

ATTACHMENT A

Draft Code Amendments

(Articles 6, 7, & 18)

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

Chapter 3: Zoning and Land Use Requirements

Article 6: Zoning Districts and Boundaries

Sec. 16-3.06.010: Zoning districts

The City is divided into the following zoning districts by this Chapter, as follows:

Base Districts

| Residential Districts | |
|------------------------------|---|
| AE | Exclusive Agriculture |
| A | Agricultural Residential |
| S-R | Suburban Residential |
| R-1 | Single-Family Residential |
| R-2 | Medium <u>Low-Medium</u> Density Residential |
| R-3 | High <u>Medium</u> Density Residential |
| R-4 | Very High Density Residential |
| MU | Mixed Use |
| <u>MU-1</u> | <u>Medium Density Mixed Use</u> |
| <u>MU-2</u> | <u>High Density Mixed Use</u> |
| R-MPD | Residential-Mobile Home Planned Development |
| MDR | Mixed Density Residential |
| Commercial Districts | |
| C-1 | Neighborhood Service |
| C-2/C-4 | General Commercial |
| C-A | Administrative Professional Offices |
| C-M | Commercial Manufacturing |
| Industrial Districts | |
| I.P.D. | Industrial Park |
| M-1 | Light Industrial |
| M-2 | Heavy Industrial |
| Other Districts | |
| FP | Conservancy and Flood Plain |
| S-P | Specific Plan |
| P-C | Public and Civic |
| P.U.D. | Planned Unit Development |
| <u>LDRIO</u> | <u>Low Density Residential Infill Overlay</u> |
| <u>HWO</u> | <u>Health and Wellness Overlay</u> |

Sec. 16-3.06.020: Zoning district boundaries

The zoning districts established by the Development Code and the boundaries of such districts are shown on the Zoning Map. The Zoning Map and all notations, references, and other related information shall be a part of this Chapter. Where any uncertainty exists as to the boundary of a district shown on the Zoning Map, the following regulations shall control:

- (a) Where a boundary line is indicated as following a street or alley, the boundary line shall be construed as following the center of the right-of-way;
- (b) Where a boundary line follows or coincides approximately with a lot line or property ownership line, the boundary line shall be construed as following the lot line or boundary line;
- (c) Where the boundary line is not indicated as following a street or alley and does not follow or coincide approximately with a lot line or property ownership line, unless specifically indicated by dimensions on the Zoning Map, the boundary line shall be determined based on the scale of the Zoning Map;
- (d) Where uncertainty exists, the Zoning Administrator shall determine in writing the location of the boundary in question, giving due consideration to the location indicated on the Zoning Map, the objectives of the Development Code and the specific purposes for each district;
- (e) Where a street or alley is officially vacated or abandoned, the area within the vacated street or alley on each side of the centerline shall be classified in the same zoning district as the adjoining property.

Sec. 16-3.06.030: Zoning of annexed territory

All land annexed to the City shall be classified in a district or districts conforming to the land use designation on the General Plan.

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

Chapter 3: Zoning and Land Use Requirements

Article 7: Land Use and Special Requirements

Sec. 16-3.07.010: Permitted and conditional land uses—All zoning districts

Land and facilities shall only be developed, divided and/or used for those activities listed in Table 7-1 (Permitted, Conditional, Accessory and Temporary Land Uses - All Districts). Table 7-1 establishes uses that are permitted, conditionally permitted or not permitted within each Zoning District established by Article 6 (Zoning Districts and Boundaries) of this Chapter. Article 2 of this Chapter describes the procedures required to obtain a Conditional Use Permit.

The designation "P" means that the use is permitted in the particular Zoning District as long as all other zoning district and special criteria requirements are met. The designation "C" means that a Conditional Use Permit must first be granted by the Zoning Administrator or Planning Commission before the use is allowed in a particular district. Those uses designated with a dash (-) are not permitted within that zoning district. Those primary uses not listed are prohibited unless a determination is made by the Zoning Administrator based on the similarity of the subject use to one of the uses listed within a subject district. Those accessory uses not listed are prohibited unless a determination is made by the Zoning Administrator that the accessory use is ancillary to the primary use, and as such are permitted or conditionally permitted based upon the nature of use and the primary use it serves. Any use which violates local, state or federal laws is also prohibited.

No land use shall be permitted that is not consistent with the objectives, policies, general land uses and programs specified in the General Plan. A land use is consistent with the General Plan if, considering all of its aspects, it is found to further the objectives and policies of the General Plan. Appeals of land use determinations shall be as provided in Article 2 (Appeals) of Chapter 2 of this Title.

All uses, unless due to the nature of the use, shall be conducted in a completely enclosed building.

