

4.0 LAND USE PLAN

The Land Use Plan dictates the appropriate use of land and sets the character for development in the Old Town Specific Plan area. This chapter provides the framework to develop the Old Town as a mixed-use, pedestrian-friendly environment that is the focus for new higher-intensity development in the city. The Land Use Plan comprises the text in this chapter and the Land Use Map illustrating the land use mix and distribution within the Old Town area. This chapter constitutes the zoning regulations for property within the Specific Plan area.

This chapter contains the following sections:

- 4.1 Land Use Districts describe each of the land use categories for the Specific Plan area and reflect the development strategy in terms of mix of uses, density, and intensity of development. These land use districts are consistent with the land use policies and designations in the City's General Plan.
- 4.2 Land Use Map for Old Town Victorville translates the community's vision for the Specific Plan area by identifying specific land use designations for individual properties.
- 4.3 Development Types illustrate appropriate building product types for each of the land use districts.
- 4.4 Permitted Uses Table identifies allowable uses for all of the land use categories permitted within the Specific Plan area. Permitted use listings are provided by general use category on the basis of common function or characteristics. For a detailed list of use definitions, see Appendix A: Glossary.
- 4.5 Accessory Uses allows for compatible uses associated with the primary use but to the extent that it does not overwhelms the principal use.
- 4.6 Special Requirements for Certain Uses - some uses may negatively impact the neighborhood or adjacent uses, therefore to ensure these uses are developed or operated properly, certain requirements have been included.
- 4.7 Process to Determine Similar Uses establishes an administrative process for the zoning Administrator to determine that land uses are similar to other permitted uses with specific findings of similarity, compatibility, and consistency.
- 4.8 Temporary Uses – Allows for short term uses up to several times a year that are not necessarily associated with the primary use. These use should promote and generate pedestrian activity within the Old Town Specific Plan area.

4.9 Nonconforming Uses provision identifies the applicable City Municipal Code for managing existing uses that do not conform to the regulations of this plan.

4.10 Historical Resource Preservation allows for the designation and protection of Historical Places and Buildings.

4.11 Historic Wall Murals allows for the installation of Historic Murals in Old Town.

4.1 Land Use Districts

The Specific Plan land use districts implement the goals, policies, and objectives of the City’s General Plan. The land use districts reinforce Old Town as the traditional downtown retail core supported by residential and employment uses in the area.

The land use districts established by this chapter are intended to:

- Promote the integration of compatible land uses;
- Provide a concentration of high-density commercial, office, and residential uses;
- Encourage greater recreational use of the open space areas north of the railroad tracks;
- Establish a location for cottage industry, live/work, and research and development in Old Town; and
- Identify the area adjacent to the transit station as a focal point in the downtown through the development of a plaza and high quality design features; and
- Provide for an anchor development to support the community.

Table 4.1 below lists each land use district with corresponding symbol, description, and listing of allowed density and intensity of land use. Additional development standards for each district are outlined in Chapter 5.0.

Table 4.1 Land Use Districts

Symbol	Land Use District	Gross Density & Intensity Allowed	Description
RM	Residential Medium Density	Up to a maximum 15.0 du/acre	This district provides for both attached and detached multi-family residential dwelling units. Clustered single-family units, duplexes, triplexes, quadplexes, townhomes, rowhouses, condominiums, brownstones, stacked flats, and small apartment complexes are appropriate for this area.
RMO	Residential Medium Density Overlay District	Up to a maximum 15.0 du/acre	This overlay district requires that the entire overlay (both parcels) develop with a single development plan to allow shared access and a consistent design and development standards. Therefore a Planned Unit Development (PUD) is required, however each parcel may build independently.

Symbol	Land Use District	Gross Density & Intensity Allowed	Description
RMH	Residential Medium-High Density	15.1 – 25.0 du/acre	This district allows both attached and detached multi-family residential housing at higher densities. This district is intended for townhomes, rowhouses, condominiums, brownstones, stacked flats, and apartment complexes.
MUR	Mixed-Use Retail	18.0 – 25.0 du/acre 0.6 – 3.0 FAR 3 stories max	This district provides for neighborhood commercial and residential mixed-use development. Retail uses are required along the ground-floor frontage of 7 th Street and D Street. Office and/or residential uses are allowed behind or above as part of a Development Plan, incorporating horizontal mixed use to the extent feasible. Specialty retail uses that promote Old Town’s historic Route 66 heritage are strongly encouraged.
MURO	Mixed-Use Retail Overlay District		This overlay restricts MUR uses, requiring retail on the ground-floor frontage along 7 th Street and D Street, as noted in the MUR district and Table 4.2 Permitted Uses .
MUS	Mixed-Use Service	18.0 – 25.0 du/acre 0.6 – 3.0 FAR 3 stories max	This district provides for neighborhood service-oriented commercial and office developments. Service, professional office, medical, retail, and commercial are required along the ground-floor frontage of 7 th Street, D Street, and Hesperia Road. Service, office, and residential uses are permitted above or behind as part of a Development Plan, incorporating horizontal mixed use to the extent feasible.
MUSO	Mixed-Use Service Overlay District		This overlay restricts MUS uses, requiring retail on the ground-floor frontage along 7 th Street, D Street, and Hesperia Road, as noted in the MUS district and Table 4.2 Permitted Uses .
CA	Community Anchor		This district allows for the development of a community based use such as a community center, school, arts theater and auditorium. The use shall be a community anchor and benefit all citizens of Old Town.
LI	Light Industrial	Up to a maximum of 8.0 du/acre 0.5 – 1.0 FAR 1 story maximum for industrial uses 2 story maximum for live/work developments	This district provides land for incubator industrial sites, cottage industry, and other light industrial or manufacturing uses. The uses in this category include activities that occur entirely within an enclosed building. Low-intensity research and development and business park development are accommodated in this designation. In addition, live/work units are permitted. In live/work developments, residential units are allowed on the second story over ground-floor incubator industrial businesses owned/inhabited by the business owner/user.
OS	Open Space		This district is reserved for open space, natural resources, and recreational activities. The district includes lands that are to remain in a natural state, such as flood hazard areas. Play areas, ball fields, trails, lakes, and detention basins are allowed.
AOS	Active Open Space		This district is intended for more intense recreational use than the Open Space designation, providing plazas for public congregation and pay-and-play recreational activities. The district includes lands for parks, community gardens, golf courses, swimming pools, tennis courts, and ball fields.

