



LAND USE SERVICES DEPARTMENT PLANNING COMMISSION STAFF REPORT

HEARING DATE: July 22, 2021

AGENDA ITEM #5

Project Description

Applicant: County of San Bernardino Land Use Services Department

Community: Countywide

Location: Countywide

Project No: PMISC-2020-00010

Staff: Jerry Blum

Workshop Topic: Development Code Update Workshop 2 of 2.

Newspaper Publication Date: July 11, 2021

Report Prepared By: Jerry Blum

PROJECT DESCRIPTION

The project consists of updating the San Bernardino County Code, Title 8 Development Code (Code), including zoning maps, in order to comply and be consistent with the recently adopted Countywide Plan, Policy Plan. Although the majority of the Code standards and provisions will remain intact and carry over from the current code, the project proposes an ordinance that will repeal Title 8 in its entirety and adopt a new Title 8 as a replacement. The new Code will be reorganized, include a new zoning classification system, zone map, and include provisions to bring the code into compliance with new state laws and Policy Plan goals and policies (i.e., environmental justice, land use compatibility, hazards avoidance, environmental protection, etc.).

BACKGROUND

On October 27, 2020, the Board of Supervisors adopted the Countywide Plan, a comprehensive update of the County's General Plan (2007). A new component of the Countywide Plan is the Business Plan which provides overarching and ongoing guidance for existing County processes (i.e., budget, goals and objectives, performance measures, decision making, etc.). The Business Plan consists of a policy-based governance element and an action-oriented implementation plan, as well as two new implementation tools: (1) a tracking and feedback system, and (2) a fiscal analysis model. Combined, these sections and tools provide clarity and transparency for the public regarding County governance while ensuring the Countywide Plan remains meaningful and current.

The Implementation Plan component lays out approximately 90 implementation actions that the County must address over the next three to five years in order to ensure the goals and policies of the Countywide Plan are carried out. There are 31 actions identified in the

Implementation Plan that are focused on the update to the Code in order to make it consistent with the Countywide Plan. Although many implementation actions are being addressed in the comprehensive update of the Code, many will take months or multiple years to complete and bring forward for review and approval.

The goals for the Code update are to create consistency and connection between the Countywide Plan and the Code; to reorganize the Code to make it more streamlined and user friendly for decision makers, staff and the public; to update the land development and use applications and the process by which they are reviewed and approved; and to create clarity, consistency and certainty in the Code provisions so that staff and stakeholders have a clear understanding that the Code requirements are consistent with the goals and policies set forth in the Countywide Plan and are required in order to achieve the purpose of fiscal, environmental, and public services sustainability.

OVERVIEW

This is the second workshop of the Planning Commission to review and comment on the update of the Code and will cover the following topics:

- Review of issues brought up at Workshop #1 held on June 17, 2021 (Item #2)
- Overview of Division 2 – Development Code Administration and General Processes
- Overview of Division 3 – Development and Use Permit Applications

REVIEW OF ISSUES FROM WORKSHOP #1

During the Planning Commission workshop on June 17, 2021, questions were raised by Commissioners and the public regarding the Code update. The following attempts to summarize the comments and questions that were raised and provides a brief response to each.

SB-330 as it relates to the Code Update.

The portion of SB-330 referred to as the Housing Crisis Act of 2019 (Government Code Section 66300 et seq.) has limited applicability to the County as determined by the California Department of Housing and Community Development (HCD), applying only in the following affected unincorporated areas: (1) Bloomington, (2) Mountain View Acres; and (3) Spring Valley Lake. One of the provisions of SB-330, with respect to land where housing is an allowable use within the affected county areas, is the limitation on changing the zoning of a parcel of property to a less intensive use unless another site is designated to be up zoned at the same time to ensure there is no net loss in residential capacity, which is known as the “no net loss” provision. This issue of no net loss will be addressed further in the upcoming Housing Element update, but for purposes of the Code update and update to applicable zoning maps within the affected areas, the zoning update will be consistent with the Countywide Plan Land Use Categories which will result in an overall net increase in residential capacity within the affected county areas in compliance with SB-330. Other provisions in SB-330, such as restricting local control of housing developments, amending the permit streamlining act, and restricting the use subjective development standards for residential development, will be addressed as needed in the updated Code.

Opportunity Zones – where are they located?

Section 1400Z of the Internal Revenue Code defines “Qualified Opportunity Zones” as low-income census tracts that were nominated by state governors and certified by the U.S. Treasury as Qualified Opportunity Zones. Attachment A1 and A2 to this report shows a screen capture picture of the Opportunity Zones in San Bernardino County and the website for this program may be accessed at [Opportunity Zones in San Bernardino, California | OpportunityDb](#)

Environmental Justice Focus Areas – where are they located?

The location of the County’s Environmental Justice Focus Areas (EJFA) is best viewed on the web map provided in the Countywide Plan website as Policy Map HZ-10 (Environmental Justice and Legacy Communities). Attachments B1 and B2 to this report shows a screen capture picture of the County’s EJFAs. The stated goal of the County with regards to EJFAs is to create equitable levels of protection from environmental and health hazards, expand opportunities for physical activity and meaningful civic engagement, and work to gain access to healthy food, public facilities, and safe and sanitary housing.

Reserving the Rural Commercial zone to the Desert region.

Written, as well as oral, communication was received that the Rural Commercial (CR) zone be retained and applied to certain commercial properties in the mountain region, specifically referencing Crest Forest and Lake Gregory. The proposed change to the CR zone includes a name change to Commercial Rural Desert (CRD) to acknowledge that the uses contained within this zone are specifically tailored to the vast open reaches of the desert area and allow for a wide and diverse type of use of property. Uses in the CRD zone would not be appropriate for properties in the mountain or valley regions as they would create compatibility and livability issues for those more closely compact communities. The more appropriate commercial zones for the mountains is the Neighborhood Commercial and the General Commercial zones which allow for a wide variety of retail and service uses while protecting the surrounding land uses.

Where flexibility in use provisions or standards are needed or desired, staff has included the inclusion of two new overlays which can be created by local groups to tailor use provisions and development standards to a particular area (see below).

Inclusion of two new overlays in Code.

In response to residents and business concerns two new overlays are being proposed in the updated Code. A Tourism Overlay and a Downtown / Community Core Overlay have been created with the following purpose.

- Tourism Overlay - recognizes the special relationship the County’s tourist areas have with the region and work to create unique opportunities to capitalize on the tourists who visit the area through appropriate modification of Code standards, more flexible use provisions and use of existing buildings based on existing individual community characteristics, protection of natural resources, inclusion of public/private spaces and amenities, and tourist serving transportation services.

