



LAND USE SERVICES DEPARTMENT PLANNING COMMISSION STAFF REPORT

HEARING DATE: December 18, 2025

AGENDA ITEM #2

Project Details

Applicant: San Bernardino County Land Use Services Department
Community: All unincorporated communities
Locations: Countywide
Project No.: PMISC-2025-00006
Staff: Nathan Hunsicker, Planner
Proposal: Development Code Amendment to the provisions for the creation and development of accessory dwelling units and junior accessory dwelling units.

Newspaper Publication Date: Dec. 18, 2025

Report Prepared By: Nathan Hunsicker

PROJECT DESCRIPTION:

This item consists of an amendment to the San Bernardino County Development Code (Title 8 of the San Bernardino County Code) related to accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) (Development Code Amendment or Project). The Development Code Amendment amends Tables 82-4, 82-5A, 82-5B, 82-5C, 82-7, 82-9A, 82-9B, 82-9C, 82-11, 82-13A, 82-13B, 82-14A, 82-14B, 82-15A, 82-15B, 82-17, 82-19A, 82-19B, 82-20A, 82-20B, 82-21A and 82-21B of Division 2; amends Tables 83-5 and 83-15 of Division 3; amends Chapter 84.01 and adds Chapter 84.36 to Division 4, all of Title 8 related to land use tables, parking and loading standards, allowed projections, and accessory structures and uses associated with the creation and development of ADUs and JADUs. The Development Code Amendment consolidates ADU and JADU development standards into a new, stand-alone chapter, Chapter 84.36, *Accessory Dwelling Units*. In addition, the Development Code Amendment incorporates recent changes in State law to ensure consistency and facilitate streamlined permitting of ADUs and JADUs. The Development Code Amendment also implements Program 3 of the Policy Plan's Housing Element which committed the County to monitor and update ADU ordinance as necessary based on new State laws.

BACKGROUND:

In recent years, the State Legislature has adopted multiple bills expanding ADU and JADU opportunities as part of California's broader housing strategy. These measures increase allowable building heights, prohibit minimum lot size requirements, expand parking and setback exemptions, revise owner-occupancy mandates, and establish faster processing timelines, including a new 30-day approval for preapproved plans.

The Development Code Amendment responds to these mandates by consolidating ADU and JADU regulations into a new stand-alone chapter of the Development Code (Chapter 84.36), ensuring consistency with State law while simplifying and clarifying development standards for applicants and staff.

ANALYSIS:

The primary purpose of the proposed Development Code Amendment is to revise the County's standards to ensure compliance with the recent State legislation. The table below provides an overview and synopsis of the proposed County regulations.

	CURRENT CODE	REVISIONS
PURPOSE AND APPLICABILITY		
Applicability	ADUs and JADUs are permitted on all properties where a single or multi-family dwelling is permitted.	No change
PROCESS AND REVIEW PROCEDURES		
Processing Times	None	Development Code updated to meet state law. A mandatory 15 business day deadline is established to determine whether an ADU or JADU application is complete. The Department is required to issue approval/corrections within 60 days of completeness determination. For pre-approved ADU or JADU plans, the Department has 30 days to issue approval/corrections unless the ADU or JADU is proposed with a new primary dwelling unit.
Unpermitted, Nonconforming, and Legal Nonconforming ADUs	Provisions related to unpermitted, nonconforming, and legal nonconforming ADUs found in separate Chapters of the Code.	Development Code updated to meet state law. Unified provisions in one Chapter for clarity. Introduced/Codified the state requirements for unpermitted and nonconforming ADUs and JADUs. Clarified the process for legal nonconforming ADUs and JADUs.
COMMON OWNERSHIP, OCCUPANCY, AND RENTAL TERMS		
Short-Term Rental	May be rented separately from the primary residence in all regions of the County for a term longer than 30 days, or in the Mountain and Desert Regions for a term less than 30 days.	Language updated for clarity and prohibiting use of JADU for short-term rental consistent with State law.
Separate Ownership (Conveyance)	Prohibited.	Development Code updated to meet state law. Prohibited, except for nonprofits.

Owner-Occupancy	JADUs require owner-occupancy in the single-family residence in which the junior accessory dwelling unit will be permitted.	Owner-Occupancy is only required if the JADU has shared sanitation facilities with the existing structure.
DEVELOPMENT STANDARDS		
Number of units Allowed	SFR • Lots less than 5 acres: 2 units • Lots 5 acres or more: 3 units MULTIFAMILY • Existing structure + attached ADU: 25% of multifamily unit count. • Existing structure + detached ADU: no more than two units. • Proposed structure + attached: Code Unclear • Proposed structure + detached: Code Unclear	SFR • Lots less than 5 acres: No Change • Lots 5 acres or more: No Change MULTIFAMILY • Existing structure + attached: No Change • Existing structure + detached: No Change • Proposed structure + attached: 2 Units • Proposed structure + detached: 2 Units
Unit Size	ADU • Min: None • Max: 1,200 sq. ft. JADU • Min: None • Max: 500 sq. ft.	ADU • Min: 200 sq. ft. • Max: 1,200 sq. ft. (No change) JADU • Min: 150 sq. ft • Max: 500 sq. ft (No change)
Lot Coverage	Lot coverage not applicable if it prevents the construction of at least an 800 square foot ADU that is 16 feet in height with four-foot setbacks.	Added clarification that 800 square foot requirement applies to interior livable space.
Building Separation	None	5ft or the latest building and fire code criteria.
Setbacks – Detached/Attached ADU	Rear: 4 ft. Side: 4 ft.	No change
Height	Underlying zone (typically 35ft) applies regardless of attached or detached ADU.	Development Code updated to meet state law. Attached ADU = 25ft Detached ADU = 18ft
PARKING STANDARDS		
Number of spaces required	ADU: One uncovered parking space JADU: None Replacement parking not required for the primary dwelling when the garage is converted to an ADU or JADU.	No change
DEFINITIONS		
Livable Space	None	Development Code updated to meet state law. A space in a dwelling intended for human habitation, including living, sleeping, eating, cooking, or sanitation.

Proposed Primary Dwelling	None	Development Code updated to meet state law. Meaning a primary residence that is the subject of an active building permit application or has received building permit approval but is not yet constructed or occupied.
Existing Primary Dwelling	None	Development Code updated to meet state law. Meaning a legally permitted, constructed, and occupied primary residence.

ENVIRONMENTAL DETERMINATION:

The Development Code Amendment qualifies as a statutory exemption to the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.17.

FINDINGS:

The following findings and the evidence to support such findings must be made by the Planning Commission in its recommendation to the Board of Supervisors to approve the proposed Development Code Amendment:

1. The proposed amendment is consistent with the General Plan and any applicable community plan or specific plan because the proposed Development Code Amendment will continue to protect public health and safety, consistent with the following excerpts from the General Plan, including the 6th Cycle Housing Element:

Goal H-1: A broad range of housing types in sufficient quantity, location, and affordability levels to meet the lifestyle needs of current and future residents, including those with special needs.

Goal H-2: An efficient administrative process that recognizes the need for efficient and timely review of residential projects while also ensuring and valuing the need for quality design, environmental review, and planning.

Goal H-3: Neighborhoods that protect the health, safety, and welfare of the community, and enhance public and private efforts in maintaining, reinvesting in, and upgrading the existing housing stock.

Policy H-3.3: Enforce all applicable state and county health, safety, building, and zoning laws directed at housing and property maintenance to maintain healthful, sound, and attractive residential properties.

Goal H-4: The development, maintenance, modernization, and preservation of affordable housing; and the provision of assistance, where feasible, for residents to rent or purchase adequate housing in San Bernardino County.

2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the County. The Development Code Amendment preserves public health and safety while serving the public interest by enhancing housing choices and encouraging the development of ADUs and JADUs through the proposed regulations and reduced development standards consistent with State law.

ADUs and JADUs are a critical form of infill development that can be more affordable than new housing stock and offer important housing choices within existing neighborhoods. ADUs and JADUs are versatile housing units, allowing for various uses and serving populations ranging from students and young professionals to young families, people with disabilities, and senior citizens. By design, ADUs and JADUs are more affordable and can provide homeowners with additional income.

3. The proposed amendment is internally consistent with other applicable provisions of the Development Code to the extent the State law provides authority to regulate ADUs and JADUs. To maintain consistency throughout the Development Code, a thorough analysis identified all Sections, Subsections and Tables that require modifications to ensure internally consistency.
4. The proposed Ordinance is exempt from the requirements of CEQA pursuant to Public Resources Code Section 21080.17.

That the Planning Commission **RECOMMEND** the following actions to the Board of Supervisors:

1. **FIND** that the project is statutorily exempt from the California Environmental Quality Act pursuant to Public Resources Code Section 21080.17;
2. **ADOPT** the findings as contained in the staff report;
3. **ADOPT** an ordinance amending Title 8 of the San Bernardino County Code relating to provisions for the creation and development of accessory dwelling units and junior accessory dwelling units as provided in the staff report and attachments, and;
4. **DIRECT** the Land Use Services Department to file a Notice of Exemption in accordance with the California Environmental Quality Act.

ATTACHMENTS:

Exhibit A: Proposed County Development Code Chapter 84.36 (Accessory Dwelling Units)

Exhibit B: Redlines

Exhibit C: Public Comments

**Exhibit A: Proposed Development Code Chapter 84.36
(Accessory Dwelling Units)**

CHAPTER 84.36: ACCESSORY DWELLING UNITS

- 84.36.010 Purpose
- 84.36.020 Applicability
- 84.36.030 Definitions
- 84.36.040 Types of Units Allowed
- 84.36.050 Process and Review Procedures
- 84.36.060 Rental Terms, Occupancy, Common Ownership
- 84.36.070 Development Standards
- 84.36.080 Development Standards Exemptions
- 84.36.090 Severability

Section 84.36.010 Purpose.

The purpose of this Chapter is to implement Chapter 13 (commencing with Section 66310) of Division 1 of Title 7 of the Government Code by establishing regulations for the permitting and development of accessory dwelling units and junior accessory dwelling units.

Section 84.36.020 Applicability.

The standards of this Chapter shall apply to accessory dwelling units and junior accessory dwelling units where allowed in compliance with Division 2 (Land Use Zoning Districts and Allowed Uses) of this Development Code.

Section 84.36.030 Definitions.

The use of specific terms in this Chapter are intended to supplement the definitions in Government Code Section 66313. To the extent an inconsistency exists, the definitions in

Government Code Section 66313 shall prevail unless it is determined from the context of this Chapter that the definition was intended to be more restrictive. For purposes of this Chapter:

(a) “Accessory dwelling unit” means an attached or detached residential dwelling unit, not considered to exceed the allowable density of the parcel, that provides complete independent living facilities for one or more persons with permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel that the single-family or multifamily proposed or existing dwelling is situated. An accessory dwelling unit can include an efficiency unit, as defined in Section 17958.1 of the Health and Safety Code, and a manufactured home, as defined in Section 18007 of the Health and Safety Code.

(b) “Existing primary dwelling” means a legally permitted and constructed primary single-family residence.

(c) “Junior accessory dwelling unit” means a unit that is no more than 500 square feet of interior livable space in size and contained entirely within a single-family residence. A junior accessory dwelling unit may include separate sanitation facilities or may share sanitation facilities with the proposed or existing structure and shall comply with the requirements set forth in Section 66333 of the Government Code.

(d) “Livable space” means a space in a dwelling intended for human habitation, including living, sleeping, eating, cooking, or sanitation.

(e) “Primary dwelling” means the single-family dwelling that serves as the primary residence for the lot.

(f) “Proposed primary dwelling” means a structure that is the subject of an active building permit application that meets the requirements for permitting a single-family residence or has received building permit approval but has not yet received an occupancy permit.

Section 84.36.040 Types of Units Allowed.

(a) Accessory Dwelling Units on Single-Family Lots. The following types of accessory dwelling unit are authorized on a lot where allowed in compliance with Division 2 (Land Use Zoning Districts and Allowed Uses) of this Development Code.

(1) Attached Unit. An accessory dwelling unit that structurally abuts and is attached to an existing or proposed primary dwelling. An attached unit may be constructed on the side, top, or below the existing or proposed primary dwelling.

(2) Detached Unit. An accessory dwelling unit that is physically separated from the existing or proposed primary dwelling. A detached accessory dwelling unit shall be deemed the primary dwelling if its floor area exceeds that of the existing primary dwelling.

(3) Converted Existing Structure or Space. An accessory dwelling unit that is created from an existing space within an existing or proposed primary dwelling (e.g., basement, attic, attached garage, storage area, or similar area) or an existing space of an accessory structure (e.g., detached garage, shed, storage structure, or other similar existing accessory structure) on the same lot as the primary dwelling. This may include an existing primary dwelling that is converted to an accessory dwelling unit when a larger primary dwelling is established, though the converted dwelling shall still be limited in size to 1,200 square feet.

(b) Junior Accessory Dwelling Unit on Single-Family Lots. A junior accessory dwelling unit contained entirely within the walls of an existing or proposed single-family residence.

(c) Multifamily Accessory Dwelling Unit. An accessory dwelling unit that may be allowed on a lot zoned for multifamily residence and is either attached, detached, or located within the portions of an existing multifamily dwelling that are not used as livable space (e.g., storage rooms, boiler rooms, passageways, attics, basements, garages).

Section 84.36.050 Process and Review Procedures.

(a) Ministerial Review. A permit for an accessory dwelling unit or junior accessory dwelling unit is considered and approved ministerially, without discretionary review or hearing, notwithstanding the need for a variance or special use permit.

(b) Processing Times. Within 15 business days of submission, the Department will assess whether an application for an accessory dwelling unit or junior accessory dwelling unit is complete and, if incomplete, provide notice of this determination and a detailed list of missing items based on the submittal criteria. Upon resubmittal of required materials, the Department shall have 15 business days to review the resubmittal and determine whether the application is complete. The Department shall approve or deny the application for an accessory dwelling unit or junior accessory dwelling unit within 60 days of the date the Department received a complete application if there is an existing primary dwelling or multifamily dwelling on the lot. If an application to create an accessory dwelling unit or junior accessory dwelling unit is submitted concurrently with a permit to create a new primary dwelling or multifamily dwelling on the lot, the 60-day review period can be delayed until the primary dwelling or multifamily dwelling receives approval or if the delay is requested in writing by the applicant.

(1) Pre-Approved Plans. The Director, in consultation with the Building Official, shall adopt and maintain a preapproved building plan for a detached accessory dwelling unit consistent with the current triennial California Building Standards Code rulemaking cycle. The preapproved plan, along with the contact information of an applicant that obtained approval of an accessory dwelling unit using a preapproved plan, shall be posted on the Department's website in accordance with Section 65852.27 of the Government Code.

(A) An application for a detached accessory dwelling unit that utilizes a preapproved plan adopted by the Director within the current triennial California Building Standards Code rulemaking cycle, or a plan identical to a plan approved by the Director within

the current triennial California Building Standards Code rulemaking cycle, shall be ministerially approved or denied within 30 days of a complete application.

(B) An applicant shall pay the same permitting fees that the County charges an applicant seeking approval for the same-sized accessory dwelling unit when reviewing and approving the submission of a preapproved accessory dwelling unit plan.

(c) Nonconforming Conditions. The Department shall not require, as a condition of ministerial approval of a permit application for the creation of an accessory dwelling unit or junior accessory dwelling unit, the correction of nonconforming conditions. An application for an accessory dwelling unit or junior accessory dwelling unit submitted to correct nonconforming zoning conditions, building code violations, or unpermitted structures that do not present a threat to public health and safety and are not affected by the construction of the accessory dwelling unit or junior accessory dwelling unit shall not be denied. Nonconforming zoning condition means a physical improvement on a property that does not conform to current zoning standards.

(d) Unpermitted Junior and Accessory Dwelling Units. The Department shall not deny a permit for an unpermitted accessory dwelling unit or junior accessory dwelling unit that was constructed before January 1, 2020, for the reasons set forth in Government Code Section 66332, subdivision (a). Notwithstanding the above, the Department may deny a permit for an accessory dwelling unit or junior accessory dwelling unit if the Building Official makes a finding that correcting the violation is necessary to comply with the standards specified in Section 17920.3 of the Health and Safety Code or the accessory dwelling unit or junior accessory dwelling unit is attached or within a building that is deemed substandard pursuant to Section 17920.3 of the Health and Safety Code.

(e) Legal Nonconforming Accessory Dwelling Unit. The expansion of a legal nonconforming structure or use associated with an accessory dwelling unit shall be subject to

the provisions of Division 2 (Land Use Zoning Districts and Allowed Uses) and Section 84.17.080 (Alteration of Nonconforming Uses) of this Development Code.

(f) Sewer. Written confirmation from the sewer district having jurisdiction of the availability of sewer service for the accessory dwelling unit or junior accessory dwelling unit, or written approval from Environmental Health Services for use on an existing or new septic system, shall be obtained prior to the issuance of a permit for the creation of an accessory dwelling unit or junior accessory dwelling unit. Holding tanks shall not be permitted for an accessory dwelling unit or junior accessory dwelling unit.

(g) Water. Written confirmation from the water district having jurisdiction of the availability of water service for the accessory dwelling unit or junior accessory dwelling unit, or written approval from Environmental Health Services for use of an existing or new well, shall be obtained prior to the issuance of a permit for the creation of an accessory dwelling unit or junior accessory dwelling unit.