Symbol	Land Use District	Gross Density & Intensity Allowed	Description
PB	Public Benefit Overlay District		This site is a highly desirable site and is intended to be a focal point within the downtown. This overlay is characterized by enhanced design regulations and required amenities, such as a plaza and vertical architectural elements such as a tower.

4.2 Old Town Victorville Land Use Mix

The Land Use Map shown in **Figure 4.1** is the blueprint for the development and use of land in Old Town. The Land Use Map is intended to transform the existing project area to an environment characterized by a dense development pattern with a mix of residential, commercial, and industrial spaces. The mix and concentration of higher-intensity land uses shown on the Land Use Map is intended to establish Old Town as the desired place in the city to live, work, shop, and open a business. The existing rail station is anticipated to act as a catalyst for future development, as growing numbers of residents and workers are expected to use the station. The area adjacent the transit station will be transformed to a large pedestrian plaza and focal point of Old Town.

The Land Use Map demonstrates how the land use districts relate to the hierarchy and function of the streets throughout Old Town.

The hierarchy of streets is as follows:

7th Street as Main Street

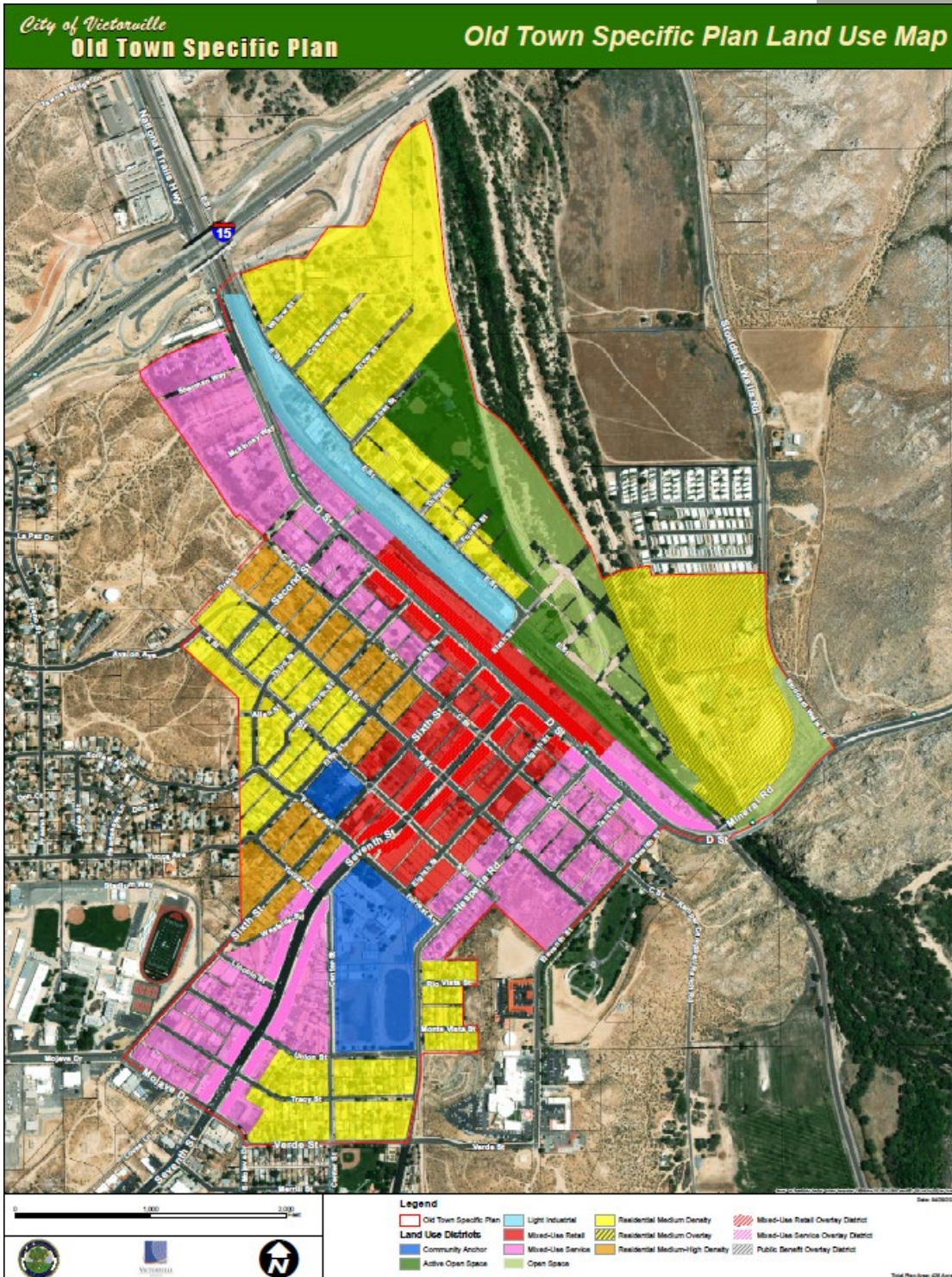
Hesperia Road/9th Street as the bypass moving fast traffic away from Old Town

D Street as a commercial corridor

Minor streets located behind the three major streets provide supporting uses to the downtown

The three main corridors in the downtown—7th Street, Hesperia Road, and D Street— experience the most traffic and get the most visibility and are therefore the best location for commerce. Retail storefronts are required along the ground-floor street frontage of 7th Street and D Street to activate these important pedestrian-oriented streets. Residential and downtown service uses are located on minor streets behind the major corridors and provide the population and services necessary to support Old Town businesses.

