

1 Area of San Bernardino County has necessitated the need for the County to propose this
2 ordinance.

3
4 SECTION 2. Section 16.0215C(a)(8)(E) is added to Chapter 2 of Division 6 of
5 Title 1 of the San Bernardino County Code, to read:

6 **16.0215C Land Use and Development Review - Code Enforcement.**

7 (a) (8) Special use permits:

8 (E) Short-term Private Home Rental Permit:

- 9 (I) Initial permit application \$155.00
10 (II) Biennial renewal \$124.00
11 (III) Appeal to the Planning Commission \$1,050.00
12

13 SECTION 3. Subsection 83.010605(b) of the San Bernardino County Code is
14 amended, to read:

15 **83.010605 Appeal of a Land Use Decision**

16 (b) The Planning Commission shall consider appeals regarding land use
17 decisions made by any County agency, department, office, official or officer. The Planning
18 Commission may refer consideration of an appeal to the Board of Supervisors, except for
19 those decisions involving only a variance, determination as to the completeness of an
20 application, the determination to approve or deny a Home Occupation Permit, the
21 determination to approve or deny a Short-Term Private Home Rental Permit, an Accessory
22 Wind Energy Systems Permit, or the requirement for preparation of an Environmental
23 Impact Report. In these instances the Planning Commission decision shall be the final and
24 conclusive decision. The Board of Supervisors will not accept nor consider an appeal of
25 these Planning Commission decisions.
26

27 SECTION 4. Section 84.0220 of the San Bernardino County Code is amended,
28 to read:

1 **84.0220 Residential Land Use Types.**

2 The occupancy of living accommodations, where the accommodations are owned or are leased
3 or rented on a monthly or greater basis. The short-term rental of private homes shall be allowed
4 in the Mountain Area, and regulated in accordance with Section 84.0645 of this Title.

5 (a) **Single dwelling unit.** A detached structure or combination of structures
6 designed and/or used to house not more than one family, including all domestic employees of
7 such family in which is provided provisions for sleeping, eating, cooking and sanitation as
8 required by this Code and the Uniform Fire Code.

9 (b) **Multiple dwelling unit.** A multiple dwelling unit is a series or combination of
10 dwelling units, either attached or detached, designed to house more than one family with
11 individual, shared or no kitchen privileges (e.g., apartments, condos, boarding houses,
12 residential hotels).

13 (c) **Mobilehome Park.**

14 (d) **Social care facility with six or fewer clients.**

15 (e) **Social care facility with seven or more clients.**

16
17 SECTION 5. Section 84.0645 is added to Chapter 6 of Division 4 of Title 8 of
18 the San Bernardino County Code, to read:

19 **84.0645 Short-Term Private Home Rental Permit**

20 (a) Short-term private home rentals, as defined in Section 812.16169, within the
21 Mountain Area, as defined in Section 812.13115, shall be permitted, provided that a Short-
22 term Private Home Rental Permit is issued and all of the standards and conditions
23 contained in this section are fulfilled. This permit shall be renewed on a biennial basis. Multi-
24 family condominium units in fee-simple ownership, or owned on a time-share basis, that are
25 located in a multi-family land use district, within the unincorporated mountain area, as
26 defined in Section 812.13115, which have received a previous land use approval from the
27 County, are exempt from the requirements of this section and are not required to obtain a
28 Short-term Private Home Rental Permit in order to rent a unit.

1 (b) In evaluating an initial application to issue a Short-term Private Home Rental
2 Permit, County staff shall inspect the subject property to determine maximum parking
3 capacity for the property and to verify compliance with all applicable provisions of this
4 section affecting the exterior of the unit. Upon the renewal of the permit, the unit shall be re-
5 inspected to ensure continued compliance of all exterior requirements, conditions and
6 standards of this Title and of all other applicable codes and ordinances.