(h) Fire Safety. Written confirmation from the applicable fire district or fire authority having jurisdiction shall be required prior to the issuance of a permit for the creation of an accessory dwelling unit or junior accessory dwelling unit.

(i) Grading. Approval of site drainage, egress, and exit requirements from the Department shall be required prior to the issuance of a permit for the creation of an accessory dwelling unit or junior accessory dwelling unit.

(j) Garage Demolitions. Review and issuance of a demolition permit for a detached garage that is to be replaced with an accessory dwelling unit shall be reviewed and issued at the same time with the application for the creation of an accessory dwelling unit.

(k) Flood Protection. An accessory dwelling unit or junior accessory dwelling unit located within a floodplain safety overlay shall comply with Chapter 82.14 (Floodplain Safety Overlay), including but not limited to elevating the lowest finished floor to the required elevation.

Section 84.36.060 Rental Terms, Occupancy, and Common Ownership.

(a) Rental Terms. An accessory dwelling unit and junior accessory dwelling unit may be rented separately from the primary dwelling or multifamily dwelling in all regions of the County, subject to the following criteria:

(1) Long-Term Rentals. In all regions of the County, an accessory dwelling unit may be rented for a term longer than 30 consecutive days. The rental of a junior accessory dwelling unit shall be for a term longer than 30 consecutive days in all regions of the County.

(2) Short-Term Rentals. In the Mountain and Desert Regions of the County, an accessory dwelling unit may be rented for a term less than 30 consecutive days, provided the short-term rental unit complies with Chapter 84.28 (Short-Term Residential Rentals) and is not a unit constructed pursuant to section 84.36.080(b).

(b) Occupancy. Owner occupancy shall not be required for an accessory dwelling unit. A junior accessory dwelling unit shall require owner-occupancy in the existing or proposed single-family residence in which the junior accessory dwelling unit will be permitted. The owner may reside in either the remaining portion of the single-family residence or the newly created junior accessory dwelling unit. Owner-occupancy shall not be required if the junior accessory dwelling unit has separate sanitation facilities, or if the owner is another governmental agency, land trust, or housing organization. The recordation of a deed restriction, which shall run with the land, shall be filed with the County Recorder's Office for an application associated with a junior accessory dwelling unit and shall include both of the following:

(1) A prohibition on the sale of the junior accessory dwelling unit separate from the sale of the existing or proposed primary dwelling, including a statement that the deed restriction may be enforced against future purchasers.

(2) A restriction on the size and attributes of the junior accessory dwelling unit that conforms with this Chapter.

(c) Separate Conveyance. The separate sale or conveyance of an accessory dwelling unit of any type is prohibited except when authorized in accordance with Section 66431 of the Government Code.

Section 84.36.070 Development Standards.

(a) Except as otherwise provided in this Chapter, the development standards for an accessory dwelling unit and junior accessory dwelling unit shall comply with the requirements set forth in Table 84-0 (ADU Building Form) and the restrictions provided herein.

(1) Land Use Zoning District Regulations. An accessory dwelling unit or junior accessory dwelling unit shall comply with all development standards of the land use zoning district in which it is located.

(2) Multifamily Structure Modification. A modification of the footprint of an existing multifamily dwelling that has less than four-foot side and rear setbacks shall not be required for the construction of an accessory dwelling unit.

(3) Location. An accessory dwelling unit may be located in front of the primary dwelling when construct in compliance with applicable setback standards.

Table 84-0 ADU Building Form ⁽¹⁾				
Unit Type		Multifamily ADU	ADU	JADU
Lot Area Dimensions				
Size:		Determined by the underlying zoning district		
Width:				
Depth:				
Maximum Width/Depth Ratio:				
Density Per Lot ⁽²⁾				
Minimum:		None	None	None
Maximum (Attached)	Existing:	Up to 25% of multifamily units	2 units ⁽³⁾	None
	Proposed:	2 units		
Maximum (Detached)	Existing:	8 units; Not to exceed existing primary unit count	2 units ⁽³⁾	Not allowed
	Proposed:	2 units		
Maximum (Conversion):		Up to 25% of multifamily units ⁽⁴⁾	2 units ⁽³⁾	1 unit
Unit Size ⁽⁵⁾⁽⁶⁾				
Minimum:		200 square feet	200 square feet	150 square feet
Maximum (Attached):		1,200 square feet ⁽⁷⁾	1,200 square feet ⁽⁷⁾	Not allowed
Maximum (Detached):		1,200 square feet	1,200 square feet	Not allowed
Maximum (Conversion):		None	None	500 square feet
Setbacks ⁽⁸⁾				
Front:		Per underlying zone	Per underlying zone	Setbacks of the existing structure apply per underlying zone
Side – Street Side:		4ft	4ft	
Side – Interior:		4ft	4ft	
Rear:		4ft	4ft	
Detached Unit Separation:		5ft ⁽⁹⁾	5ft ⁽⁹⁾	
Lot Coverage				
Maximum Coverage:		Determined by the underlying zoning district		
Building Height ⁽¹⁰⁾				
Maximum (Attached):		25ft	25ft	25ft
Maximum (Detached) ⁽¹¹⁾ :		18ft	18ft	N/A

Maximum (Conversion):	None ⁽⁸⁾		
<i>Parking and Loading</i>			
Requirements:	One uncovered for each unit ⁽¹²⁾	One uncovered for each unit ⁽¹²⁾	None
<i>Miscellaneous Requirements</i>			
Sanitation Facilities: ⁽¹³⁾	An ADU must have their own sanitation facility. A JADU may include separate sanitation facilities or may share sanitation facilities with the existing structure. A JADU without a separate bathroom must include a separate entrance from the main entrance to the proposed JADU, with an interior entry to the main living area.		
Unit Access:	A separate exterior entrance from the primary dwelling is required.		
Kitchen:	An ADU shall include a full kitchen that is separate from the primary dwelling. A JADU shall, at a minimum, be permitted to include an efficiency kitchen which shall contain a cooking facility with appliances and a food preparation counter with storage cabinets that are reasonable in size in relation to the JADU.		

Notes:
(1) The standards set forth in this table shall not preclude the construction of an ADU with a total floor area limitation of not more than 800 square feet of livable space with four-foot side and rear yard setbacks.
(2) The maximum unit number is a total aggregate maximum regardless of type of ADU.
(3) On a lot five acres or greater, up to three units are allowed.
(4) Multiple accessory dwelling units within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings.
(5) Calculated based on livable space. The minimum unit size shall not prohibit the development of an efficiency unit as defined in Section 17958.1 of the Health and Safety Code.
(6) A junior accessory dwelling unit must be contained entirely within the existing space of the single-family residence.
(7) If there is an existing primary dwelling, the total floor area of an attached accessory dwelling unit shall not exceed 50 percent of the existing primary dwelling and at no time exceed 1,200 square feet.
(8) No setback or building height shall be required for an existing living area or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit.
(9) Notwithstanding the 5 foot minimum separation requirement, separation between structures shall comply with the latest California Building Code adopted by the County. Where a property is located within a Fire Safety (FS) Overlay, the standards of Chapter 82.13 (Fire Safety Overlay) shall apply.
(10) The height requirements shall not allow for the construction of a unit greater than two-stories.
(11) An additional two feet in height may be allowed, provided that the roof of the ADU matches the roof pitch of the proposed or existing primary dwelling.
(12) The spaces may be provided as tandem parking on a driveway.
(13) Where the property is less than 0.50 acres with an existing primary residence, an Advanced Treatment System designed to accommodate each additional dwelling is subject to approval by Environmental Health Services for the additional dwelling.

Section 84.36.080 Development Standards Exemptions.

(a) Development Standards Exemptions. An accessory dwelling unit and a junior accessory dwelling unit are exempt from the following standards:

(1) Fire Sprinklers. Fire sprinklers shall not be required for an accessory dwelling unit and junior accessory dwelling unit if they are not required for the primary dwelling.

(2) Utility Connections. Unless an accessory dwelling unit or junior accessory dwelling unit is constructed with a new primary dwelling, new or separate utility connections shall not be required and shall not be subject to a separate utility connection fee or capacity

charge if constructed from existing space of the primary dwelling or accessory structure. This shall not apply to lots served by a septic system and an individual domestic well.

(3) Parking. The parking requirements for an accessory dwelling unit, as set forth in Table 84-0 (ADU Building Form), shall not apply in any of the following instances:

- (A) The unit is considered a junior accessory dwelling unit.
- (B) The accessory dwelling unit is located within one-half mile walking distance of public transit.
- (C) The accessory dwelling unit is located within an architecturally and historically significant historic district that is listed in the National Register of Historic Places, State Register of Historic Places, or is listed on the official county registry of such places.
- (D) The accessory dwelling unit is part of the proposed or existing primary dwelling or a converted accessory structure.
- (E) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.
- (F) When a car share vehicle is located within one block of the accessory dwelling unit.
- (G) When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted into an accessory dwelling unit, the off-street covered parking does not need to be replaced.
- (H) When a permit application for an accessory dwelling unit is submitted with a permit application to create a new primary dwelling or a new multifamily dwelling on the same lot, provided that the accessory dwelling unit or parcel satisfies any of the criteria listed in this subdivision.

(b) *By-Right Permitting Exemptions.* Notwithstanding anything to the contrary, an application for a building permit for an accessory dwelling unit or junior accessory dwelling unit authorized by Division 2 (Land Use Zoning Districts and Allowed Land Uses) shall be approved to create any of the following:

(1) One accessory dwelling unit and one junior accessory dwelling unit per lot with a proposed or existing primary dwelling if all of the following apply:

(A) The accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a primary dwelling or existing space of a primary dwelling or accessory structure. This may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.

(B) The space has exterior access from the proposed or existing primary dwelling.

(C) The side and rear setbacks are sufficient for fire and safety.

(D) The junior accessory dwelling unit complies with the requirements of Article 3 (commencing with Section 66333), Chapter 13, Division 1, Title 7 of the Government Code.

(2) One detached, new construction, accessory dwelling unit that does not exceed four-foot rear and interior side setbacks for a lot with a proposed or existing primary dwelling, provided the total floor area is not more than 800 square feet of livable space and a height limitation as provided in subparagraph (A), (B), or (C) of paragraph (4) of subdivision (b) of Section 66321 of the Government Code, as applicable. An accessory dwelling unit permitted pursuant to this subdivision may be combined with a junior accessory dwelling unit.

(3) Multiple accessory dwelling units within the portions of existing multifamily dwelling structures that are not used as livable space:

(A) At least one accessory dwelling unit shall be allowed.

(B) The maximum number of units shall not exceed 25 percent of the existing dwelling units.

(4) Multiple accessory dwelling units on a lot with a proposed or existing multifamily dwelling, but are detached:

(A) On a lot with an existing multifamily dwelling, not more than eight detached accessory dwelling units. However, the number of accessory dwelling units shall not exceed the number of existing units on the lot.

(B) On a lot with a proposed multifamily dwelling, not more than two detached accessory dwelling units.

Section 84.36.090 Severability.

The Director, in consultation with County Counsel, shall have the authority to waive any provision of this Chapter to the extent the Director determines that any section, sentence, clause, phrase, or portion thereof is inconsistent with Chapter 13 (commencing with Section 66310) of Division 1 of Title 7 of the Government Code, as may be amended from time to time, as applied to an application for an accessory dwelling unit or junior accessory dwelling unit. If, for any reason, any portion of this Chapter is determined by the Director to be inconsistent with Chapter 13 (commencing with Section 66310) of Division 1 of Title 7 of the Government Code, then the applicable State law shall provide the controlling development standard and all other provisions of this Chapter shall remain valid and enforceable.

Exhibit B: Proposed Development Code Redlines

SECTION 2. Table 82-4 of Subsection 82.03.040(b) of the San Bernardino County Code is amended, to read:

Table 82-4					
Allowed Land Uses and Permit Requirements for Agricultural and Resource Management Land Use Zoning Districts					
Land Use See Division 10 (Definitions) for land use definitions	Permit Required by District				Specific Use Regulations
	RC	AG	FW	OS	
Agricultural, Resource & Open Space Uses					
Agricultural support services	M/C	M/C	CUP	—	
Animal keeping	S	S	S	—	84.04
Community Gardens	A	A	A	—	
Crop production, horticulture, orchard, vineyard	A	A	A	—	
Industrial Hemp Cultivation - Small Scale (minimum 1-acre lot size)	P	P	P	—	84.35
Industrial Hemp Cultivation - Large Scale (minimum 5-acre lot size)	CUP	CUP	CUP	—	84.35
Livestock operations	S	S	S	—	84.04
Natural resources development (mining)	CUP	CUP	CUP	—	88.03
Nature preserve (accessory uses)	p ⁽¹⁾	p ⁽¹⁾	p ⁽¹⁾	p ⁽¹⁾	
Lake, reservoir	M/C	M/C	M/C	M/C	
Pond	A	A	A	A	
Winery	M/C	M/C	—	—	
Industry, Manufacturing & Processing, Wholesaling					
Composting operations	CUP	CUP	—	—	
Hazardous waste facilities	CUP	CUP	—	—	84.11

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Industrial use requiring extensive buffering	CUP	CUP	—	—	
Recycling facilities	S	S	—	—	84.19
Recreation, Education & Public Assembly					
Agritourism enterprises	S	S	—	—	84.03
Campgrounds	M/C	M/C	—	—	
Conference/convention facility	CUP	CUP	—	—	
Equestrian facility	M/C	M/C	—	—	
Fitness/health facility	M/C	—	—	—	
Library, museum, art gallery, outdoor exhibit	M/C	M/C	—	—	
Meeting facility, public or private	CUP	CUP	—	—	
Park, playground	M/C	M/C	—	—	
Places of worship	CUP	CUP	—	—	
Recreational vehicle park	CUP ⁽²⁾				
Rural sports and recreation	CUP	CUP	—	—	
School - College or university	CUP	CUP	—	—	
School - Private	CUP	CUP	—	—	
School - Specialized education/training	CUP	CUP	—	—	
Residential⁽⁷⁾					
Accessory use or structure - Residential	A ⁽³⁾	A ⁽³⁾	—	—	84.01
Guest housing	A ⁽³⁾	A ⁽³⁾	—	—	84.01
Accessory dwelling unit	A ⁽⁴⁾	A ⁽⁴⁾	—	—	84.36 84.01
Junior accessory dwelling unit	A ⁽⁴⁾	A ⁽⁴⁾	—	—	84.36 84.01
Single dwelling	A	A	—	—	
Retail					
Produce stands (200 sq. ft. or less on lots that are 10,000 sq. ft. or greater)	A ⁽⁵⁾	A	—	—	84.03

Services - Business & Professional					
Medical services - Hospital	M/C	M/C	—	—	
Medical services - Rehabilitation centers	M/C	M/C	—	—	
Office - Accessory	P	P	—	—	
Office - Government	M/C	M/C	—	—	
Services - General					
Cemetery including pet cemeteries	CUP	CUP	—	—	
Commercial Kennels and Catteries - min lot 2.5 acres	M/C	M/C	—	—	
Emergency Shelter	—	CUP	—	—	84.33
Home Occupation	SUP	SUP	—	—	84.12
Licensed Residential Care Facility of 6 or fewer persons	A	A	—	—	
Licensed Residential Care Facility of 7 or more persons	M/C	M/C	—	—	84.23
Lodging - Bed and breakfast inn (B&B)	SUP	SUP	—	—	
Public safety facility	M/C	M/C	—	—	
Short-Term Residential Rentals	SUP	SUP	—	—	84.28
Unlicensed Residential Care Facility of 6 or fewer persons	RCP	RCP	—	—	84.32
Unlicensed Residential Care Facility of 7 or more persons	M/C	M/C	—	—	
Transportation, Communications & Infrastructure					
Broadcasting antennae and towers	M/C	M/C	—	—	
Electrical power generation	CUP	CUP	—	—	
Pipelines, transmission lines, and control stations ⁽⁶⁾	(6)	(6)	(6)	(6)	
Renewable Energy Generation Facilities	CUP	CUP	CUP	—	
Sewage treatment and disposal facility	CUP	CUP	—	—	
Solid waste disposal	CUP	CUP	—	—	
Transportation facility	CUP	CUP	—	—	
Utility facility	CUP	CUP	CUP	—	

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Wind energy system, accessory	S	S	S	—	84.26
Wireless telecommunications facility	S	S	S	—	84.27
Other					
Accessory structures and uses	A	A	A	A	84.01
Temporary special events	TSP	TSP	TSP	TSP	85.16
Temporary structures and uses	TUP	TUP	TUP	TUP	84.25

<i>Key</i>			
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 § 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)
		RCP	Unlicensed Residential Care Facilities Permit (Chapter 85.20)
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 § 85.06.020 (Applicability).
(2) Density of the recreational vehicles in a Recreational Vehicle Park shall be limited to 4 per acre.
(3) Use allowed as an accessory use only, on the same site as a residential use allowed by this table.
(4) Use allowed as an accessory use only with standards, on the same site as a residential use allowed by this table.
(5) In Phelan/Pinon Hills Community Plan area, a maximum 6 sq/ ft. advertising sign shall be allowed.
(6) Pipelines, transmission lines, and control station uses are regulated and approved by the Public Utilities Commission. See

alternate review procedures in § 85.02.050 (Alternate Review Procedures).