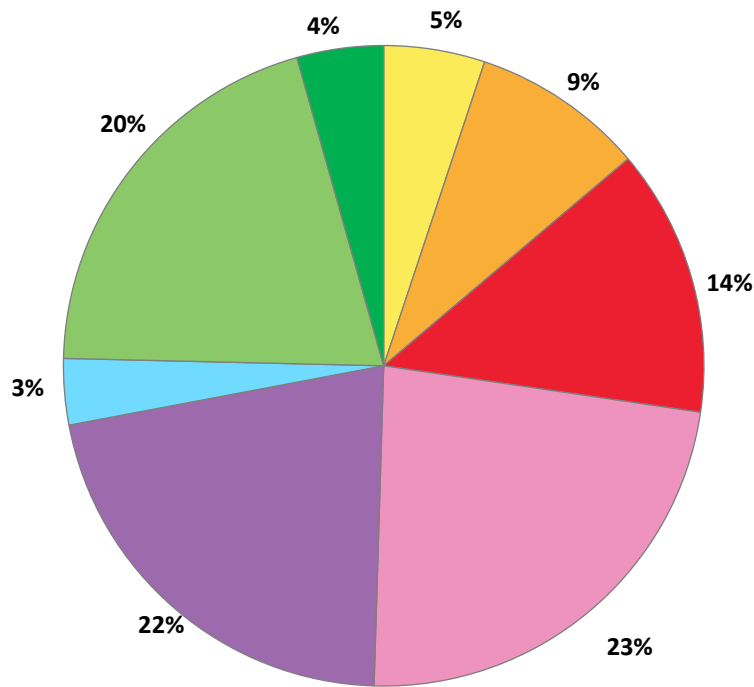
**Figure 4.1
 Land Use Map**



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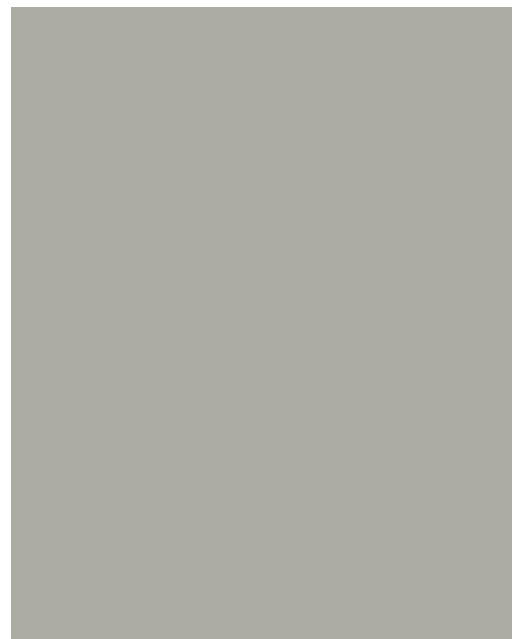
The figure below demonstrates the distribution of parcel acreage in the Specific Plan area designated for each land use district.

Figure 4.2
Land Use Distribution



Land Use Designation

- Residential Medium Density (RM)
- Residential Medium-High Density (RMH)
- Mixed-Use Retail (MUR)
- Mixed-Use Service (MUS)
- Commercial (C)
- Light Industrial (LI)
- Open Space (OS)
- Active Open Space (AOS)



4.3 Development Types

The following table provides a visual dictionary of building product type examples typical for each of the land use districts.

Residential Medium Density (RM)



Residential Medium High (RMH)



Mixed-Use Retail (MUR/MURO)



Mixed-Use Service (MUS/MUSO)



Commercial (C)



Light Industrial (LI)



Open Space (OS)



Active Open Space (AOS)



Public Benefit Overlay (PB)



4.4 Permitted Uses

The Permitted Uses table, **Table 4.2**, below lists the uses allowed for each district within the Specific Plan area. It identifies permitted, conditional, and non-permitted uses in the Specific Plan area, indicated by the following symbols:

P = Permitted by right

C = Conditional Permitted (approval of a Conditional Use Permit is required)

– = Not Permitted

Uses not listed in the table are also not permitted. Please see **Appendix A: Glossary** for definitions of the permitted uses.