Specific land uses within the table are grouped under the following major headings:

**Table 7-1 Permitted, Conditional, Accessory and Temporary
Land Uses - All Zoning Districts**

| Zoning Categories: | | | |
|---|---|------------------------------------|---|
| Residential Zoning Districts | Commercial Zoning Districts | Industrial Zoning Districts | Other Zoning Districts |
| AE: Exclusive Agricultural | C1: Neighborhood Service | IPD: Industrial Park | PC: Public and Civic |
| A: Agriculture Residential | C2/C4: General Commercial | M1: Light Industrial | SP: Specific Plan* |
| SR: Suburban Residential | CA: Administrative Professional Offices | M2: Heavy Industrial | PUD: Planned Unit Development* |
| R1: Single-Family Residential | CM: Commercial Manufacturing | | MU: Mixed Use>* |
| R2: Medium-Density Residential | | | <u>MU1: Medium Density Mixed Use*</u> |
| R3: High-Density Residential | | | <u>MU2: High Density Mixed Use*</u> |
| R4: Very-High-Density Multiple Residential | | | <u>HWO: Health & Wellness Overlay</u> |
| MDR: Mixed-Density Residential | | | <u>LDRIO: Low Density Residential Infill Overlay*</u> |
| RMPD: Residential-Mobile Home Planned Development | | | FP: Conservancy and Flood Plain* |

Omitted Zone Districts: Zone Districts delineated above by an asterisk (*) were not included in this Land Use Table due to their unique development process and/or land uses as discussed below.

| | |
|----------------|--|
| SP: | Land uses and development standards are outlined by the Specific Plan itself, which vary with each existing and future SP. |
| PUD: | Land uses and development standards are outlined by the Planned Unit Development itself, which vary with each existing and future PUD. |
| MU: | Allows for a variety of uses to be determined through the Planned Unit Development of Specific Plan process. |
| <u>MU1:</u> | <u>Land uses and development standards in the MU-1 District can include standalone multi-family residential generally consistent with R-3 allowances, standalone commercial generally consistent with C-1 allowances, or mixed use including both residential and commercial components.</u> |
| <u>MU2</u> | <u>Land uses and development standards in the MU-1 District can include standalone multi-family residential generally consistent with R-4 allowances, standalone commercial generally consistent with C-2 allowances, or mixed use including both residential and commercial components.</u> |
| FP: | All areas of the City zoned FP are within the Mojave River, which does not allow for any permanent development with the exception of flood control structures. Grazing, crops, wildlife & forest preserves and similar agricultural or open space uses are permitted at the discretion of the City Manager or his/her designee and the San Bernardino County Flood Control District. |
| <u>LDRIO:</u> | <u>Allows for R-1 land uses, while development standards vary depending on the project area size.</u> |

Use Legend:

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

| T Y P E | USE | ZONE | | | | | | | | | | | | | | | | | |
|------------------|---|------|---|----|----|----|----|----|-----|------|----|-------|----|----|-----|----|----|----|------------|
| | | AE | A | SR | R1 | R2 | R3 | R4 | MDR | RMPD | C1 | C2/C4 | CA | CM | IPD | M1 | M2 | PC | <u>HWO</u> |
| AGRICULTURAL | 1) ANIMALS¹ | | | | | | | | | | | | | | | | | | |
| | 6 caged birds, 2 tropical birds, 3 dogs over 4 months old ² , 3 cats, 2 potbellied pigs, 2 non-venomous reptiles, 2 turtles, 2 rodents | P | P | P | P | P | P | P | P | P | - | - | - | - | - | - | - | P | - |
| | Animal breeding and raising (including sheep, goats, cattle, dogs, cats, birds, rabbits, fox, mink and similar animals) | P | P | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| | Dairy, livestock and poultry | P | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| | Kennel/shelter | C | C | - | - | - | - | - | - | - | - | - | - | - | - | C | C | C | - |
| | Commercial riding clubs and stables | P | P | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| | Feed Store | P | P | - | - | - | - | - | - | - | C | C | - | - | - | - | - | - | - |
| | 2) PRODUCE | | | | | | | | | | | | | | | | | | |
| | Commercial nurseries/orchards | P | P | C | C | C | C | C | - | - | C | - | - | - | - | - | - | - | - |

NOTES: California State Law prohibits the possession of all primates.

¹ At no time shall more than twelve (12) animals be kept or maintained on any property occupied by a residence.

² Dog licenses are required pursuant to Victorville Municipal Code.