(7) Supportive housing or transitional housing that is provided in single-, two-, or multi-family dwelling units, group residential, parolee-probationer home, residential care facilities, or boarding house uses shall be permitted, conditionally permitted or prohibited in the same manner as the other single-, two- or multi-family dwelling units, group residential, parolee-probationer home, residential care facilities, or boarding house uses under this Code.

SECTION 3. Tables 82-5A, 82-5B, and 82-5C of Section 82.03.060 of the San Bernardino County Code are amended, to read:

Table 82-5A				
Agricultural and Resource Management Land Use Zoning District Development Standards				
Valley Region				
Valley Region Development Feature	Requirement by Land Use Zoning District			
	AG Agriculture	RC Resource Conservation	FW Floodway	OS Open Space
Density	<i>Maximum housing density. The actual number of units allowed will be determined by the County through subdivision or planning permit approval, as applicable.</i>			
Maximum density	1 unit per 10 acres; Accessory dwellings as allowed by Chapter <u>84.36</u> (Accessory Dwelling Units <u>84.01</u> (Accessory Structures and Uses))	1 unit per 40 acres; Accessory dwellings as allowed by Chapter <u>84.36</u> (Accessory Dwelling Units <u>84.01</u> (Accessory Structures and Uses))	Residential Not Allowed	Residential Not Allowed
Setbacks	<i>Minimum setbacks required. See Chapter 83.02 for exceptions, reductions, and encroachments. See Division 4 for any setback requirements applicable to specific land uses.</i>			
Front	25 ft	25 ft	75 ft	25 ft
Side - Street side	25 ft	25 ft	25 ft	25 ft
Side – Interior (each)	15 ft.	15 ft	15 ft	15 ft
Rear	15 ft	15 ft	15 ft	15 ft

Lot coverage	<i>Maximum percentage of the total lot area that may be covered by structures and impervious surfaces.</i>			
Maximum coverage	N.A.	N.A.	N.A.	N.A.
Height limit	<i>Maximum allowed height of structures. See Section 83.02.040 (Height Limits and Exceptions) for height measurement requirements, and height limit exceptions.</i>			
Maximum height	35 ft	35 ft	35 ft	35 ft
Accessory structures	See Chapter 84.01 (Accessory Structures and Uses).			
Infrastructure	See Chapter 83.09 (Infrastructure Improvement Standards).			
Parking	See Chapter 83.11 (Parking Regulations).			
Signs	See Chapter 83.13 (Sign Regulations).			

Table 82-5B				
Agricultural and Resource Management Land Use Zoning District Development Standards				
Mountain Region				
Mountain Region Development Feature	Requirement by Land Use Zoning District			
	AG Agriculture	RC Resource Conservation	FW Floodway	OS Open Space
Density	<i>Maximum housing density. The actual number of units allowed will be determined by the County through subdivision or planning permit approval, as applicable.</i>			
Maximum density	1 unit per 10 acres; Accessory dwellings as allowed by Chapter <u>84.36 (Accessory Dwelling Units)</u> <u>84.01 (Accessory Structures and Uses)</u>	1 unit per 40 acres; Accessory dwellings as allowed by Chapter <u>84.36 (Accessory Dwelling Units)</u> <u>84.01 (Accessory Structures and Uses)</u>	Residential Not Allowed	Residential Not Allowed
Setbacks	<i>Minimum setbacks required. See Chapter 83.02 for exceptions, reductions, and encroachments. See Division 4 for any setback requirements applicable to specific land uses.</i>			
Front	35 ft	25 ft	25 ft	25 ft
Side - Street side	30 ft	25 ft	25 ft	25 ft
Side – Interior (each)	30 ft	15 ft	15 ft	15 ft
Rear	35 ft	15 ft	15 ft	15 ft

Lot coverage	<i>Maximum percentage of the total lot area that may be covered by structures and impervious surfaces.</i>			
Maximum coverage	N.A.	N.A.	N.A.	N.A.
Height limit	<i>Maximum allowed height of structures. See Section 83.02.040 (Height Limits and Exceptions) for height measurement requirements, and height limit exceptions..</i>			
Maximum height	35 ft	35 ft	25 ft	35 ft
Accessory structures	See Chapter 84.01 (Accessory Structures and Uses).			
Infrastructure	See Chapter 83.09 (Infrastructure Improvement Standards)			
Parking	See Chapter 83.11 (Parking Regulations).			
Signs	See Chapter 83.13 (Sign Regulations).			

Table 82-5C				
Agricultural and Resource Management Land Use Zoning District Development Standards				
Desert Region				
Desert Region Development Feature	Requirement by Land Use Zoning District			
	AG Agriculture	RC Resource Conservation	FW Floodway	OS Open Space
Density	<i>Maximum housing density. The actual number of units allowed will be determined by the County through subdivision or planning permit approval, as applicable.</i>			
Maximum density	1 unit per 10 acres; Accessory dwellings as allowed by Chapter 84.36 (Accessory Dwelling Units) 84.01 (Accessory Structures and Uses)	1 unit per 40 acres; Accessory dwellings as allowed by Chapter 84.36 (Accessory Dwelling Units) 84.01 (Accessory Structures and Uses)	Residential Not Allowed	Residential Not Allowed
Setbacks	<i>Minimum setbacks required. See Chapter 83.02 for exceptions, reductions, and encroachments. See Division 4 for any setback requirements applicable to specific land uses.</i>			
Front	25 ft	25 ft	75 ft	25 ft
Side - Street side	25 ft	25 ft	25 ft	25 ft
Side – Interior (each)	15 ft.	15 ft	15 ft	15 ft
Rear	15 ft	15 ft	15 ft	15 ft
Lot coverage	<i>Maximum percentage of the total lot area that may be covered by structures and impervious surfaces.</i>			

Maximum coverage	N.A.	N.A.	N.A.	N.A.
Height limit	<i>Maximum allowed height of structures. See Section 83.02.040 (Height Limits and Exceptions) for height measurement requirements, and height limit exceptions.</i>			
Maximum height	35 ft	35 ft	35 ft	35 ft
Accessory structures	See Chapter 84.01 (Accessory Structures and Uses).			
Infrastructure	See Chapter 83.09 (Infrastructure Improvement Standards).			
Parking	See Chapter 83.11 (Parking Regulations).			
Signs	See Chapter 83.13 (Sign Regulations).			

SECTION 4. Table 82-7 of Subsection 82.04.040(b) of the San Bernardino County Code is amended, to read:

Table 82-7				
Allowed Land Uses and Permit Requirements for Residential Land Use Zoning Districts				
Land Use See Division 10 (Definitions) for land use definitions	Permit Required by District			Specific Use Regulations
	RL ⁽¹⁾	RS	RM	
Agricultural, Resource & Open Space Uses				
Accessory crop production	A ⁽²⁾	A ⁽²⁾	A ⁽²⁾	84.01
Agricultural accessory structure - 1,000 sf max.	A	A	A	
Agricultural accessory structure - up to 10,000 sf max. on 5 ac. or less	A	—	—	
Agricultural accessory structure - greater than 10,000 sf on 5 ac. or less	M/C	—	—	
Agricultural support services	CUP	—	—	
Animal keeping	S	S	S	84.04
Community Gardens	A	CUP	A	
Crop production, horticulture, orchard, vineyard, nurseries	A	—	—	
Industrial Hemp Cultivation - Small Scale (minimum 1-acre lot size)	P	—	—	84.35

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Industrial Hemp Cultivation - Large Scale (minimum 5-acre lot size)	CUP	—	—	84.35
Livestock operations	CUP	—	—	84.04
Natural resources development (mining)	CUP	—	—	88.03
Nature preserve (accessory uses)	M/C	—	—	
Lake	M/C	CUP	—	
Pond	A	A	M/C	
Industry, Manufacturing & Processing, Wholesaling				
Composting operations	CUP	—	—	
Recycling facilities - reverse vending machine, accessory	S	—	—	84.19
Recreation, Education & Public Assembly Uses				
Agritourism enterprises	S	—	—	84.03
Campgrounds ⁽³⁾	CUP	—	—	
Commercial entertainment - Indoor ⁽³⁾	CUP	—	—	
Conference/convention facility ⁽³⁾	CUP	—	—	
Equestrian facility ⁽³⁾	M/C	S ⁽⁴⁾	—	
Golf course ⁽³⁾	CUP	—	—	
Library, museum, art gallery, outdoor exhibit ⁽³⁾	M/C	M/C	M/C	
Meeting facility, public or private ⁽³⁾	CUP	CUP	CUP	
Park, playground ⁽³⁾	P	P	P	
Places of worship	CUP	CUP	CUP	
Rural sports and recreation ⁽³⁾	M/C	—	—	
School - College or university	CUP	CUP	—	
School - Private	CUP	CUP	—	
School - Specialized education/training	CUP	—	—	
Sports or entertainment assembly ⁽³⁾	CUP	—	—	
Residential⁽¹⁰⁾				

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Accessory structures and uses	A	A	A	84.01
Group residential (sorority, fraternity, boarding house, private residential club, etc.)	—	—	M/C	—
Guest house	A	A	A	84.01
Mobile home park/manufactured home land-lease community	CUP	CUP	CUP	84.14
Multiple dwelling, 2 to 3 units, attached or detached	—	—	A	84.16
Multiple dwelling, 4 to 19 units, attached or detached	—	—	A	84.16
Multiple dwelling, 20 to 49 units, attached or detached	—	—	MUP	84.16
Multiple dwelling, 50 or more units, attached or detached	—	—	CUP	84.16
Parolee and/or probationer home	—	—	CUP	
Accessory dwelling unit	A ⁽⁵⁾	A ⁽⁵⁾	A ⁽⁵⁾	84.36 84.01
Junior accessory dwelling unit	A ⁽⁵⁾	A ⁽⁵⁾	A ⁽⁵⁾	84.36 84.01
Single dwelling	A	A	A ⁽⁶⁾	
Retail				
Produce stand	A ⁽⁷⁾	A ⁽⁷⁾	A ⁽⁷⁾	
Services - General				
Cemetery, including pet cemeteries	CUP	CUP	—	84.06
Child care - Family day care home (up to 14 children)	A	A	A	
Child care - Day care center	M/C	M/C	M/C	
Commercial Kennels and Catteries - min lot 2.5 acres (over 15 animals)	M/C/S	—	—	84.04
Emergency shelter	—	—	CUP	84.33
Home occupation	SUP	SUP	SUP	84.12
Licensed Residential Care Facility of 6 or fewer persons	A	A	A	84.23
Licensed Residential Care Facility of 7 or more persons	—	—	CUP	84.23
Lodging - Bed and breakfast inn (B&B)	SUP ⁽⁸⁾	SUP ⁽⁸⁾	SUP ⁽⁸⁾	84.05
Public safety facility	M/C	M/C	M/C	

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Short-Term Residential Rentals	SUP	SUP	SUP	84.28
Unlicensed Residential Care Facility with 6 or fewer persons	RCP	RCP	RCP	84.32
Unlicensed Residential Care Facility with 7 or more persons	—	—	CUP	
Transportation, Communications & Infrastructure				
Broadcasting antennae and towers	M/C	—	—	
Electrical power generation	CUP	—	—	
Pipelines, transmission lines, and control stations ⁽⁹⁾	(9)	(9)	(9)	
Renewable Energy Generation Facilities	CUP	—	—	84.29
Sewage treatment and disposal facility	CUP	CUP	CUP	
Solid waste disposal	CUP	CUP	CUP	
Telecommunications facility	S	S	S	84.27
Transportation facility	M/C	M/C	M/C	
Utility facility	CUP	CUP	CUP	
Wind energy accessory	S	S	S	84.26
Wireless telecommunications facility	S	S	S	84.27
Other				
Accessory structures and uses	A	A	A	84.01
Temporary special events	TSP	TSP	TSP	84.25
Temporary structures and uses	TUP	TUP	TUP	84.25

Key			
A	Allowed use (no planning permit required)	PD	Planned Development Permit required (Chapter 85.10)
P	Permitted Use; Site Plan Permit required (Chapter 85.08)	SUP	Special Use Permit required (Chapter 85.14)
M/C	Minor Use Permit required; unless a Conditional Use Permit required in compliance with § 85.06.050	S	Permit requirement set by Specific Use Regulations (Division 4)

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	(Projects That Do Not Qualify for a Minor Use Permit)	TSP	Temporary Special Events Permit required (Chapter 85.16)
		RCP	Unlicensed Residential Care Facilities Permit (Chapter 85.20)
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) For projects within the Oak Glen Community Plan Area, all non-agritourism uses shall comply with the agritourism hours of operation standard [§ 84.03.030(b)(3)] and the agritourism noise/amplified sound regulations [§ 84.03.030(b)(5)].

(2) Use allowed as an accessory use only with standards, on the same site as a residential use allowed by this table.

(3) For projects within the Oak Glen Community Plan Area, these uses shall comply with the agritourism development standards provided in Table 84-1 in § 84.03.030. The permit requirements presented this table shall prevail over any permit requirement listed in Table 84-1.

(4) A boarding facility only with a Home Occupation Permit.

(5) Use allowed as an accessory use only, on the same site as a residential use allowed by this table.

(6) Single dwellings will only be allowed within an RM Land Use Zoning District when sewer service is not available or the lot is less than 1/2 acre.

(7) In the Phelan/Pinon Hills Community Plan area on lots greater than 10,000 sq. ft. with a maximum 200 sq. ft. structure for storage and sales and a maximum 6 sq. ft. advertising sign; in RS and RM, can only operate for 72 hours per month.

(8) A CUP shall be required for three or more rooms.

(9) These uses are regulated and approved by the Public Utilities Commission. See alternate review procedures in Chapter 85.02.

(10) Supportive housing or transitional housing that is provided in single-, two-, or multi-family dwelling units, group residential, parolee-probationer home, residential care facilities, or boarding house uses shall be permitted, conditionally permitted or prohibited in the same manner as the other single-, two- or multi-family dwelling units, group residential, parolee-probationer home, residential care facilities, or boarding house uses under this Code.

SECTION 5. Tables 82-9A, 82-9B, and 82-9C of Section 82.04.060 of the San Bernardino County Code are amended, to read:

<i>Table 82-9A</i>			
<i>Residential Land Use Zoning District Development Standards</i>			
<i>Valley Region</i>			
<i>Development Feature</i>	<i>Requirement by Land Use Zoning District</i>		
	<i>RL Rural Living</i>	<i>RS Single Residential</i>	<i>RM Multiple Residential</i>
Density	Housing density. The actual number of units allowed will be determined by the County through subdivision or planning permit approval, as applicable.		
Minimum density	No minimum	No minimum	11 units per acre ⁽⁶⁾
Maximum density ⁽⁵⁾	1 unit per 2.5 acres ⁽¹⁾ ; accessory dwellings as allowed by Chapter 84.36 (Accessory Dwelling Units) 84.01 (Accessory Structures and Uses)	4 units per acre ⁽¹⁾ ; accessory dwellings as allowed by Chapter 84.36 (Accessory Dwelling Units) 84.01 (Accessory Structures and Uses)	20 units per acre; accessory dwellings as allowed by Chapter 84.36 (Accessory Dwelling Units) 84.01 (Accessory Structures and Uses)
Setbacks	Minimum setbacks required. See Chapter 83.02 for exceptions, reductions, and encroachments. See Division 4 for any setback requirements applicable to specific land uses.		
Front	25 ft.	25 ft. ⁽²⁾	25 ft. ⁽²⁾
Side - Street side	Local street - 15 ft.; Collector or wider - 25 ft.	Local street - 15 ft.; Collector or wider - 25 ft.	Local street - 15 ft.; Collector or wider - 25 ft.
Side - Interior (each)	Lot 75 wide or less - 5 ft. on one side, 10 ft. on other; Other lots - 15 ft.	5 ft. on one side, 10 ft. on other	5 ft. on one side, 10 ft. on other
Rear	15 ft.	15 ft.	15 ft.
Lot coverage	Maximum percentage of the total lot area that may be covered by structures and impervious surfaces.		
Maximum coverage	20 percent	Lot less than 20,000 sq. ft - Entire building envelope ⁽³⁾ ; Lot of 20,000 sq. ft. or larger - 40 percent ⁽⁴⁾	60 percent
Height limit	Maximum allowed height of structures. See § 83.02.040 (Height Limits and Exceptions) for height measurement requirements, and height limit exceptions.		
Maximum height	35 ft.	35 ft.	45 ft.
Accessory structures	See Chapter 84.01 (Accessory Structures and Uses).		
Infrastructure	See Chapter 83.09 (Infrastructure Improvement Standards).		
Parking	See Chapter 83.11 (Parking Regulations).		
Signs	See Chapter 83.13 (Sign Regulations).		

Notes:
(1) Map suffix may modify.
(2) A Final Map or Parcel Map may establish front yard setbacks of no less than 22 feet, provided that the average setback of all parcels in the subdivision is 25 feet.
(3) Setback, Building Code, and Composite Development Plan requirements still apply.
(4) The maximum lot coverage allowed in Chapter 82.06, Table 82-21A will prevail for allowed institutional land uses.
(5) The maximum density may be greater when modified by Chapter 83.03 (Affordable Housing Incentives – Density Bonus).
(6) If a parcel is adjacent to a lower density Land Use Zoning District and is not required to connect to sewer, property owners can subdivide/develop below the minimum density.