Table 4.2 Permitted Uses

LAND USE CLASSIFICATION	<i>P = Permitted; C = Conditional; – = Not Permitted</i>									
	RM(O)	RMH	MUR	MURO	MUS	MUSO	CA	LI	OS	AOS
Residential Use Listings										
Adult Day Care Home (less than 24-hour care, 1–6 adults)	P	P	–	–	–	–	–	–	–	–
Residential Care Home (24-hour care, 1–6 adults)	P	P	–	–	–	–	–	–	–	–
Child Day Care Facility	C	C	C	–	C	–	–	–	–	–
Cluster Housing	P	P	–	–	–	–	–	–	–	–
Dwelling, Accessory Unit	P	P	–	–	–	–	–	C	–	–
Dwelling, Multi-Family	P	P	C ²	–	C ²	–	–	C	–	–
Dwelling, Single-Family	P	–	–	–	–	–	–	–	–	–
Dwelling, over ground-floor office or retail	–	–	P	P ¹	P	P ¹	–	P	–	–
Family Day Care Home, Large (1–14 children)	C	C	–	–	–	–	–	–	–	–
Home Occupation	P	P	P	–	P	–	–	P	–	–
Live/Work Facility	C	C	P	–	P	C	–	P	–	–
Low Barrier Navigation Center	P	P	P	P	P	P	–	P	–	–
Community Service Use Listings										
Assembly Use (e.g., church, club, lodge, mortuary, social hall)	C	C	C	–	C	–	C	–	C	C
Clothing/Meal/Supply Distribution	C	C	–	–	–	–	–	–	–	C
Community Center/Civic Uses	–	–	P	C	P	–	P	C	C	P
Community Garden	P	P	P	C	P	C	P	C	P	P
Equestrian Uses	–	–	–	–	–	–	–	–	P	C
Indoor Amusement/Entertainment	–	–	C	C	C	C	–	–	–	P
Indoor Fitness and Sports Facilities	–	–	C	C	C	C	P	–	C	P
Libraries and Museums	–	–	P	C	P	C	C	–	C	C
Outdoor Commercial Recreation	–	–	–	–	–	–	C	–	C	P
Parks and Public Plazas	P	P	P	P	P	P	P	P	P	P

LAND USE CLASSIFICATION	<i>P = Permitted; C = Conditional; – = Not Permitted</i>									
	RM(O)	RMH	MUR	MURO	MUS	MUSO	CA	LI	OS	AOS
Public Safety Facility	P	P	P	P (1K SF max)	P	P (1K SF max)	C	P	C	P
Schools – Public	P	P	P	–	P	–	P	C	–	–
Schools – Private	P	P	P	–	P	–	C	C	–	–
Schools – Vocational	P	P	P	C	P	P	C	C	–	–
Theatres and Auditoriums	–	–	P	C	P	C	P	C	C	C
Utility, Transportation and Communication Use Listings										
Park-and-Ride Facility	–	–	P	–	P	–	–	P	–	–
Railroad Maintenance Yard	–	–	–	–	–	–	–	C	–	–
Telecommunications Facility	C	C	P	–	P	–	–	C	C	C
Transit Stations and Terminals	–	–	P	P	P	P	–	P	–	–
Utility Facility and Infrastructure	–	–	–	–	C	–	–	C	C	C
Retail, Service, and Office Listings										
Alcoholic Beverage Sales (Off Sale) ³	–	–	C	C	C	C	–	–	–	–
Art studio	–	–	P	P	P	P	–	C	–	–
Banks and Financial Services	–	–	P	P ¹	P	P	–	–	–	–
Bed and Breakfast Inn	P	P	P	P ¹	P	P	–	–	–	–
Brew Pub or Micro-brewery (ABC Type 23)	–	–	C	C	C	C	–	C	–	–
Business Support Services	–	–	P	–	P	P	–	P	–	–
Convenience Store	C	C	P	–	P	P	–	C	–	–
Drive-in/Drive-through Sales & Services	–	–	–	–	C	C	–	–	–	–
Grocery Store (30K SF max)	–	–	P	P	P	P	–	–	–	–
Home Improvement Supplies (SF max)	–	–	P (3K)	P(3K)	P(5K)	P (5K)	–	–	–	–
Hotels/Motels	–	–	P	P	P	P	–	–	–	–
Laundromat	–	–	P	–	P	–	–	C	–	–
Medical Services – General	–	–	P	P	P	P	–	–	–	–
Neighborhood Market	C	C	P	P	P	P	–	–	–	–

LAND USE CLASSIFICATION	<i>P = Permitted; C = Conditional; – = Not Permitted</i>									
	RM(O)	RMH	MUR	MURO	MUS	MUSO	CA	LI	OS	AOS
Office – Business and Professional	–	–	P	P ¹	P	P	-	P	–	–
Office – Accessory	–	–	P	–	P	P	-	P	–	–
Personal Services	–	–	P	P	P	P	-	C	–	–
Personal Services, Restricted	–	–	C	–	C	C	-	–	–	–
Pet Shop & Grooming	–	–	P	P	P	P	-	–	–	–
Plant Nursery (Retail)	–	–	C	–	P	–	-	–	–	–
Research & Development	–	–	–	–	–	–	-	P	–	–
Restaurants (including beer and wine)	–	–	P	P	P	P	-	C	–	–
Restaurants (including liquor)	–	–	C	C	C	C	-	-	–	–
Retail – Accessory	–	–	P	P	P	P	-	P	–	–
Retail – General	–	–	P	P	P	P	-	C	–	–
Retail – Restricted	–	–	C	–	C	–	-	C	–	–
Thrift Stores	-	-	P	P	P	P	-	C	-	-
Veterinary Facility	–	–	P	–	P	–	-	–	–	–
Auto Parts Sales	–	–	–	–	P	–	-	–	–	–
Auto Repair	–	–	–	–	C	C	-	–	–	–
Car Wash (full service) and Detailing	–	–	–	–	C	C	-	–	–	–
New and Used Auto Sales	–	–	–	–	C	C	-	–	–	–
Service/Gas Station	–	–	–	–	C	C	-	–	–	–
Industrial, Manufacturing, and Processing Use Listings										
Custom Manufacturing	–	–	–	–	–	–	-	P	–	–
Cottage Industry	C	C	P	–	P	–	-	P	–	–
Printing and Publishing	–	–	–	–	C	–	-	P	–	–
Recycling Facility – Collection	–	–	–	–	C	–	-	P	–	–
Other Similar Uses as Determined by the Zoning Administrator or the Planning Commission										
Similar Uses	C/P	C/P	C/P	C/P	C/P	C/P	C/P	C/P	C/P	C/P

LAND USE CLASSIFICATION	P = Permitted; C = Conditional; – = Not Permitted									
	RM(O)	RMH	MUR	MURO	MUS	MUSO	CA	LI	OS	AOS
Transitional Uses that are Temporary in Nature on Vacant Land										
Transitional Uses	C	–	–	–	–	–	–	–	–	–

- 1 Entrances/foyers/lobbies to above-ground residential units businesses are permitted in this district, not to exceed 650 SF.
- 2 When built with a mixed-use commercial component
- 3 Refer to Municipal Code Section 16-3.07.020(a) Alcohol Sales

4.5 Accessory Uses

4.5.1 Residential

Accessory uses for residential such as home occupations, child care, renting rooms, vehicle repair and swimming pools shall be subject to the regulations set forth in the VVMC Section 16-3.07.030. This shall include accessory uses for the residential units of a mixed-use development or a live-work building.