[illegible]

| T Y P E | USE | ZONE | | | | | | | | | | | | | | | | | |
|------------------|--|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----|-------|----|----|-----|----|----|----|-----|
| | | AE | A | SR | R1 | R2 | R3 | R4 | MDR | RMPD | C1 | C2/C4 | CA | CM | IPD | M1 | M2 | PC | HWO |
| RESIDENTIAL | 5) DWELLING UNIT: USE | | | | | | | | | | | | | | | | | | |
| | Boardinghouse | - | - | - | - | C | C | C | C | - | - | - | - | - | - | - | - | - | = |
| | State licensed care facilities including group, community and residential (up to 6 persons) | P | P | P | P | - | - | - | P | P | - | - | - | - | - | - | - | - | = |
| | Emergency shelter | - | - | - | - | C | C | C | - | - | P | - | - | - | - | - | - | - | = |
| | Transitional or Supportive Housing | P ⁺ | P ⁺ | P ⁺ | P ⁺ | P ⁺ | P ⁺ | P ⁺ | P ⁺ | P ⁺ | - | - | - | - | - | - | - | - | = |
| INSTITUTIONAL | 6) ASSEMBLY | | | | | | | | | | | | | | | | | | |
| | Assembly uses, i.e. church, club, lodge, mortuary, social hall | C | C | C | C | C | C | C | C | - | C | - | - | - | - | - | - | - | C |
| | Assembly uses, only as an accessory use within a movie theater, hotel conference center or similar venue | - | - | - | - | - | - | - | - | - | - | C | - | - | - | - | - | - | C |
| | 7) EDUCATION | | | | | | | | | | | | | | | | | | |
| | Industrial trade school | - | - | - | - | - | - | - | - | - | - | - | - | C | C | C | C | - | = |
| | Parochial, private, public or charter schools | C | C | C | C | C | C | C | - | - | C | - | - | - | - | - | - | C | C |
| | Professional business college/ <u>trade school</u> | - | - | - | - | - | - | - | - | - | C | C | C | - | - | - | - | - | P |

*Subject to all standards and requirements of the underlying Zone District.

| T Y P E | USE | ZONE | | | | | | | | | | | | | | | | | | |
|---|--|------|---|----|----|----|----|----|-----|------|----|-------|----|----|-----|----|----|----|------------|--|
| | | AE | A | SR | R1 | R2 | R3 | R4 | MDR | RMPD | C1 | C2/C4 | CA | CM | IPD | M1 | M2 | PC | <u>HWO</u> | |
| I N S T I T U T I O N A L | 8) MEDICAL | | | | | | | | | | | | | | | | | | | |
| | Ambulance service | - | - | - | - | - | - | - | - | - | C | C | C | P | C | C | C | - | <u>C</u> | |
| | Animal hospital/veterinarian | C | C | - | - | - | - | - | - | - | C | C | - | P | - | P | P | C | <u>C</u> | |
| | Convalescent | - | - | - | - | C | C | C | C | - | C | - | - | - | - | - | - | - | <u>P</u> | |
| | Hospital (* On minimum 20 acre building site) | - | - | - | - | - | - | - | - | - | - | C* | P | - | - | - | - | - | <u>P</u> | |
| | Medical/dental office | - | - | - | - | - | - | - | - | - | P | P | P | C | - | - | - | - | <u>P</u> | |
| | Medical or dental laboratory | - | - | - | - | - | - | - | - | - | - | - | C | P | P | P | P | - | <u>P</u> | |
| | Pharmacy | - | - | - | - | - | - | - | - | - | P | P | P | - | - | - | - | - | <u>P</u> | |
| | 9) NON-PROFIT SERVICE | | | | | | | | | | | | | | | | | | | |
| | Social Services (See Civic Center Community Sustainability Plan) | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | |
| | 10) PUBLIC | | | | | | | | | | | | | | | | | | | |
| | Community recreation center or clubhouse | C | C | C | C | C | C | C | C | C | C | - | - | - | - | - | - | C | <u>C</u> | |
| | Library | - | - | - | - | - | - | - | - | - | - | - | P | - | - | - | - | P | <u>C</u> | |
| | Museum | - | - | - | - | - | - | - | - | - | - | - | P | - | - | - | - | P | <u>C</u> | |
| | Park | C | C | C | C | C | C | C | C | C | - | - | - | - | - | - | - | C | <u>C</u> | |
| | Public safety facility | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | <u>C</u> | |
| | Government use including social services | - | - | - | - | - | - | - | - | - | C | - | C | - | - | - | - | P | <u>C</u> | |