<i>Table 82-9B</i>			
<i>Residential Land Use Zoning District Development Standards</i>			
<i>Mountain Region</i>			
<i>Development Feature</i>	<i>Requirement by Land Use Zoning District</i>		
	<i>RL Rural Living</i>	<i>RS Single Residential</i>	<i>RM Multiple Residential</i>
Density	Housing density. The actual number of units allowed will be determined by the County through subdivision or planning permit approval, as applicable.		
Minimum density	No minimum	No minimum	5 units per acre ⁽⁵⁾
Maximum density ⁽⁴⁾	1 unit per 2.5 acres ⁽¹⁾ ; accessory dwellings as allowed by Chapter 84.36 (Accessory Dwelling Units) Chapter 84.01 (Accessory Structures and Uses)	4 units per acre ⁽¹⁾ ; accessory dwellings as allowed by Chapter 84.36 (Accessory Dwelling Units) 84.01 (Accessory Structures and Uses)	20 units per acre; accessory dwellings as allowed by Chapter 84.36 (Accessory Dwelling Units) 84.01 (Accessory Structures and Uses)
Setbacks	Minimum setbacks required. See Chapters 83.02 for exceptions, reductions, and encroachments. See Division 4 for any setback requirements applicable to specific land uses.		
Front	25 ft.	Lot less than 14,000 sq. ft. = 15 ft.; lots 14,000 sq. ft. or larger = 25 ft.	Lot less than 14,000 sq. ft. = 15 ft.; lots 14,000 sq. ft. or larger = 25 ft.
Side - Street side	25 ft.	15 ft.	15 ft.
Side - Interior (each)	20 ft.	20 percent of lot width, need not exceed 15 ft. ⁽²⁾	20 percent of lot width, need not exceed 15 ft. ⁽²⁾
Rear	20 ft.	15 ft.	15 ft.

Accessory structures	See Chapter 84.01 (Accessory Structures and Uses)		
Lot coverage	Maximum percentage of the total lot area that may be covered by structures and impervious surfaces.		
Maximum coverage	20 percent	40 percent ⁽³⁾	60 percent
Height limit	Maximum allowed height of structures. See § 83.02.040 (Height Limits and Exceptions) for height measurement requirements, and height limit exceptions.		
Maximum height	35 ft.	35 ft.	45 ft.
Accessory structures	See Chapter 84.01 (Accessory Structures and Uses).		
Infrastructure	See Chapter 83.09 (Infrastructure Improvement Standards).		
Parking	See Chapter 83.11 (Parking Regulations).		
Signs	See Chapter 83.13 (Sign Regulations).		
Notes:			
(1) Map suffix may modify.			
(2) The side yard setback standards in the Fire Safety Overlay (Chapter 82.13) shall prevail.			
(3) The maximum lot coverage allowed in Chapter 82.06, Table 82-21B will prevail for allowed institutional land uses.			
(4) The maximum density may be greater when modified by Chapter 83.03 (Affordable Housing Incentives – Density Bonus).			
(5) If a parcel is adjacent to a lower density Land Use Zoning District and is not required to connect to sewer, property owners can subdivide/develop below the minimum density.			

<i>Table 82-9C</i>			
<i>Residential Land Use Zoning District Development Standards</i>			
<i>Desert Region</i>			
<i>Development Feature</i>	<i>Requirement by Land Use Zoning District</i>		
	<i>RL Rural Living</i>	<i>RS Single Residential</i>	<i>RM Multiple Residential</i>
Density	Housing density. The actual number of units allowed will be determined by the County through subdivision or planning permit approval, as applicable.		
Minimum density	No minimum	No minimum	5 or 11 units per acre ⁽⁸⁾⁽⁹⁾

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Maximum density ⁽⁷⁾	1 unit per 2.5 acres ⁽¹⁾ ; accessory dwellings as allowed by Chapter 84.36 (Accessory Dwelling Units) Chapter 84.01 (Accessory Structures and Uses)	4 units per acre ⁽¹⁾ ; accessory dwellings as allowed by Chapter 84.36 (Accessory Dwelling Units) 84.01 (Accessory Structures and Uses)	20 units per acre; accessory dwellings as allowed by Chapter 84.36 (Accessory Dwelling Units) 84.01 (Accessory Structures and Uses)
Setbacks	Minimum setbacks required. See Chapter 83.02 for exceptions, reductions, and encroachments. See Division 4 for any setback requirements applicable to specific land uses.		
Front	25 ft.	25 ft. ⁽²⁾	25 ft. ⁽²⁾
Side - Street side	25 ft.	Local street - 15 ft. ⁽³⁾ ; Collector or wider - 25 ft.	Local street - 15 ft.; Collector or wider - 25 ft.
Side -	Lot 75 wide or less - 5 ft. on	5 ft. on one side, 10 ft. on other ⁽⁴⁾	5 ft. on one side, 10 ft. on other
Interior (each)	one side, 10 ft. on other; Other lots - 15 ft.		
Rear	15 ft.	15 ft.	15 ft.
Accessory structures	See Chapter 84.01 (Accessory Structures and Uses)		
Lot coverage	Maximum percentage of the total lot area that may be covered by structures and impervious surfaces.		
Maximum coverage	20 percent	Lot less than 20,000 sq. ft. - Entire building envelope ⁽⁵⁾ Lot of 20,000 sq. ft. or larger - 40 percent ⁽⁶⁾	60 percent
Height limit	Maximum allowed height of structures. See § 83.02.040 (Height Limits and Exceptions) for height measurement requirements, and height limit exceptions.		
Maximum height	35 ft.	35 ft.	45 ft.
Accessory structures	See Chapter 84.01 (Accessory Structures and Uses).		
Infrastructure	See Chapter 83.09 (Infrastructure Improvement Standards).		
Parking	See Chapter 83.11 (Parking Regulations).		
Signs	See Chapter 83.13 (Sign Regulations).		

Notes:

(1) Map suffix may modify.

(2) A Final Map or Parcel Map may establish front yard setbacks of no less than 22 feet, provided that the average setback of all parcels in the subdivision is 25 feet.

(3) This setback shall be 25 feet in the Phelan-Pinon Hills Community Plan area.

(4) This setback shall be 10 feet on both sides in the Phelan-Pinon Hills Community Plan area.

(5) Setback, Building Code, and Composite Development Plan requirements still apply.
(6) The maximum lot coverage allowed in Chapter 82.06, Table 82-21C will prevail for allowed institutional land uses.
(7) The maximum density may be greater when modified by Chapter 83.03 (Affordable Housing Incentives – Density Bonus).
(8) In areas served by piped water, sewer and paved roads, the minimum density shall be 11 units per acre.
(9) If a parcel is adjacent to a lower density Land Use Zoning District and is not required to connect to sewer, property owners can subdivide/develop below the minimum density.

SECTION 6. Table 82-11 of Subsection 82.05.040(b) of the San Bernardino County Code is amended, to read:

<i>Table 82-11</i>							
<i>Allowed Land Uses and Permit Requirements for Commercial Land Use Zoning Districts</i>							
<i>Land Use</i>	<i>Permit Required by District</i>						<i>Specific Use</i>
<i>See Division 10 (Definitions) for land use definitions</i>	<i>CR</i>	<i>CN</i>	<i>CO</i>	<i>CG</i>	<i>CS</i>	<i>CH</i>	<i>Regulations</i>
Agricultural, Resource & Open Space Uses							
Agricultural support services	P ⁽²⁾	—	—	P ^(1, 2)	P ⁽²⁾	—	
Industry, Manufacturing & Processing, Wholesaling							
Construction contractor storage yard	M/C	—	—	—	M/C	—	
Firewood contractor	P ⁽²⁾	—	—	—	P ⁽²⁾	—	84.09
Manufacturing Operations I	M/C ⁽³⁾	—	—	—	P ⁽²⁾	—	
Motor vehicle storage/Impound facility	CUP	—	—	—	CUP	CUP	
Recycling facilities – Small collection facility	SUP	SUP	SUP	SUP	SUP	SUP	84.19
Recycling facilities – Large collection facility	CUP	—	CUP	CUP	CUP	CUP	84.19
Recycling facilities – Light processing facility	CUP	—	—	CUP	CUP	—	84.19
Recycling facilities, reverse vending machine (accessory only)	A	A	A	A	A	A	84.19
Salvage operations – within enclosed structures	M/C ⁽⁴⁾	—	—	—	M/C	—	

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Storage – Personal storage (mini-storage)	M/C	—	—	M/C	P ⁽²⁾	—	
Storage – Recreational vehicles	CUP	—	—	—	CUP	CUP	
Storage Warehouse, Indoor Storage	M/C	—	—	—	—	—	
Wholesaling and distribution	M/C ⁽⁴⁾	—	—	P ^(1, 2)	P ⁽²⁾	—	
Recreation, Education & Public Assembly							
Adult business	—	—	—	ABP	—	—	84.02
Commercial entertainment - Indoor	P ⁽²⁾	P ⁽²⁾	—	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	
Commercial entertainment - Outdoor	P ⁽²⁾	—	—	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	
Conference/convention facility ^(4, 5)	M/C	—	M/C	M/C	M/C	M/C	
Equestrian facility	M/C	—	M/C	M/C	M/C	M/C	
Fitness/health facility ⁽⁵⁾	P ⁽²⁾	P ⁽²⁾	—	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	
Golf course	M/C	—	—	—	M/C	M/C	
Library, museum, art gallery, outdoor exhibit ⁽⁵⁾	M/C	—	—	M/C	M/C	M/C	
Meeting facility, public or private ⁽⁵⁾	CUP	CUP	CUP	CUP	CUP	CUP	
Park, playground	M/C	—	—	—	—	—	
Places of worship	CUP	CUP	CUP	CUP	CUP	CUP	
Recreational vehicle park	M/C	—	—	—	M/C	M/C	
Rural sports and recreation	CUP	—	—	—	CUP	CUP	
School - College or university ⁽⁵⁾	M/C	—	M/C	M/C	M/C	M/C	
School - Private ⁽⁵⁾	M/C	—	M/C	M/C	M/C	M/C	
School - Specialized education/training ⁽⁵⁾	M/C	—	M/C	M/C	M/C	M/C	
Sports or entertainment assembly	CUP	—	—	CUP	CUP	CUP	
Theater ⁽⁵⁾	M/C	—	—	M/C	M/C	M/C	
Residential⁽¹⁰⁾							
Accessory dwelling (caretakers residence, etc.)	P ⁽⁶⁾	P ⁽⁶⁾	P ⁽⁶⁾	P ⁽⁶⁾	P ⁽⁶⁾	P ⁽⁶⁾	84.01
Accessory use or structure - Residential (conforming and non-conforming uses)	A	P ^(6, 7)	P ^(6, 7)	P ^(6, 7)	P ^(6, 7)	P ^(6, 7)	84.01
Group residential (sorority, fraternity, boarding house, private residential club, etc.)	M/C	—	—	M/C	M/C	M/C	

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Guest housing	P ⁽⁷⁾	—	—	—	—	—	84.01
Live/work unit	M/C	M/C	M/C	M/C	M/C	M/C	
Mobile home park/manufactured home land-lease community	CUP	—	—	—	—	—	84.14
Multiple dwelling, up to 19 units, attached or detached	A	—	—	—	—	—	84.16
Multiple dwelling, 20 or more units	CUP	—	—	—	—	—	84.16
Parolee and/or probationer home	CUP	—	—	CUP	CUP	CUP	
Residential use only as part of a mixed use project	PD	—	PD	PD	PD	PD	84.16
Accessory dwelling unit	A	—	—	—	—	—	84.36 84.01
Junior accessory dwelling unit	A	—	—	—	—	—	84.36
Single dwelling	A	—	—	—	—	—	
Retail							
Auto and vehicle sales and rental	P ⁽²⁾	—	—	P ⁽²⁾	P ⁽²⁾	—	
Bar, tavern	P ⁽²⁾	M/C	—	P ⁽²⁾	P ⁽²⁾	—	
Building and landscape materials sales - Indoor	M/C	—	—	M/C	M/C	—	
Building and landscape materials sales - Outdoor	M/C	—	—	M/C	M/C	—	
Construction and heavy equipment sales and rental	M/C	—	—	—	M/C	—	
Convenience store	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	
Fuel dealer (propane for home and farm use, etc.)	M/C	—	—	—	M/C	—	
General retail	M/C	—	—	P ⁽²⁾	P ⁽²⁾	—	
Groceries, specialty foods	M/C	M/C	—	P ⁽²⁾	P ⁽²⁾	—	
Manufactured home, boat, or RV sales	P ⁽²⁾	—	—	M/C	M/C	—	
Night club	P ⁽²⁾	M/C	—	M/C	P ⁽²⁾	—	
Restaurant, café, coffee shop	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	
Service station	M/C	M/C	—	M/C	M/C	M/C	
Second hand stores, pawnshops	P	—	—	P	P	—	
Shopping center	M/C	M/C	—	M/C	M/C	M/C	
Swap meet, outdoor market, auction yard	M/C	—	—	M/C	M/C	—	

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Warehouse retail	P(2)	—	—	P(2)	P(2)	—	
Services - Business & Professional							
Medical services - Hospital	—	—	CUP ⁽⁵⁾	—	—	—	
Medical services - Rehabilitation center	—	—	CUP	—	—	—	
Office - Accessory	P(6)	P(6)	P(6)	P(6)	P(6)	P(6)	
Professional services	P(2)	P(2)	P	P(2)	P(2)	—	
Services - General							
Bail bond service within 1 mile of correctional institution	P	—	P	P	P	P	
Cemetery including pet cemeteries	CUP	CUP	CUP	CUP	CUP	CUP	84.06
Child care - Day care center	M/C	M/C	M/C	M/C	M/C	—	
Convenience and support services	P(2)	P(2)	—	P(2)	P(2)	P(2)	
Emergency shelter	CUP	CUP	CUP	A	A	CUP	84.33
Equipment rental	P(2)	—	—	P(2)	P(2)	—	
Home occupation	SUP	SUP	SUP	SUP	SUP	SUP	84.12
Kennel or cattery - 2.5-acre minimum lot area	M/C/S	—	—	—	M/C/S	—	84.04
Licensed Residential Care Facility of 6 or fewer persons	M/C	—	—	M/C	M/C	M/C	84.23
Licensed Residential Care Facility of 7 or more persons	M/C	—	—	M/C	M/C	M/C	84.23
Lodging - Bed and breakfast inn (B&B)	SUP	SUP	—	—	—	—	84.05
Lodging - Hotel or motel - 20 or fewer guest rooms	P(2)	P(2,8)	—	P(2,8)	P(2,8)	P(2)	
Lodging - Hotel or motel - More than 20 guest rooms	M/C	—	—	M/C	M/C	M/C	
Personal services	P(2)	P(2)	—	P(2)	P(2)	P(2)	
Public safety facility	M/C	M/C	—	—	M/C	M/C	
Unlicensed Residential Care Facility of 6 or fewer persons	RCP	—	—	RCP	RCP	RCP	84.32
Unlicensed Residential Care Facility of 7 or more persons	M/C	—	—	M/C	M/C	M/C	
Vehicle services - Major repair/body work	M/C	—	—	—	M/C	M/C	

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Vehicle services - Minor maintenance/repair	P(2)	—	—	P(2)	P(2)	P(2)	
Transportation, Communications & Infrastructure							
Ambulance, taxi, or limousine dispatch facility	P(2)	—	—	—	P(2)	P(2)	
Broadcasting antennae and towers	M/C	—	—	M/C	M/C	—	
Broadcasting studio	P(2)	—	—	P(2)	P(2)	—	
Parking lots and structures, accessory	P(6)	P(6)	P(6)	P(6)	P(6)	P(6)	
Pipelines, transmission lines, and control stations ⁽⁹⁾	(9)	(9)	(9)	(9)	(9)	(9)	
Renewable Energy Generation Facilities	CUP	CUP	CUP	CUP	CUP	CUP	84.29
Sewage treatment and disposal facility	CUP	—	—	—	—	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	—	
Utility facility	CUP	—	—	—	CUP	—	
Wind energy system, accessory	S	S	S	S	S	S	84.26
Wireless telecommunications facility	S	S	S	S	S	S	84.27
Other							
Accessory structures and uses	P	P	P	P	P	P	84.01
Off-Site Signs	—	—	—	CUP	—	CUP	83.13.060
Off-Site Signs (Freeway Oriented)	—	—	—	CUP	—	CUP	83.13.060
Temporary special events	TSP	TSP	TSP	TSP	TSP	TSP	84.25
Temporary uses and activities	TUP	TUP	TUP	TUP	TUP	TUP	84.25

Key			
A	Allowed use (no planning permit required)	PD	Planned Development Permit required (Chapter 85.10)
ABP	Adult Business Regulatory Permit	SUP	Special Use Permit required (Chapter 85.14)
P	Permitted Use; Site Plan Permit required (Chapter 85.08)	S	Permit requirement set by Specific Use Regulations (Division 4)
	Minor Use Permit required; unless a Conditional Use Permit required in compliance with § 85.06.050	TSP	Temporary Special Events Permit required (Chapter 85.16)

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M/C	(Projects That Do Not Qualify for a Minor Use Permit)	RCP	Unlicensed Residential Care Facilities Permit (Chapter 85.20)
CUP	Conditional Use Permit required (Chapter 85.06)	TUP	Temporary Use Permit required (Chapter 85.15)
MUP	Minor Use Permit required (Chapter 85.06)	—	Use not allowed

Notes:
(1) Not allowed in the Phelan planning area.
(2) CUP required if maximum building coverage exceeds 10,000 sq. ft., the use will have more than 20 employees per shift, or if not exempt from CEQA; may qualify for a MUP in compliance with § 85.06.020 (Applicability).
(3) The use shall be allowed in Lucerne Valley with a Site Plan Permit.
(4) The use is allowed in Lucerne Valley with a MUP.
(5) A MUP shall not be allowed if the use requires more than 200 parking spaces.
(6) Use allowed as an accessory use only, on the same site as a retail, service, or industrial use allowed by this table.
(7) Use allowed as an accessory use only, on the same site as a residential use allowed by this table.
(8) A CUP shall be required for this use in the Phelan planning area.
(9) These uses are regulated and approved by the Public Utilities Commission. See alternate review procedures in § 85.02.050.
(10) Supportive housing or transitional housing that is provided in single-, two-, or multi-family dwelling units, group residential, parolee-probationer home, residential care facilities, or boarding house uses shall be permitted, conditionally permitted or prohibited in the same manner as the other single-, two- or multi-family dwelling units, group residential, parolee-probationer home, residential care facilities, or boarding house uses under this Code.