4.5.2 Commercial, Light Industrial

Accessory uses for commercial, industrial and other non-residential accessory uses shall not exceed a total of twenty percent of the total floor area of the primary use occupying the building and include such uses as the following. Additional uses not specifically listed may approved at the discretion of the Zoning Administrator.

- a) Administrative Office
- b) Café
- c) Day Care Facility
- d) Garden – associated with a resaurant or market (may be rooftop)
- e) Market
- f) Meeting room - community or private
- g) Outdoor cooking in conjunction with a restaraunt
- h) Outdoor seating in conjunction with a restaraunt

4.6 Special Requirements for Certain Uses

Included or or in addition to the requirements of Section 16-3.07.020 of the VVMC, certain uses require development and/or operating standards in order to protect the health, safety and welfare of the community in Old Town. The following special requirements apply to certain permitted or conditional uses. Notwithstanding, the uses listed within Section 16-3.07.020 of the VVMC shall be subject to all the requirements set forth within that Section.

4.6.1 Veterans Memorial

The Veterans Memorial located on the northeast corner of Forrest and Seventh Streets is a cherished memorial for not only veterans, but for the residents of Old Town and the citizens of Victorville. Due to the importance of this memorial and the fact that parades and other gatherings often occur at and near the memorial, future land uses that will occur adjacent to this site must take this sensitive land use into account during development. Therefore, any use and/or development that will occur on the adjacent vacant parcels must provide for a public benefit buffer and amenity around the memorial that shall be installed concurrently with the development. The buffer and feature may be utilized during gatherings at the memorial by the general public and may be as basic as grass or concrete with benches and/or may contain an arbor or trellis and landscaping. The exact size and design of the buffer and amenity shall be determined during the time of project entitlement and in the case of a mixed-use development, the feature may be counted toward any open space and/or amenity requirement for that project.



4.6.2 Low-Barrier Navigation Centers

Low-Barrier Navigation Centers are permitted by-right in zones that allow for mixed-use and multi-family developments, and include the RM, MUR, MURO, MUS, MUSO, and LI zone districts. As further defined in the Glossary of Appendix A, a Low-Barrier Navigation Center is a housing first, service-enriched shelter focused on moving homeless and homeless families into permanent housing and provides temporary living facilities while on-site case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing and is subject to the operational and site requirements listed herein.

a) Operational Requirements

In accordance with CA Government Code requirements, a Low Barrier Navigation Center development shall meet the following requirements:

1. It offers services to connect people to permanent housing through a services plan that identifies services staffing.
2. Referrals and intakes of persons into a Low Barrier Navigation Center shall not occur as walkups. The facility shall be linked to a coordinated entry system, so that assessments are conducted prior to persons arriving for admittance to the facility. "Coordinated entry system" means a centralized or coordinated assessment system developed pursuant to Section 576.400(d)(d) or Section 578.7(a)(8)(a)(8), as applicable, of Title 24 of the Code of Federal Regulations, as those sections read on January 1, 2020, and any related requirements, designed to coordinate program participant intake, assessment, and referrals.
3. It complies with Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code, which includes the incorporation of the Core Components of Housing First:
 - i. Tenant screening and selection practices that promote accepting applicants regardless of their sobriety or use of substances, completion of treatment, or participation in services.
 - ii. Applicants are not rejected on the basis of poor credit or financial history, poor or lack of rental history, criminal convictions unrelated to tenancy, or behaviors that indicate a lack of "housing readiness."
 - iii. Acceptance of referrals directly from shelters, street outreach, drop-in centers, and other parts of crisis response systems frequented by vulnerable people experiencing homelessness.
 - iv. Supportive services that emphasize engagement and problem solving over therapeutic goals and service plans that are highly tenant-driven without predetermined goals.
 - v. The use of alcohol or drugs in and of itself, without other violations, is not a reason for eviction.
 - vi. In communities with coordinated assessment and entry systems, incentives for funding promote tenant selection plans for supportive housing that prioritize eligible tenants based on criteria other than "first-come-first-serve," including, but not limited to, the duration or chronicity of homelessness, vulnerability to early mortality, or high utilization of crisis services. Prioritization may include triage tools, developed through local data, to identify high-cost, high-need homeless residents.

