

ATTACHMENT A

Ordinance No. 2456

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AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE, ADOPTING AN AMENDMENT TO THE CIVIC CENTER COMMUNITY SUSTAINABILITY SPECIFIC PLAN, CASE NO. PLAN25-00006, TO REDESIGNATE APPROXIMATELY 20-ACRES OF THE SPECIFIC PLAN FROM OFFICE CAMPUS TO CIVIC COMMERCIAL ON PROPERTY GENERALLY LOCATED SOUTH OF LORENE DRIVE, EAST OF VALLEY CENTER DRIVE AND WEST OF ATSTAR DRIVE; AND AN AMENDMENT TO THE LAND USE TABLE OF THE CIVIC CENTER SPECIFIC PLAN TO CONDITIONALLY PERMIT NEW VEHICLE SALES WITHIN THE CIVIC COMMERCIAL ZONE DISTRICT.

WHEREAS, Pursuant to Article XI, Section 7 of the California Constitution, the City of Victorville (the "City") is authorized to make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws; and

WHEREAS, Pursuant to Title 7, Division 1, Chapter 4, Article 2, Section 65850 of the Government Code of the State of California, the City may adopt by ordinance regulations affecting the use of buildings, structures and land; and

WHEREAS, Pursuant to Title 7, Division 1, Chapter 4, Article 2, Section 65850 of the Government Code of the State of California, the City has adopted Title 16, Chapter 3, Article 16, Section 16-3.14.010 of the Victorville Municipal Code, providing for the adoption by ordinance of specific regulations pertaining to buildings, structures and the uses of land designated as Specific Plans; and

WHEREAS, Pursuant to Section 16-3.14.040 of the Victorville Municipal Code, an authorized agent of real property has initiated an amendment to the Civic Center Community Sustainability Plan; and

WHEREAS, Pursuant to Title 7, Division 1, Chapter 4, Article 2 of the Government Code of the State of California and Section 16-2.01.040 of the Victorville Municipal Code, the Victorville Planning Commission held a public hearing on May 14, 2025, to hear arguments for and against the proposed amendment to the Civic Center Community Sustainability Plan, and after hearing all testimony offered, and after thoroughly reviewing and considering the project, the Victorville Planning Commission voted 3 – 0 adopting Resolution No. P-25-011, which recommended to the City Council

the adoption of the Specific Plan Amendment specified in Planning Case No. PLAN25-00006 as well as the associated Conditional Use Permit Resolution P-25-012; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA), and the CEQA Guidelines, the City of Victorville City Council previously adopted a Mitigated Negative Declaration for the Civic Center Community Sustainability Specific Plan in 2016; and

WHEREAS, the City Council finds on their own independent judgement and analysis that this Amendment to the Civic Center Community Sustainability Specific Plan is previously assessed under the existing Mitigated Negative Declaration for the Civic Center Community Sustainability Specific Plan and additionally it can be seen with certainty that there is no possibility the changes will have a significant effect on the environment and is therefore exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15070 of the CEQA guidelines; and

WHEREAS, the City Council finds it appropriate to periodically reevaluate the Civic Center Community Sustainability Plans land use districts and allowable land uses to consider the changes in development trends and community demands as needed to protect the public's health, safety and welfare; and

WHEREAS, the City Council finds, in accordance with the Civic Center Community Sustainability Plan, changes have occurred in the community as well as nationwide development trends reducing the demand for large scale office and educational complexes since the approval of the original Specific Plan, which warrant approving an amendment expanding allowable land uses within the City core; and

WHEREAS, the City Council finds limiting the redesignation of portions of the Office Campus district to Civic Commercial supports the use/reuse of underperforming sites and existing structures, meeting the community need to expand the commercial nature of existing commercial retail sites; and

WHEREAS, the City Council finds the proposed amendment is consistent with the General Plan for the City of Victorville in accordance with Section 65454 of the California Government Code; and

WHEREAS, the City Council finds the proposed amendment will result in a benefit to the area within the Specific Plan due to added land use allowances that include more commercially appropriate options to utilize or redevelop existing infill property; and

