

CITY COUNCIL

ATTACHMENT C

Background Information

from the February 8th

Planning Commission Meeting

Excerpt from the February 8, 2023 Regular Planning Commission Meeting

PLAN22-00026 – City of Victorville

4. An Amendment to the Old Town Specific Plan (OTSP) with an environmental finding of previously assessed to allow for modified land use allowances and development standards within the OTSP.

Location: Located on property bounded roughly by the Mojave River and Stoddard Wells Road to the northeast, Eleventh Avenue to the east, Mojave Drive and Verde Street to the South and Interstate I-15 to the northwest.

Recommendation:

Staff recommends that the Planning Commission conduct a public hearing, receive testimony regarding the proposed project and take the following actions:

1. **Environmental Assessment** – Find the project previously assessed in accordance with California Environmental Quality Act (CEQA) requirements; and
2. **Specific Plan Amendment** – Adopt Resolution No. P-23-005, recommending City Council approval of Specific Plan Amendment Case No. PLAN22-00026.

Questions and comments ensued.

Chairman Kurth opened the public hearing.

Speakers:

None.

Chairman Kurth closed the public hearing.

Motion was made to approve staff recommendations.

Moved: Commissioner Thomas

Seconded: Vice Chair Cook-Askins, Jr.

Motion passed 4-0

Ayes: Commissioner Mesen, Commissioner Thomas, Vice Chair Cook-Askins, Jr., Chairman Kurth

Absent: Commissioner Marsh

EXECUTIVE SUMMARY

PLAN22-00026

PROJECT DESCRIPTION: AN AMENDMENT TO THE OLD TOWN SPECIFIC PLAN (OTSP) WITH AN ENVIRONMENTAL FINDING OF PREVIOUSLY ASSESSED TO ALLOW FOR MODIFIED LAND USE ALLOWANCES AND DEVELOPMENT STANDARDS WITHIN THE OTSP.

APPLICANT: City of Victorville

PLANNING COMMISSION PUBLIC HEARING DATES: February 8, 2023

SUMMARY FOR FEBRUARY 8, 2023 PLANNING COMMISSION MEETING

NUMBER OF PEOPLE WHO COMMENTED: 0

NUMBER OF PEOPLE SPEAKING IN FAVOR: 0

NUMBER OF PEOPLE SPEAKING OPPOSED: 0

NUMBER OF WRITTEN COMMENTS IN FAVOR: 0

NUMBER OF WRITTEN COMMENTS OPPOSED: 0

STAFF RECOMMENDATION: Approval

PLANNING COMMISSION ACTION: Recommended Approval

PLANNING COMMISSION VOTE:	Marsh	Absent
	Mesen	Aye
	Thomas	Aye
	Cook-Askins, Jr.	Aye
	Kurth	Aye

cj



Item Number: 4

Planning Commission

PUBLIC HEARINGS

Meeting of: February 8, 2023

Submitted By:

Daisy Kawasaki, Associate Planner

Case:

PLAN22-00026

Subject:

An Amendment to the Old Town Specific Plan (OTSP) with an environmental finding of previously assessed to allow for modified land use allowances and development standards within the OTSP.

Applicant:

City of Victorville Planning Department

Location:

Located on property bounded roughly by the Mojave River and Stoddard Wells Road to the northeast, Eleventh Avenue to the east, Mojave Drive and Verde Street to the south and Interstate I-15 to the northwest.

Recommendation:

Staff recommends that the Planning Commission conduct a public hearing, receive testimony regarding the proposed project and take the following actions:

1. **Environmental Assessment** – Find the project previously assessed in accordance with California Environmental Quality Act (CEQA) requirements; and
2. **Specific Plan Amendment** – Adopt Resolution No. P-23-005, recommending City Council approval of Specific Plan Amendment Case No. PLAN22-00026.

Summary:

Staff is proposing an amendment to the Old Town Specific Plan (OTSP) to reflect current development laws as well as encourage business and pedestrian activity within the Old Town area. The proposed Specific Plan Amendment will allow for greater flexibility within the Old Town area and is permitted and encouraged within the Implementation Chapter

of the OTSP to keep the Plan relevant. The Amendment would add land uses allowances and development standards for food trucks on private property within the Mixed-Use Retail Overlay and the Mixed-Use Service Overlay Districts. Additionally, Staff is recommending the removal of Emergency Shelters as conditionally permitted uses within the OTSP and expanding the zone districts that allow for Low-Barrier Navigation Centers in accordance with California Government Code regulations.