- Downtown / Community Core Overlay - is intended to identify a commercial downtown or community core area within a Community Plan Area to recognize and promote their unique and special significance to the community they serve. The overlay would allow the community to focus on the economic development and public/private investments that would lead to a more vital and sustainable commercial core, while preserving community character and enhancing local amenities and improving vehicular and pedestrian infrastructure. The overlay is applied “over” an underlying land use zone to achieve appropriate modifications of development standards and adoption of design guidelines that result in a superior design than could be achieved through the strict adherence to the Code regulations.

Climate change needs to be addressed in the Code.

The Countywide Plan’s Policy Plan addresses impacts associated with natural hazards and other risks due to climate change. These policies protect against potential hazards by minimizing risk of injury, loss of life, property damage, and other social and economic disruptions. The Code update will ensure these policies are addressed through standards for subdivisions and special development standards and operating standards for projects located within hazard areas. The standards will be contained in a new Division 6 – Hazard Avoidance and Environmental Protection Measures including those related risks associated with fire and floodplains.

Other planning efforts that address impacts related to climate change include:

- The Greenhouse Gas Emission Reduction Plan is currently being updated and will include new performance measures and screening tables. The update to the GHG Emission Reduction Plan is anticipated to be ready for public review in the next several months, with a targeted adoption by the end of this year.
- The County’s Multi-Jurisdictional Hazard Mitigation Plan was generally prepared at the same time as the Countywide Plan and was approved by FEMA in 2017. The Plan includes a risk assessment that addresses climate change and drought as new risks.

Biologic maps – State versus County prepared.

A comment was received that the County should prepare and maintain a set of biological maps indicating endangered species, habitat corridors, etc. It is staff’s opinion that the County does not have the expertise to create and maintain that level of mapping system and that there already exists state and federal agencies that are responsible and qualified to provide that information to us. The data collection and analysis that goes into such efforts for just one species is substantial and is subject to changes routinely. Therefore, the County will continue to coordinate with government agencies and private groups to promote the collection, analysis, and distribution of maps necessary to determine the location of the County’s preponderance of natural resources to protect and preserve them.

The County does have a series of biological maps that were produced for the CWP EIR which show the vegetation communities in the County (and by regions), critical habitat

maps by region, and a map of potential bio-resource impact areas. These maps are available to the public and will be used by staff to help identify if a project requires an environmental study for bio-resources. In addition, the County is in process of two efforts which will provide even more detailed mapping of endangered species and will be incorporated into informational maps that will be available to the public when complete.

Consistency issue between Renewable Energy and Conservation Element (RECE) and the Countywide Plan (CWP).

A comment was made by a resident that there is not internal consistency between the RECE and the CWP because they were adopted separately and the CWP does not mention it. The RECE was adopted prior to the CWP, but the CWP Policy Plan was developed with full acknowledgement of the RECE, and its policies are consistent with that document. Also, the CWP incorporates the RECE and the Housing Element (adopted separately also) by reference as part of the Policy Plan. The rescission of the Community Plans did not invalidate the locational restrictions placed on commercial renewable energy plants from the Community Plan Areas, as the boundaries of the Community Plans still exist and are recognized in the CWP.

Conflict between City and County planning efforts.

A comment was made that the County should have power over cities in determining land use issues that may affect the unincorporated County areas. Under State law, each jurisdiction (city and county) has the authority and responsibility to enact land use and planning practices and procedures pursuant to State laws. The County works closely with those cities which have Sphere of Influence areas where the County has land use and planning authority until such time as the area is annexed by the city.

Short-term rentals impacting housing stock and neighborhood quality.

This issue is being addressed by a working group of staff from the County who will be proposing a code amendment to Chapter 84.28: Short-Term Residential Rentals.

Review of Zone definitions and applicability.

The Commission requested a more thorough review of the proposed Zone definitions and where they would be applied within the unincorporated areas and regions of the County. Attachment C provides a draft set of Zone descriptions for the Commission's review and comment.

ANALYSIS

Division 2 | Development Code Administration and General Processes

The new Division 2 is comprised of the following chapters:

- 01 – Establishment of Planning Agency
- 02 – Planning Agency Composition, Authority and Duties
- 03 – Functions, Actions, and Decisions of the Planning Agency
- 04 – General Application Submittal and Review Procedures

- 05 – Application Processing and Reporting - Legislative and Discretionary Actions
- 06 – Application Processing and Reporting - Ministerial Permits and Decisions
- 07 – Environmental Review
- 08 – Procedures for Hearings and Decisions of the Planning Agency
- 09 – Appeals
- 10 – Time Limitations
- 11 – Enforcement
- 12 – Interpretations of Code

Chapters One and Two establish the Planning Agency much like it exists today and provides descriptions of the duties and functions of the various bodies (i.e.: Board, Planning Commission, Zoning Administrator, Director, Development Review Committee) that comprise the Planning Agency. The Environmental Review Committee has been deleted as many of its functions are carried out by staff or the DRC. In carrying out their duties, the Review Authority may play several roles in the review and approval of land development and land use applications. The roles include:

- Issuing Body – issuing ministerial permits (i.e. Temporary Use Permit)
- Advisory Body – staff or DRC providing advice in form of a staff report to a Recommending or Final Review Body
- Recommending Body – for certain applications the Commission must take official action at a public hearing to recommend a decision to the Board.
- Final Review Body – the Review Authority designated to hear and make final decisions on an application.
- Appeal Body – the Review Authority designated to hear appeals of a lower body on certain applications.

Chapter Three establishes the types of decisions and actions that are taken by a Review Authority acting on behalf of the Planning Agency for various applications, identifies the type of hearing required for each type of application, and identifies the function of each Review Authority for review and action on each application. There are three types of actions that can be taken on a planning application, legislative, Quasi-judicial (discretionary), and ministerial. The distinction between the types of actions used by the Planning Agency in making land development and land use decisions is an important one and described below.

- Legislative – Legislative decisions involve policy choices that apply to a broad class of landowners and are not specific to a particular parcel of land. Legislative decisions establish policy that applies to a broad range of land uses, properties, and issues. The Planning Commission hears all legislative matters pertaining to land use issues and makes recommendations to the Board. The Board has final decision-making powers on all Legislative applications (e.g.; Policy Plan adoption and amendments, rezoning of land, Code adoption and amendments). Legislative decisions require a public hearing before the Commission and the Board.

- Discretionary (Quasi-Judicial) – Discretionary actions involve individual applications that are being considered for approval through the application of previously adopted codes and standards (policies) and applied to a particular property or properties. The Planning Commission and Zoning Administrator use quasi-judicial methods to render decisions on land development and land use applications (e.g.; development plans, variances, conditional use permits) and may adopt appropriate level of conditions of approval to the project to lessen identified project impacts. Discretionary actions require a public hearing or administrative hearing before the ZA, Commission, or Board.
- Ministerial - Ministerial actions involve mandatory, nondiscretionary decisions where the Planning Agency must grant (or deny) an application based on the presence (or absence) of a predetermined set of conditions. The Planning Director and Zoning Administrator use ministerial actions for permits and minor land development and land use applications (e.g.; site plan, administrative deviation, temporary use permit, special event permit – minor, business review application, etc.). A ministerial duty is one that does not involve independent judgment or discretion in the approval or denial of an application and in the application of standard conditions of approval.