[illegible]

| T Y P E | USE | ZONE | | | | | | | | | | | | | | | | | |
|------------------|---|------|---|----|----|----|----|----|-----|------|-----|-------|-----|-----|-----|-----|-----|-----|------------|
| | | AE | A | SR | R1 | R2 | R3 | R4 | MDR | RMPD | C1 | C2/C4 | CA | CM | IPD | M1 | M2 | PC | <u>HWO</u> |
| COMMERCIAL | 14) ALCOHOL | | | | | | | | | | | | | | | | | | |
| | Alcoholic beverage sales for consumption on or off the premises (See Sec. 16-3.07.020; alcohol sales) | - | - | - | - | - | - | - | - | - | P/C | P/C | P/C | P/C | P/C | P/C | P/C | P/C | <u>P/C</u> |
| | 15) AUTOMOTIVE | | | | | | | | | | | | | | | | | | |
| | Automotive repair - heavy | - | - | - | - | - | - | - | - | - | C | - | - | C | - | P | P | - | = |
| | Automotive repair - light | - | - | - | - | - | - | - | - | - | C | C | - | C | - | P | P | - | = |
| | Car wash - automated | - | - | - | - | - | - | - | - | - | C | - | - | C | - | - | - | - | = |
| | Car wash - full service | - | - | - | - | - | - | - | - | - | - | C | - | - | - | - | - | - | <u>C</u> |
| | Car wash - self service | - | - | - | - | - | - | - | - | - | C | - | - | - | - | - | - | - | = |
| | Gas/service station | - | - | - | - | - | - | - | - | - | C | C | - | C | - | C | C | - | = |
| | Parking structure | - | - | - | - | - | - | - | - | - | C | C | C | C | - | - | - | C | <u>C</u> |
| | Rental agency | - | - | - | - | - | - | - | - | - | C | - | - | C | - | P | P | - | = |
| | Vehicle sales - new | - | - | - | - | - | - | - | - | - | - | C | - | - | - | - | - | - | <u>C</u> |
| | Vehicle sales - used | - | - | - | - | - | - | - | - | - | C | C* | - | - | - | - | - | - | = |
| | 16) COMMUNICATION | | | | | | | | | | | | | | | | | | |
| | Recording and broadcasting studio | - | - | - | - | - | - | - | - | - | - | - | P | C | - | - | - | - | = |
| | Transmission communication facility | - | - | - | - | - | - | - | - | - | - | - | - | - | C | P | P | - | = |
| | Wireless communication facility & accessory equipment See Sec. 16-3.24.150 | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | <u>C</u> |
| | 17) DAYCARE | | | | | | | | | | | | | | | | | | |
| | Day nursery and day care facility | C | C | C | C | C | C | C | C | - | C | - | C | - | - | - | - | - | <u>P</u> |

*On a minimum one gross acre developed site.

| T Y P E | USE | ZONE | | | | | | | | | | | | | | | | | |
|------------------|--|------|----------------|----|----|----|----|----|-----|------|----|-------|----|----|-----|----|----|----|------------|
| | | AE | A | SR | R1 | R2 | R3 | R4 | MDR | RMPD | C1 | C2/C4 | CA | CM | IPD | M1 | M2 | PC | <u>HWO</u> |
| COMMERCIAL | 18) ENTERTAINMENT/RECREATION | | | | | | | | | | | | | | | | | | |
| | Adult oriented business See Sec. 16-3.23.010 | - | - | - | - | - | - | - | - | - | - | P | - | - | - | - | - | - | - |
| | Auditorium and other public assembly | C | € | C | C | C | C | C | C | - | C | - | - | - | - | - | - | C | <u>C</u> |
| | Indoor | - | - | - | - | - | - | - | - | - | P | P | C | C | - | - | - | - | <u>P</u> |
| | Outdoor | C | € | - | - | - | - | - | - | - | - | C | - | - | - | C | C | C | <u>C</u> |
| | Nightclub, live entertainment, dance hall | - | - | - | - | - | - | - | - | - | C | C | - | - | - | - | - | - | - |
| | 19) FOOD & BEVERAGE | | | | | | | | | | | | | | | | | | |
| | Bakery | - | - | - | - | - | - | - | - | - | P | P | - | P | - | - | - | - | <u>P</u> |
| | Bar, tavern, cocktail lounge | - | - | - | - | - | - | - | - | - | C | C | - | - | - | - | - | - | <u>C</u> |
| | Catering establishment | - | - | - | - | - | - | - | - | - | P | P | - | P | - | - | - | - | <u>P</u> |
| | Confectionary store | - | - | - | - | - | - | - | - | - | P | P | - | - | - | - | - | - | <u>P</u> |
| | Grocery store | - | - | - | - | - | - | - | - | - | P | P | - | - | - | - | - | - | <u>P</u> |
| | 20) LODGING | | | | | | | | | | | | | | | | | | |
| | Hotel & motel (Resort hotel or lodge) | C | € ² | - | - | - | - | - | - | - | C | C | - | - | - | - | - | - | <u>C</u> |
| | 21) OFFICE | | | | | | | | | | | | | | | | | | |
| | Administrative/profession al office excluding government uses and social services | - | - | - | - | - | - | - | - | - | P | P | P | P | C | - | - | - | <u>P</u> |
| | Travel agency | - | - | - | - | - | - | - | - | - | P | P | - | - | - | - | - | - | <u>P</u> |
| | 22) RESTAURANT | | | | | | | | | | | | | | | | | | |
| | Restaurant | - | - | - | - | - | - | - | - | - | P | P | C | P | C | C | C | - | <u>P</u> |
| | Restaurant with drive thru within 100' of residential zone | - | - | - | - | - | - | - | - | - | C | C | C | C | - | - | - | - | <u>C</u> |
| | Restaurant with drive thru farther than 100' from residential zone | - | - | - | - | - | - | - | - | - | P | P | C | P | - | - | - | - | <u>P</u> |