Discussion/Analysis:

1. Environmental Assessment.

A previous Mitigated Negative Declaration (MND) was prepared and adopted for the current Specific Plan in accordance with Section 15080 of the California Environmental Quality Act.

Staff finds that the proposed Amendment is within the scope of this adopted MND and is therefore found previously assessed due to the minor amendments proposed. Of note is the introduction of food truck hubs which are allowed on improved sites within the Mixed Use Retail Overlay and Mixed Use Service Overlay districts and are temporary in nature. Additionally the expanded inclusion of Low-Barrier Navigation Centers is similar to Emergency Shelters which previously existed within the OTSP.

2. Specific Plan Amendment.

The Old Town Specific Plan (OTSP), adopted by the City Council on November 20th, 2018, encompasses 428 acres located in the north central portion of the City. The entire OTSP is viewable at:

<https://www.victorvilleca.gov/government/city-departments/development/planning/old-town-specific-plan>

The area is known as the historic downtown of Victorville. The purpose of the Specific Plan has been to revitalize the Old Town area, create a walkable downtown, honor the Route 66 heritage, create a unique and inviting destination and to create a mixed-use environment. The Specific Plan contains several district types: Multi-Family Residential, Mixed-Use Commercial, Community, Light Industrial and Open Space as depicted on the OTSP Land Use Map (Attachment B).

The proposed changes to the Specific Plan are discussed below with the full text changes (including existing and deleted text) located in the attached Resolution (Attachment A).

Expand allowances for Low-Barrier Navigation Centers

Overview of Changes

Recently, California passed AB 101 (later codified in California Government Sections 65660-65668) requiring Low-Barrier Navigation Centers as a use by-right in areas

zoned for mixed use as well as nonresidential zones allowing for multi-family uses (Attachment C). Currently, only the Residential Medium Overlay district (RMO) permits Navigation Centers on parcels over 2.5 acres in size, which is in non-compliance with current California Government Code requirements as discussed herein. In accordance with current State laws, the proposed modification will allow for Low-Barrier Navigation Centers as a permitted use within the following zone districts without a minimum building site size:

- Residential Medium Density (RM)
- Residential Medium Density Overlay (RMO)
- Mixed-Use Retail (MUR)
- Mixed-Use Retail Overlay (MURO)
- Mixed-Use Service (MUS)
- Mixed-Use Service Overlay (MUSO)
- Light Industrial (LI)

Definitions and Project Review

Low-Barrier Navigation Centers are defined as easily entered service-enriched shelters focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. Low-Barrier Navigation Centers have greater operational requirements and oversight than emergency shelters which are simply used as temporary shelters without requirements for supportive services.

In accordance with California Government Code requirements, a Low-Barrier Navigation Center development shall meet the following requirements, as included in the proposed amendment:

- It offers services to connect people to permanent housing through a services plan that identifies services staffing.
- It is linked to a coordinated entry system, so that staff in the interim facility or staff who co-locate in the facility may conduct assessments and provide services to connect people to permanent housing. "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.
- 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.

Though the use itself would be permitted by-right, the law permits a local government to implement objective design review standards to the proposal. Therefore, as included in the subject amendment, each proposal for a Low-Barrier Navigation Center shall go through a site design review process to ensure that the following standards are addressed appropriately: number of beds available on the site, available parking, onsite services, lighting, size of exterior waiting areas for clients, security and client's length of stay. Additionally, any proposed Low Barrier Navigation Center would be reviewed prior to in conjunction with any site design review process to ensure all aspects of the operational standards and service requirements are provided as required by State law.

Remove allowances for Emergency Shelters from the OTSP

California Government Code requirements for Housing Element conformance (§ 65580 - 65589.11) indicate that a local government must provide at least one zone district where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit (Attachment C). Since the C-1 Neighborhood Service Zone District outside of the OTSP allows for emergency shelters by-right, and allowances for Low-Barrier Navigation Centers were expanded within the OTSP, the City will still be in compliance with Housing Element requirements by removing the use from the Specific Plan. Additionally, Section 4.6.2 of the OTSP will be revised to address Low-Barrier Navigation centers rather than emergency shelters.