Chapter Three provides direction on the three ways in which applications are processed and heard before a Review Authority. These include:

- Public Hearing - The fundamental purpose of the public hearing process is to provide due process of law to the hearing and review process. This allows the opportunity for the public, affected property owners, public agencies, and the applicant to be heard, to present evidence, and to respond to the evidence presented to the Review Authority before a decision is rendered. This section provides procedures for public hearings required by the Code and State law. When a public hearing is required, advance notice of the hearing must be given, and the hearing must be conducted, in compliance with this section.
- Administrative Hearing - The fundamental purpose of the Administrative Hearing is to provide those property owners most affected by a minor land development or land use proposal to have adequate notice of the pending decision and allow for written comment from those interested parties so as to inform the Review Authority prior to a decision being made. Because the application for an Administrative Hearing has been determined to be minor in nature and does not require a noticed public hearing (unless requested), only those property owners who are adjacent to the proposed project are notified by mail. When an administrative hearing is requested by an affected property owner, advance notice of the hearing shall be given, and the hearing shall be conducted, in compliance with this section. Administrative Decision procedures shall be used when standards have been adopted by the Board to allow the applicable Review Authority to render a written decision without giving notice to surrounding property owners and other parties for a particular application.

- Administrative Decision - The fundamental purpose of the Administrative Decision process is to allow for the expedited review and processing of ministerial applications that are deemed to not affect adjacent properties but require the application of standard required findings to approve or deny the application and that eliminate discretionary decision making by the Review Authority.

Projects Affecting Environmental Justice Focus Areas.

Chapter 3 provides special requirements for certain applications that are within, or in close proximity to, areas identified by the CWP as (EJFAs, in compliance with SB-1000 and the CWP. These procedures require:

- For applications involving an amendment to the Policy Plan or Code that could potentially affect an EJFA, an amendment to the Land Use Designation Map (LU-1), or a change in the Zone Map which is within the boundary of an EJFA or within 1,000 feet of an EJFA, the applicant must document to the County's satisfaction how an applicant will address environmental justice concerns potentially created by the proposed changes in order for the application to be deemed complete.
- For large scale development and land use applications that could potentially increase the incremental cancer risk by 10 in 1 million or more in unincorporated EJFAs, the County will require the preparation of a health risk assessment and require such assessments to evaluate impacts of truck traffic from the project to nearest freeway. The assessment must be submitted in order for the application to be deemed complete.
- For both cases identified above, the applicant must prepare and submit as part of the required application package, a plan on how to conduct at least two public meetings for nearby residents, businesses, and property owners to obtain public input on applications in time for changes to be made in the plans to address local concerns. In order to assist in achieving outreach and notification efforts, the applicant will be responsible for identifying all ways in which outreach and notification to all affected persons will be achieved, including use of bi-lingual notifications, interpreters at meetings, and coordination with local and other not for profit organizations involved with environmental justice issues.
- The Review Authority must establish appropriate mitigation prior to the approval of a project, or if major modifications are proposed to an approved project, in order to protect the residents and businesses from further negative environmental impacts. Additional public outreach will be required if the project changes significantly from what was presented at the previous public outreach meetings.

Distance Requirements for Noticing.

State law indicates that when a public hearing is required for an application, notification of property owners within 300 feet of the boundaries of the subject site shall be by use of first-class mail delivery. The County has chosen to increase the distance requirement for

notification of projects based on the size of the subject property. For project properties of 20 acres or less the State required 300-foot radius is used. For project properties of 20.1 to 160 acres in size, a noticing distance of 700 feet is used, and for project sites of over 160 acres the notification distance is 1,300 feet. These distances are well beyond the normal notification range of most jurisdictions but recognize the unique size and nature of San Bernardino County's geography. As explained above, the distance requirements for notification of persons within EJFAs will also result in the inclusion of more persons being notified of projects that could potentially affect them.

The idea behind the 300-foot notification standard is the idea that those property owners most affected by the project (300-foot distance), and who have been determined as being potentially economically impacted, should be notified directly of the project and its hearing time and place. If a project is controversial in the community, the information provided to the property owners would be enough to alert other neighbors about the project and through word of mouth the hearing on the project would be achieved. Also, the projects are noticed in the local paper and posted on the County's website, so anyone within the community has the ability to know of the project and attend public hearings on the matter.

Application Types.

The Code will include a table which identifies each County application by type (Legislative, Discretionary, Ministerial, Subdivisions and CEQA) and identifies the roles (Issuing Body, Advisory Body, Recommending Body, Final Review Body, and Appeal Body) each Review Authority has for reviewing and taking responsible action (issue, approve, approve with conditions, deny) on each type of application required by the Code. The Table also identifies the type of hearing procedure to be used for the application. General processing procedures are provided in Division 2, while individual application processing requirements are discussed specifically in Division 3. For the most part, the applications remain the same as the existing Code provides for, with the exceptions described below.

Legislative actions generally remain the same, but a few changes are being proposed. A new application for Zone Map amendments has been added to allow for changing the zoning of a property or area. The purpose of a Planned Development application has been changed to allow for a small-lot subdivision approvals to obtain compliance with provisions of Division 6 (Hazard Avoidance and Environmental Protection Measures) or to create a more feasible residential project while conserving open space lands in perpetuity. It would also allow for mixed use residential projects on non-residential designated properties where permitted by the Zoning Use Matrix.

The most significant changes in application procedures involves how the County will differentiate between actual development related applications and land use applications. Currently, Conditional Use Permits, Minor Use Permits, and Site Plan Permits are used for both the review and approval/denial of proposed uses of a property and for any new structures to be constructed on the site. The new code differentiates between development projects and the use of the property. A new set of applications, Major Development Plan and Minor Development Plan, have been created to provide a process for County consideration of requests to develop property with structures and facilities commensurate

with the size of buildings being proposed. Larger projects will be reviewed by the Commission while lesser scaled projects will be reviewed by the ZA. The process ensures that the new development will be consistent and compliant with the goals and policies of the Countywide Plan, the standards and provisions of the Code, and will result in projects that are fiscally sustainable, designed to be compatible with adjacent neighborhoods and surrounding natural resources, respects the community's character, and protects the investments made by public agencies and private stakeholders.