- vii. Case managers and service coordinators who are trained in and actively employ evidence-based practices for client engagement, including, but not limited to, motivational interviewing and client-centered counseling.
 - viii. Services are informed by a harm-reduction philosophy that recognizes drug and alcohol use and addiction as a part of tenants' lives, where tenants are engaged in nonjudgmental communication regarding drug and alcohol use, and where tenants are offered education regarding how to avoid risky behaviors and engage in safer practices, as well as connected to evidence-based treatment if the tenant so chooses.
 - ix. The facility may include special physical features that accommodate disabilities, reduce harm, and promote health and community and independence among tenants.
4. It has a system for entering information regarding client stays, client demographics, client income, and exit destination through the local Homeless Management Information System as defined by Section 578.3 of Title 24 of the Code of Federal Regulations.
 5. The operator should participate in local coordination meetings with other service providers to ensure continuity of care.

b) Site Requirements

In conjunction with Title 16 design standards, a proposal for a low-barrier navigation center shall address the following:

1. A low-barrier navigation center may include general office activities and provide for services for clients such as donations, mail reception, referral services, job placement services, worship, bible study, group meetings and clothing assistance.
2. Off-street parking shall be provided at the ratio of one on-site parking space for every ten adult beds, plus one additional space for the on-site manager. No client shall sleep or live within a motor vehicle on or off the shelter property at any time.
3. All low-barrier navigation centers shall meet and comply with all Local, County and State Health and Safety codes and laws such as, but not limited to, the California Building Code, the California Fire Code and the San Bernardino County Division of Environmental Health Services.
4. Prior to occupancy, a low-barrier navigation center must be inspected to ensure all standards are met. No facility may operate unless all requirements are satisfied.
5. Any outdoor or indoor event/use not specifically permitted with a low-barrier navigation center shall require review and approval of a Temporary Use Permit by the Development Department subject to the discretion of the Zoning Administrator.

6. There shall be no outdoor storage permitted, including but not limited to, clothes lines and shopping carts.
7. Loitering or panhandling at or near low-barrier navigation centers is prohibited, including but not limited to, businesses, sidewalks, parking lots, public parks, rights-of-way or other private properties.
8. Supportive services and supplies shall only be provided to those persons residing in the Low-Barrier Navigation Center and must take place within an enclosed building.
9. On-site personnel shall be provided during all hours of operation and a designated area shall be maintained for such personnel near the main entry of the facility.
10. A low-barrier navigation center shall provide a detailed security plan for review and approval to the Development Department prior to operation. Entries and exits from the facility shall be always monitored by on-site personnel. Any violation of the approved security plan shall be grounds for the revocation of the business/occupancy license.
11. Restroom facilities shall be provided in accordance with regulations outlined in the current adopted California Plumbing Code or as otherwise required by the Building Official. Separate and secured areas shall be provided for both men and women for sleeping, showering and restroom facilities. The navigation center manager shall be responsible for ensuring that all restroom and showering facilities comply with city and state building codes.
12. All low-barrier navigation centers must obtain a business license and an occupancy permit from the Development Department.
13. Any food service or on-site meal preparation areas shall comply with all applicable City of Victorville and San Bernardino County Division of Environmental Health Services requirements.

c) Review Process

Though the use itself is permitted by-right as defined in subdivision (i) of Section 65583.2. Division 13 (commencing with Section 21000) of the Public Resources Code, the law permits a local government to implement design review standards to the proposal.

1. Each proposal for a low-barrier navigation center shall go through a Site Plan review process to ensure that the operational requirements and site requirements included herein are addressed, and that the proposal meets the definition of a Low-Barrier Navigation Center.
2. In conjunction with the Site Plan review, an applicant for a Low-Barrier Navigation Center shall submit their business proposal and include their previous experience to determine land use compatibility and compliance with the operational requirements of the facility.

d) Effective Date

The allowances for Low Barrier Navigation Centers within the Old Town Specific Plan shall remain in effect until January 1, 2027, as outlined in California Government Code Section 65668, and as of that date are thereby repealed unless otherwise extended by the State legislature.

4.7 Process to Determine Similar Uses

Recognizing that every conceivable use cannot be identified in this Specific Plan and anticipating that new uses will evolve over time, this section gives the Zoning Administrator authority to approve uses when their operation, impacts, and scale are similar to those uses listed in this Specific Plan. In making a determination that a use is similar, the Director shall make all of the following findings:

- (a) The characteristics of, and activities associated with, the proposed use are equivalent to one or more of the listed uses and will not involve a higher level of activity or population density than the uses listed in **Table 4.2 Permitted Uses**.
- (b) The proposed use is consistent with the purposes of the applicable land use district.
- (c) The proposed use is compatible with the values and the character of the land use district.
- (d) The proposed use is consistent with the General Plan and this Specific Plan.

Determinations will be made in writing and will contain the facts that support the determination. The Planning Division will maintain a record of all such determinations for public review. All determinations will be provided to the Planning Commission as an information item within 30 days of the Zoning Administrator's determination.

4.8 Temporary Uses

Temporary uses are limited short term uses that help generate additional pedestrian activity in Old Town to increase awareness, interest and revenue for local businesses as well as to encourage the community to gather. Such activities include, but are not limited to, Farmers Markets, Route 66 Car Shows, Grand Openings, Special Events, Community Events and Public Events. Those temporary uses that are deemed beneficial to the Old Town area economically and/or socially and are open to the public as well as free of charge shall not be subject to the typical fees incurred by a City issued Temporary Use Permit. The Zoning Administrator shall determine if any given Temporary Use is qualified for a fee

waiver through the Temporary Use permitting process per Section 16-3.07.050 of the VVMC.

In addition, specific site design and operational standards shall apply to certain longer-term temporary activities such as mobile food truck hubs, as outlined in Section 4.8.1:

4.8.1 Mobile Food Truck Hubs

This section shall apply only to the establishment of food truck hubs with two or more mobile food truck vendors set up on private property within the Mixed-Use Retail Overlay and Mixed-Use Service overlay zone districts. This section shall not apply to sidewalk or street vending. Additionally, this section shall not apply to a single food truck temporary use, which would be held to Title 16 standards for a Temporary Use Permit, excepting for “Special Event Permit” requirements.

a) Food Truck Hub Permit Application and Review

1. A Temporary Use Permit shall be reviewed and processed in accordance with Title 16 Temporary Use Permit standards, excluding time limitations and Special Event Permit findings as outlined in Section 16-3.07.050.
2. An application for a Temporary Use Permit (TUP) to allow for a food truck hub shall be submitted to, reviewed, and approved by the Planning Department in consultation with any other applicable reviewing City departments. A complete application including a site plan, property owner authorization, Health Department approvals, proof of City of Victorville Business Licenses, evidence of liability insurance, and other items as deemed necessary by staff shall be submitted to the City for review.

b) Food Truck Hub Operational Requirements

1. All food truck hubs shall require the approval of a Temporary Use Permit which includes site layout review and verification of written property owner approval. Only the property owner or a party designated as the owner's agent may submit a food truck hub application. The food truck vendor, event sponsors, and/or property owner, shall be jointly responsible to ensure food trucks are in full compliance with the operational standards of this chapter.