7 (c) Notification Requirements

8 (1) The County will notify all contiguous property owners in writing that the
9 specific unit is available as a short-term rental. This notification shall clearly state the
10 following information:

11 (A) The name of the managing agency, agent, property manager, or
12 owner of the unit, and a telephone number at which that party may be reached on a 24-hour
13 basis;

14 (B) The maximum number of occupants permitted to stay in the unit;

15 (C) The maximum number of vehicles allowed to be parked on the
16 property, and

17 (D) Whether or not the unit has been approved to permit on-street
18 parking

19 (2) Information on the permitted occupancy and parking capacity for each
20 unit and trash disposal requirements shall be stated in the rental information and agreement
21 provided to prospective renters, prior to their occupancy of the unit.

22 (3) Each short-term private home rental unit shall have a clearly visible and
23 legible notice posted within the unit on or adjacent to the front door, containing the following
24 information:

25 (A) The name of the managing agency, agent, property manager, or
26 owner of the unit, and a telephone number at which that party may be reached on a 24-hour
27 basis;

28 (B) The maximum number of occupants permitted to stay in the unit;

1 (C) The maximum number of vehicles allowed to be parked on the
2 property;

3 (D) Notification of the arrangements that the owner has made
4 relative to proper trash and refuse disposal;

5 (E) Notification that failure to conform to the parking and occupancy
6 requirements of the structure is a violation of the County Code; and

7 (F) Whether or not the unit has been approved to permit on-street
8 parking.

9 (d) Standards and Conditions of Operation

10 (1) The owner shall be responsible for compliance with all applicable codes
11 regarding Fire, Building and Safety, Health and Safety and other relevant laws. The owner
12 shall also comply with the National Fire Protection Association Standards or regulations.

13 (2) The owner, managing agency, property manager or agent shall be
14 personally available by telephone on a 24-hour basis to respond to calls regarding the
15 condition and/or operation of the unit. Failure to respond to calls in a timely and appropriate
16 manner may result in revocation of the permit authorizing the use. For purposes of this
17 section, responding in a timely and appropriate manner shall mean that a response to an
18 initial call shall be made within two hours of the time the call was made, and within 24 hours
19 of the initial call corrective action shall be commenced to address any violation of this
20 section.

21 (3) The maximum occupancy of a short-term private home rental unit shall
22 be one person per 100 square feet of building area, excluding garages or other accessory
23 buildings; provided, however, that in no case may the occupancy of a short-term private
24 home rental unit exceed the number of raised sleeping beds, as defined in Section
25 812.18002, provided for each guest that is two years of age and older.

26 (4) The following additional requirements for short-term private home
27 rentals shall constitute minimum requirements. The unit must be brought into conformance
28 with these requirements and any other applicable codes and ordinances in order for the use
to be allowed.

1 (A) The address of unit must be legible from the street.

2 (B) Short-term private home rentals shall be maintained in a clean
3 and sanitary condition and free from hazards, which shall include meeting the following
4 requirements:

5 (I) There shall be no permanent use of extension cords for
6 appliances, heaters, lamps or other fixtures;

7 (II) Bedroom windows shall be operable to allow for
8 emergency egress;

9 (III) There shall be no accumulation of trash and/or debris on
10 the site or within the unit;

11 (IV) All trash collection receptacles shall be "animal-proofed",
12 as defined in Section 812.01125;

13 (V) Trash shall be removed from the premises after each
14 occupancy, there shall be no trash storage on site, unless commercial trash collection is
15 provided; and

16 (VI) The main entrance to the unit shall be illuminated when
17 the unit is occupied, provided, however, that any exterior lighting shall be designed and
18 located so as to comply with Section 87.0920 or Section 87.0921 of this Title relative to
19 glare and outdoor lighting. This requirement may be met with an operational motion-
20 activated lighting fixture.

