 4162 (2012); **Amended Ordinance 4189 (2012)**

**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 Botanical Gardens (see Land Use Tables).** A public or private facility for the demonstration and observation of the cultivation of desert flowers, fruits, vegetables, or ornamental desert plants.
- (n) **Desert Native Plant.** See “Plant, Desert Native.”
- (o) **Desert Native Plant Expert.** See “Plant Expert, Desert Native.”

- (p) **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.
- (q) **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.
- (r) **Detailed Site Plan.** See “Site Plan, Detailed.”
- (s) **Design Flood.** See “Flood Hazard.”
- (t) **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.
- (u) **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. This shall include but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.
- (v) **Development Application.** Any application, review and/or process acted upon by the Department. See “Land Use Application.”

- (w) **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.
- (x) **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.
- (y) **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.
- (z) **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.
- (aa) **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.

**(bb) Development Project.** Any one or a series of related development applications that constitute a single development proposal.

**(cc) 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.

**(dd) Development Review Committee.** A committee consisting of representatives from various public agencies whose functions are to review and make recommendations on development proposals.

**(ee) Development Suitability Analysis.** A comprehensive examination of the opportunities and constraints affecting development of a given site.

**(ff) Deviations.** Authorized variances from required distances, setbacks, areas or physical improvements.

**(gg) Directional Sign.** See "Sign."

**(hh) Director.** The Director of Land Use Services or authorized designee.

**(ii) Director of Airports.** The Director of the County Airports Department or an authorized designee.

**(jj) Director of Department of Public Works.** The Director of the County Department of Public Works or an authorized designee.

**(kk) Director of Special Districts.** The Director of the Special Districts Department or an authorized designee.

**(ll) Disabled or Handicapped Person.** An individual who has a physical or mental impairment as defined by Titles II and III of the Americans with Disabilities Act and applicable state law.

- (mm) Dismantlers.** See “Motor Vehicle Dismantling Facility.”
- (nn) Display Sign.** See “Sign.”
- (oo) Distribution.** See “Wholesaling and Distribution.”
- (pp) Drainage Course.** A natural or man-made water course that could convey runoff either year around or intermittently.
- (qq) 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.
- (rr) 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.
- (ss) Dwelling, Multiple Family (see Land Use Tables).** A building or portion thereof used and/or designed as two or more independent dwelling units.
- (tt) Dwelling, Single Family (see Land Use Tables).** A detached building designed and/or used as one dwelling unit.
- (uu) Dwelling, Single Family Attached (see Land Use Tables).** A single family dwelling that is attached to not more than one other single family dwelling.
- (vv) 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.
- (ww) Dwelling Unit, Second.** A second dwelling unit is an additional dwelling unit either attached or detached.
- (xx) 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); Amended Ordinance 4163 (2012); Amended Ordinance 4169 (2012); **Amended Ordinance 4189 (2012)**

**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

- (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) **Historical Landmark and Structure (see Land Use Tables).** An individual structure or group of structures on a single lot, a site, an area, a district, or combination thereof, having a special historical, architectural, cultural, or aesthetic value.
- (s) **Holiday Lighting.** See “Lighting, Outdoor.”
- (t) **Hog Ranch.** Any premises used for the raising or keeping of 10 or more weaned animals.
- (u) **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).
- (v) **Homeless Shelter (see Land Use Tables).** A facility providing sleeping and eating facilities for the homeless.
- (w) **Host Home.** See “Bed and Breakfast Inn.”
- (x) **Hospital.** See “Medical Services, Hospital.”
- (y) **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); Amended Ordinance 4189 (2012)

- (d) A “home health agency” as defined by and licensed pursuant to Chapter 8 of Division 2 of the Health and Safety Code (commencing with Section 1725); and,
  - (e) A nonexempt “hospice” as defined by and licensed pursuant to Chapter 8.5 of Division 2 of the Health and Safety Code (commencing with Section 1745).
- (3) The word “marijuana” shall have the same meaning as that set forth in Health & Safety Code Section 11018. The term “medical marijuana” is marijuana used for medicinal purposes in strict accordance with Health and Safety Code Sections 11362.5 and 11362.7 et seq.
- (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) **Mortuary Services (see Land Use Tables).** An establishment providing services for preparing the human dead for burial or cremation and arranging and managing funerals. This excludes cemeteries, crematoriums and columbariums.

(zz) **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.

(aaa) **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.

(bbb) **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.”

(ccc) **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.