WHEREAS, the City Council finds should the City Council approve the recommendation to change a portion of the Office Campus land use district to Civic Commercial that the amendment will necessitate a revision to the land use map of the Civic Center Community Sustainability Specific Plan; and

WHEREAS, and after hearing all verbal and written testimony offered, including the Planning Commission's recommendation and minutes, and after thoroughly reviewing and considering the proposal, the City Council approves the recommendation of the Planning Commission to amend the Civic Center Community Sustainability Specific Plan.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF VICTORVILLE DOES HEREBY RESOLVE, DETERMINE, FIND, AND ORDER AS FOLLOWS:

Section 1. Recitals

The recitals set forth above are true and correct, and are hereby incorporated by this reference as if set forth in their entirety.

Section 2. Severability

The City Council declares that, should any provision, section, paragraph, sentence or word of this ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Ordinance as hereby adopted shall remain in full force and effect.

Section 3. Effective Date

This Ordinance shall take effect thirty (30) days after its final passage.

Section 4. Repeal of Conflicting Provision

All the provisions of the Civic Center Community Sustainability Plan as heretofore adopted by the City Council that are in conflict with the provisions of this Ordinance are hereby repealed.

Section 5. Certification

The City Clerk shall certify to the passage of this Ordinance and shall cause the same to be published according to law.

Section 6. Amendment to Civic Center Community Sustainability Specific Plan

That Specific Plan Amendment, case PLAN25-00006, an amendment to the Civic Center Community Sustainability Specific Plan is hereby amended and approved to include:

- (a) The redesignation of the Office Campus (OC) designated property east of Interstate 15, described generally as property south of Lorene Drive, east of Valley Center Drive and west of Atstar Drive, approximately 20 acres in size, to the land use designation of Civic Commercial (CC-2) which includes an amendment to the land use map of the Civic Center Community Sustainability Specific Plan; and
- (b) Additional changes to the plan are as follows:

| Legend |
|----------------------------------|
| Existing Text |
| Deleted Text |
| <u>Revised / New Text</u> |
| {Editing Notes} |

1.4.1 Amendments to Chapter 4, Land Use

| TABLE 4.1 | | |
|--------------------------------------|--------------|---|
| LAND USE CATEGORY | | DESCRIPTION |
| Commercial Districts | | |
| Community Commercial | Max 0.5 FAR | This designation provides for neighborhood services intended for residents of the immediate area. Typical uses include small scale retail and office/professional developments with individual users typically below 5,000 sq. ft. in size. This district allows for the sale of both new and used items and permits limited educational and service uses. |
| Civic Commercial | Max 0.75 FAR | This designation provides for large scale commercial development intended to serve the <u>community as a whole</u> . Typical uses include retail, restaurant, and other tax generating complementary uses. Limited service uses and large format used vehicle sales that generate tax revenue and are also permitted. |
| Auto Park | Max 0.7 FAR | This designation provides for auto dealers selling new vehicles and their associated uses. Limited accessory uses are permitted (<u>i.e.</u> retail) when located on-site of the primary use. |
| Business Districts | | |
| Civic Business Center | Max 2.0 FAR | This designation provides for professional office uses and associated retail/service uses that serve the neighboring government/service districts. Typical uses include private entities such as lawyers, architects, doctors, real estate, insurance, etc. This district also allows public uses such as parks, parking lots, recreation/ entertainment facilities, and libraries. |
| Office Campus | Max 3.0 FAR | This designation provides for large medical, office and/or educational complexes with accessory uses on-site or within walking distance. The intent of this district is to allow for large primary uses with accessory uses like retail and service on-site that serve the patrons of the primary use. |
| Government / Service District | | |
| Regional Resource | Max 4.0 FAR | This designation provides for public social services such as counseling (group or on-on-one), community health & welfare programs, housing authorities and the like. This district also serves privatized entities providing social services, including those funded by public resources. |
| Government Center | Max 4.0 FAR | This designation provides for Federal, State, County, and Local government entities. Accessory public uses such as plazas, courtyards, and public art are also permitted. |