21 (C) Parking shall be provided on-site to meet the occupancy of each
22 short-term private home rental at a ratio of not less than one parking space per bedroom.
23 Parking spaces may include garage, carport and driveway spaces, and may allow for
24 tandem parking. Where the rental property parcel abuts a paved street or road, all parking
25 areas shall be surfaced with a minimum of two inches of road-mixed surfacing, County
26 Public Works Department Specification No. 38. No overnight on-street parking shall be
27 permitted, except where the street is paved to the full width of the ultimate right-of-way.
28 This provision does not exempt renters and their guests from compliance with the existing
provisions of Title 5, Division 3, Chapter 3, Section 53.033, regarding parking in Snow

1 Areas. Parking, or leaving a vehicle unattended within a snow area, so as to interfere with
2 snow removal operations, shall be unlawful.

3 (D) Snow removal from driveways and off-street parking areas is
4 required to be performed prior to each occupancy period.

5
6 SECTION 6. Section 812.01125 is added to Chapter 1 of Division 12 of Title 8
7 of the San Bernardino County Code, to read:

8 **812.01125 Animal-Proofed.**

9 "Animal-Proofed:" Resistant to animals (such as dogs, coyotes, raccoons) opening, tipping
10 over or otherwise gaining access to trash thereby causing trash to be scattered. Trash cans
11 shall be secured in an upright condition so as to prevent falling on their side. Trash cans
12 shall have lids that can be secured with self-contained locking handles, bungee cords or
13 other suitable methods.

14
15 SECTION 7. Section 812.13007 is added to Chapter 13 of Division 12 of Title
16 8 of the San Bernardino County Code, to read:

17 **812.13007 Managing Agency or Agent.**

18 "Managing Agency or Agent:" A person, firm or agency representing the owner of a private
19 home rental, or a person, firm or agency owning one or more private home rental.

20
21 SECTION 8. Section 812.16169 is added to Chapter 16 of Division 12 of Title
22 8 of the San Bernardino County Code, to read:

23 **812.16169 Private Home Rental, Short-Term.**

24 "Private Home Rental, Short-Term:" A dwelling unit, including either a single family
25 detached or multiple family attached unit, owned, leased or rented on a less than 30 day
26 basis. This definition includes a second dwelling unit onsite. (The ongoing month-to-month
27 tenancy granted to the same renter for the same unit is not included in this definition.) Multi-
28 family condominium units in fee-simple ownership, or owned on a time-share basis, that are
located in a multi-family land use district, within the unincorporated mountain area, as

1 defined in Section 812.13115, which have received a previous land use approval from the
2 County, are exempt from the requirements of this section and are not required to obtain a
3 Short-term Private Home Rental Permit.

4 SECTION 9. Section 812.18002 is added to Chapter 18 of Division 12 of Title
5 8 of the San Bernardino County Code, to read:

6 **812.18002 Raised Sleeping Beds.**

7 "Raised Sleeping Beds:" A piece of furniture on or in which to lie and sleep, which is
8 elevated off of the floor at least two (2) feet. For the purposes of this definition, a single (or
9 twin) bed will accommodate one person, while a double, queen or king bed will each
10 accommodate two persons.

11
12 SECTION 10. This ordinance shall become effective thirty (30) days after its
13 adoption.

14
15 _____
16 BILL POSTMUS, Chairman
17 Board of Supervisors
18
19
20
21
22
23
24

25 SIGNED AND CERTIFIED THAT A COPY OF THIS
26 DOCUMENT HAS BEEN DELIVERED TO THE
27 CHAIRMAN OF THE BOARD

28 DENA M. SMITH,
Clerk of the Board of Supervisors
of the County of San Bernardino

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

STATE OF CALIFORNIA)
)ss.
COUNTY OF SAN BERNARDINO)

I, DENA M. SMITH, Clerk of the Board of Supervisors of the County of San Bernardino, State of California, hereby certify that at a regular meeting of the Board of Supervisors of said County and State, held on the _____ day of _____, 2006 at which meeting were present Supervisors:

and the Clerk, the foregoing ordinance was passed and adopted by the following vote, to wit:

- AYES:
- NOES:
- ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Board of Supervisors this _____ day of _____, 2006.

DENA M. SMITH,
Clerk of the Board of Supervisors of the County

Deputy