SECTION 7. Tables 82-13A, 82-13B, 82-14A, 82-14B, 82-15A, and 82-15B of Section 82.05.060 of the San Bernardino County Code are amended, to read:

Table 82-13A			
CR, CN, and CO Land Use Zoning District Development Standards			
Valley Region			
Development	Requirement by Land Use Zoning District		
	CR Rural Commercial	CN Neighborhood	CO Office Commercial

Feature		Commercial	
Density	<i>Maximum housing density. The actual number of units allowed will be determined by the County through subdivision or planning permit approval, as applicable.</i>		
Maximum density	2 units per acre; 4 units per acre in mobile home park/manufactured home land-lease community. Accessory dwellings as allowed by Chapter <u>84.36 (Accessory Dwelling Units) 84.01 (Accessory Structures and Uses)</u>	Accessory dwellings as allowed by Chapter <u>84.36 (Accessory Dwelling Units) 84.01 (Accessory Structures and Uses)</u>	Accessory dwellings as allowed by Chapter <u>84.36 (Accessory Dwelling Units) 84.01 (Accessory Structures and Uses)</u>
Setbacks	<i>Minimum setbacks required. See Chapter 83.05 for exceptions, reductions, and encroachments. See Division 4 for any setback requirements applicable to specific land uses.</i>		
Front	25 ft	25 ft	25 ft
Side - Street side	25 ft	25 ft	15 ft
Side - Interior (each)	10 ft ⁽¹⁾	10 ft ⁽¹⁾	10 ft ⁽¹⁾
Rear	10 ft ⁽²⁾	10 ft ⁽²⁾	10 ft ⁽²⁾
Floor Area Ratio (FAR)	<i>Maximum allowed floor area ratio (FAR).</i>		
Maximum FAR	.3:1	.3:1	.75:1
Lot coverage	<i>Maximum percentage of the total lot area that may be covered by structures and impervious surfaces.</i>		
Maximum coverage	80%	80%	80%
Height limit	<i>Maximum allowed height of structures. See Section 83.02.040 (Height Limits and Exceptions) for height measurement requirements, and height limit exceptions.</i>		
Maximum height	35 ft	35 ft	60 ft
Accessory structures	See Chapter 84.01 (Accessory Structures and Uses).		

Infrastructure	See Chapter 83.09 (Infrastructure Improvement Standards)
Landscaping	See Chapter 83.10 (Landscaping Standards)
Parking	See Chapter 83.11 (Parking Regulations).
Signs	See Chapter 83.13 (Sign Regulations)
Notes: (1) Only one side yard setback is required to provide for emergency access. If the adjacent lot is not designated commercial or industrial, a side yard shall be required along that side of the lot. (2) A rear yard setback is required only when the adjacent property is not designated commercial or industrial.	

Table 82-13B			
CG, CS, and CH Land Use Zoning District Development Standards			
Valley Region			
Development Feature	Requirement by Land Use Zoning District		
	CG General Commercial	CS Service Commercial	CH Highway Commercial
Density	<i>Maximum housing density. The actual number of units allowed will be determined by the County through subdivision or planning permit approval, as applicable.</i>		
Maximum density	Accessory dwellings as allowed by Chapter 84.36 (Accessory Dwelling Units) 84.01 (Accessory Structures and Uses)		
Setbacks	<i>Minimum setbacks required. See Chapters 83.02 for exceptions, reductions, and encroachments. See Division 4 for any setback requirements applicable to specific land uses.</i>		
Front	25 ft	25 ft	25 ft
Side - Street side	15 ft	15 ft	15 ft
Side - Interior	10 ft ⁽¹⁾	10 ft ⁽¹⁾	10 ft ⁽¹⁾
(each)			
Rear	10 ft ⁽²⁾	10 ft ⁽²⁾	10 ft ⁽²⁾
Floor Area Ratio (FAR)	<i>Maximum allowed floor area ratio (FAR).</i>		
Maximum FAR	.5:1	.5:1	.5:10

Lot coverage Maximum coverage	<i>Maximum percentage of the total lot area that may be covered by structures and impervious surfaces.</i>		
	80%	80%	80%
Height limit Maximum height	<i>Maximum allowed height of structures. See Section 83.02.040 (Height Limits and Exceptions) for height measurement requirements, and height limit exceptions.</i>		
	60 ft	60 ft	60 ft
Accessory structures	See Chapter 84.01 (Accessory Structures and Uses).		
Infrastructure	See Chapter 83.09 (Infrastructure Improvement Standards)		
Landscaping	See Chapter 83.10 (Landscaping Standards)		
Parking	See Chapter 83.11 (Parking Regulations).		
Signs	See Chapter 83.13 (Sign Regulations)		
Notes:			
(1) Only one side yard setback is required to provide for emergency access. If the adjacent lot is not designated commercial or industrial, a side yard shall be required along that side of the lot.			
(2) A rear yard setback is required only when the adjacent property is not designated commercial or industrial.			

Table 82-14A			
CR, CN, and CO Land Use Zoning District Development Standards			
Mountain Region			
Development Feature	Requirement by Land Use Zoning District		
	CR Rural Commercial	CN Neighborhood Commercial	CO Office Commercial
Density	<i>Maximum housing density. The actual number of units allowed will be determined by the County through subdivision or planning permit approval, as applicable.</i>		

Maximum density	2 units per acre; 4 units per acre in mobile home park/ manufactured home land-lease community. Accessory dwellings as allowed by Chapter <u>84.36 (Accessory Dwelling Units)</u> 84.01 (Accessory Structures and Uses)	Accessory dwellings as allowed by Chapter <u>84.36 (Accessory Dwelling Units)</u> 84.01 (Accessory Structures and Uses)	Accessory dwellings as allowed by Chapter <u>84.36 (Accessory Dwelling Units)</u> 84.01 (Accessory Structures and Uses)
Setbacks	<i>Minimum setbacks required. See Chapters 83.02 for exceptions, reductions, and encroachments. See Division 4 for any setback requirements applicable to specific land uses.</i>		
Front	15 ft	15 ft	15 ft
Side - Street side	15 ft	15 ft	15 ft
Side - Interior	10 ft ⁽¹⁾	10 ft ⁽¹⁾	10 ft ⁽¹⁾
(each)	10 ft ⁽²⁾	10 ft ⁽²⁾	10 ft ⁽²⁾
Rear			
Floor Area Ratio (FAR)	<i>Maximum allowed floor area ratio (FAR).</i>		
Maximum FAR	.25:1	.25:1	.5:1
Lot coverage	<i>Maximum percentage of the total lot area that may be covered by structures and impervious surfaces.</i>		
Maximum coverage	80%	80%	80%
Height limit	<i>Maximum allowed height of structures. See Section 83.02.040 (Height Limits and Exceptions) for height measurement requirements, and height limit exceptions.</i>		
Maximum height	35 ft	35 ft	35 ft
Accessory structures	See Chapter 84.01 (Accessory Structures and Uses).		
Infrastructure	See Chapter 83.09 (Infrastructure Improvement Standards)		
Landscaping	See Chapter 83.10 (Landscaping Standards)		
Parking	See Chapter 83.11 (Parking Regulations).		

Signs	See Chapter 83.13 (Sign Regulations)
Notes: (1) Only one side yard setback is required to provide for emergency access. If the adjacent lot is not designated commercial or industrial, a side yard shall be required along that side of the lot. (2) A rear yard setback is required only when the adjacent property is not designated commercial or industrial.	

Table 82-14B			
CG, CS, and CH Land Use Zoning District Development Standards			
Mountain Region			
Development Feature	Requirement by Land Use Zoning District		
	CG General Commercial	CS Service Commercial	CH Highway Commercial
Density	<i>Maximum housing density. The actual number of units allowed will be determined by the County through subdivision or planning permit approval, as applicable.</i>		
Maximum density	Accessory dwellings as allowed by Chapter 84.01 (Accessory Structures and Uses) . 84. 36 (Accessory Dwelling Units)		
Setbacks	<i>Minimum setbacks required. See Chapters 83.02 for exceptions, reductions, and encroachments. See Division 4 for any setback requirements applicable to specific land uses.</i>		
Front	15 ft	15 ft	15 ft
Side - Street side	15 ft	15 ft	15 ft
Side - Interior (each)	10 ft ⁽¹⁾	10 ft ⁽¹⁾	10 ft ⁽¹⁾
Rear	10 ft ⁽²⁾	10 ft ⁽²⁾	10 ft ⁽²⁾
Floor Area Ratio (FAR)	<i>Maximum allowed floor area ratio (FAR).</i>		
Maximum FAR	.5:1	.4:1	.3:1
Lot coverage	<i>Maximum percentage of the total lot area that may be covered by structures and impervious surfaces.</i>		
Maximum coverage	80%	80%	80%
Height limit	<i>Maximum allowed height of structures. See Section 83.02.040 (Height Limits and Exceptions) for height measurement requirements, and height limit exceptions.</i>		
Maximum height	35 ft	35 ft	35 ft
Accessory structures	See Chapter 84.01 (Accessory Structures and Uses).		
Infrastructure	See Chapter 83.09 (Infrastructure Improvement Standards)		
Landscaping	See Chapter 83.10 (Landscaping Standards).		
Parking	See Chapter 83.11 (Parking Regulations)		

Signs	See Chapter 83.13 (Sign Regulations)
Notes: (1) Only one side yard setback is required to provide for emergency access. If the adjacent lot is not designated commercial or industrial, a side yard shall be required along that side of the lot. (2) A rear yard setback is required only when the adjacent property is not designated commercial or industrial.	

Table 82-15A			
CR, CN, and CO Land Use Zoning District Development Standards			
Desert Region			
Development Feature	Requirement by Land Use Zoning District		
	CR Rural Commercial	CN Neighborhood Commercial	CO Office Commercial
Density	Maximum housing density. The actual number of units allowed will be determined by the County through subdivision or planning permit approval, as applicable.		
Maximum density	2 units per acre; 4 units per acre in mobile home park/ manufactured home land-lease community. Accessory dwellings as allowed by Chapter <u>84.36 (Accessory Dwelling Units)</u> 84.01 (Accessory Structures and Uses)	Accessory dwellings as allowed by Chapter <u>84.36 (Accessory Dwelling Units)</u> 84.01 (Accessory Structures and Uses)	Accessory dwellings as allowed by Chapter <u>84.36 (Accessory Dwelling Units)</u> 84.01 (Accessory Structures and Uses)
Setbacks	Minimum setbacks required. See Chapters 83.02 for exceptions, reductions, and encroachments. See Division <u>45</u> for any setback requirements applicable to specific land uses.		
Front	25 ft	25 ft	25 ft

Side - Street side	25 ft	25 ft	25 ft
Side - Interior (each)	10 ft ⁽¹⁾	10 ft ⁽¹⁾	10 ft ⁽¹⁾
Rear	10 ft ⁽²⁾	10 ft ⁽²⁾	10 ft ⁽²⁾
Floor Area Ratio (FAR)	<i>Maximum allowed floor area ratio (FAR).</i>		
Maximum FAR	.3:1	.25:1	.5:1
Lot coverage	<i>Maximum percentage of the total lot area that may be covered by structures and impervious surfaces.</i>		
Maximum coverage	80%	80%	80%
Height limit	<i>Maximum allowed height of structures. See Section 83.02.040 (Height Limits and Exceptions) for height measurement requirements, and height limit exceptions.</i>		
Maximum height	35 ft	35 ft	35 ft
Accessory structures	See Chapter 84.01 (Accessory Structures and Uses).		
Infrastructure	See Chapter 83.09 (Infrastructure Improvement Standards)		
Landscaping	See Chapter 83.10 (Landscaping Standards)		
Parking	See Chapter 83.11 (Parking Regulations).		
Signs	See Chapter 83.13 (Sign Regulations)		
Notes:			
(1) Only one side yard setback is required to provide for emergency access. If the adjacent lot is not designated commercial or industrial, a side yard shall be required along that side of the lot.			
(2) A rear yard setback is required only when the adjacent property is not designated commercial or industrial.			

Table 82-15B			
CG, CS, and CH Land Use Zoning District Development Standards			
Desert Region			
Development Feature	Requirement by Land Use Zoning District		
	CG General Commercial	CS Service Commercial	CH Highway

			Commercial
Density	Maximum housing density. The actual number of units allowed will be determined by the County through subdivision or planning permit approval, as applicable.		
Maximum density	Accessory dwellings as allowed by Chapter 84.01 (Accessory Structures and Uses) ;84.36 (Accessory Dwelling Units)		
Setbacks	Minimum setbacks required. See Chapters 83.02 for exceptions, reductions, and encroachments. See Division 4 for any setback requirements applicable to specific land uses.		
Front	25 ft	25 ft	25 ft
Side - Street side	25 ft	25 ft	25 ft
Side - Interior	10 ft ⁽¹⁾	10 ft ⁽¹⁾	10 ft ⁽¹⁾
(each)			
Rear	10 ft ⁽²⁾	10 ft ⁽²⁾	10 ft ⁽²⁾
Floor Area Ratio (FAR)	Maximum allowed floor area ratio (FAR).		
Maximum FAR	.5:1	.3:1	.3:1
Lot coverage	Maximum percentage of the total lot area that may be covered by structures and impervious surfaces s.		
Maximum coverage	80%	80%	80%
Height limit	Maximum allowed height of structures. See Section 83.02.040 (Height Limits and Exceptions) for height measurement requirements, and height limit exceptions.		
Maximum height	35 ft	35 ft	60 ft ⁽³⁾
Accessory structures	See Chapter 84.01 (Accessory Structures and Uses).		
Infrastructure	See Chapter 83.09 (Infrastructure Improvement Standards)		
Landscaping	See Chapter 83.10 (Landscaping Standards)		
Parking	See Chapter 83.11 (Parking Regulations).		
Signs	See Chapter 83.13 (Sign Regulations)		
Notes:			
(1) Only one side yard setback is required to provide for emergency access. If the adjacent lot is not designated commercial or industrial, a side yard shall be required along that side of the lot.			
(2) A rear yard setback is required only when the adjacent property is not designated commercial or			

industrial.
 (3) In the Phelan/Pinon Hills Community Plan area, the maximum height is 35 ft.