| T Y P E | USE | ZONE | | | | | | | | | | | | | | | | | |
|------------------|--|------|---|----|----|----|----|----|-----|------|----|-------|----|----|-----|----|----|----|------------|
| | | AE | A | SR | R1 | R2 | R3 | R4 | MDR | RMPD | C1 | C2/C4 | CA | CM | IPD | M1 | M2 | PC | <u>HWO</u> |
| INDUSTRIAL | 26) LIGHT INDUSTRIAL | | | | | | | | | | | | | | | | | | |
| | Assembly plant | - | - | - | - | - | - | - | - | - | - | - | - | - | P | P | P | - | ± |
| | Contractor storage & equipment yard | - | - | - | - | - | - | - | - | - | - | - | - | - | - | P | P | - | ± |
| | Fuel yard | - | - | - | - | - | - | - | - | - | - | - | - | - | - | C | C | - | ± |
| | Printing/publishing | - | - | - | - | - | - | - | - | - | - | C | C | P | P | P | P | - | <u>C</u> |
| | Research service & laboratory | - | - | - | - | - | - | - | - | - | - | - | - | P | P | P | P | - | <u>C</u> |
| | Taxidermy | - | - | - | - | - | - | - | - | - | P | - | - | P | - | - | - | - | ± |
| | 27) MANUFACTURING | | | | | | | | | | | | | | | | | | |
| | Light | - | - | - | - | - | - | - | - | - | - | - | - | P | P | P | P | - | ± |
| | Heavy | - | - | - | - | - | - | - | - | - | - | - | - | - | - | C | P | - | ± |
| | 28) RECYCLING | | | | | | | | | | | | | | | | | | |
| | Large manned collection facilities (>500 s.f.) | - | - | - | - | - | - | - | - | - | - | - | - | C | - | C | C | - | ± |
| | Light processing facilities (<45,000 s.f.) | - | - | - | - | - | - | - | - | - | - | - | - | - | - | C | C | - | ± |
| | Heavy processing facilities (>45,000 s.f.) | - | - | - | - | - | - | - | - | - | - | - | - | - | - | C | C | - | ± |
| | 29) REPAIR | | | | | | | | | | | | | | | | | | |
| | Small appliance | - | - | - | - | - | - | - | - | - | P | P | P | P | P | P | P | - | <u>P</u> |
| | Large equipment | - | - | - | - | - | - | - | - | - | - | - | - | C | C | P | P | - | ± |

| T Y P E | USE | ZONE | | | | | | | | | | | | | | | | | |
|---|--|------|----------|----|----|----|----|----|-----|------|----|-------|----|----|-----|----|----|----|------------|
| | | AE | A | SR | R1 | R2 | R3 | R4 | MDR | RMPD | C1 | C2/C4 | CA | CM | IPD | M1 | M2 | PC | <u>HWO</u> |
| T E M P O R A R Y | 32) TEMPORARY USES (Permit required & subject to Section 16-3.04.050 of the V.M.C.) | | | | | | | | | | | | | | | | | | |
| | Christmas tree, pumpkin lot & similar (30-day maximum) | - | - | C* | C* | C* | C* | C* | C* | - | P | P | P | P | - | P | P | - | <u>P</u> |
| | Construction trailer & incidental uses | P | <u>P</u> | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | <u>P</u> |
| | Garage sale | P | <u>P</u> | P | P | P | - | - | - | - | - | - | - | - | - | - | - | - | = |
| | Indoor event (90 day maximum) | P | <u>P</u> | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | <u>P</u> |
| | Mobile food trucks at a stationary location | - | - | - | - | - | - | - | - | - | P | P | P | P | - | - | - | P | <u>P</u> |
| | Model home complex | - | - | - | P | - | - | - | - | - | - | - | - | - | - | - | - | - | = |
| | Outdoor event (30—90 day maximum) | P | <u>P</u> | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | <u>P</u> |
| | Outdoor event (Over 90 days) | C | <u>C</u> | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | <u>C</u> |
| | Parking lot sale | - | - | C* | C* | C* | C* | C* | C* | - | P | P | P | P | - | - | - | - | <u>P</u> |
| | Public auction | P | <u>P</u> | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | <u>P</u> |
| | Special event sale | - | - | C* | C* | C* | C* | C* | C* | - | P | P | P | P | - | - | - | - | <u>P</u> |
| | Storage containers | P | <u>P</u> | P | P | - | - | - | - | - | P | P | P | P | P | P | P | P | <u>P</u> |

* - If located on a lot developed for a commercial use.