Uses of the property or buildings developed under a development plan will utilize the use matrix to determine if and what type of process will be used to review and approve potential uses. The matrix includes the following possible actions in determining the appropriate uses within a given zone:

- The use is Not Permitted in the zone – no further action by staff.
- The use is Permitted by Right – filing of a use determination form with County. Certain pre-conditions (i.e. lot size) may be required to be met.
- The use is Administratively permitted – the applicant agrees to comply with previously adopted standard operating procedures (conditions of ministerial approval) and is allowed to occupy the site or building.
- The use is Conditionally Permitted – meaning a CUP application must be filed and approved before the use can be initiated.
- The use requires another form of use permit (i.e.: Temporary Use Permit, Special Use Permit, Special Event Permit, Home Occupation Permit, etc.).

Division 3 | Development and Use Permit Applications

This Division identifies the application types and special review procedures necessary to process amendments to the Policy Plan and Code and to review land development and use proposals in any zoning district. As discussed above, Division 2 set for the general review procedures applicable to all applications. Division 3 sets forth any unique processing and procedures for a specific application and sets forth the following information pertinent to that specific application:

- Application Type – Legislative, Discretionary, Ministerial, Sub-Division, CEQA
- Purpose
- Applicability – under what circumstances can an application be used
- Authority – under what State or local authority grants the use of the application
- Hearing Type – Public Hearing, Administrative Hearing, Administrative Decision
- Final Review Body -
- Procedures – different from those contained in Division 2
- Required Findings – sets forth the findings that must be made in order for a Review Authority to make a recommendation or decision on an application.
- Effective Date of Decision – depending on whether the decision is made or adopted by ordinance, resolution, or administrative decision.

ENVIRONMENTAL DETERMINATION

The workshop is an informational meeting not subject to the California Environmental Quality Act (CEQA).

ATTACHMENTS

EXHIBIT A: Opportunity Zones in San Bernardino County
EXHIBIT B: Environmental Justice Focus Areas in San Bernardino County
EXHIBIT C: Zone Definitions and Suitability

EXHIBIT A

Opportunity Zones in San Bernardino County

EXHIBIT A

Opportunity Zones in San Bernardino County

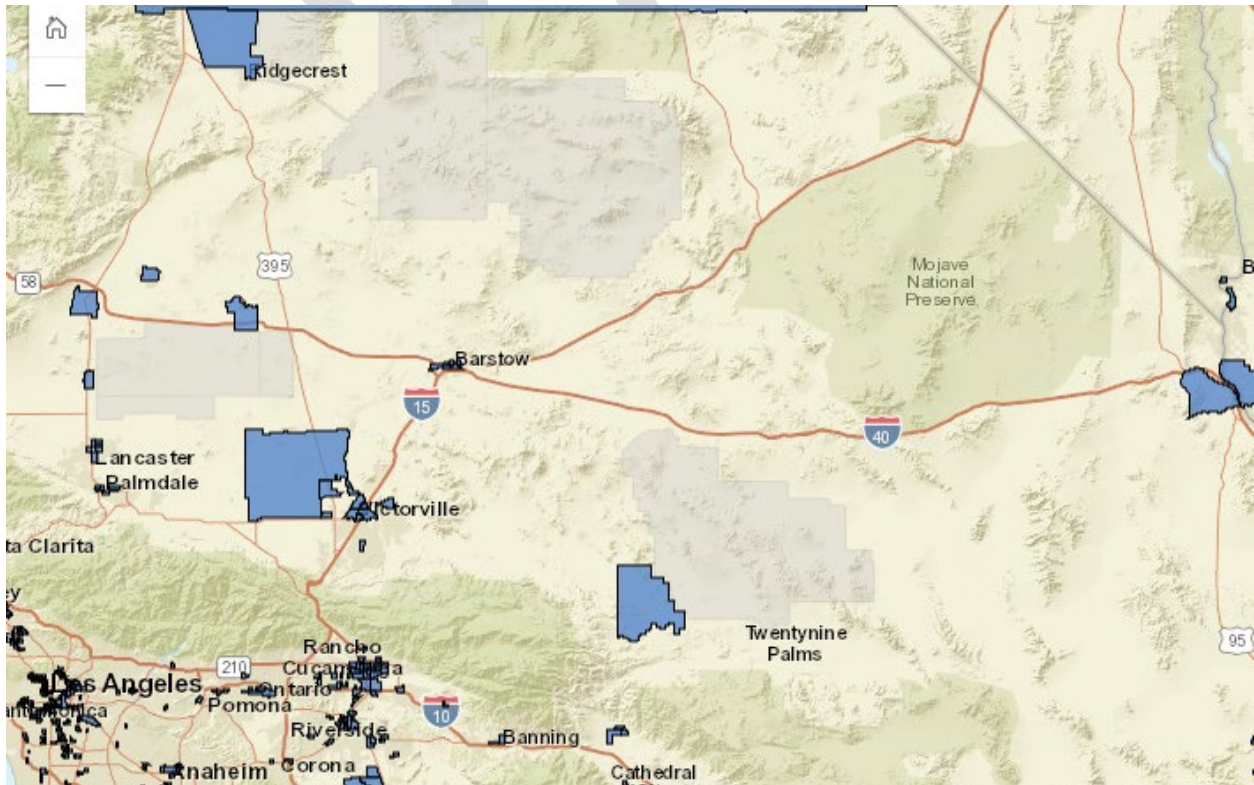
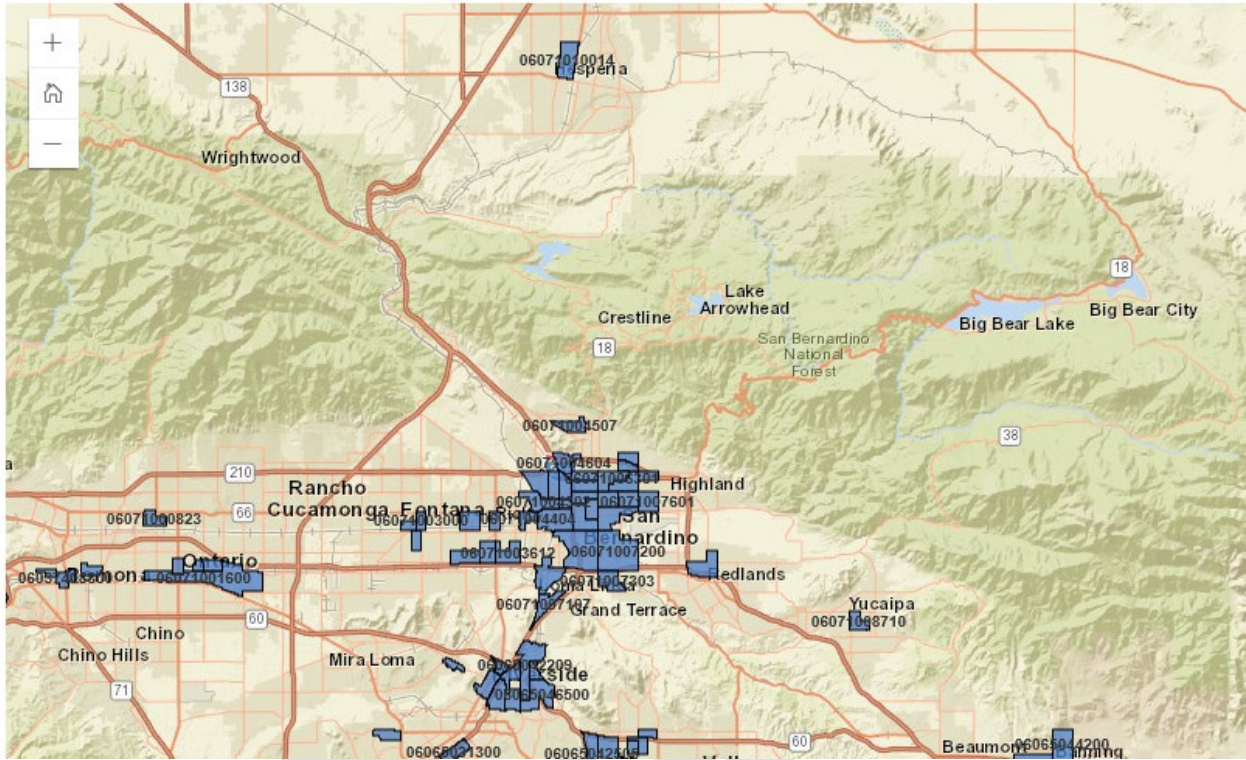


