



NOTICE OF DEVELOPMENT CODE AMENDMENTS

Two ordinances were recently adopted by the Board of Supervisors amending Title 8 of the San Bernardino County Code (Development Code). Ordinances 4180 and 4181 were effective on August 23, 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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Amended August 23, 2012



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CHAPTER 83.05 DEDICATIONS AND INSTALLATIONS OF STREET AND TRAIL IMPROVEMENTS

Sections:

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

83.05.010 Purpose

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

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

83.05.020 Applicability

The requirements of this Chapter shall apply to all subdivision and single-parcel development. **The road dedication and street improvement standards provided in this Chapter do not apply to:** (1) the alteration or enlargement of an existing building or structure on a lot or parcel of land if the total square footage of such alteration or enlargement, and all other alterations or enlargements completed three (3) years prior to the date of the application for a permit for such alteration or enlargement, does not exceed one-half (1/2) of the original square footage of all buildings and structures on such lot or parcel of land, or (2) the erection of one or more accessory structures (not including accessory dwellings) as defined in Subsection 810.01.030(g) of the County Code. For purposes of this section, "original square footage" means the square footage of all buildings and structures that existed on such lot or parcel of land three (3) years prior to the date of the application for such permit.

Adopted Ordinance 4011 (2007); Amended Ordinance 4181 (2012)

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

- (a) **Dedications required by approved plans or ordinances.** Before final inspection of structures, the dedication of additional street and/or highway right-of-way may, at the discretion of the Director of Public Works, be required to comply with the General Plan, an adopted specific plan, a Local Area Transportation Facilities Plan, or the provisions of any specific ordinance which has established a future right-of-way line.

- (b) **Dedications required in absence of approved plans or ordinances.** Where approved plans or ordinances do not exist, the required dedications shall be as follows:
- (1) **Desert Region.** In the Desert Region, a 44-foot half width on section lines and quarter section lines and a 30-foot half width on sixteenth section lines shall be required.
 - (2) **Mountain Region.** In the Mountain Region, a 20-foot half width from centerline shall be required; however, whenever the Director of Public Works waives this dedication requirement, a 10-foot half width shall be the absolute minimum required.
 - (3) **Valley Region.** In the Valley Region, additional right-of-way shall be required in compliance with road widths established by the General Plan after review by the Director of Public Works.

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

83.05.040 Dedication and Installation of Trail Right-of-Way

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

- (2) The scenic corridor on either side of a proposed trail route, measured from the outside edge of the right-of-way, trail, or path shall be identified. Development along the scenic corridor shall be compatible with existing scenic qualities.
- (3) Signage shall indicate approved off-highway vehicle (OHV) trails or access areas and shall notify where OHV use is prohibited.
- (d) **Delayed improvements.** Delayed improvements may be allowed in compliance with Section 83.05.060 (Delayed Improvements).
- (e) **Waiver of Public Works requirements.** A waiver of the Public Works Department requirements may be allowed in compliance with Section 83.05.070 (Waiver of Public Works Requirements).

Adopted Ordinance 4011 (2007)

83.05.050 Installation of Street Improvements

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

Adopted Ordinance 4011 (2007)

83.05.060 Delayed Improvements

- (a) **Dedication and installation required first.** The right-of-way dedication and installation of street improvements shall be required before the occupancy of the premises or commencement of uses.
- (b) **Delayed improvements allowed with written agreement.** Where it is impractical to install the required improvements at the time of the proposed development, a **delayed improvement** agreement in writing shall be entered into with the County Department of Public Works to make the improvements **along with the posting of a form of surety described in subsection (c), herein.** If the United States, the State of California, the County of San Bernardino, any other county, any municipal corporation, school district, other public district or public body includes in the delayed improvement agreement a written guarantee of payment of all costs for which the public district or public body may become liable to the County, then the posting of a form of surety described in subsection (c), herein, is not required from such public district or public body. The foregoing exemption to the surety requirement does not apply to subdivisions under the California Subdivision Map Act, Government Code Section 66410 et seq.
- (c) **Surety required.** A cash deposit, a surety bond, a developer lien agreement, or other form of surety acceptable to the County Department of Public Works in an amount equal to the estimated cost of the improvements as determined by the County Engineer, shall be posted with the County Department of Public Works to guarantee the installation of the improvements. The actual installation of street improvements may be delayed until the County makes a written demand for the installment. If surety bonds are submitted, they shall be furnished by a surety company authorized to write the bonds in the State of California. If a developer lien agreement is used, it shall be used only for **residential subdivisions (as defined in Subsection 87.07.040(d)(1)), and** commercial or industrial development and shall be prepared and processed in compliance with County policy.