Add allowances for Mobile Food Truck Hubs to the Mixed-Use Retail Overlay (MURO) and Mixed-Use Service Overlay (MUSO) Districts

Background

Due in part because of recent California Senate bills granting fewer restrictions on street food vending, the City has seen an influx of inquiries from mobile food truck operators looking for approved locations for short-term and long-term location options in Victorville. While Title 16 of the City of Victorville Municipal Code does provide allowances for the issuance of Temporary Use Permits for Mobile Food Trucks, the location and time limitations are such that very few food truck vendors actually obtain proper City authorization. The proposed modifications listed herein shall only apply to the establishment of "food truck hubs" where multiple food truck vendors can set up on private property. Forthcoming guidance for street vendors will be presented at a future Planning Commission hearing to address individual street vendors as opposed to the "food truck hubs" addressed in this amendment.

Many lots along the highly traveled roadways of Seventh Street and D Street in Old Town, areas currently designated as MURO and MUSO zones, are undeveloped or vacant with limited on-site improvements. By allowing for the creation of designated food truck vending locations, or "food truck hubs", on private property along these highly visible corridors, vendors will be more likely to operate legally within the City while generating more pedestrian oriented business activity in Old Town. Additionally,

property owners will have an opportunity to utilize their vacant lots in a temporary or semi-permanent fashion until permanent development is proposed.

Development and Operational Standards

With the approval of a Temporary Use Permit for a food truck hub, mobile food truck vendors will be permitted to operate in accordance with proposed operational and development standards on properties within the MURO and MUSO zones. The standards proposed incorporate San Bernardino County Health Department regulations for food trucks and ensure that operations remain safe and do not impede off-site vehicle or pedestrian traffic.

The proposal includes operational standards such as:

- All food truck hubs 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.
- No food shall be prepared, sold, or displayed outside of the food truck vehicle.
- 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.

Additionally, the proposal includes site specific requirements such as:

- Three off-street parking spaces required 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, public parking lots or parking within a shared off-street parking facility with written approval from the property owner for the use of the lot.
- Required food truck lighting to illuminate the area of business, unless the site is adequately lit with permanent fixtures.
- Applicants are required to make an effort to create an appealing site environment that incorporates the retro styling of Route 66, accomplished through the inclusion of temporary or semi-permanent features such as raised flower beds, furnishings, bistro lighting, and signage.

Add allowances for Medical Services

As noted in the land use table within Attachment A, medical services such as dental and medical offices have been added as a permitted use to the MUR and MURO districts. This additional land use allowance is being proposed to encourage occupancy of vacant buildings in the area.

Public Notice: 1/8th page advertisement was published with Valleywide Newspaper 10 days prior to the Planning Commission meeting.

Attachments:

Attachment A – Specific Plan Amendment Resolution No. P-23-005

Attachment B – Existing Specific Plan Map

Attachment C – California Government Code Sections 65660-65668 &
Sections 65580 - 65589.11

**PLANNING
COMMISSION
ATTACHMENT A**

Specific Plan Amendment

Resolution No P-23-005

RESOLUTION NO. P-23-005

A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING TO THE CITY COUNCIL OF THE CITY OF VICTORVILLE THE ADOPTION OF AN AMENDMENT TO THE OLD TOWN SPECIFIC PLAN, CASE NO. PLAN22-00026, AN AMENDMENT TO THE OLD TOWN SPECIFIC PLAN (OTSP) WITH AN ENVIRONMENTAL FINDING OF PREVIOUSLY ASSESSED TO ALLOW FOR MODIFIED LAND USE ALLOWANCES AND DEVELOPMENT STANDARDS ON PROPERTY BOUNDED ROUGHLY BY THE MOJAVE RIVER AND STODDARD WELLS ROAD TO THE NORTHEAST, ELEVENTH AVENUE TO THE EAST, MOJAVE DRIVE AND VERDE STREET TO THE SOUTH AND INTERSTATE I-15 TO THE NORTHWEST

WHEREAS, an Amendment to the OTSP has been initiated by the Planning Department of the City of Victorville, County of San Bernardino, State of California, located generally bounded by the Mojave River and Stoddard Wells Road to the northeast, Eleventh Avenue to the east, Mojave Drive and Verde Street to the south and Interstate I-15 to the northwest as depicted on the Old Town Specific Plan land use map; and

WHEREAS, a public hearing was held on the 8th day of February, 2023, pursuant to Title 7, Division 1, Chapter 3, Article 8 of the Government Code and Section 9.4 of the OTSP, State of California, to hear arguments for and against the issue; 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 Old Town Specific Plan Update in 2018; and