EXHIBIT B

Environmental Justice Focus Areas in San Bernardino County

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Environmental Justice Focus Areas in San Bernardino County

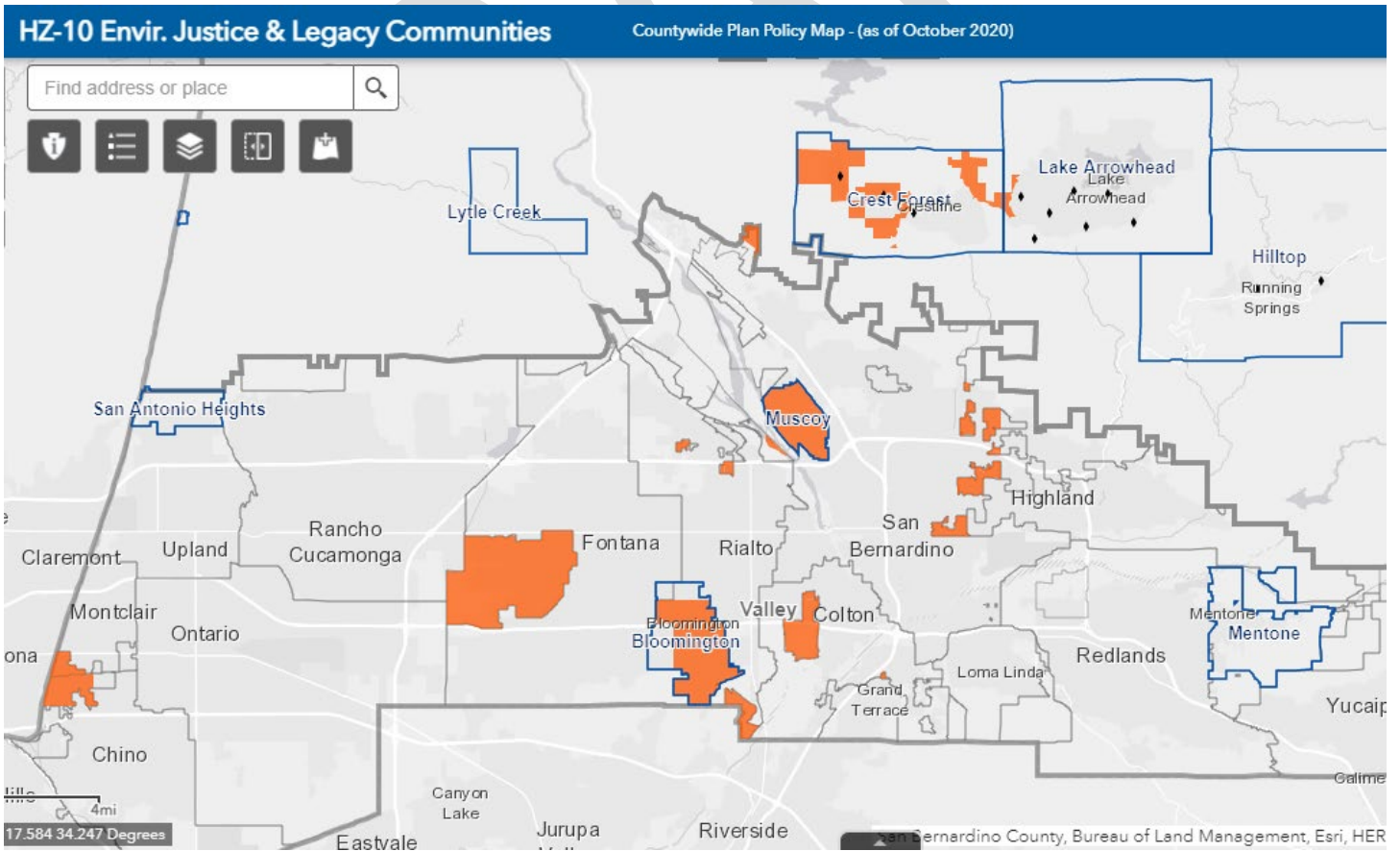
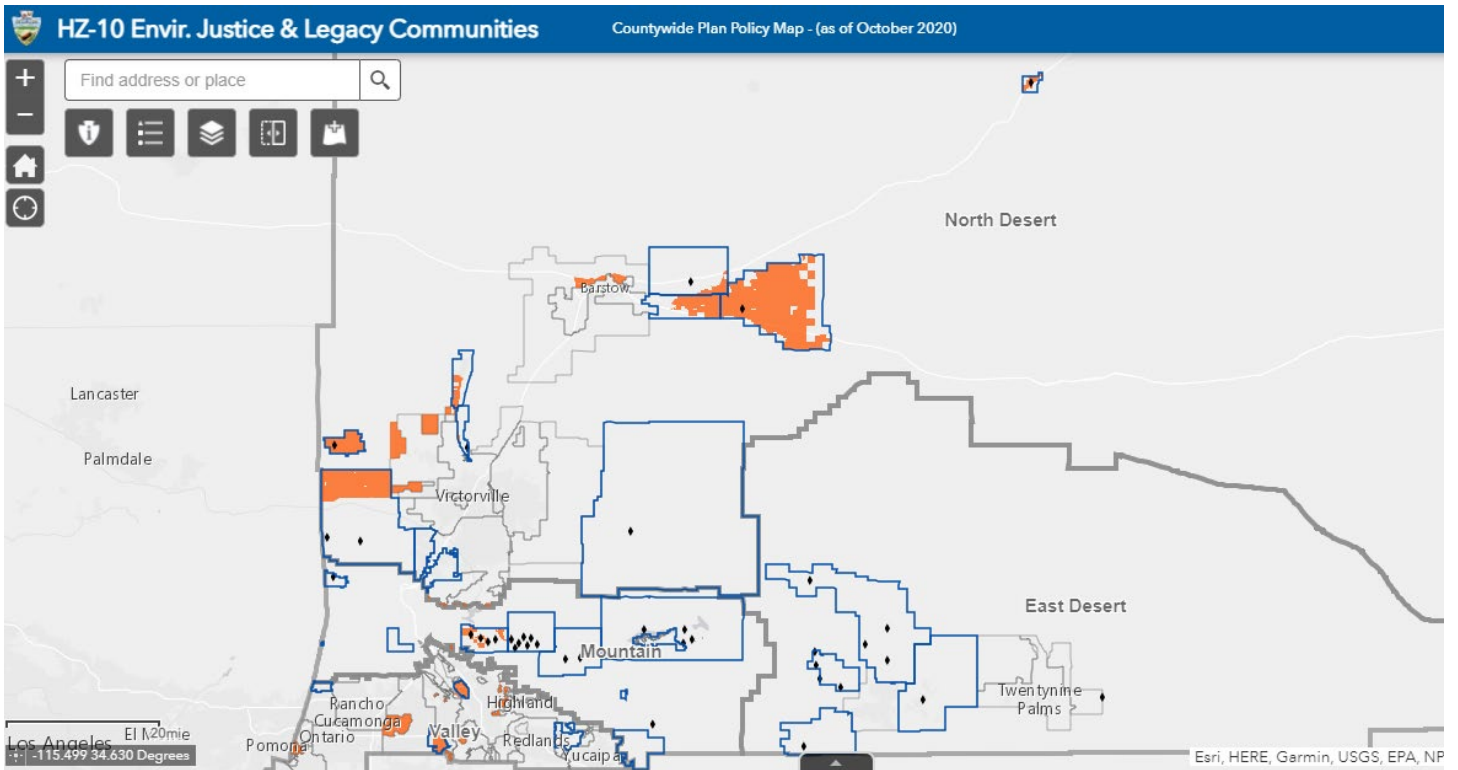