Adopted Ordinance 4011 (2007); **Amended Ordinance 4180 (2012)**

83.05.070 (Reserved)

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

83.05.080 Building Official Determination

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

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

Adopted Ordinance 4011 (2007)

CHAPTER 83.09 INFRASTRUCTURE IMPROVEMENT STANDARDS

Sections:

- 83.09.010 Purpose
- 83.09.020 Applicability
- 83.09.030 Infrastructure Improvement Standards - Valley Region
- 83.09.040 Infrastructure Improvement Standards - Mountain Region
- 83.09.050 Infrastructure Improvement Standards - Desert Region

83.09.010 Purpose

The purpose of this Chapter is to establish the infrastructure improvements required for proposed development in order to ensure that the development does not result in fiscal liabilities to County residents. The intent is to require an appropriate range of infrastructure facilities and services to support areas of high intensity development and areas of low intensity development. The requirements are based upon the direct relationship between the intensity of land uses and the amounts of facilities and services that are needed to support the uses.

Adopted Ordinance 4011 (2007)

83.09.020 Applicability

The standards provided in this Chapter apply to all new residential and nonresidential subdivisions and non-residential development in the Valley Region, Mountain Region, and Desert Region of the County. Where indicated, some of these standards may apply to ministerial permits (e.g., Building Permits). Infrastructure requirements for residential development on existing lots of record are listed in Section 84.21.030 (Minimum Residential Construction Standards) and Section 84.16.040 (Development Standards Applicable to All Multi-Family Projects).

The road dedication and street improvement standards provided in this Chapter do not apply to: (1) the alteration or enlargement of an existing building or structure on the a lot or parcel of land if the total square footage of such alteration or enlargement, and all other alterations or enlargements completed three (3) years prior to the date of the application for a permit for such alteration or enlargement, does not exceed one-half (1/2) of the original square footage of all buildings and structures on such lot or parcel of land, or (2) the erection of one or more accessory structures (not including accessory dwellings) as defined in Subsection 810.01.030(g) of the County Code. For purposes of this section, "original square footage" means the square footage of all buildings and structures that existed on such lot or parcel of land three (3) years prior to the date of the application for such permit.

Adopted Ordinance 4011 (2007); Amended 4181 (2012)

83.09.030 Infrastructure Improvement Standards - Valley Region

Table 83-9 identifies the infrastructure improvements required for all new residential and nonresidential subdivisions and non-residential development in the Valley Region.

**Table 83-9
Infrastructure Improvement Standards
Valley Region**

STANDARDS	Residential and Agricultural Land Uses (Lot sizes are the size of the resultant parcels after subdivision)			Commercial and Institutional Land Uses	Industrial Land Uses
	1 acre or less	More than 1 to less than 2.5 acres	2.5 acres or greater	All lot sizes	All lot sizes
	Y = Yes NA = Not Allowed N = Not required				
Legal and physical access	Y	Y	Y	Y	Y
Grants of Easements ⁽¹⁾	Y	Y	Y	Y	Y
Paved Access					
Internal access (internal roads)	Y	Y	Y	Y	Y
Perimeter access (road abutting subject property)	Y	Y	Y	Y	Y
Off-site access (paving to nearest paved road)	Y	Y	Y	Y	Y
Curbs and gutters ⁽²⁾	Y	Y	Y ⁽³⁾	Y	Y
Sidewalks ⁽²⁾	Y (2 sides)	Y ⁽⁴⁾ (1 side)	N	Y	Y
Street lights					
Standard spacing including intersections	Y	N	N	Y	Y
Intersections only	N	N	Y	N	N
Water			Y		
Water purveyor ⁽⁵⁾	Y	Y	or	Y	Y
Substantiated well water	NA	NA	Y ⁽⁶⁾	N	N
Sanitation	Y	Y	Y		
Sewer ⁽⁷⁾	or	or	or	Y	Y
Septic systems ⁽⁸⁾	Y	Y	Y	N	N
Drainage improvements	Y	Y	Y	Y	Y
Fireflow	Y	Y	Y	Y	Y