WHEREAS, the Planning Commission, upon the lead agency's independent judgment and analysis, finds that the Amendment to the OTSP is previously assessed under the existing Mitigated Negative Declaration for the Old Town Specific Plan; and

WHEREAS, the Planning Commission finds it appropriate to reevaluate the OTSP as needed to protect the public's health, safety and welfare; and

WHEREAS, the Planning Commission finds, in accordance with the OTSP:

- a. Changes have occurred in the community since the approval of the original Specific Plan which warrant approving the proposed amendment, including an

increase of homelessness and a lack of increased pedestrian and economic activity;

- b. Lack of changes in the Old Town area (e.g., no growth, development, or use/reuse of existing structures, including the desire for property owners to utilize their undeveloped sites along Seventh Street and D Street in a semi-permanent manner) may be attributed to the standards and requirements of the Old Town Specific Plan;
- c. The proposed amendment is consistent with the General Plan for the City of Victorville in accordance with Section 65454 of the California Government Code;
- d. The proposed amendment will result in a benefit to the area within the Specific Plan due to added uses that allow more options to utilize or redevelop existing infill property within the OTSP, increasing access to services as well as economic and pedestrian activity;
- e. The proposed amendment will not result in any unmitigated impact to adjacent properties since temporary use permits will be required for food truck uses and Navigation Centers will undergo a design review process as well as applicable State, regional and local laws, as well as those included within the subject amendment;
- f. The proposed amendment will enable the delivery of services and public facilities to the population within the area of this Specific Plan given the increased allowances for permanent and temporary land uses included in the subject amendment; and

THEREFORE, BE IT RESOLVED by the Planning Commission, pursuant to Section 16-2.01.050 of the Victorville Municipal Code and Section 9.4 of the OTSP, that it

recommends to the City Council that Case No. PLAN22-00026, an Amendment to the Old Town Specific Plan, be amended as follows:

PLAN22-00026 Amendments

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

Amendments to Chapter 4, Land Use Plan

{Figure 4.2 Land Use Table shall be amended as follows:

Land use districts are shown as acronyms in the following table. Refer to the land use map in the Old Town Specific Plan for full names}

Table 4.2 Permitted Uses

LAND USE CLASSIFICATION	P = Permitted; C = Conditional; – = Not Permitted									
	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	–	–
Emergency Shelter	€	€	€	–	€	–	–	–	–	–
Family Day Care Home, Large (1–14 children)	C	C	–	–	–	–	–	–	–	–
Home Occupation	P	P	P	–	P	–	–	P	–	–

LAND USE CLASSIFICATION	P = Permitted; C = Conditional; – = Not Permitted									
	RM(O)	RMH	MUR	MURO	MUS	MUSO	CA	LI	OS	AOS
Live/Work Facility	C	C	P	–	P	C	–	P	–	–
<u>Low-Barrier</u> Navigation Center	P ⁴ <u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	–	<u>P</u>	–	–
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
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

LAND USE CLASSIFICATION	P = Permitted; C = Conditional; – = Not Permitted									
	RM(O)	RMH	MUR	MURO	MUS	MUSO	CA	LI	OS	AOS
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	–	–	C <u>P</u>	– <u>P</u>	P	P	–	–	–	–
Neighborhood Market	C	C	P	P	P	P	–	–	–	–
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	–	–

LAND USE CLASSIFICATION	P = Permitted; C = Conditional; – = Not Permitted									
	RM(O)	RMH	MUR	MURO	MUS	MUSO	CA	LI	OS	AOS
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
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 On a minimum 2.5-acre building site

Amendments to Chapter 4, Land Use Plan:

{Section 4.6.2 Emergency Shelters shall be eliminated and in its place will be standards for Low-Barrier Navigations Centers, as shown below.}