SECTION 8. Table 82-17 of Subsection 82.06.040(c) of the San Bernardino County Code is amended, to read:

<i>Table 82-17</i>							
<i>Allowed Land Uses and Permit Requirements for Industrial and Special Purpose Land Use Zoning Districts</i>							
	<i>PERMIT REQUIRED BY DISTRICT</i>						
<i>LAND USE</i> <i>See Division 10 (Definitions) for land use definitions</i>	<i>IC</i>	<i>IR</i>	<i>IN</i>	<i>SD-RES</i> <i>(1)</i>	<i>SD-COM</i> <i>(1)</i>	<i>SD-IND</i> <i>(1)</i>	<i>Specific Use Regulations</i>
Agricultural, Resource & Open Space Uses							
Agriculture Support Services	p ⁽²⁾	p ⁽²⁾	—	M/C	M/C	M/C	
Animal Keeping	—	—	—	S	—	—	84.04
Community Gardens	—	—	—	A	—	—	
Crop production, horticulture, orchard, vineyard	—	—	—	A	—	—	
Industrial Hemp Cultivation - Small Scale (minimum 1-acre lot size)	—	—	—	P	—	—	84.35
Industrial Hemp Cultivation - Large Scale (minimum 5-acre lot size)	—	—	—	CUP	—	—	84.35
Natural resources development (mining)	CUP	CUP	—	CUP	CUP	CUP	
Nature preserve (accessory uses)	—	—	p ⁽²⁾	p ⁽²⁾	p ⁽²⁾	p ⁽²⁾	
Industry, Manufacturing & Processing, Wholesaling							
Adult Business	ABP	—	—	—	—	—	84.02
Construction contractor storage yard	M/C	p ⁽²⁾	—	M/C	M/C ⁽³⁾	M/C	

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Hazardous waste operation	—	CUP	—	—	—	—	
Industrial Hemp – Class I Manufacturing (minimum 5-acre lot size)	M/C	M/C	—	M/C	M/C	M/C	84.35
Firewood contractor	P	P	—	—	—	M/C	84.09
Manufacturing Operations I	P ⁽²⁾	P ⁽²⁾	—	CUP ⁽⁴⁾	CUP ⁽⁴⁾	CUP ⁽⁴⁾	
Manufacturing Operations II	— (5), (6)	M/C	—	—	—	CUP ⁽⁴⁾	
Motor vehicle storage/Impound facility	M/C	M/C	—	—	—	M/C	
Recycling facilities - Small collection facility	SUP	SUP	—	—	MUP	MUP	84.19
Recycling facilities - Large collection facility	CUP	CUP	—	—	CUP ⁽³⁾	CUP	84.19
Recycling facilities - Light processing facility	CUP	CUP	—	—	CUP ⁽³⁾	CUP	84.19
Recycling facilities - Heavy processing facility	CUP	CUP	—	—	—	CUP	84.19
Recycling facilities, reverse vending machines (accessory only)	A	A	—	A	A	A	84.19
Salvage operations - Within an enclosed structure	CUP	M/C	—	—	CUP	M/C	
Salvage operations - General	—	CUP	—	—	—	—	
Storage - Personal storage (mini-storage)	P ⁽²⁾	P ⁽²⁾	—	M/C	M/C	M/C	
Storage - Recreational vehicles	M/C	M/C	—	M/C	M/C	M/C	
Storage - Warehouse, indoor storage	M/C	M/C	—	—	M/C	M/C	
Wholesaling and distribution	M/C	M/C	—	—	M/C	M/C	
Recreation, Education & Public Assembly							
Campgrounds	—	—	—	CUP	—	—	
Commercial entertainment - Indoor	M/C	—	—	M/C	M/C	M/C	
Conference/convention facility	—	—	—	CUP ⁽⁴⁾	CUP ⁽⁴⁾	CUP ⁽⁴⁾	

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Equestrian facility	—	—	—	M/C	M/C	M/C	
Fitness/health facility	P ⁽²⁾	P ⁽²⁾	—	M/C	M/C	M/C	
Golf course	—	—	—	CUP ⁽⁴⁾	CUP ⁽⁴⁾	CUP ⁽⁴⁾	
Library, museum, art gallery, outdoor exhibit	—	—	—	M/C	M/C	M/C	
Meeting facility, public or private	CUP	—	—	CUP	CUP	CUP	
Park, playground	—	—	P	P	P	P	
Places of worship	CUP	CUP	CUP	CUP	CUP	CUP	
Rural sports and recreation	—	—	—	CUP	CUP	CUP	
School - College or university	M/C	M/C	M/C	M/C	M/C	M/C	
School - Private	M/C	M/C	M/C	M/C	M/C	M/C	
School - Specialized education/training	M/C	M/C	M/C	M/C	M/C	M/C	
Residential⁽¹⁴⁾							
Accessory dwelling (labor quarters, etc.)	P ⁽⁷⁾	P ⁽⁷⁾	P ⁽⁷⁾	P ⁽⁷⁾	P ⁽⁷⁾	P ⁽⁷⁾	84.01
Accessory structures and uses - Residential (conforming and non-conforming uses)	P ^(7,8)	P ^(7,8)	P ^(7,8)	P ⁽⁷⁾	P ⁽⁷⁾	P ⁽⁷⁾	84.01
Group residential (sorority, fraternity, boarding house, private residential club, etc.)	—	—	—	M/C	M/C	—	
Guest housing	—	—	—	P ⁽⁸⁾	—	—	84.01
Live/work unit	M/C	—	—	M/C	M/C	—	
Mobile home park/manufactured home land-lease community	—	—	—	CUP	CUP	—	
Multiple residential use	—	—	—	PD	PD	PD	
Parolee and/or probationer home	—	—	—	CUP	CUP	—	
Residential use with retail, service, or industrial use	—	—	—	PD	PD	PD	
Accessory dwelling unit	—	—	—	A ⁽¹⁵⁾	—	—	84. 3601
Junior accessory dwelling unit	=	=	=	A⁽¹⁵⁾	=	=	84.36

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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	
Parking lots, accessory	p ⁽¹²⁾	p ⁽¹²⁾	p ⁽¹²⁾	p ⁽¹²⁾	p ⁽¹²⁾	p ⁽¹²⁾	
Broadcasting studio	M/C	M/C	M/C	CUP ⁽⁴⁾	CUP ⁽⁴⁾	CUP ⁽⁴⁾	
Communication contractor	M/C	M/C	M/C	M/C ⁽¹⁰⁾	M/C ⁽¹⁰⁾	M/C ⁽¹⁰⁾	
Electrical power generation	CUP	CUP	CUP	—	—	—	
Parking structures	p ⁽¹²⁾	p ⁽¹²⁾	p ⁽¹²⁾	M/C	M/C	M/C	
Pipelines, transmission lines, and control stations ⁽¹³⁾	(13)	(13)	(13)	(13)	(13)	(13)	
Renewable Energy Generation Facilities	CUP	CUP	CUP	—	—	—	84.29
Sewage treatment and disposal facility ⁽⁶⁾	CUP	CUP	CUP	—	—	—	
Solid waste disposal ⁽⁶⁾	CUP	CUP	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
Other							
Accessory structures and uses	P	P	P	P	P	P	84.01
Temporary special events	TSP	TSP	TSP	TSP	TSP	TSP	84.25
Temporary structures and uses	TUP	TUP	TUP	TUP	TUP	TUP	84.25

Key

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A	Allowed use (no planning permit required)	PD	Planned Development Permit required (Chapter 85.10)
ABP	Adult Business Regulatory Permit	TUP	Temporary Use Permit required (Chapter 85.15)
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 § 85.06.050 (Projects That Do Not Qualify for a Minor Use Permit)	S	Permit requirement set by Specific Use Regulations (Division 4)
CUP	Conditional Use Permit required (Chapter 85.06)	TSP	Temporary Special Events Permit required (Chapter 85.16)
MUP	Minor Use Permit required (Chapter 85.06)	RCP	Unlicensed Residential Care Facilities Permit (Chapter 85.20)
		—	Use not allowed

Notes:

(1) 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.

(2) CUP required if maximum building coverage exceeds 10,000 sq. ft., the use will have more than 20 employees per shift, or if not exempt from CEQA; may qualify for a MUP in compliance with § 85.06.020 (Applicability).

(3) This use shall be located completely within an enclosed structure.

(4) PD Permit required if total floor area or use area exceeds 10,000 sq. ft.

(5) Concrete batch plants in the Phelan planning area may be allowed subject to a CUP.

(6) Pallet manufacturing, reconditioning, and storage yards in the unincorporated area in Fontana bounded by the I-10 on the north, Almond Ave. on the east, 660 ft. south of Santa Ana Ave. on the south, and Mulberry Ave. on the west that is zoned IC may be allowed subject to a CUP.

(7) Use allowed as an accessory use only, on the same site as a retail, service, or industrial use allowed by this table. Requires a Special Use Permit when recreational vehicles are used for seasonal operations.

(8) Use allowed as an accessory use only, on the same site as a residential use allowed by this table.

(9) A CUP shall be required for three or rooms.

(10) This use shall be located completely within an enclosed structure with no exterior overnight storage of vehicles.

(11) When associated with an institutional use.

(12) Use allowed as an accessory use only, on the same site as a retail service, or industrial use allowed by this table.
(13) These uses are regulated and approved by the Public Utilities Commission. See alternate review procedures in § 85.02.050.
(14) Supportive housing or transitional housing that is provided in single-, two-, or multi-family dwelling units, group residential, parolee-probationer home, residential care facilities, or boarding house uses shall be permitted, conditionally permitted or prohibited in the same manner as the other single-, two- or multi-family dwelling units, group residential, parolee-probationer home, residential care facilities, or boarding house uses under this Code.
(15) Use allowed as an accessory use only with standards, on the same site as a residential use allowed by this table. A Special Use Permit is required for an accessory dwelling unit used as a short-term rental in the Mountain Region.

SECTION 9. Tables 82-19A, 82-19B, 82-20A, 82-20B, 82-21A, and 82-21B of Subsection 82.06.060(a) of the San Bernardino County Code are amended, to read:

Table 82-19A		
IC and IR Land Use Zoning District Development Standards		
Valley Region		
Development Feature	Requirement by Land Use Zoning District	
	IC Community Industrial	IR Regional Industrial
Density	<i>Maximum housing density. The actual number of units allowed will be determined by the County through subdivision or planning permit approval, as applicable.</i>	
Maximum density	Accessory dwellings as allowed by Chapter <u>84.36 (Accessory Dwelling Units)</u> 84.01 (Accessory Structures and Uses).	
Setbacks	<i>Minimum setbacks required. See Chapter 83.02 for exceptions, reductions, and encroachments. See Division 4 for any setback requirements applicable to specific land uses.</i>	
	25 ft	25 ft

Front Side - Street side Side - Interior (each) Rear	25 ft	25 ft
	10 ft ⁽¹⁾	10 ft ⁽¹⁾
	10 ft ⁽²⁾	10 ft ⁽²⁾
Floor area ratio (FAR)	<i>Maximum floor area ratio (FAR) allowed.</i>	
Maximum FAR	.45:1	.55:1
Lot coverage	<i>Maximum percentage of the total lot area that may be covered by structures and impervious surfaces.</i>	
Maximum coverage	85%	85%
Height limit	<i>Maximum allowed height of structures. See Section 83.02.040 (Height Limits and Exceptions) for height measurement requirements, and height limit exceptions.</i>	
Maximum height	75 ft	150 ft
Accessory structures	See Chapter 84.01 (Accessory Structures and Uses).	
Infrastructure	See Chapter 83.09 (Infrastructure Improvement Standards)	
Landscaping	See Chapter 83.10 (Landscaping Standards)	
Parking	See Chapter 83.11 (Parking Regulations).	
Signs	See Chapter 83.13 (Sign Regulations)	
Notes:		
(1) Only one side yard setback is required to provide for emergency access. If the adjacent lot is not designated commercial or industrial, a side yard shall be required along that side of the lot.		
(2) A rear yard setback is required only when the adjacent property is not designated commercial or industrial.		

Table 82-19B		
IN and SD Land Use Zoning District Development Standards		
Valley Region		
Development Feature	Requirement by Land Use Zoning District	
	IN	SD

	Institutional	Special Development
Density	Maximum housing density. The actual number of units allowed will be determined by the County through subdivision or planning permit approval, as applicable.	
Maximum density	Accessory dwellings as allowed by Chapter <u>84.36 (Accessory Dwelling Units) 84.04</u> (Accessory Structures and Uses)	1 unit per 40 acres ⁽¹⁾ Accessory dwellings as allowed by Chapter <u>84.36 (Accessory Dwelling Units) 84.04</u> (Accessory Structures and Uses)
Setbacks	Minimum setbacks required. See Chapters 83.05 and 83.06 for exceptions, reductions, and encroachments. See Division 4 for any setback requirements applicable to specific land uses.	
Front	25 ft	25 ft
Side - Street side	25 ft	25 ft
Side - Interior (each)	10 ft	10 ft
Rear	10 ft	10 ft
Floor area ratio (FAR)	Maximum floor area ratio (FAR) allowed.	
Maximum FAR	.75:1	.5:1
Lot coverage	Maximum percentage of the total lot area that may be covered by structures and impervious surfaces.	
Maximum coverage	80%	80%
Height limit	Maximum allowed height of structures. See Section 83.02.040 (Height Limits and Exceptions) for height measurement requirements, and height limit exceptions.	
Maximum height	150 ft	50 ft
Accessory structures	See Chapter 84.01 (Accessory Structures and Uses).	
Infrastructure	See Chapter 83.09 (Infrastructure Improvement Standards)	
Landscaping	See Chapter 83.10 (Landscaping Standards)	
Parking	See Chapter 83.11 (Parking Regulations).	
Signs	See Chapter 83.13 (Sign Regulations)	
Notes:		
(1) Except where modified by a map suffix or when a Planned Development application has		

been approved establishing a different density.

Table 82-20A		
IC and IR Land Use Zoning District Development Standards		
Mountain Region		
Development Feature	Requirement by Land Use Zoning District	
	IC Community Industrial	IR Regional Industrial
Density	<i>Maximum housing density. The actual number of units allowed will be determined by the County through subdivision or planning permit approval, as applicable.</i>	
Maximum density	Accessory dwellings as allowed by Chapter <u>84.36 (Accessory Dwelling Units)</u> 84.01 (Accessory Structures and Uses).	
Setbacks	<i>Minimum setbacks required. See Chapters 83.05 and 83.06 for exceptions, reductions, and encroachments. See Division 4 for any setback requirements applicable to specific land uses.</i>	
Front	15 ft	15 ft
Side - Street side	15 ft	15 ft
Side - Interior (each)	10 ft ⁽¹⁾	10 ft ⁽¹⁾
Rear	10 ft ⁽²⁾	10 ft ⁽²⁾
Floor area ratio (FAR)	<i>Maximum floor area ratio (FAR) allowed.</i>	
Maximum FAR	.4:1	.4:1
Lot coverage	<i>Maximum percentage of the total lot area that may be covered by structures and impervious surfaces.</i>	
Maximum coverage	85%	85%
Height limit	<i>Maximum allowed height of structures. See Section 83.02.040 (Height Limits and Exceptions) for height measurement requirements, and height limit exceptions.</i>	
Maximum height	45 ft	45 ft

Accessory structures	See Chapter 84.01 (Accessory Structures and Uses).
Infrastructure	See Chapter 83.09 (Infrastructure Improvement Standards)
Landscaping	See Chapter 83.10 (Landscaping Standards)
Parking	See Chapter 83.11 (Parking Regulations).
Signs	See Chapter 83.13 (Sign Regulations)
Notes: (1) Only one side yard setback is required to provide for emergency access. If the adjacent lot is not designated commercial or industrial, a side yard shall be required along that side of the lot. (2) A rear yard setback is required only when the adjacent property is not designated commercial or industrial.	

Table 82-20B		
IN and SD Land Use Zoning District Development Standards		
Mountain Region		
Development Feature	Requirement by Land Use Zoning District	
	IN Institutional	SD Special Development
Density	<i>Maximum housing density. The actual number of units allowed will be determined by the County through subdivision or planning permit approval, as applicable.</i>	
Maximum density	Accessory dwellings as allowed by Chapter <u>84.36 (Accessory Dwelling Units)</u> 84.01 (Accessory Structures and Uses).	1 unit per 40 acres ⁽¹⁾ Accessory dwellings as allowed by Chapter <u>84.36 (Accessory Dwelling Units)</u> 84.01 (Accessory Structures and Uses)
Setbacks	<i>Minimum setbacks required. See Chapters 83.02 for exceptions, reductions, and encroachments. See Division 4 for any setback requirements applicable to specific land uses.</i>	
Front	15 ft	15 ft
Side - Street side	15 ft	15 ft

Side - Interior (each)	10 ft	10 ft
Rear	10 ft	10 ft
Floor area ratio (FAR)	<i>Maximum floor area ratio (FAR) allowed.</i>	
Maximum FAR	.5:1	.3:1
Lot coverage	<i>Maximum percentage of the total lot area that may be covered by structures and impervious surfaces.</i>	
Maximum coverage	80%	80%
Height limit	<i>Maximum allowed height of structures. See Section 83.02.040 (Height Limits and Exceptions) for height measurement requirements, and height limit exceptions.</i>	
Maximum height	30 ft	35 ft
Accessory structures	See Chapter 84.01 (Accessory Structures and Uses).	
Infrastructure	See Chapter 83.09 (Infrastructure Improvement Standards)	
Landscaping	See Chapter 83.10 (Landscaping Standards)	
Parking	See Chapter 83.11 (Parking Regulations).	
Signs	See Chapter 83.13 (Sign Regulations)	
Notes:		
(1) Except where modified by a map suffix or when a Planned Development application has been <u>n</u> approved establishing a different density.		

Table 82-21A		
IC and IR Land Use Zoning District Development Standards		
Desert Region		
Development Feature	Requirement by Land Use Zoning District	
	IC Community Industrial	IR Regional Industrial

Density	Maximum housing density. The actual number of units allowed will be determined by the County through subdivision or planning permit approval, as applicable.	
Maximum density	Accessory dwellings as allowed by Chapter <u>84.36 (Accessory Dwelling Units)</u> 84.01 (Accessory Structures and Uses)	
Setbacks	Minimum setbacks required. See Chapters 83.02 for exceptions, reductions, and encroachments. See Division 4 for any setback requirements applicable to specific land uses.	
Front	25 ft	25 ft
Side - Street side	25 ft	25 ft
Side - Interior (each)	10 ft ⁽¹⁾	10 ft ⁽¹⁾
Rear	10 ft ⁽²⁾	10 ft ⁽²⁾
Floor area ratio (FAR)	Maximum floor area ratio (FAR) allowed.	
Maximum FAR	.4:1	.6:1
Lot coverage	Maximum percentage of the total lot area that may be covered by structures and impervious surfaces.	
Maximum coverage	85%	85%
Height limit	Maximum allowed height of structures. See Section 83.02.040 (Height Limits and Exceptions) for height measurement requirements, and height limit exceptions.	
Maximum height	50 ft ⁽³⁾	75 ft
Accessory structures	See Chapter 84.01 (Accessory Structures and Uses).	
Infrastructure	See Chapter 83.09 (Infrastructure Improvement Standards)	
Landscaping	See Chapter 83.10 (Landscaping Standards)	
Parking	See Chapter 83.11 (Parking Regulations).	
Signs	See Chapter 83.13 (Sign Regulations)	
Notes:		
(1) Only one side yard setback is required to provide for emergency access. If the adjacent lot is not designated commercial or industrial, a side yard shall be required along that side of the lot.		
(2) A rear yard setback is required only when the adjacent property is not designated commercial or industrial.		
(3) In the Phelan/Pinon Hills Community Plan area, the maximum height is 35 ft.		