- (1) Necessary rights-of way for transportation and circulation, drainage and flood control facilities, and utilities included.
- (2) These requirements may be waived within infill areas where there is no plan or financing mechanism in place to provide such improvements to other existing properties and where, as a result, such improvements will not be connected to other infrastructure.
- (3) The Public Works Department shall require curbs and gutters, if necessary, to control vehicle access and street drainage. May be required by Caltrans on State highways.
- (4) Sidewalks may be required on both sides of the street by the Public Works Department if needed for pedestrian safety.
- (5) Projects shall connect to a water purveyor when the nearest property line is within 200 ft. of a water line. This requirement shall be increased by 100 ft. for each dwelling unit in the project.
- (6) Individual well allowed if no water purveyor is available and when consistent with Water Master requirements in adjudicated groundwater basins.
- (7) Sewers shall be required within established sewer service districts and outside such districts when required by the WQCB. Projects shall connect to a sewer system when the nearest property line is within 200 ft. of a sewer line. This requirement shall be increased by 100 ft. for each dwelling unit in the project.
- (8) Septic systems are allowed only if the subject parcel is larger than one-half acre or meets WQCB requirements

Adopted Ordinance 4011 (2007)

CHAPTER 83.12 ROAD SYSTEM DESIGN STANDARDS

Sections:

- 83.12.010 Purpose
- 83.12.020 Applicability
- 83.12.030 Road System Design Standards

83.12.010 Purpose

The purpose of this Chapter is to provide standards for the various types of roads within the County maintained road system.

Adopted Ordinance 4011 (2007)

83.12.020 Applicability

This Chapter shall apply to all the roads within the unincorporated portions of San Bernardino County.

Adopted Ordinance 4011 (2007)

83.12.030 Road System Design Standards

Table 83-20 provides road system design standards. For diagrams and specific features on the County maintained road system, refer to the **Road Planning and Design Standards** and the San Bernardino County Standards and Specifications Manual, as may be amended from time to time. The **Road Planning and Design Standards** and the Standards and Specifications Manual are maintained by the Department of Public Works.

**Table 83-20
Road System Design Standards**

HIGHWAY DESIGNATION	NUMBER OF LANES	RIGHT-OF-WAY WIDTH	CURB-TO-CURB SEPARATION
Freeway	Variable (per Caltrans)	Variable (per Caltrans)	Variable (per Caltrans)
State Highway (special standards/conditions)	Variable (per Caltrans)	Variable (per Caltrans)	Variable (per Caltrans)
Major Arterial Highway	6	120' minimum	104'
Major Divided Highway	4	120'	94'
Major Highway	4	104' minimum	80'
Secondary Highway	4	88'	64'
Controlled/Limited Access Collector	2	66'	44'
Mountain Major Highway	4	80'	64'
Mountain Secondary Highway	2	60'	44'
Collector Street	2	66'	44'
Local Street	2	60'	36'
Mountain Collector	2	50'	—
Mountain Local	2	40'	—

Note: Collector Streets and Local streets are not shown on the General Plan Transportation/Circulation Maps

Adopted Ordinance 4011 (2007); Amended Ordinance 4180 (2012)