EXHIBIT C

Zone Definitions and Suitability

EXHIBIT C

Zone Definitions and Suitability

Rural Living Residential Zones / Purpose These zones are consistent with and implement the Rural Living Land Use Designation of the Policy Plan component of the Countywide Plan.	Zone Suitable for use in:	Zone Limited Application for use in:
<ol style="list-style-type: none"> 1. <u>RL-40 (Rural Living – 40 acre minimum lot size)</u> 2. <u>RL-20 (Rural Living – 20 acre minimum lot size)</u> 3. <u>RL-5 (Rural Living – 5 acre minimum lot size)</u> 4. <u>RL-2.5 (Rural Living – 2.5 acre minimum lot size)</u> <p>The Rural Living (RL) Zones are intended to allow appropriate rural lifestyle development of single family residential units on large lots, at a density range of 0 to .4 dwelling units per acre, depending on the actual zone classification. These zones can accommodate limited agricultural activities and permit the keeping of large animals. It is intended that these zones will be located to protect the areas from suburban encroachment, while maintaining a harmonious relationship with adjacent land uses. Developments in these zones will generally realize less requirement for infrastructure improvements with a corresponding limitation on County provided maintenance and municipal services.</p>	<p>Mountain Desert</p>	<p>Valley</p>
Residential Estate Zones / Purpose These Zones are consistent with and implement the Very Low Density Residential Land Use Designation of the Policy Plan component of the Countywide Plan.	Zone Suitable for use in:	Zone Limited Application for use in:
<ol style="list-style-type: none"> 1. <u>RE-1 (Residential Estate – 1 (one) acre minimum lot size)</u> 2. <u>RE-20K (Residential Estate – 20,000 square foot minimum lot size)</u> 	<p>Valley Mountain Desert</p>	

<p>The Residential Estate Zones are intended to allow the development of single family dwelling units on large lots at a density range of 0 to 2.0 dwelling units per acre (depending on the Zone) within a semi-rural environment. The Very Low Density Residential Zones serve as a transition between the rural character of the Rural Residential Zones and the more suburban character of the Low Density and Medium Density Residential Zones. Non-commercial agriculture and limited animal keeping are allowed in these areas. Development in these areas will generally necessitate infrastructure improvements.</p>		
<p>Residential Single Family Zones / Purpose These Zones are consistent with and implement the Low Density Residential Land Use Designation of the Policy Plan component of the Countywide Plan.</p>	<p>Zone Suitable for use in:</p>	<p>Zone Limited Application for use in:</p>
<p>1. <u>RS-14K (Residential Single Family – 14,000 square foot minimum lot size)</u> 2. <u>RS-7200K (Residential Single Family – 7,200 square foot minimum lot size)</u></p>	<p>Valley Mountain community centers SOI Areas Desert community centers</p>	<ul style="list-style-type: none"> ▪ Desert ▪ Mountain
<p>The Residential Single Family Zones are intended to provide for the development of single family dwelling units in a more traditional, suburban environment on individual lots, at a density range of 2 to 6 dwelling units per acre. These Zones are intended to be located in closer proximity to other planned suburban land uses in the County and within the Sphere of Influence of municipalities. These Zones should be located in close proximity to arterial streets and public transit routes. Design of infrastructure and amenities should be consistent with the community where they are located or municipality’s SOI they are within. A standard level of infrastructure improvement threshold (i.e.: sewer, water, paved streets, street lights, etc.) is required for all development within the RSF Zones. Uses in these Zones are limited to those residential and accessory uses that are compatible with the neighborhood character they serve.</p>		
<p>Multiple Residential Zones / Purpose These Zones are consistent with and implement the Medium Density Residential Land Use Designation of the Policy Plan component of the Countywide Plan.</p>	<p>Zone Suitable for use in:</p>	<p>Zone Limited Application for use in:</p>