Table 82-21B		
IN and SD Land Use Zoning District Development Standards		
Desert Region		
Development Feature	Requirement by Land Use Zoning District	
	IN Institutional	SD Special Development
Density	Maximum housing density. The actual number of units allowed will be determined by the County through subdivision or planning permit approval, as applicable.	
Maximum density	Accessory dwellings as allowed by Chapter 84.36 (Accessory Dwelling Units) 84.01 (Accessory Structures and Uses) .	1 unit per 40 acres ⁽¹⁾ Accessory dwellings as allowed by Chapter 84.36 (Accessory Dwelling Units) 84.01 (Accessory Structures and Uses)
Setbacks	Minimum setbacks required. See Chapters 83.02 for exceptions, reductions, and encroachments. See Division 4 for any setback requirements applicable to specific land uses.	
Front	25 ft	25 ft
Side - Street side	25 ft	25 ft
Side - Interior (each)	10 ft	10 ft
Rear	10 ft	10 ft
Floor area ratio (FAR)	Maximum floor area ratio (FAR) allowed.	
Maximum FAR	.5:1	.3:1
Lot coverage	Maximum percentage of the total lot area that may be covered by structures and impervious surfaces.	
Maximum coverage	80%	80%
Height limit	Maximum allowed height of structures. See Section 83.02.040 (Height Limits and Exceptions) for height measurement requirements, and height limit exceptions.	
	50 ft	35 ft

Maximum height		
Accessory structures	See Chapter 84.01 (Accessory Structures and Uses).	
Infrastructure	See Chapter 83.09 (Infrastructure Improvement Standards)	
Landscaping	See Chapter 83.10 (Landscaping Standards)	
Parking	See Chapter 83.11 (Parking Regulations).	
Signs	See Chapter 83.13 (Sign Regulations)	
Notes:		
(1) Except where modified by a map suffix or when a Planned Development application has been n approved establishing a different density.		

SECTION 10. Table 83-5 of Subsection 83.02.080(d) of the San Bernardino County Code is amended, to read:

Table 83-5			
Allowed Projections/Structures Within Setbacks			
Projections	Front and Street Side Setbacks	Interior Side Setbacks	Rear Setbacks
Awnings, canopies, louvers and similar shading devices	4 ft.	2 ft.	4 ft.
Eaves, cornices, sills, planting boxes; skylights, fireplaces, flues and chimneys, small satellite dishes (less than 4 ft. in diameter) that are mounted on the roof, and similar architectural features	4 ft.	2 ft.	4 ft.
Evaporative coolers, air conditioner compressors, and pool equipment	4 ft. When screened from view	2 ft.	4 ft.
Water tanks, propane tanks sited per California Fire Code and maintained in compliance with standards specified by	Not allowed	Not allowed	4 ft.

§ 83.01.060 (Fire Hazards)			
Propane tanks in Mountain Region only when sited per California Fire Code and maintained in compliance with standards specified by § 83.01.060 (Fire Hazards)	Allowed when screened from view	Not allowed	4 ft.
Large freestanding photovoltaic or solar panels (9 sq. ft. or greater)	Not allowed	Not allowed	10 ft. Minimum 5 ft. separation from rear parcel line
Attached patio roofs and similar residential structures having open, unwallled sides along not less than 50 percent of their perimeters, including top deck (decks with height greater than 4 ft. above grade)	4 ft.	Not allowed	15 ft. Minimum 5 ft. separation from rear parcel line
Cantilevered portion of primary structure more than 8 ft. above grade limited to 50 percent of length of one wall on any one story	4 ft.	4 ft.	4 ft.
Open-sided stairways, landings and required fire escapes	5 ft.	4 ft.	10 ft.
Uncovered porches, platforms, or decks (up to 4 ft. in height)	4 ft.	4 ft.	10 ft.
Open storage of boats, recreational vehicles, trailers and similar vehicles	Not Allowed	Allowed	Allowed
Temporary trash storage in appropriate containers	Not Allowed	Allowed	Allowed
Slides, clotheslines and similar equipment	Not allowed	Not allowed	Allowed
Radio or television masts or antennas, large satellite dishes (4 ft. or greater in diameter)	Not allowed	Not allowed	Allowed

Garages, carports, sheds and other similar uninhabitable, detached, enclosed accessory structures in the Valley and Desert Region that: · Occupy no more than 25 percent of yard · Limited to 1 story in height	Not allowed	Not allowed	Allowed
Garages, carports, sheds and other similar, uninhabitable enclosed accessory structures in Mountain Region only that: · Limited to 1 story in height · Meet administrative criteria of Building Official · Occupy no more than 25 percent of rear yard · Adhere to 20 percent sideyard setback for front and rear property lines	Allowed for garages and carports only, but must maintain a 3 ft. setback from road right-of-way. 10 ft. minimum from existing edge of roadway pavement. Other structures not allowed.	Not allowed	Allowed for detached accessory structures only
Unroofed parking, parking decks, and loading areas	As specified by the Chapter 83.11 (Parking Regulations)	Allowed	Allowed
Covered, underground or partially excavated structures (e.g., basements, fallout shelters, garages, public utility or telephone/cable TV vaults, wine cellars, etc.)	Allowed in all setback areas, provided that the facilities do not extend more than 30 inches above the adjoining average finished grade level.		
Fences, screening, safety guardrails, walls along property lines	Allowed in compliance with § 83.06.030 (General Height Limitations).		
· Industrial land use zoning districts · Commercial land use zoning districts · All other land use zoning districts	6 ft. max. height 4 ft. max. height 4 ft. max. height	10 ft. max. height 10 ft. max. height 6 ft. max. height	10 ft. max. height 10 ft. max. height 6 ft. max. height
	Fence heights in excess of these standards may be allowed by an approved Use Permit, Variance, Tract or Parcel Map or when required by the County for reasons of the health and safety of the general public. In the RC and RL land use zoning districts, open fences may go up to a maximum of 5 feet in the front yard and street side yards.		

· Flagpoles · Sculpture and similar decorations · Trees⁽¹⁾, shrubs⁽¹⁾, and landscaping with a screening effect · Utility poles and lines located along property lines no closer than one foot from side property line (this includes small solar panels that are less than 9 sq. ft.) · Walkways⁽²⁾ · Unroofed paving and driveways outside the ultimate road right-of-way. Unroofed paving and driveways within the ultimate road right-of-way shall be a minimum of 3 feet from the side property line⁽¹⁾	Allowed	Allowed	Allowed
Signs	Allowed in all setback areas subject to Chapter 83.13 (Signs)		
Swimming pools and spas no closer than 5 ft. to any property line	Not allowed	Not allowed	Allowed
Accessory dwelling units and junior accessory dwelling units⁽³⁾	Not allowed	4 ft. from property line	4 ft. from property line
(1) Trees and shrubs shall be planted so that at maturity they shall not interfere with a driver's or pedestrian's view of public rights-of-way (e.g. the view of approaching, merging, or intersecting traffic, etc.) or otherwise impair public safety, or interfere with the safe operation of a motor vehicle on public streets.			
(2) Walkways necessary for access to the building, parking areas and driveways may be supported on masonry construction in the Mountain Region.			
(3) — No setbacks shall be required for an existing living area or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit.			

SECTION 11. Table 83-15 of Subsection 83.11.040(c)(5) of the San Bernardino County Code is amended, to read:

<i>Table 83-15</i>	
Parking Requirements by Land Use	
Uses	Number of Spaces Required

Industrial uses of all types, including warehouses or structures used exclusively for storage purposes, wholesale houses and distributors and public utility facilities including, but not limited to, electric, gas, water, telephone, and telegraph facilities not having business offices on the premises	1 for each 1,000 sq. ft. of the first 40,000 sq. ft. of GFA; and
	1 for each 4,000 sq. ft. of GFA for the portion over 40,000 sq.ft.; and
	1 for each facility vehicle
Storage - Mini storage facilities	Mini-storage office 1 for each 250 sq. ft. of office area with 4 minimum
	Additional requirements: · A parking lane shall be provided adjacent to the storage structure's openings that is a minimum of 9 feet in width and outlined (painted). The parking lane is for temporary parking only (30 minutes maximum) and this time restriction shall be clearly marked with signs. · Driveways adjacent to the parking lane shall be a minimum width of 15 feet for one-way and 24 feet for two-way.
Recreation, Education & Public Assembly Uses⁽⁴⁾	
Amusement enterprises	1 for each 4 persons of the facility's allowed maximum attendance
Bowling alleys and billiard halls	5 for each bowling lane; and
	2 for each billiard table
Churches, synagogues, temples, mosques and other places of worship ⁽¹⁾	1 for each 3 fixed seats; and
	1 for every 25 sq. ft. of seating area where there are no fixed seats; and
	1 for each 400 sq. ft. of floor area outside the main assembly area
Commercial recreation and similar uses (e.g., shooting ranges, race tracks, miniature golf courses, pitch and putt courses, parks, and zoos)	1 for each 4 persons of the facility's allowed maximum attendance
Commercial swimming pools and swimming schools	1 for each 500 sq. ft. of water surface area
	10 minimum
Dance halls	1 for each 20 sq. ft. of dance floor area; and
	1 for each 3 fixed seats and for each 20 sq. ft. of seating area where there are no fixed seats

Golf courses and driving ranges, but not to include miniature golf courses	4 for each hole on all golf courses; and
	1 for each tee for driving ranges
Organizational camps	1 bus parking space per 20 campers
	2 for each resident staff
	1 for each nonresident staff on the largest shift
	1 for each facility vehicle
Meeting facilities - Theaters, auditoriums, stadiums, sport arenas, gymnasiums and similar places of public assembly	1 for each 3 fixed seats or for every 25 sq. ft. of seating area within the main auditorium where there are no fixed seats ⁽¹⁾
Schools - general curriculum Kindergarten through Grade 9	1 for each staff member, faculty member, and employee
	1 for each facility vehicle
Schools - general curriculum Grades 10 through 12, colleges and universities, business and professional schools	1 for each 4 students; and
	1 for each staff member, faculty member and employee; and
	1 for each facility vehicle
Schools - special schools or trade schools	1 for each 3 students; and
	1 for each staff member, faculty member, and employee
	1 for each facility vehicle
Skating rinks, ice or roller	1 for each 3 fixed seats and for each 20 sq. ft. of seating area where there are no fixed seats; and ⁽¹⁾
	1 for each 250 sq. ft. of skating area
Residential Uses	
Caretaker housing	2, with one covered
Group residential (sorority, fraternity, boarding house, private residential club, etc.)	1 for each bedroom
	1 for the house manager, staff member or employee
Mobile home parks	2; one covered on each mobile home parcel (may be in tandem); and
	1 guest space for each 10 spaces, or fraction thereof
	2.5 per unit for projects of 4 or more units, one shall be covered for each dwelling unit on the project site to accommodate resident and visitor parking ⁽²⁾

Multi-family dwelling	2.0 per unit for projects of 2 or 3 units, one shall be covered for each dwelling unit ⁽²⁾
Parolee and/or probationer home	1 for each bedroom
Guest House Accessory dwelling unit	1 uncovered for each unit ⁽⁵⁾
Single-family dwelling	2, one shall be covered on the same site with the primary structure ⁽²⁾
Retail Trade	
Automobile repair and service stations	3 for each service bay (service bays do not count as spaces); and
	1 for each facility vehicle
Automobile sales, boat sales, mobile home sales, retail nurseries, and other open uses not in a structure	1 for each 2,000 sq. ft., or portion thereof, for open area devoted to display or sales; for the first 10,000 sq. ft.; and
	1 for each 5,000 sq. ft., or portion thereof, over 10,000 sq. ft.; and
	1 for each facility vehicle
Food establishments with take-out provisions only	1 for each 200 sq. ft. of GLA; and
	1 for each facility vehicle
	4 minimum
General retail	1 for each 250 sq. ft. of GLA
	4 minimum
Restaurants in the Valley and Desert Regions, including drive-ins, cafes, night clubs, taverns, and other similar places where food or refreshment are dispensed	The greater of the following:
	1 for each 100 sq. ft. of GLA; or
	1 for each 3 fixed seats and/or 1 for every 50 sq. ft. of floor area where seats may be placed; or
	10 minimum
Restaurants in the Mountain Region, including drive ins, cafes, and other similar places that have 5,000 sq. ft. of GLA or less, where food or refreshment are dispensed and where no alcoholic beverages of any type are sold or served	1 space per 250 sq. ft. of GLA with a 4 space minimum
Restaurants in the Mountain Region, including drive ins, cafes, and other similar places that have	

over 5,000 sq. ft. of GLA where food or refreshment are dispensed, regardless of whether or not alcoholic beverages are served	1 space per 100 sq. ft. of GLA with a 4 space minimum
Restaurants in the Mountain Region, including drive ins, cafes, and other similar places, where food or refreshments are dispensed and where alcoholic beverages are sold under State Alcoholic Beverage Control license types 42 (bar/tavern) or 48 (bar/night club), regardless of the square footage of the restaurant	1 space per 100 sq. ft., regardless of GLA with a 4 space minimum
Restaurants in the Mountain Region, including drive ins, cafes, and other similar places where food or refreshment are dispensed and where alcoholic beverages are sold under State Alcoholic Beverage Control license type 47 (restaurant)	1 space per 250 sq. ft. of GLA with 5,000 sq. ft. or less of GLA with a 4 space minimum
	1 space per 100 sq. ft. of GLA for restaurant uses over 5,000 sq. ft. of GLA with a 4 space minimum
Shopping centers (projects over 200,000 sq. ft. of floor area)	1 for each 200 sq. ft. of GLA up to 100,000 sq. ft.; and
	1 for each 250 sq. ft. of GLA for square footage above 100,000 sq. ft.
Wholesale commercial nurseries	1 for each 500 sq. ft. of display area
Services General	
Beauty and nail salons	2 for each station
Child care centers	1 for each 5 children that the facility is designed to accommodate
Emergency shelter	1 for each guest room
Hospital	1 for each 2 patient beds
Medical offices, clinics, veterinary hospital	1 for each 250 sq. ft. of GLA
Motels, hotels, and boarding house	1 for each unit/room
Licensed Residential care facility of 6 or fewer persons	2, one shall be covered on the same site with the primary structure ⁽²⁾
Offices, general, financial, business and professional uses	1 for each 250 sq. ft. of GLA
Personal services	1 for each 250 sq. ft. of GLA
Short-Term Residential Rentals	1 for each four occupants or guests, see § 83.28.060(e)
Unlicensed Residential Care Facility with 6 or	1 for each bedroom

fewer persons	1 for the house manager, staff member or employee
Unlicensed Residential Care Facility with 7 or more persons	1 for each bedroom
	1 for the house manager, staff member or employee
Other Uses	
Bed and breakfast	1 for each guest room
Home occupations	1 for each nonresident employee in addition to residential requirements
On-Your-Lot builder model home/sales office	2 per office
	2 for visitors

Notes:
(1) Twenty-four (24") linear inches of bench or pew shall be considered a fixed seat.
(2) Residential parking spaces shall be located to the rear of the front setback line, except that in the Mountain Region, the parking spaces may be located within the setback areas. Tandem parking is not allowed except in the Mountain Region. Areas outside the driveway in front of the primary structure, whether outside the front yard setback or not, shall not be used for parking. In the Valley and Desert Regions, the covered parking requirement only applies to the RS and RM Land Use Zoning Districts.
(3) In dormitories, each 100 sq. ft shall be considered equivalent to a guest room.
(4) Nonresidential uses shall provide a minimum of four spaces with an additional parking space for each facility vehicle, except where otherwise noted.
(5) Residential parking spaces for <u>a guest house</u> an accessory dwelling unit may be provided through tandem parking on an existing driveway.

SECTION 12. Chapter 84.01 of the San Bernardino County Code is amended, to read:

CHAPTER 84.01: ACCESSORY STRUCTURES AND USES

84.01.010 Purpose and Severability.

84.01.020 General Development Standards.

84.01.030 Agricultural Accessory Structures and Uses.

84.01.040 Commercial and Industrial Accessory Structures and Uses.

84.01.050 Residential Accessory Structures and Uses.

~~**84.01.060 Accessory Dwelling Units and Junior Accessory Dwelling Units.**~~

Section 84.01.010 Purpose and Severability.

This Chapter establishes the regulations and criteria that determine the location of compatible accessory structures and uses within various land use zoning districts. The purpose of this Chapter is also intended to provide for the creation of accessory dwelling units and junior accessory dwelling units in accordance with applicable state law. If for any reason any provision in this Chapter is declared invalid, then all other provisions shall remain valid and enforceable.

Section 84.01.020 General Development Standards.

(a) Land Use Zoning District Regulations Applicable. Unless otherwise provided, accessory structures and uses shall be subject to the same regulations as the primary structure or use, including projections into setbacks specified in section 83.02.080 (Allowed Projections).

(b) Legally Established Primary Use. An accessory structure or use shall always exist in conjunction with, and never without, a legally established primary structure or primary use that has the same common owner. Where the primary use is a residence, it shall not be enclosed within an accessory structure. Where the primary use has not yet been established, an accessory structure may only be built subject to the issuance of a Temporary Use Permit in compliance with Chapter 84.25 (Temporary Structures and Uses).