CHAPTER 84.16 MULTI-FAMILY RESIDENTIAL DEVELOPMENT STANDARDS

Sections:

- 84.16.010 Purpose
- 84.16.020 Applicability
- 84.16.030 Processing
- 84.16.040 Development Standards Applicable to All Multi-Family Projects
- 84.16.050 Development Standards for Multi-Family Projects - Four To 19 Units
- 84.16.060 Development Standards for Multi-Family Projects - 20 or More Units
- 84.16.070 Common Amenities and Facilities - Four or More Units
- 84.16.080 Design Guidelines for Multi-Family Projects - 20 or More Units

84.16.010 Purpose

The purpose of this Chapter is to provide development standards for the establishment of new multi-family residential projects. The standards are intended to:

- (a) Enhance the quality of housing for County residents by regulating a residential environment within a high-density context;
- (b) Protect surrounding properties and their values by requiring proper design and maintenance of the multi-family project; and
- (c) Ensure compatibility with other development in the immediate area through the use of complementary building arrangements, buffers, and avoidance of overwhelming building scale and visual obstructions.

Adopted Ordinance 4011 (2007)

84.16.020 Applicability

The development standards in this Chapter shall apply to multi-family residential projects in land use zoning districts where they are allowed in compliance with Division 2 (Land Use Zoning Districts and Allowed Land Uses). Multi-family residential projects shall include projects in which two or more attached or detached dwelling units are located. Multi-family residential projects may include apartments or condominiums. *The road dedication and street improvement standards provided in this Chapter do not apply to: (1) the alteration or enlargement of an existing building or structure on a lot or parcel of land if the total square footage of such alteration or enlargement, and all other alterations or enlargements completed three (3) years prior to the date of the application for a permit for such alteration or enlargement, does not exceed one-half (1/2) of the original square footage of all buildings and structures on such lot or parcel of land, or (2) the erection of one or more accessory structures (not including accessory dwellings) as defined in Subsection 810.01.030(g) of the County Code. For purposes of this section, "original square footage" means the square footage of all buildings and structures that existed on such lot or parcel of land three (3) years prior to the date of the application for such permit.*

Adopted Ordinance 4011 (2007); *Amended Ordinance 4181 (2012)*

84.16.030 Processing

- (a) **Multi-family projects - 19 units or fewer.** A Building Permit for a proposed multi-family development of 19 units or fewer shall be issued by the Building Official with an approved building plan if the project complies with the requirements in this Chapter. Upon receipt of an application for a proposed multi-family development of 19 units or fewer, the Building Official may refer the application to the Director for review. If referred, the Director shall review each application to verify compliance with the applicable standards in this Chapter.
- (b) **Multi-family projects - 20 to 49 units.** An application for a Minor Use Permit for a multi-family development of 20 to 49 units may be approved in compliance with Chapter 85.06 (Conditional Use Permit/Minor Use Permit) in the following instances:
 - (1) If a finding can be made that the proposed development complies with the standards in this Chapter; or
 - (2) If a Variance has been approved in compliance with Chapter 85.17 (Variances).
- (c) **Multi-family projects - 50 units or more.** An application for a Conditional Use Permit for a multi-family development of 50 units or more may be approved in compliance with Chapter 85.06 (Conditional Use Permit/Minor Use Permit) in the following instances:
 - (1) If a finding can be made that the proposed development complies with the standards in this Chapter; or
 - (2) If a Variance has been approved in compliance with Chapter 85.17 (Variances).
- (d) **Pre-application conference.** An applicant may request a pre-application conference with the Director to determine the consistency of a proposed multi-family project with the requirements of this Chapter.

Adopted Ordinance 4011 (2007)

84.16.040 Development Standards Applicable to All Multi-Family Projects

The standards in this Section shall apply to all multi-family development projects.

(a) **Site planning standards.**

(1) **Location of structures.** All multi-family structures shall be oriented so that:

- (A) The structure and open space areas take advantage of the site's topography and natural features.
- (B) Natural amenities (e.g., views, mature trees, creeks, riparian corridors, etc.) are preserved.