<p>1. <u>RM-L (Multiple Residential – Low – 1 (one) acre minimum lot size, 6 – 11 DU/Acre)</u></p> <p>2. <u>RM-M (Multiple Residential – Medium – 1 (one) acre minimum lot size, 11 – 20 DU/Acre)</u></p> <p>The Multiple Residential Zones are intended to provide for the development of attached and detached housing types in a suburban environment, at a density range of 6 to 20 dwelling units per acre. These Zones should be located in closer proximity to community or municipal services and facilities and adjacent to or close by (one mile) major arterial streets and public transit routes. These Zones require the greatest demand for infrastructure improvements (Level 1).</p>	<ul style="list-style-type: none"> ▪ Valley ▪ SOI Areas ▪ Desert community centers ▪ Mountain community centers 	<ul style="list-style-type: none"> ▪ Desert
<p style="text-align: center;">Commercial Zones / Purpose</p> <p style="text-align: center;">These Zones are consistent with and implement the Commercial Land Use Designation of the Policy Plan component of the Countywide Plan.</p>	<p>Zone Suitable for use in:</p>	<p>Zone Limited Application in:</p>
<p>1. <u>CN (Neighborhood Commercial)</u> The Neighborhood Commercial Zone is intended to provide for the development and use of land to accommodate commercial, service convenience centers, and limited office uses in urban and suburban areas to serve local residents within a 3 to 5 mile radius. Given their potential close proximity to sensitive land uses and residential areas, the uses in this Zone and their operating hours and characteristics may be limited by ordinance or by conditions of approval for certain permits. Neighborhood Commercial is compatible with residential land uses and can be used adjacent to those uses or as buffers to other more intense non-residential land uses.</p>	<ul style="list-style-type: none"> ▪ Valley ▪ Mountain ▪ SOI areas ▪ Desert community centers 	<ul style="list-style-type: none"> ▪ Desert
<p>2. <u>CG (General Commercial)</u> The General Commercial Zone is intended to provide for the development and use of land for general and specialty stores, department and large box retail stores, general offices, service establishments, and entertainment businesses within standalone buildings or within a shopping center. The businesses within the General Commercial Zone allows for a wide range of commodities and services scaled to meet the local and regional customers to be served. General Commercial zones should be sited in suburban and urban areas of the County, along arterial streets and transportation corridors and generally within areas with full infrastructure capability. If located in close proximity to sensitive land uses, the businesses and their operating hours and</p>	<ul style="list-style-type: none"> ▪ Valley ▪ Mountain ▪ SOI Areas ▪ Desert Community Centers 	<ul style="list-style-type: none"> ▪ Desert

<p>characteristics may be limited by ordinance or by conditions of approval for certain permits. If located in identified tourism areas in the County, the Tourism Overlay may be applied to this Zone.</p>		
<p>3. <u>CH (Highway Commercial)</u> The Highway Commercial Zone is intended to provide for the development and use of land for retail and service commercial establishments normally associated with the traveling public. The Highway Commercial Zone shall be located adjacent to or in close proximity to major freeways or highways. This Zone is intended to be occupied by a relatively contiguous grouping of businesses, such as gas stations, auto repair, hotels, and restaurants that provide transient services to travelers along major highways. Infrastructure improvements shall be consistent with the nature of the surrounding land area (i.e.: urban, suburban, rural).</p>	<ul style="list-style-type: none"> ▪ Valley ▪ Mountain ▪ Desert 	
<p>4. <u>CRD (Rural Desert Commercial)</u> The Rural Desert Commercial Zone is intended to provide for the development and use of land in the remote areas of the County’s desert regions in order to serve the traveling public, certain tourist areas, and the service needs of rural residents. This zone allows for a wide variety of activities to be conducted in desert areas that are buffered from sensitive land uses by large parcels of land. For this reason, uses and activities are permitted in direct relation to the size of lots and in recognition of adjacent land use designations. The Rural Desert Commercial Zone should be sited in rural desert areas with low concentrations of residential population, along major remote through-fares or intersections, and not within suburban areas or within any city sphere of influence. Infrastructure improvements should be consistent with the community where they are located, but generally realize minimal requirement for infrastructure improvements with a corresponding limitation on County provided maintenance and municipal services.</p>	<ul style="list-style-type: none"> ▪ Desert 	
<p>5. <u>CS (Service Commercial)</u> The Service Commercial Zone is intended to provide for the development and use of land to accommodate heavy commercial uses (including large box retailers) and industrial-serving commercial and office uses that will not adversely affect surrounding properties. Development within this Zone is typically multi-tenant in nature; however, single-tenant buildings are not precluded. Given their potential proximity to sensitive land uses, the uses in the Service Commercial Zoning District and their operating hours and characteristics may be limited by ordinance or by conditions of approval for certain permits.</p>	<ul style="list-style-type: none"> ▪ Valley ▪ SOI areas ▪ Mountain Community Centers 	<ul style="list-style-type: none"> ▪ Desert ▪ Mountain
<p>Limited Industrial Zones / Purpose</p>	<p>Zone Suitable for use in:</p>	<p>Zone Limited Application in:</p>

<p>These Zones are consistent with and implement the Limited Industrial Land Use Designation of the Policy Plan component of the Countywide Plan.</p>		
<p>1. IBP (Business Park) The Industrial Business Park Zone is intended to provide for the development and use of land to accommodate industrial-serving commercial and office uses, heavy commercial uses (including large box retailers) and very light industrial uses that will not adversely affect surrounding properties. Development within this Zone is typically multi-tenant in nature; however, single-tenant buildings are not precluded. Given their potential proximity to sensitive land uses, the uses in the Service Commercial Zone may have their operating hours and characteristics limited by ordinance or by conditions of approval for certain permits.</p>	<p>Valley Mountain SOI Areas Desert Community Centers</p>	<p>Desert</p>
<p>2. IC (Community Industrial). The Community Industrial Zone is intended to provide for the development and use of land to accommodate light manufacturing and assembly activities, small storage and warehousing activities and heavy commercial uses in standalone buildings or within well designed and planned industrial parks on large acreages of land. Permitted uses are expected to have little or no negative impacts on nearby sensitive land uses with regard to noise, dust, odor, vibrations, hazards, or traffic. The Community Industrial Zone should be situated in urban or suburban areas where full services, infrastructure, and direct access to major roadways are available. This Zone may be applied to rural areas only when there is a demonstrated need for a particular industrial land use that does not cause operational conflicts with sensitive land uses, is not in conflict with environmental policies, and does not result in unfunded costs for infrastructure or county services.</p>	<p>Valley Mountain SOI areas</p>	<p>Desert community centers</p>
<p>General Industrial Zones / Purpose These Zones are consistent with and implement the General Industrial Land Use Designation of the Policy Plan component of the Countywide Plan.</p>	<p>Zone Suitable for use in:</p>	<p>Zone Limited Application for use in:</p>
<p>1. IR (Regional Industrial). The Regional Industrial Zone is intended to provide for the development and use of land to accommodate more intense manufacturing, assembly, storage, warehousing, and other uses suitable to be located within a major industrial complex or in a single, large facility (in excess of 200,000 square feet of floor area). This Zone allows for uses which may have the potential for creating negative impacts (nuisances) from operations or processes used. For this reason, this Zone must be located away from sensitive land uses to ensure</p>	<p>Valley Mountain SOI areas Desert community centers</p>	<p>Desert</p>