2. Hours of Operations. Mobile food vendors shall be prohibited from operating between the hours of 10:00PM to 6:00AM. Cleanup and vacation of site shall occur prior to 11:00PM.
3. A Temporary Use Permit for a food truck hub permit may be approved for a maximum period of six months at a time. Permit is renewable if no confirmed violations have been reported or have been appropriately resolved. If substantial changes to the event as approved by the original application are proposed, a new application shall be required.
4. All food truck vendors shall obtain, maintain, and display in plain view, a current and valid City of Victorville Business License and San Bernardino County Health Department Permit. Food truck vendors shall be fully responsible for complying with County Health Department requirements for the operation of the food truck, including but not limited to the storage, cooking, and serving of food items.
5. All food trucks shall be occupied and supervised by the permitted owner or authorized operator of said vehicle at all times.
6. Food trucks shall only stop, stand, or park on surfaces paved with concrete, asphalt, or a clean gravel surface as approved by the City Engineer.
7. All food preparation, cooking and storage shall occur inside the permitted vehicle or at an approved commissary off site.
8. Only food and non-alcoholic drinks shall be sold from food trucks. Alcoholic beverages may be allowed subject to City approval and authorization from the Department of Alcoholic Beverage Control (ABC).
9. No food shall be prepared, sold, or displayed outside of the food truck vehicle.
10. Food truck vendors and event organizers shall be responsible for managing customer queuing and for ensuring that safe pedestrian accessibility is maintained. While operating a food truck vehicle, vendors shall keep customers and other patrons from blocking any streets, sidewalks, paths, driveways, doorways, and other avenues of vehicular and pedestrian traffic.

11. Food trucks shall be maintained in a clean and presentable condition at all times free from graffiti, body damage, or obvious signs of deterioration (e.g., peeling paint, rust, etc.).
12. All grounds used by a food truck vendor shall be maintained at all times in a clean and presentable condition. Any trash or spills of food by-products shall be immediately cleaned up, and dumping of gray water onto the ground or public streets shall not be allowed.
13. Grease and liquid waste shall not be disposed of in or upon unapproved locations, including tree wells, storm drains, sanitary sewer systems or public streets. The food truck vendor shall collect and properly contain any new or used fat, oil, or grease substances, and shall remove from the premises said substances for disposal at an approved facility.
14. Each approved food truck shall provide a minimum of one trash receptacle and ensure that it is properly serviced to avoid accumulation of litter. All containers and their contents shall be removed from the site at the conclusion of business activities. No refuse or waste generated during the event shall be disposed in any public trash receptacle.
15. All food trucks shall be entirely self-sufficient in regards to utilities (e.g., gas, electricity, water, etc.) necessary to operate independently and efficiently.
16. Food truck hubs are subject to the City of Victorville Noise Ordinance. No horns, amplification systems, sound-producing devices/music systems, radios, televisions, which can be heard outside of the immediate area of any mobile food truck, may be used.
17. No overnight parking of a food truck or trailer shall be permitted. Food trucks shall be removed from the site when not in operation and/or at the end of an approved event.

c) Food Truck Hub Site Requirements

1. Food trucks operating for more than one hour at an approved event shall provide customers and employees access to restroom facilities within 200 feet of the food truck location. Restroom facilities shall include operational toilets and hand-washing

facilities with potable water, soap, and paper towels. The number of provided restrooms shall meet the minimum required to support the event pursuant to the current adopted California Plumbing Code or as otherwise required by the Building Official.

2. Parking. Three off-street parking spaces shall be provided on-site per each approved food truck. This parking requirement may be waived if public parking is available within 200 feet of the permitted food truck hub. Public parking is considered street parking or parking within a shared off-street parking facility with written approval from the property owner for the use of the lot.
3. Wayfinding signage shall be placed on-site to direct patrons to approved parking facilities. The submitted site plan shall include the proposal for patron parking.
4. Site amenities such as trash receptacles, tables, chairs, lighting, etc. may be proposed to remain on-site in a semi-permanent fashion provided there is oversight by the property owner to prevent loitering during non-business hours.
5. All trucks shall provide lighting to illuminate the area of business, unless the site is already well-lit, subject to the review and approval of the Zoning Administrator.
6. The applicant shall make an effort to create an appealing site environment that incorporates the retro styling of Route 66. This can be accomplished through the inclusion of temporary or semi-permanent features such as raised flower beds, furnishings, bistro lighting, and signage.

d) Prohibited Activities

No food truck vendor or sponsor of a food truck event shall:

1. Operate a food truck event in a manner that would create a public or private nuisance;
2. Knowingly allow any person on the site of a food truck event, to cause or create a disturbance in, around, or near the location of the event by offensive or disorderly conduct;
3. Knowingly allow any person to consume, distribute, possess, or sell any alcoholic beverage on the site of the food truck event,

except as expressly allowed as a condition of the permit and in compliance with the laws and regulations enforced by the State Department of Alcoholic Beverage Control;

4. Knowingly allow any person to illegally consume, distribute, possess, or sell any controlled drug or dangerous substance in, around, or near any location of a food truck or food truck event; or
5. Sell non-food items or the perform any professional or personal services from a food truck. Food and clothing giveaways are strictly prohibited.

e) Suspension or Revocation of a Food Truck Hub Permit

All violations of this section are declared to be a public nuisance and may be abated by the City in such manner as provided by law. The City may suspend or revoke any food truck hub permit issued pursuant to this chapter based upon reasonable cause, which may include any one or more of the following reasons:

1. Nonpayment of required fees or deposits to the City;
2. Violation of any permit condition;
3. Violation of any law involving the operation of the food truck event; or
4. An emergency situation constituting an immediate threat to the public health, safety or welfare as determined by the Director and/or Chief of Police.