(ddd) **Mountain Major Highway.** See “Road System.”

(eee) **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.

**(fff) Mountain Secondary Highway.** See “Road System.”

**(ggg) 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.

**(hhh) 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.

**(iii) Multi-Family Residential Projects.** Development project in which two or more attached or detached units are located, including apartments or condominiums.

**(jjj) 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.”

**(kkk) “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.

**(III) 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.

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

Adopted Ordinance 4011 (2007); Amended Ordinance 4043 (2008), Amended Ordinance 4136 (2011); Amended Ordinance 4140 (2011); **Amended Ordinance 4189 (2012)**

**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.

- (o) **Nurseries (Retail) (see Land Use Tables).** The retail handling of any article, substance, or commodity related to the planting, maintenance, or harvesting of garden plants, shrubs, trees, packaged fertilizers, soils, chemicals, or other nursery goods and related products in small quantities to the consumer.
- (p) **Nurseries (Wholesale) (see Land Use Tables).** The growing, storage, and sale of garden plants, shrubs, trees, or vines for resale, including incidental retail sales conducted from within a building not exceeding 20 percent of the combined wholesale and retail sales volume during any year.

Adopted Ordinance 4011 (2007); Amended Ordinance 4189 (2012)

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.”
- (o) **Recycling Facility, Accessory (see Land Use Tables).** A recycling facility as defined above, that is incidental to a primary industrial or commercial use.
- (p) **Recycled Water.** See “Non-Potable Water”
- (q) **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.
- (r) **Regulatory Floodway.** See “Flood Hazard.”
- (s) **Rehabilitation.** The restoration of deteriorated structures, neighborhoods and public facilities. It may involve repair, renovation, conversion, expansion, remodeling, reconstruction or any combination thereof.
- (t) **Rehabilitation Center.** See “Medical Services Rehabilitation Center.”
- (u) **Rehabilitated Landscape.** A re-landscaping project that meets the applicability requirements of Chapter 83.10, Landscaping Standards.
- (v) **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.
- (w) **Religious Assembly Facility.** See “Meeting Facility, Public or Private” and “Places of Worship.”

- (x) **Remainder Parcel.** See “Parcel, Remainder.”
- (y) **Remote Unit.** See “Wireless Telecommunication Facilities.”
- (z) **Repair Services (Non-automotive) (see Land Use Tables).** Establishments engaged in the provision of repair services to individuals, households and firms.
- (aa) **Reserve Parcel.** See “Parcel, Reserve.”
- (bb) **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.”
- (cc) **Residential Accessory Use or Structure (see Land Use Tables).** See “Accessory Structure.”
- (dd) **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.
- (ee) **Residential Hotel.** See “Hotel, Residential.”
- (ff) **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.”
- (gg) **Residuals Depository.** See “Hazardous Waste.”
- (hh) **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.
- (ii) **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.
- (jj) **Retail, General.** See “General Retail.”
- (kk) **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.
- (ll) **Reversed Corner Lot.** See “Lot.”

- | **(zz) 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.
- | **(aaa) Rubber Manufacturing.** See “Manufacturing Operations I and II.”
- | **(bbb) Rumpus Room.** See “Recreation Room.”
- | **(ccc) 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.
- | **(ddd) 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.”
- | **(eee) 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); Amended Ordinance 4169 (2012); **Amended Ordinance 4189 (2012)**

**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
  - community college, college, or university
  - elementary, middle, and junior high schools
  - high school
  - military academy

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

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

**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. **A lake, river, creek, stream, wash, arroyo, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.**
- (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.** An Accessory Wind Energy System consists of one or more wind turbines that generate electricity of which more than 50% shall be used on site. An Accessory Wind Energy System includes all the wind turbines on a single lot or on multiple parcels in common ownership with a single, common land use. An Accessory Wind Energy System typically has a rated capacity of not more than 50 kilowatts. This capacity may be increased to a maximum of the actual demonstrated energy use for a specific site in question.
  - (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.
  - (4) **Wind Turbine.** A device which converts the kinetic energy of wind into a usable form of electric energy. A wind turbine may consist of a tower, turbine, support structures, electrical wires, guy wires and other related equipment.
- (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 unguyed 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); Amended Ordinance 4163 (2012); **Amended Ordinance 4188 (2012)**

**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 (see Land Use Tables).** 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. **See also “Library, Museum, Art Gallery, Outdoor Exhibit.”**

Adopted Ordinance 4011 (2007); **Amended Ordinance 4189 (2012)**

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