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

Chapter 3: Zoning and Land Use Requirements

Article 18: ~~Slope Protection District~~ Overlay Districts

{Replace existing Slope Protection District with Overlay Districts as follows}

Sec. 16-3.18.010: Purpose

(a) Overlay districts are established to:

- (1) Facilitate cohesive development within specific areas of the City where increased residential densities and land use allowances complement the built environment;
- (2) Develop a mix of land uses that allow a variety of residential, health and wellness, open space/recreational, and other supportive land uses that create opportunities to group appropriate land uses while seamlessly integrating with existing neighborhood and development;
- (3) Promote development within underutilized or partially developed areas of the City in order to coordinate with existing development and provide complementary uses for the benefit of area residents;
- (4) Encourage the establishment of housing development within certain areas of the City by allowing increased density that expands housing options;
- (5) Provide incentives for infill development within the core area of the City as well as areas located along circulation element designated roadways within the general plan;
- (6) Establish standards for new housing options and ensure new development is well integrated with existing development;
- (7) Encourage flexibility of design in development by allowing both a vertical and/or horizontal mix of uses where appropriate and consistent with the general plan;
- (8) Promote linkages using a multi-modal circulation network, including transit, pedestrian sidewalks, paths and paseos, and bicycle and trail networks, to ensure safe, convenient access between uses that promotes physical activity and minimizes motorized vehicle use.

(b) The purpose of each overlay district is as follows:

- (1) The LDRIO (Low Density Residential Infill Overlay) zoning district is intended to provide an increase in density to encourage infill development, promote the efficient use of existing infrastructure, and provide additional housing opportunities in the core area of the city for those desiring a detached single-family residential housing type but who are willing to have or want smaller lots, with appropriate community facilities. The Low Density Residential Overlay zone district allows up to nine dwelling units per gross residential acre and is intended to supplement the underlying R-1 (Single-Family Residential) zone district

and the Low Density Residential designation expressed by the land use element of the general plan, which are cumulatively intended to guide development in the district.

- (2) The HWO (Health and Wellness Overlay) zoning district is intended to provide an opportunity to integrate land uses and design principles that promote health, wellness, equity and associated multi-family housing development with a density of up to 30 units per acre for health care workers, seniors, and others who would benefit from health and wellness related development. The Health and Wellness Overlay zone district is intended to supplement the underlying C-2 (General Commercial) and MU-2 (High Density Mixed Use) zone districts in conjunction with the Commercial and Mixed Use 2 land use designations of the general plan, which are cumulatively intended to guide development in the district.

Sec. 16-3.18.020: Application

Overlay districts shall be applied to properties within the boundaries of the subject districts in conjunction with underlying zone districts as follows:

- (a) Low Density Residential Infill Overlay (LDRIO) – The LDRIO zone district shall only be applicable to properties:
- (1) Located within R-1 (Single-Family Residential) zones, including any supplement zoning designations (i.e. Transitional Districts, etc.); and
 - (2) Not part of a previous residential subdivision, excepting for contiguous properties previously subdivided by a parcel map in compliance with Table 18-1.
- (b) Health and Wellness Overlay (HWO) – The HWO zone district shall be applicable to all C-2 (General Commercial) and MU-2 (High Density Mixed Use) zones, including any supplement zoning designations (i.e. Transitional Districts, etc.).

Sec. 16-3.18.030: Development Standards

All development standards of the underlying zoning district shall be applicable unless otherwise modified as follows:

Table 18-1 summarizes supplemental development standards for the Low Density Residential Infill Overlay (LDRIO) zone district. Development within the Health & Wellness Overlay zone district shall comply with the provisions of the underlying zone district excepting for non-residential Floor Area Ratio and residential density allowances which may be increased pursuant to Section 16-3.18.060.