4.6.2 Emergency Shelters Low-Barrier Navigation Centers

- a) ~~An emergency shelter may include general office activities and provide for services clients such as, donations, mail reception, referral services, job placement services, worship, bible study, group meetings and clothing assistance.~~
- b) ~~The maximum length of stay for a resident(s) of an emergency shelter shall be six months.~~
- c) ~~An emergency shelter shall be at a minimum of 1,000 feet from a nursing home, school, public park, assembly facility or another homeless shelter. However, due to the scale of Old Town, the Planning Commission can approve exceptions through the Conditional Use Permit process.~~
- d) ~~Emergency shelters shall be located within ½ mile of a public transportation facility or bus stop.~~
- e) ~~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 the shelter property at any time.~~
- f) ~~All shelters 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.~~
- g) ~~Prior to occupancy, an emergency shelter must be inspected to ensure all standards are met. No facility may operate unless all requirements are satisfied.~~
- h) ~~Yard sales are limited to three (3) consecutive days and up to four times per calendar year. Car washes are limited one day and up to four times per calendar year. Both events must have all applicable permits approved and all fees paid.~~
- i) ~~Any outdoor or indoor event/use not specifically permitted with an emergency shelter shall require review and approval of a Temporary Use Permit by the Development Department subject to the discretion of the Zoning Administrator.~~
- j) ~~There shall be no outdoor storage permitted, including but not limited to, clothes lines, and shopping carts.~~
- k) ~~Loitering or panhandling at or near emergency shelters is prohibited, including but not limited to, businesses, sidewalks, parking lots, public parks, rights of way or other private properties.~~
- l) ~~The intake or gathering of homeless for meals, temporary uses or events shall occur in an enclosed or screened area and the queuing of any individuals shall not be visible from the right-of-way.~~
- m) ~~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.~~
- n) ~~Each emergency shelter must designate and maintain set hours of operation for intake and discharge and must clearly display the hours of operation at the entrance.~~
- o) ~~An emergency shelter shall not admit any person who is wanted by the police or has been convicted of a violent crime. The operator shall conduct a background check using the Megan's Law database and restrict client intake in accordance with state sex offender residency restrictions.~~

- ~~p) Each emergency shelter shall submit, on a monthly basis, the names and number of homeless personnel to the Police Department.~~
- ~~q) An emergency shelter shall provide a detailed security plan for review and approval to the Development Department prior to operation. Any violation of the approved security plan shall be grounds for the revocation of the business/occupancy license.~~
- ~~r) A restroom facility shall be provided for every twenty clients residing at the emergency shelter. Separate and secured areas shall be provided for both men and women for sleeping, showering and restroom facilities. The homeless shelter manager shall be responsible for ensuring that all restroom and showering facilities comply with city and state building codes.~~
- ~~s) All emergency shelters must obtain a business license and an occupancy permit from the Development Department.~~
- ~~t) 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.~~
- ~~u) Food, clothing, hygiene or supply distribution to any persons other than those admitted to the homeless shelter shall be prohibited.~~

Low-Barrier Navigation Centers are permitted by-right in zones that allow for mixed-use and multi-family developments, and include the RM, RMO, 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.

{Section 4.8 Temporary Uses shall be added to as follows, with existing text remaining in place.}

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.