(c) Use of Accessory Structure. The use of an accessory structure may be for either a primary or an accessory use allowed by the applicable land use zoning district.

(d) **Determination of Accessory Uses.** In addition to the accessory uses specifically provided for by this Chapter or elsewhere within this Development Code, each land use shall be deemed to include other accessory uses that are necessarily and customarily associated with and are clearly incidental and subordinate to the primary land use. Whenever the accessory uses are questioned, the Director shall be responsible for determining if a proposed accessory use meets the criteria in this Chapter. Before making a determination, the Director shall give notice to contiguous property owners in compliance with section 85.02.030 (Staff Review with Notice).

(e) **Maximum Site Coverage.** Except as otherwise provided in this Chapter, the combination of accessory and primary structures on a parcel shall not exceed the maximum site coverage allowed by the applicable land use zoning district regulations in Division 2 (Land Use Zoning Districts and Allowed Land Uses).

(f) **Location on Same or Contiguous Parcel.** Accessory structures or uses, which may or may not entail the use of a structure, shall be located on either:

(1) The same parcel as the primary structure or use; or

(2) A contiguous parcel that is owned by the same owner who owns the parcel that has the primary structure or use, with the exception of:

(A) Guest housing and accessory dwelling units in compliance with section 84.01.050(a), below.

(B) Those properties that touch 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.

(C) Utilities shall not be constructed across the property line(s) of two or more contiguous parcels. If the placement of proposed utilities would otherwise cross the

property line of two or more contiguous parcels held by the same owner, the property owner shall apply for and receive an approved voluntary lot merger before issuance of a building permit.

Section 84.01.030 Agricultural Accessory Structures and Uses.

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

(a) Animal Keeping. Animal keeping activities are governed by Chapter 84.04 (Animal Keeping) of this Code.

(b) Row Field Tree and Nursery Crop and Animal Product Sales Stand. The retail trade of plant or animal products primarily grown on the subject property shall be allowed when displayed from one stand with a floor area no larger than 200 square feet on parcels greater than 10,000 square feet in area. Standards for produce stands are provided in Chapter 84.03 (Agritourism Enterprises) of this Code.

(c) Caretaker Housing. The caretaker dwelling unit shall be subject to accessory dwelling unit development standards in ~~§ 84.01.060(e)~~ [Chapter 84.36 \(Accessory Dwelling Units\)](#).

(d) Seasonal Labor Quarters. Labor quarters for agricultural operations that are limited to three months of the year that encompass the harvest season of the agricultural product may utilize recreational vehicles as temporary labor quarters. A Site Plan Permit shall still be required to ensure proper services are supplied to the temporary laborers. Also, a Special Use Permit shall be required to monitor the use.

Section 84.01.040 Commercial and Industrial Accessory Structures and Uses.

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

(a) Exterior Storage. Exterior storage shall comply with Title 3 (Health and Sanitation and Animal Regulations) of the County Code. Screening of exterior storage shall comply with section 83.02.060 (Screening and Buffering).

(b) Caretaker Housing. The caretaker dwelling unit shall be subject to accessory dwelling unit development standards in ~~§ 84.01.060(e)~~ [Chapter 84.36 \(Accessory Dwelling Units\)](#).

(c) Seasonal Labor Quarters. Labor quarters for commercial or industrial operations that are limited to three months of the year may utilize recreational vehicles as temporary labor quarters. A Site Plan Permit shall still be required to ensure proper services are supplied to the temporary laborers. Also, a Special Use Permit shall be required to monitor the use. Failure to obtain both the Site Plan Permit and the Special Use Permit required under this subsection shall render the placement, use and/or occupancy of recreational vehicles or similar vehicles unlawful and subject to enforcement under Chapter 86.09 of this Code.

Section 84.01.050 Residential Accessory Structures and Uses.

This Section provides standards for ~~A~~accessory ~~S~~structures and ~~U~~uses that are related to residential single-family and multi-family dwelling units (e.g., play yards, pools, storage sheds, etc.) or that are residential in nature (e.g., guest housing, accessory dwelling units, etc.).

(a) Number of Accessory Residential Units. In addition to a single-family or multi-family dwelling unit, unless indicated otherwise a combination of two of the following additional accessory units ~~may~~shall be allowed; on parcels less than five acres in size and a combination of three may be allowed on parcels ~~five acres or greater~~ in size~~shall be allowed to have three of the following:~~

(1) Accessory Dwelling Unit. An accessory dwelling unit regulated by Chapter 84.36 (Accessory Dwelling Units). ~~shall be located on the same parcel as the primary dwelling unit, may be attached to, or located within, or detached from the primary dwelling unit, and is no more than 1,200 square feet in size. Only one accessory dwelling unit shall be allowed per parcel. Additional accessory dwelling units may be allowed on parcels with multi-family dwelling structures pursuant to § 84.01.060 (g).~~

(2) Junior Accessory Dwelling Unit. A junior accessory dwelling unit regulated by Chapter 84.36 (Accessory Dwelling Units). ~~shall be located on the same parcel as the primary dwelling unit, is attached to, or located within, the primary dwelling or accessory dwelling unit and is no more than 500 square feet in size. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure. Only one junior accessory dwelling unit shall be allowed per parcel.~~

(3) Guest House. Guest housing shall be located on the same parcel as the primary dwelling unit and shall be separated from it by at least 10ten feet. Guest housing shall be for use by temporary guests of the occupants of the primary dwelling unit and shall not be rented or otherwise used as a separate dwelling; the guest house may be used as a short-term rental when in compliance with Chapter 84.28 (Short-Term Residential Rentals). Only one guest house shall be allowed provided the accessory structure does not exceed the maximum number of accessory units allowed on the parcel. In the Single Residential (RS) or the Multiple Residential (RM) land use zoning districts on parcels less than 2.5 acres in size, the guest housing unit shall not extend in front of the primary structure. The provisions of section 84.21.030(i) shall apply to a manufactured home used as guest housing.

(b) Parking. Except as otherwise provided in this chapter, parking for ~~accessory residential dwelling units~~ guest housing shall comply with Chapter 83.11 (Parking and Loading Standards).

(c) Carport and/or Garage. Detached carports or garages shall be limited to 1,200 square feet when located on parcels that are less than 20,000 square feet in size.

(d) Other Residential Accessory Structures and Uses. See section 83.02.080 (Allowed Projections into Setbacks).

(1) Except in the Mountain Region, structures and uses such as cabanas, tennis courts, ramadas, water towers and wells, swimming pools, or storage buildings shall not extend in front of the primary structure where the primary structure faces a street right-of-way.

(2) Accessory dwelling units may be located in front of the primary structure when in compliance with setback standards.

(3) Ground mounted solar may be located in front of the primary structure when in compliance with setback standards, screened and not prominently visible from the street.

(e) Detached Storage Structures. Parcels that are one acre or less in size shall be limited to only one detached storage structure that exceeds 120 square feet and the storage structure shall not exceed 1,000 square feet. Except in the Mountain Region, detached storage structures shall not extend in front of the primary structure where the primary structure faces a right-of-way.

(f) Freight Containers and Similar Storage-Type Structures.

(1) Freight containers, railroad cars, intermodal containers, and other similar storage-type structures shall be allowed as accessory structures in the RS (Single Residential) or RM (Multiple Residential) land use zoning districts provided that they are compatible with the appearance of the on-site primary structure and the surrounding neighborhood and setting. A Compatibility Determination application shall be approved by the Planning Division of the Land Use Services Department to allow such a structure. Screening such a structure from view from

the street or the physical alteration of such a structure, such as painting or otherwise altering the structure, may be considered in the approval of the application. Such railroad car, container or similar storage-type structure shall be placed behind the primary structure and not prominently visible from the street.

(2) Freight containers, railroad cars, intermodal containers, and other similar storage-type structures shall be allowed as accessory structures in the Agriculture (AG) or Rural Living (RL) land use zoning districts provided that they shall be altered, either painted or structurally altered, to appear to be similar to, and compatible with, the appearance of the on-site primary structure and the surrounding neighborhood or to blend in with the surrounding environment. Such railroad car, container or similar storage-type structure shall be allowed provided that the container can be placed behind the primary structure and not prominently visible from the street.

(g) Animal Keeping. Accessory animal keeping shall be conducted as specified in Chapter 84.04 (Animal Keeping).

(h) Exterior Storage. Exterior storage shall be fully and solidly screened and kept below the level of the fence or other screening mechanism. Exterior storage shall comply with Title 3 (Health and Sanitation and Animal Regulations) of the County Code. Screening of exterior storage shall comply with section 83.02.060 (Screening and Buffering).

(i) Residential Crop Production. Accessory crop production shall be allowed on parcels of 10,000 square feet or more, with a temporary sales facility for plant or animal products grown on the subject property. The sales facility shall not be larger than 200 square feet in area and shall display produce for sale for no longer than 72 hours in any calendar month. Standards for produce stands are provided in Chapter 84.03 (Agritourism Enterprises). This does not include wholesale or retail nurseries.

(j) Private Office. A private office shall be for the sole use of the dwelling unit occupants within a primary structure and shall have no external advertising or signs.

(k) Compatibility. In the RS (Single Residential) and RM (Multiple Residential) land use zoning districts, the appearance of an accessory structure shall be similar to, and compatible with, the appearance of the primary structure and the surrounding neighborhood and setting.

(l) Storage of Firewood. The storage of firewood shall comply with Chapter 84.09 (Firewood Storage).

~~**Section 84.01.060 — Accessory Dwelling Units and Junior Accessory Dwelling Units.**~~

~~(a) — General Provision. Accessory dwelling units and junior accessory dwelling units shall comply with all provisions of this Chapter as well as the underlying zoning district.~~

~~(b) — Location Criteria. Accessory dwelling units and junior accessory dwelling units shall be permitted where allowed in compliance with Division 2 (Land Use Zoning Districts and Allowed Land Uses) and on any lot that contains a proposed or an existing dwelling. Accessory dwelling units and junior accessory dwelling units shall not be permitted in those areas where a development moratorium has been imposed, including a moratorium for water or sewer connection, whether imposed by the County or another public agency.~~

~~(c) — Common Ownership and Rental Terms. Accessory dwelling units and junior accessory dwelling units are not intended for sale separate from the primary residence but may be rented separately from the primary residence in all regions of the County for a term longer than 30 days, or in the Mountain and Desert Regions for a term less than 30 days provided the short-term rental complies with Chapter 84.28 (Short Term Residential Rentals) and is not a unit constructed pursuant to subdivision (g), below.~~

~~(d) — Types of Units.~~

~~(1) — Attached unit. An accessory dwelling unit may either be attached to, or located within, the proposed or existing primary dwelling or an accessory structure, including garage, storage area or similar use. A junior accessory dwelling unit shall be located entirely within a proposed or existing primary dwelling or accessory dwelling unit. Attached units may have a separate entrance or share a common entrance with the primary dwelling.~~

~~(2) — Detached Unit. An accessory dwelling unit may be detached from the proposed or existing primary dwelling. The detached accessory dwelling unit shall be considered the primary unit if it is a larger size than the primary dwelling.~~

~~(e) — Development Standards for Accessory Dwelling Units and Junior Accessory Dwelling Units. The development standards for an accessory dwelling unit and junior accessory dwelling unit shall comply with the following additional requirements:~~

~~(1) — Except as otherwise provided in this Chapter, the accessory dwelling units and junior accessory dwelling units shall comply with all development standards of the land use zoning designation in which the lot is located.~~

~~(2) — Written confirmation from the sewer district having jurisdiction of the availability of sewer service for the accessory dwelling unit or written approval from the Division of Environmental Health Services for use on an existing or new septic system shall be obtained. Holding tanks shall not be permitted for accessory dwelling units.~~

~~(3) — Written confirmation from the water district having jurisdiction of the availability of water service for the accessory dwelling unit or written approval from the Division of Environmental Health Services for use of an existing or new well shall be obtained.~~

~~(4) — In addition to the requirements of § 84.01.020 (General Development Standards), the minimum accessory dwelling unit size will be determined by the current edition of the California Residential Code or as certified by California Department of Housing and~~

~~Community Development. In no event shall the minimum square footage for either an attached or detached accessory dwelling unit prohibit an efficiency unit as defined in Section 17958.1 of the Health and Safety Code.~~

~~(5) Approval for setbacks from the applicable Fire Department shall be required prior to the issuance of a building permit for an accessory dwelling unit.~~

~~(6) Approval for site drainage, egress, and exit requirements from the Building and Safety Division shall be required prior to the issuance of a building permit for an accessory dwelling unit.~~

~~(f) Development Standard Exemptions. An accessory dwelling unit and junior accessory dwelling unit are exempt from the following development standards:~~

~~(1) Lot Coverage. Lot coverage requirements shall not preclude the construction of either an attached or detached accessory dwelling unit that is at least 800 square feet in size.~~

~~(2) Setbacks.~~

~~(A) No setback shall be required for an existing living area or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit or junior accessory dwelling unit.~~

~~(B) A setback of more than 4 feet on rear and interior side yards shall be required for an accessory dwelling unit not otherwise constructed in accordance with subparagraph (A), above.~~

~~(3) Fire Sprinklers. Accessory dwelling units and junior accessory dwelling units are not required to provide fire sprinklers if they are not required for the primary dwelling.~~

~~(4) — Utility Connections. Unless an accessory dwelling unit is constructed with a new single-family dwelling, an applicant is not required to install new or separate utility connections and shall not be subject to separate utility connection fee or capacity charge for an accessory dwelling unit described in paragraph (1) of subdivision (g), below.~~

~~(5) Parking. The parking requirements for accessory dwelling units, as set forth in Chapter 83.11 (Parking and Loading Standards), shall not apply in any of the following instances:~~

~~(A) The unit is considered a junior accessory dwelling unit.~~

~~(B) — The accessory dwelling unit is located within one-half mile walking distance of public transit.~~

~~(C) — The accessory dwelling unit is located within an architecturally and historically significant historic district.~~

~~(D) — The accessory dwelling unit is part of the proposed or existing primary residence or a converted accessory structure.~~

~~(E) — When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.~~

~~(F) — When a car share vehicle located within one block of the accessory dwelling unit.~~

~~(G) — When a garage, carport or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted into an accessory dwelling unit, the off-street covered parking does not need to be replaced.~~

~~(g) — By Right Permitting Exemptions. Notwithstanding anything to the contrary, an application for a building permit for a use authorized by Division 2 (Land Use Zoning Districts~~

~~and Allowed Land Uses) shall be approved to create any of the following:~~

~~(1) — One accessory dwelling unit or junior accessory dwelling unit per lot with a proposed or existing single-family dwelling if all of the following apply:~~

~~(A) — The accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.~~

~~(B) — The space has exterior access from the proposed or existing single-family dwelling.~~

~~(C) — The side and rear setbacks are sufficient for fire and safety.~~

~~(D) — The junior accessory dwelling unit, if applicable, complies with the requirements of Section 65852.22 of the Government Code.~~

~~(2) — One detached, new construction, accessory dwelling unit that does not exceed four-foot rear and interior side setbacks for a lot with a proposed or existing single-family dwelling, provided the total floor area is not more than 800 square feet and a height of 16 feet. The accessory dwelling unit may be combined with a junior accessory dwelling unit described in paragraph (1) of this subdivision.~~

~~(3) — Multiple accessory dwelling units within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings. The County shall allow at least one accessory dwelling unit and a maximum of 25 percent of the existing multifamily dwelling units.~~

~~(4) — Not more than two accessory dwelling units that are located on a lot that has an existing multifamily dwelling, but are detached from that multifamily dwelling and are subject to a height limit of 16 feet and four-foot rear and interior side setback.~~

Exhibit C: Public Comments (a)

Dear Planning Commissioners and Planning Staff,

My name is Jonathan Casillas, and I am a resident and property owner in San Bernardino County. I want to thank the Planning Department for the effort that has gone into preparing the updated ADU ordinance and for making this process accessible to the public.

After reviewing the draft ordinance, I'd like to respectfully request that the County consider adopting the optional provisions of California Assembly Bill 1033, which authorize local jurisdictions to allow separate conveyance of Accessory Dwelling Units as condominiums.

This change would align San Bernardino County with the State's broader housing goals by:

1. Expanding attainable homeownership opportunities for residents who might otherwise be priced out of the traditional housing market.
2. Unlocking new equity for existing homeowners, allowing them to create generational wealth or fund additional housing improvements without selling their entire property.
3. Encouraging responsible infill development, providing a path for more sustainable, small-scale home creation that supports the local economy.

AB 1033 does not mandate cities or counties to permit separate sales — it simply empowers them to opt in under a controlled and legally defined framework. By incorporating this flexibility into the County's ordinance, the Planning Commission would give residents and future policymakers the ability to respond to changing housing needs without requiring a full code overhaul.

I fully understand the importance of maintaining consistency with the Subdivision Map Act and ensuring that infrastructure and financing requirements are met. Nonetheless, many other California jurisdictions are now exploring pilot programs under AB 1033, and I believe San Bernardino County can take a proactive leadership role in addressing the housing crisis while maintaining local control and community standards.

Thank you for your time and consideration of this request. I appreciate the County's commitment to transparent public participation and look forward to the continued evolution of ADU policy in our region.

Warm regards,

Jonathan Casillas