Table 18-1: Overlay District Development Standards

| <u>Overlay District</u> | <u>LDRIO (7 du/ac)</u> | <u>LDRIO (9 du/ac)⁽¹⁾</u> |
|--|--|--------------------------------------|
| <u>Project Requirements</u> | | |
| <u>Minimum Project Area</u> | <u>2.5 acres</u> | <u>10 acres</u> |
| <u>Site Requirements</u> | | |
| <u>Lot Coverage</u> | <u>50%</u> | <u>50%</u> |
| <u>Minimum Net Lot Area:</u> | <u>5,000 sq. ft.</u> | <u>4,000 sq. ft.</u> |
| <u>Maximum Dwelling Unit Density (per gross acre)</u> | <u>Up to 7.0</u> | <u>Up to 9.0</u> |
| <u>Off-street Parking</u> | <u>Off-street Parking standards shall be provided pursuant to Article 21 of this Chapter.</u> | |
| <u>Minimum Lot Dimensions (in ft.)</u> | | |
| <u>Lot Width:</u> | | |
| <u>Interior</u> | <u>50</u> | <u>(2)</u> |
| <u>Corner</u> | <u>55</u> | <u>(2)</u> |
| <u>Reverse corner</u> | <u>55</u> | <u>(2)</u> |
| <u>Cul-de-sac (at front setback)</u> | <u>50</u> | <u>(2)</u> |
| <u>Lot Depth:</u> | <u>90</u> | <u>(2)</u> |
| <u>Minimum Useable Area</u> | <u>Every building site shall have a useable area equal to the minimum lot width and depth.</u> | |
| <u>Building Requirements (in ft.)</u> | | |
| <u>Minimum Front Yard Setbacks</u> | | |
| <u>Porch</u> | <u>14</u> | <u>(2)</u> |
| <u>First Story living</u> | <u>18</u> | <u>(2)</u> |
| <u>Minimum Side Yard Setback</u> | | |
| <u>Street side</u> | <u>10</u> | <u>(2)</u> |
| <u>Interior side</u> | <u>5</u> | <u>(2)</u> |
| <u>Separation Between Dwelling Units</u> | <u>N/A</u> | <u>(2)</u> |
| <u>Minimum Rear Yard Setback</u> | <u>15</u> | <u>(2)</u> |
| <u>Maximum Height</u> | <u>35</u> | <u>(2)</u> |
| <u>Open Space Requirements</u> | | |
| <u>Minimum Recreational Living Space: Per dwelling unit (in sq. ft.)</u> | | |
| <u>Private</u> | <u>1,250</u> | <u>(2)</u> |
| <u>Common</u> | <u>(3)</u> | <u>(3)</u> |
| <u>Total</u> | <u>1,250</u> | <u>(2)</u> |

Notes for Table 18-1:

- Requires an integrated development via the implementation of a planned unit development (PUD) to utilize overlay district.
- Established by a project's specific planned unit development (PUD).
- Common recreational amenities shall be installed pursuant to the requirements of Table 16-2 of this Chapter.

Sec. 16-3.18.040: Other development requirements and standards

The following requirements also apply to uses and structures in Overlay Districts:

- (a) Planned unit developments within the Low Density Residential Infill Overlay zoning district shall require establishment and permanent operation of a homeowner's association that:
 - (1) Is responsible for the maintenance and upkeep of any recreational amenities, landscape areas, clubhouse, drainage facilities, etc. that are not otherwise owned and maintained by the City of Victorville; and
 - (2) Maintains sole oversight and enforcement duties of the rules and regulations of the homeowner's association where those rules and regulations are not otherwise enforced by the City of Victorville, County of San Bernardino, or the State of California.
- (b) An unenclosed patio attached to a residence within the Low Density Residential Overlay (LDRIO) zoning district may project into the required rear yard setback a maximum of ten feet, excluding eaves; provided a minimum of five feet is maintained between the rear property line(s) and the patio; and:
 - (1) The project site was originally subdivided utilizing the allowances provided by the LDRIO, including average lot sizes less than 7,200 square feet and a density of over 5 dwelling units per gross acre;
 - (2) The rear property line of the project site abuts the rear property line of another lot subject to the rear yard setback projection allowances of the LDRIO zoning district; and
 - (3) The project site is not located within a Planned Unit Development.

Sec. 16-3.18.050: Approval Process

- (a) Developments within Overlay Districts that do not require or utilize a planned unit development shall be subject to the following review and approval processes:
 - (1) Low Density Residential Infill Overlay (LDRIO) – Tentative map review is required, pursuant to Chapter 4, Article 2 of this Title, for all residential subdivision of property within a LDRIO zoning district.
 - (2) Health and Wellness Overlay (HWO) – Site plan review is required, pursuant to Article 1 of this Chapter, for all development and/or physical expansion of a use and/or building within a HWO zoning district.
- (b) Development within Overlay Districts that requires or utilizes a planned unit development shall be subject to the following review and approval processes:
 - (1) Low Density Residential Infill Overlay (LDRIO) – All requirements of Section 16-3.18.050(a) of this Title, in addition to approval of a planned unit development pursuant to Article 16 of this Chapter.
 - (2) Health and Wellness Overlay (HWO) – All requirements of Section 16-3.18.050(b) of this Title, in addition to approval of a planned unit development pursuant to Article 16 of this Chapter.