CHAPTER 84.21 SINGLE-FAMILY RESIDENTIAL DWELLINGS

Sections:

- 84.21.010 Purpose
- 84.21.020 Applicability
- 84.21.030 Minimum Residential Construction Standards

84.21.010 Purpose

The purpose of this Chapter is to provide standards for the installation of single-family dwellings.

Adopted Ordinance 4011 (2007)

84.21.020 Applicability

The standards in this Chapter apply to the construction or installation of detached single-family residential structures where allowed in compliance with Division 2 (Land Use Zoning Districts and Allowed Land Uses). However, nothing in this Chapter shall be construed to allow housing designs or construction standards that do not meet the standards of a historic district or of a historic landmark. *The road dedication and street improvement standards provided in this Chapter do not apply to: (1) the alteration or enlargement of an existing building or structure on a lot or parcel of land if the total square footage of such alteration or enlargement, and all other alterations or enlargements completed three (3) years prior to the date of the application for a permit for such alteration or enlargement, does not exceed one-half (1/2) of the original square footage of all buildings and structures on such lot or parcel of land, or (2) the erection of one or more accessory structures (not including accessory dwellings) as defined in Subsection 810.01.030(g) of the County Code. For purposes of this section, "original square footage" means the square footage of all buildings and structures that existed on such lot or parcel of land three (3) years prior to the date of the application for such permit.*

Adopted Ordinance 4011 (2007); *Amended Ordinance 4181 (2012)*

84.21.030 Minimum Residential Construction Standards

- (a) **Manufactured home foundation systems.** Manufactured home foundation systems shall comply with either Health and Safety Code Section 18551 or Title 25, Chapter 2, Sections 1333 and 1334 of the California Code of Regulations, and shall include tie down, clip, or anchoring systems approved by an engineer to resist lateral forces for the subject manufactured home.
- (b) **Siding.** Siding material shall consist of stucco, wood, brick, stone, or decorative concrete block. Synthetic products of a similar appearance and equivalent durability shall be allowed. Metal siding, if utilized, shall be nonreflective. The exterior covering material shall extend to a point at or near grade, except if an approved solid wood, metal, concrete, or masonry perimeter foundation is used, the exterior covering material need not extend below the top of the foundation.

- (c) **Roofing material.** The roofing material shall be tile, composite shingles, wood shakes, and shingles (if allowed by the Fire Safety (FS) overlay or other applicable overlay(s) , or other material customarily used in the surrounding community.
- (d) **Entries and exits.** Entries and exits shall be completed in compliance with Chapter 10 of the California Building Code.
- (e) **Parcels greater than 30 feet in width and 5,000 square feet in area.** Residential structures located on parcels greater than 30 feet in width and greater than 5,000 square feet in area shall comply with the provisions in Subsections A through D, above, and the following:
- (1) Minimum floor area shall be 725 square feet measured from the exterior of the structure.
 - (2) Minimum floor width and depth shall each average 20 feet measured from the exterior of the structure, excluding garages, porches, patios, eaves, cabanas, and popouts.
 - (3) In the Valley Region and Desert Region, residential structures located in a Single Residential (RS) land use zoning district, except for those parcels that are located in the AH (Alternate Housing Standards) overlay, shall have an enclosed garage or carport with minimum interior dimensions of 10 feet by 20 feet constructed in compliance with the California Building Code. In compliance with Section 83.11.040 (Number of Parking Spaces Required), a second parking space shall be provided that may be uncovered and with the minimum dimensions of nine by 19 feet.
 - (4) Utility hookups and an area suitable to accommodate the installation of a clothes washer and dryer shall be provided within the primary structure or within an enclosed accessory structure.
- (f) **Parcels less than 30 feet in width or 5,000 square feet in area.** Residential structures located on parcels of 30 feet or less in width or 5,000 square feet or less in area shall comply with the provisions as specified in Subsections A through D, above, and the following:
- (1) Minimum floor area shall be 600 square feet measured from the exterior of the structure.
 - (2) Minimum floor width shall be 15 feet measured from the exterior of the structure.
- (g) **Compliance with AH (Alternate Housing Standards) overlay requirements.** A home installed on a parcel located in an AH (Alternate Housing Standards) overlay shall comply with the provisions in Section 82.10.030 (Development Standards).