<p>proper levels of safety and compatibility. Due to the varied nature of uses within the Regional Industrial Zone, locational factors will be tailored to the type of uses proposed. More traditional industrial uses may be situated in urban or suburban areas where full services, infrastructure, and direct access to major roadways are available. In no case shall uses in these Zones be allowed to use local, residential streets for employee, client, or truck access.</p>		
<p>2. <u>IH (Heavy Industrial)</u>. The Heavy Industrial Zone is intended to provide for the development and use of land to accommodate the most intensive industrial operations in the County. This Zone allows for uses that have the potential for creating significant impacts (nuisance and safety) on local communities and on the environment from their operations or processes used. For this reason, this Zone must be located sufficiently distant to sensitive land uses and no new zoning of land to the Heavy Industrial Zone shall be sited adjacent to any residentially zoned lot (except for the RL20 and RL40 zones) or any lot that is zoned for a sensitive land use. This Zone should be situated in urban or suburban areas where full services, infrastructure, and direct access to major roadways are available, as long as necessary buffering can be accomplished</p>	<p>Valley SOI areas</p>	<p>Desert</p>
<p>Resource / Land Management Zones / Purpose These Zones are consistent with and implement the Resource / Land Management Land Use Designation of the Policy Plan component of the Countywide Plan.</p>	<p>Zone Suitable for use in:</p>	<p>Zone Limited Application for use in:</p>
<p>1. <u>AG (Agriculture)</u>. The Agriculture Zone is intended to identify Important Farmland in the county where commercial agriculture is the primary use of the land and which allows for support uses and other limited and compatible uses and activities. This Zone should be applied to those lands which have been identified by the state as Prime Farmland, Farmland of State Importance, and Unique Farmland, have sufficient water availability, and which are physically buffered from other non-rural development, so that these lands can be protected from premature conversion and encroachment from incompatible land uses.</p>	<p>Valley Desert</p>	<p>Mountains</p>
<p>2. <u>RC (Resource Conservation)</u>. The Resource Conservation Zone is intended to identify land in the county that has high intrinsic values based on mineral, biological, and open space resources which should be</p>	<p>Valley Mountain Desert</p>	

<p>preserved and managed wisely for future use. These lands have very limited development potential because of these protected resources as well as the lack of existing and future infrastructure facilities. Uses allowed in this Zone are mixed and varied, accounting to the rural and open nature of these lands.</p>		
<p>3. <u>MO (Mining Operation)</u>. The Mining Operation Zone is intended to allow for the extraction and processing of mineral resources consistent with the requirements of the California Mining and Reclamation Act (Public Resources Code Sections 2710 et seq.) and the State Policy for Surface Mining and Reclamation Practice (Title 14 of the California Administrative Code, Sections 3500 et seq.). This zone is applied to applicable parcels of land that are either existing permitted mining operations or for those being approved for operations pursuant to XX.XX, except for those operations specifically exempted by Sections 2714 or 2776 of the California Public Resources Code. When mining operations cease and the reclamation plan is implemented, the land use designation and the zone will be changed from Resource / Land Management and Mining Operations to the designation and zone identified in the reclamation plan and approved by the Board.</p>	<ul style="list-style-type: none"> ▪ Valley ▪ Mountain ▪ Desert 	
<p style="text-align: center;">Open Space Zones / Purpose</p> <p>These Zones are consistent with and implement the Open Space Land Use Designation of the Policy Plan component of the Countywide Plan.</p>	<p>Zone Suitable for use in:</p>	<p>Zone Limited Application for use in:</p>
<p>1. <u>OSP (Open Space Parks)</u>. The Open Space Parks Zone provides for the designation of County or special district owned land whose primary purpose is to provide for active and passive recreational uses, whether as Regional Parks, trails, or local parks developed under a special district.</p>	<ul style="list-style-type: none"> ▪ Valley ▪ Mountain ▪ Desert 	
<p>2. <u>OSC (Open Space Conservation)</u>. The Open Space Conservation Zone provides for the identification of County owned and private lands that have been set aside through legal means for purposes of preserving and conserving lands in perpetuity.</p>	<ul style="list-style-type: none"> ▪ Valley ▪ Mountain ▪ Desert 	
<p style="text-align: center;">Public Facility Zones / Purpose</p> <p>These Zones are consistent with and implement the Public Facility Land Use Designation of the Policy Plan component of the Countywide Plan.</p>	<p>Zone Suitable for use in:</p>	<p>Zone Limited Application for use in:</p>

<p>1. <u>CIV (Civic)</u>. The Civic Zone allows for the identification of land used for permanent public and quasi-public (i.e.: special district owned facilities) facilities, including government centers, community centers, libraries, museums, public schools, sheriff and fire stations, jails, prisons, courthouses, cemeteries, landfills, airports, etc.</p>	<p>Valley Mountain Desert</p>	
<p>2. <u>FC (Flood Control)</u>. The Flood Control Zone allows for the identification of publically owned lands, or legally controlled through an easement, and used for flood control purposes, including flood control channels, retention and detention basins, buildings and related facilities.</p>	<p>Valley Mountain Desert</p>	
<p>Special Development Zones / Purpose These Zones are consistent with and implement the Special Development Land Use Designation of the Policy Plan component of the Countywide Plan.</p>	<p>Zone Suitable for use in:</p>	<p>Zone Limited Application for use in:</p>
<p>1. <u>PD (Planned Development)</u>. The Planned Development Zone is intended to provide flexibility in the application of Development Code standards for proposed development under single ownership encompassing a land area of 5 acres or more. The purpose is to allow consideration of innovation in site planning and other aspects of project design and more effective design responses to site features, uses on adjoining properties, and environmental impacts than could otherwise be achieved with the strict application of the Development Code standards. The application of the Planned Development Zone must be shown to result in obvious, substantial, and significantly higher levels of development standards than would be achieved through conventional design practices and development standards. Projects are typically single land use developments (residential, commercial, industrial) but may, with accompanying General Plan Land Use Amendments, be horizontally mixed use developments.</p>	<p>Valley Mountain Desert SOIs Desert Community Centers</p>	
<p>2. <u>SP (Specific Plan)</u>. The Specific Plan Zone accommodates the adoption of a Specific Plan pursuant to Government Code Sections 65450 - 65457 and this Development Code. A Specific Plan is a hybrid plan combining aspects of the Policy Plan (general Plan) and the Development Code. As such, projects may propose single use or mixed use (horizontal or verticle) development on a large parcels of land or on parcels of land with multiple ownership with a combined acreage of at least 20 acres. The SP Zone is consistent with, and implements, all land use designations of the Policy Plan component of the</p>	<p>Valley Mountain Desert</p>	

Countywide Plan. If mixed use, the Specific Plan must be predominantly consistent with the primary uses allowed, and with policies contained, within the Land Use Designation for the area.

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