{Table 4.1, presented on Specific Plan page 4-5 is amended as noted above.}

TABLE 4.2
 PERMITTED, CONDITIONAL, ACCESSORY AND TEMPORARY LAND USES - ALL ZONING DISTRICTS

Zoning Categories:

| | | | |
|-----------------------|----------------------------|----------------------------|-----------------------|
| Residential Districts | Professional Districts | Commercial District | Government Districts |
| CC-R Civic Commons | CBC: Civic Business Center | AP: Auto Park | GC: Government Center |
| CVM Civic Mixed | OC: Office Campus | CC-1: Community Commercial | RR: Regional Resource |
| | | CC-2: Civic Commercial | |

USE LEGEND:

P: Permitted Use C: Conditional Use Permit Required -: Not Permitted

| TYPE | USE | ZONE | | | | | | | | |
|------------------------------------|-------------------------|-------------|-----|--------------|--------------|------------|------|-----------|------------|----|
| | | Residential | | Professional | | Commercial | | | Government | |
| | | CC-R | CVM | CBC | OC | AP | CC-1 | CC-2 | GC | RR |
| 8) AUTOMOTIVE | | | | | | | | | | |
| | Auto repair / service | - | - | - | - | - | C | - | C | - |
| | Auto body and paint | - | - | - | - | - | C | - | - | - |
| | Car wash - automated | - | - | - | - | - | C | - | - | - |
| | Car wash - full service | - | - | - | - | - | C | C | - | - |
| | Fuel Station | - | - | - | C | - | C | C | C | - |
| | Parking structure | - | - | C | C | - | - | - | P | - |
| | Vehicle rental | - | - | - | - | - | C | - | - | - |
| | Vehicle sales - new | - | - | - | - | P | - | C* | - | - |
| | Vehicle sales - used | - | - | - | - | - | C | C* | - | - |
| 9) ENTERTAINMENT/RECREATION | | | | | | | | | | |
| | Indoor | - | P | - | C | - | P | P | - | - |
| | Outdoor | - | - | - | - | - | - | C | - | - |
| 10) FOOD & BEVERAGE | | | | | | | | | | |
| | Bakery / cafe | - | P | P | P | - | P | P | - | - |
| | Catering establishment | - | P | - | - | - | P | - | - | - |
| | Convenience store | - | C | C | C | - | P | P | - | - |
| | Grocery store | - | C | - | - | - | C | P | - | - |
| | Restaurant | - | P | C | C | - | P | P | - | - |

***Used** Vehicle sales within the CC-2 designation shall have a minimum lot size of 4 acres.

{Table 4.2 spans from page 4-12 through 4-17 of the Specific Plan. Only that portion of Table 4.2 shown on Specific Plan page 4-14 is amended as noted above.}

1.4.2 Amendments to Chapter 6, Urban Design

Notes:

- (1) Projects comprised of multiple parcels functioning as a single development or complex shall include minimum site requirements and dimensions as calculated by the dimensions of the overall development or complex.
- (2) Non-structural elements such as unenclosed parking, landscaping and landscape features, common areas, unenclosed recreational areas, and non-vehicular pathways, as well as other allowances provided in this Specific Plan may encroach into setback areas.
- (3) The setback shall be provided along any rear or side lot line that abuts a residential district (excluding the Civic Mixed District) not separated by a public right-of-way. The area within the required setback shall consist of a minimum fifteen-foot-wide landscape strip planted with evergreen trees adjacent to the masonry wall required by this Title, unless in the opinion of the Zoning Administrator it is deemed unnecessary due to building and site design and/or site constraints.
- (4) Unless otherwise approved by the Planning Commission.
- (5) The Zoning Administrator or Planning Commission may approve a fence or wall abutting a pathway not to exceed four feet in height based upon evidence of unique circumstances. The circumstances may include:
 - a. Documented safety and/or security problems which exceed those same problems incurred by other commercial/office developments in the nearby vicinity; and/or
 - b. Location of the development adjacent to public property; and/or
 - c. Building or site designs that require a fence or wall to separate commercial/office uses from common public areas that are detrimental to essential business functions.
- (6) Minimum lot area for ~~used~~ vehicle sales shall be 4 acres.

{Table 7.2 footnotes, presented on Specific Plan page 6-19 is amended as noted above.}