Sec. 16-3.18.060: Planned Unit Development Review

Projects within an Overlay District that utilize the maximum allowances provided by the subject Overlay District, excepting for specific development standards and incentives provided by this article, shall be subject to all requirements and development standards of a planned unit development, as outlined in Article 16 of this Chapter, as follows:

- (a) Low Density Residential Infill Overlay (LDRIO) – Requires approval and implementation of a planned unit development, as outlined in Article 16 of this Chapter, when density exceeds 7 dwelling units per gross acre.
- (b) Health and Wellness Overlay (HWO) – Requires approval and implementations of a planned unit development, as outlined in Article 16 of this Chapter, when:
 - (1) Required pursuant to Article 9 of this Chapter; or
 - (2) Used to implement specific incentives as authorized by Section 16-3.18.070 of this Article.

Sec. 16-3.18.070: Incentives

Developments within Overlay Districts are provided the following incentives that can be combined or used independently, which are implemented and allowed as noted:

- (a) Increased land use allowances in accordance with Article 7 of this Chapter.
- (b) When located in the Health and Wellness Overlay zone district on a project site of 10 acres or more, and when subject to a planned unit development, as outlined in Article 16 of this Chapter, with a hospital, medical office, medical facility, or other health and wellness use as the primary use;
 - (1) Increased floor area ratio of 2.0 within MU-2 zoned areas for non-residential uses; and/or
 - (2) Housing as an accessory use in C-2 zoned areas.
- (c) Development Impact Fee reductions can be considered by the City Council in conjunction with a planned unit development review, as outlined in Article 16 of this Chapter, when reductions would promote the development of hospitals or other regional medical facilities.

Sec. 16-3.18.080: Design Guidelines

These design guidelines are intended to supplement the Single-Family Residential, Mixed Use, and Commercial design guidelines outlined in Articles 8, 9 and 10 of this Chapter. While the Single-Family Residential, Mixed Use, and Commercial design guidelines shall be utilized to facilitate developments within Overlay Districts independently when a planned unit development is not otherwise required, these supplemental Overlay District design guidelines shall be utilized when a planned unit development is required to utilize the maximum allowances provided by the subject Overlay District pursuant to Section 16-3.18.060 of this article. Development within Overlay Districts that utilizes or requires the establishment of a planned unit development pursuant to this article shall also be subject to the following supplemental design goals, objectives, and principles.

- (a) Design goals. Developments within Overlay Districts are intended to promote increased residential densities and provide creative mixes of commercial, professional, residential, and health and wellness related uses that vary in composition and intensity based upon location, accessibility, and the surrounding built environment. These guidelines present common goals that encourage the highest level of design quality while allowing maximum flexibility in the design of development within Overlay Districts that will:
 - (1) Encourage a variety of compatible residential and non-residential land uses in close proximity to existing or ancillary land uses to complement existing development and surrounding zoning designations;
 - (2) Provide opportunities to incorporate health and wellness uses, recreational amenities, and open space into new development; and
 - (3) Emphasize design compatibility with existing development and proposed land uses in site planning, architectural design, and building scale.
- (b) Design objectives. The design of development projects within Overlay Districts shall:
 - (1) Respect the scale, proportion and character of the surrounding area;
 - (2) Reinforce or establish a distinct architectural image;
 - (3) Establish attractive, inviting, imaginative and functional project design;
 - (4) Foster non-vehicular connectivity and integration within the neighborhood and between commercial and non-commercial uses;
 - (5) Facilitate and encourage pedestrian and recreational activity and mitigate adverse automotive patterns;
 - (6) Enhance surrounding neighborhoods, existing development and the City as a whole;
 - (7) Maintain a sense of harmony and proportion along street frontages and other portions of the project accessible by the public or exposed to public view; and
 - (8) Preserve and incorporate historically, culturally, or architecturally significant buildings and themes into the development proposals where appropriate.
- (c) Design principles. Development within Overlay Districts shall incorporate the following design principles throughout the project site where appropriate:

- (1) Connectivity and Interconnectivity. Development within overlay districts shall be designed to provide connectivity within the project site as well as interconnectivity to surrounding developments and neighborhoods/corridors. Non-vehicular and vehicular modes of transportation shall also be considered equally when designing project circulation patterns.
- (2) Shared facilities. Required facilities such as recreational amenities, gathering spaces, landscaping, drainage facilities and shared parking should be designed and integrated throughout the site to be utilized by all tenants, patrons, and visitors to the site.
- (3) Coordinated architectural design. Architectural design should reflect a style that characterizes or complements the predominant area style or theme, as applicable. The architectural style or theme of a development within an overlay district should be consistent throughout a project, however, variation in color schemes, design details, massing and scale are acceptable when continuity is consistent throughout the development.