Amendments to Appendix A Glossary

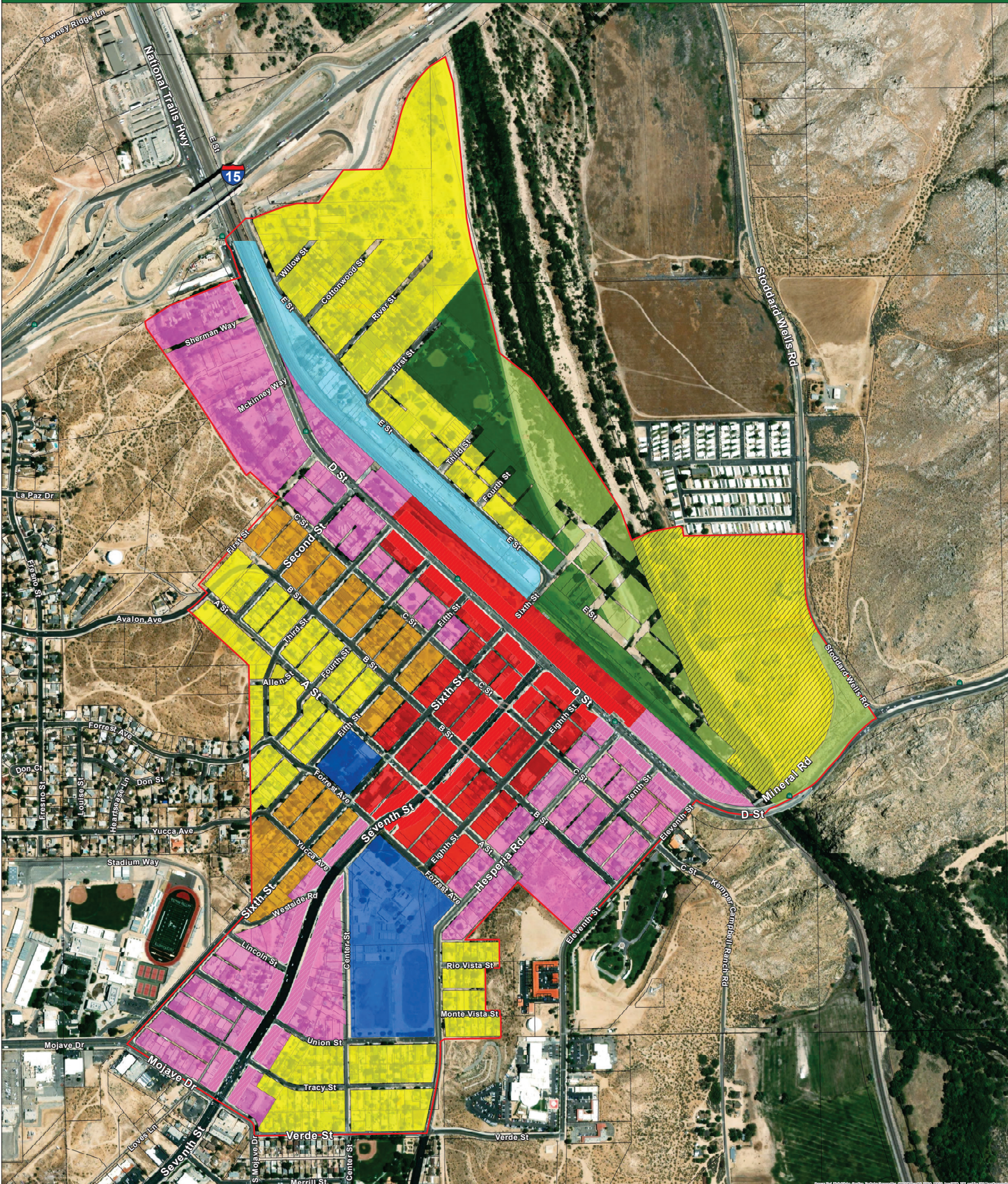
{Add and revise the following definitions:}

- **Low-Barrier** Navigation Center. A housing first, low barrier, service-enriched shelter facility on a minimum of 2.5 acres 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.
A housing-first, service-enriched shelter occupiable to a client 24-hours a day, focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. "Low Barrier" involves best practices to reduce barriers to entry, and may include, but is not limited to, the following:
 - The presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth.
 - Pets
 - The storage of possessions.
 - Privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms.
- **Food Truck.** A licensed, motorized vehicle or mobile food unit licensed by the Department of California Department of Motor Vehicles, designed and equipped to prepare, or serve, and sell food, and temporarily stored in a location where food items are sold to the general public.
- **Food truck hub.** A temporary or semi-permanent establishment on private property where more than two mobile food truck businesses congregate to offer food or beverages for sale to the public.

PLANNING COMMISSION

ATTACHMENT B

Existing Specific Plan Map



Legend

Old Town Specific Plan

Land Use Districts

Community Anchor
Active Open Space

Light Industrial

Mixed-Use Retail

Mixed-Use Service

Residential Medium Density

Residential Medium Overlay

Residential Medium-High Density

Mixed-Use Retail Overlay District

Mixed-Use Service Overlay District

Public Benefit Overlay District

Date: 04/28/2021

PLANNING COMMISSION ATTACHMENT C

California Government
Code Sections 65660-65668
& 65580-65589.11

California Government Code Sections

- Low Barrier Navigation Centers: [California Government Code Sections 65660-65668](#)
 - GOVERNMENT CODE - GOV
 - TITLE 7. PLANNING AND LAND USE [65000 - 66499.58]
 - DIVISION 1. PLANNING AND ZONING [65000 - 66301]
 - CHAPTER 3. Local Planning [65100 - 65763]
 - ARTICLE 12. Low Barrier Navigation Centers [65660 - 65668]

- Housing Elements: [California Government Code Sections 65580 - 65589.11](#)
 - GOVERNMENT CODE - GOV
 - TITLE 7. PLANNING AND LAND USE [65000 - 66499.58]
 - DIVISION 1. PLANNING AND ZONING [65000 - 66301]
 - CHAPTER 3. Local Planning [65100 - 65763]
 - ARTICLE 10.6. Housing Elements [65580 - 65589.11]