4.9 Nonconforming Uses

Nonconforming uses are existing uses that are not permitted or not listed in **Table 4.2 Permitted Uses**. Please refer to Sections 16-3.05.010–16-3.05.070 of the Victorville Development Code for the City’s nonconforming use provisions.

4.10 Historical Resource Preservation

Historical Resources are those improvements, buildings, structures, signs, features, Historic Districts, landmarks, trees or other objects of cultural, architectural or historical significance to the City that are at least 50 years old and which have been determined to be eligible for historic designation and deemed appropriate by the Historic Preservation Committee.

4.10.1 Locally Historical

There are many current local designated Historic Points of Interest in Old Town such as the Chantry House, the Old Victor School and the Barrel House. These and other designated points of interest as well as future locally designated historic places within the Specific Plan shall be protected and not permitted to be modified, demolished (unless declared a public hazard by the Development Department i.e. Code Enforcement, Building or Fire), altered, renovated, remodeled, improved or expanded unless approved by means of a Minor Conditional Use Permit and a Minor Site Plan or a Conditional Permit and Site Plan, depending on the extent of the physical modification. The review of the modification shall utilize the *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings*. Minor improvements, renovations, ordinary maintenance and repair or any interior modifications that do not effect the exterior of the building are not subject to this requirement. This requirement shall ensure that Old Town retains its Historic Resources, preserves its Historic buildings, promotes interest and education in Old Town, fosters civic pride, encourages reuse of buildings and protects the unique character of Old Town. If the modifications will improve the structure, Planning fees may be combined together (Site Plan & CUP) subject to the approval of the ZA.

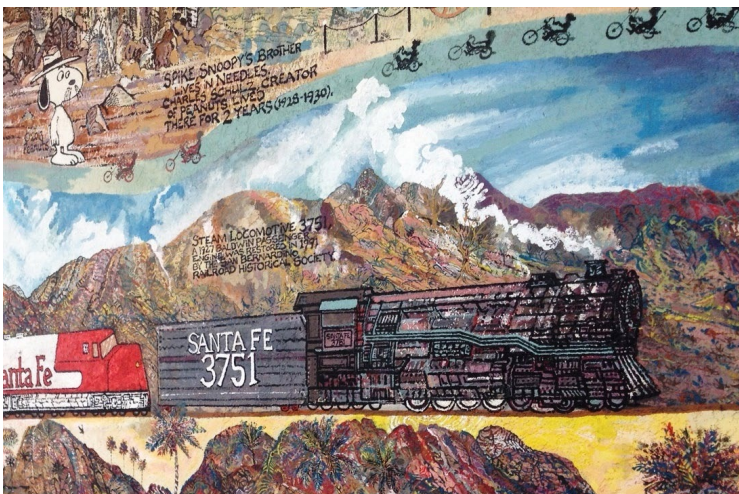


Any proposal for a Locally Historic Point of Interest, Building, Sign, Structure, Place, Block, District or other area shall be heard by the City Council after a recommendation from the Historic Preservation Committee per Section 16-1.02.080 of the VVMC and may be subject to Section 16-3.17 Historic District of the Development Code (Title 16). The City Council Resolution of historic designation shall be recorded with the property and shall be only removed if the City Council reverses designation or the historic resource is disposed of.

Although any group, entity, historical society, museum, preservation organization, governmental agency or citizen may recommend a historic designation, only a property owner may authorize a proposed historic designation of a privately held building or property.

4.10.2 State and Federal Historical

To be registered at the State or National Level with the National Register of Historic Places or the California Office of Historic Preservation, the applicant shall first be registered as a Locally Historic Resource to gain City support for a State or Federal designation. Although the City is not a party to these designations because the City is not a Certified Local Government, the City may still offer support, guidance and assistance. Additionally, by becoming a State or National Historic Resource, the structure or building may qualify for a Mills Act Contract, utilize the California Historical Building Code (CHBC), qualify for State and Federal Grants and Loans, increase property values and/or qualify for a historic plaque.



4.11 Historic Wall Murals/Public Art

Historic murals placed on buildings such as the one above completed by artist Phil Yeh in Needles, CA add nostalgia, charm and beauty to urban areas. Additionally, murals and public art attract tourists as well as patrons to Old Town.

4.10.1 Historic Wall Murals

Historic Wall murals shall be permitted by means of a Minor Conditional Use Permit subject to review and approval of the Zoning Administrator. The murals must depict a historical or cultural significant event, site, person, geographic feature, transportation device or other thing or object that ties into the historic Route 66 Theme, Railroad theme or other Historic Old Town theme. The murals may not be offensive and cannot act as signage.

A Historic Wall Mural program such as one utilized for a walking tour to encourage pedestrians to walk through Old Town, may be approved by means of a Conditional Use Permit from the Planning Commission. The program must follow the guidelines above and must have a unified theme.

4.10.2 Public Art

Public Art or a Public Art Program should have a Route 66 theme or a Mid-Century Modern period style. Because public art is typically installed on public property, it is usually a public/private venture, therefore shall be reviewed and approved by the Planning Commission and/or City Council depending on the scope of the project.

