

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

April 21, 2026

FROM

MIGUEL FIGUEROA, Director, Land Use Services

SUBJECT

Noticing Requirements for Pending Land Use Decisions

RECOMMENDATION(S)

1. Conduct a public hearing to consider proposed ordinance relating to written requests for notice of pending land use decisions.
2. Find that the proposed ordinance is an exempt project under the California Environmental Quality Act Guidelines, Title 14 of the California Code of Regulations Section 15061(b)(3) (Common Sense Exemption).
3. Adopt the findings recommended by the Planning Commission for approval of the proposed ordinance.
4. Make alterations, if necessary, to the proposed ordinance.
5. Approve introduction of the proposed ordinance.
 - An ordinance of San Bernardino County, State of California, to amend Subsections 85.03.080(a)(2) and 86.07.020(b)(1)(D) of the San Bernardino County Code relating to written requests for noticing of pending land use decisions.
6. **ADOPT ORDINANCE No. 4511.**
7. Direct the Land Use Services Department to file a Notice of Exemption in accordance with the California Environmental Quality Act.
(Presenter: Miguel Figueroa, Director, 387-8311)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Promote and Fulfill the Countywide Vision.

Improve County Government Operations.

FINANCIAL IMPACT

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). Adequate appropriation and revenue to complete this action have been included in the Land Use Services Department, Planning Division's (Department) 2025-26 budget.

BACKGROUND INFORMATION

This item includes the adoption of an ordinance amending provisions of Title 8 of the San Bernardino County Code (Development Code) related to written requests for notice of pending land use decisions.

Subsection 85.03.080 of the Development Code implements and modifies the State's public noticing requirements and procedures for pending land use decisions and required public hearing notices. This includes notices mailed to persons who request to be notified in

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accordance with Government Code Section 65092. The current verbiage of the Development Code, however, provides a narrow application of requests for notice by limiting the request to specific projects, whereas State law authorizes broad, non-project specific, requests. The Development Code provision is also silent on designated persons within the County that are eligible to receive these requests, the imposition of a fee for the cost of providing this service, and whether the request must be renewed.

The ordinance will amend Subsection 85.03.080(a)(2) to conform with Government Code Section 65092as follows:

- Allows a person to file a broad written requests for notice or for a project-specific request for notice;
- Allows a person to request the County deliver the notice electronically;
- Designates the Clerk of the Board and the Director of the Land Use Services Department (Department) as the authorized representatives of the County to receive the written requests for notice;
- Authorizes the Department to impose a fee for the cost of providing the service;
- Provides that a written request expires on December 31st of the calendar year received but can be renewed annually within 30 days of expiration; and
- Requires the Director of the Department to notify all parties who have filed a written request informing them of the expiration and option to renew.

These changes will align the County's written request for notice provisions with State law and provide both the public and the Department much needed clarity as it pertains to noticing requests.

Subsection 86.07.020(b)(1)(D) of the Development Code also relates to the method of noticing public hearings and is amended to maintain consistency with the changes noted above.

The proposed ordinance is exempt from the California Environmental Quality Act pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3) because regulations related to providing written notice of pending land use applications have no possibility of having a significant effect on the environment.

The Development Code requires a recommendation from the Planning Commission for final action by the Board of Supervisors on amendments to the Development Code. At the Planning Commission hearing on March 19, 2026, the Planning Commission made a minor change to the code language requiring the Director of the Department to notify all requesters at least 30 days before request expiration and inform them of renewal options. The Planning Commission recommended approval of the proposed ordinance by unanimous vote of 4-0 (Third District Commissioner absent). The Planning Commission's recommendation and proposed findings are included within the Planning Commission Staff Report and attached as a supporting document to this item. The proposed ordinance is being adopted the same day in accordance with Government Code Section 25131 as result of following the State's Planning and Zoning law which required the proposed ordinance be passed after notice and public hearing.

PROCUREMENT

Not applicable.

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REVIEW BY OTHERS

This item has been reviewed by County Counsel (Jason Searles, Supervising Deputy County Counsel, 387-5455) on March 26, 2026; and County Finance and Administration (Iliana Rodriguez, Administrative Analyst, 386-8392) on March 31, 2026.

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Record of Action of the Board of Supervisors
San Bernardino County

Hearing Opened
Public Comment: None
Hearing Closed

APPROVED

Moved: Joe Baca, Jr. Seconded: Curt Hagman
Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: April 21, 2026



cc: File - Land Use Services Department w/ attachments
JLL 04/22/2026