- (h) **Where manufactured homes allowed.** Manufactured homes installed or constructed in compliance with this Section shall be allowed in land use zoning districts where detached single-family residential structures are allowed.
- (i) **Certification tag or label required.** 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 except as provided below. Also, the manufacturer shall permanently affixed a label or tag to the manufactured home certifying that the manufactured home complies with Federal construction and safety standards applicable to the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401, et. Seq., Section 5415).

The ten-year standard provided above shall apply to all manufactured homes except when the following findings can be made:

- (1) The site for the proposed location of the manufactured home is adequate in terms of shape and size to accommodate the use and all parking areas, setbacks, structure coverage, yards, and other applicable requirements of this Development Code;
 - (2) The Building and Safety Division has investigated, inspected and reported on the manufactured home and has determined that the manufactured home proposed for installation substantially conforms to the construction standards regarding health, accessibility, life and fire safety and structural requirements applicable to manufactured homes less than ten years old; and
 - (3) The appearance of the manufactured home and the method of siting are compatible with the appearance of the primary structure and the structures in the surrounding neighborhood.
- (j) **Infrastructure requirements.** A building permit shall not be issued for the construction of single-family residential dwelling unless all of the following infrastructure requirements are satisfied for an existing lot of record:

- (1) Proof of legal and physical access.

(A) Physical access is a route which is traversable in a standard (two-wheel drive) sedan. Proof shall consist of an Engineer or Surveyor's signed and sealed letter, certifying that physical access has been completed.

(B) Legal access is:

(I) A dedicated right-of-way;

- (II) A dedication to the County of San Bernardino and to the public in general, an easement for public road, County highway and public utility purposes of a width as established by the Circulation Element of the General Plan. The easement or road constructed on the dedicated land shall not become a County highway until and unless the Board of Supervisors, by appropriate resolution, has caused the road to be accepted into the County maintained road system.
 - (III) An existing traveled way that is substantially in compliance with County road standards, where a prescriptive right by the user has been established for the public use by court decree.
 - (IV) Private road easement
- (C) When all feasible efforts to establish legal access in accordance with 84.21.030 (j) (1) (B) have been exhausted, the lot is an existing legally created parcel, and the property owner has physical access, the Director, in his/ her discretion, may waive the requirement for legal access on the condition that the property owner enters into an agreement in the form required by the County which includes the property owner's: (1) representation that the owner has a right to physical access; (2) acknowledgement that proof of legal access has not been provided to the County's satisfaction; and, (3) agreement to disclose to any subsequent owners that legal access has not been established to the satisfaction of the County. Notation of said agreement and conditions of waiver shall also be included on the building permit.
- (2) Infrastructure as determined by the Land Development Division of the Public Works Department depending on the location of the parcel to be developed. This may include, but not limited to, any of the following: paved access, curbs and gutters, sidewalk, and/or appropriate drainage improvements.
 - (3) Water.
 - (A) Water purveyor. Required when in the service area of a water purveyor and the purveyor can supply the water.
 - (B) Substantiated well water. If the subject parcel is not within the service area of a water purveyor, well water may be allowed if all required setbacks are met.
 - (C) Hauled water. No hauled water will be allowed without approval from the Division of Environmental Health Services.
 - (4) Sanitation.
 - (A) Sewer. Required when in the service area of a sewer provider and the subject parcel is within 200 feet of the sewer line.

(B) Septic systems/holding tanks: Allowed in compliance with the local Regional Water Quality Control Board regulations.

(5) Fireflow. Adequate fireflow in compliance the Uniform Fire Code and with Section 23.018 (Amendments to the Uniform Fire Code) of the County Code.

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

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