

**NOTICE AND CALL OF A SPECIAL MEETING
OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE**

NOTICE IS HEREBY GIVEN as provided by Section 54956 of the Government Code of the State of California that the Mayor of the City of Victorville has called a Special Meeting for the purpose of discussing and acting upon the items listed below.

This meeting is to be held on Tuesday, July 10, 2007 at 5:00 p.m., in Conference Room "A" of Victorville City Hall, 14343 Civic Drive, Victorville, California 92392.

AGENDA

CALL TO ORDER

ROLL CALL

PUBLIC COMMENT

1. PUBLIC COMMENT ON ITEMS OF INTEREST TO THE PUBLIC

CONSENT CALENDAR

2. PRESENTATION OF ORDINANCE NOS. 2198, 2199 AND 2201 FOR THEIR SECOND READING AND ADOPTION BY THE CITY COUNCIL

A. ORDINANCE NO. 2198 ENTITLED:

AN ORDINANCE OF THE CITY OF VICTORVILLE APPROVING ZONE CHANGE PLN07-00039 TO RECLASSIFY A PORTION OF PROPERTY FROM R-3T (HIGH DENSITY RESIDENTIAL – TRANSITIONAL) AND C-2T (GENERAL COMMERCIAL – TRANSITIONAL) TO C-2 (GENERAL COMMERCIAL) – ST. MARY'S MEDICAL CENTER

B. ORDINANCE NO. 2199 ENTITLED:

AN ORDINANCE OF THE CITY OF VICTORVILLE APPROVING ZONE CHANGE PLN07-00052 TO RECLASSIFY PROPERTY FROM IPDT (INDUSTRIAL PARK DISTRICT – TRANSITIONAL) TO P-C (PUBLIC AND CIVIC) - ADELANTO SCHOOL DISTRICT

C. ORDINANCE NO. 2201 ENTITLED:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE APPROVING AMENDMENT PLN07-00062, TO ALLOW FOR VARIOUS AMENDMENTS OF THE VICTORVILLE MUNICIPAL CODE TO TITLE 17, SUBDIVISIONS; AND TITLE 18, ZONING – CITY OF VICTORVILLE

COUNCIL REPORTS

3. PRESENTATION OF REPORTS FROM COUNCIL MEMBERS

ADJOURNMENT OF MEETING

Dated: July 9, 2007



MAYOR OF THE CITY OF VICTORVILLE

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AGENDA ITEM

CITY COUNCIL MEETING OF: JULY 10, 2007

SUBMITTED BY: Carolee Bates
City Clerk

DATE: 7/2/07

SUBJECT: PUBLIC COMMENT ON ITEMS OF INTEREST TO THE PUBLIC

RECOMMENDATION: N/A

FISCAL IMPACT: N/A

Budget Amount:
Budget Acct. No.:

--Finance Department Use Only--
Additional Appropriation:

___ No
___ Yes/\$ Amt.:

Finance Director Review and Approval___

DISCUSSION: State law requires that each agenda of a governing body provide an opportunity for members of the public to address the legislative body on items of interest to the public within the body's subject matter of jurisdiction.

Accordingly, this item has been placed on the agenda to afford an opportunity for public comment at this time.

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AGENDA ITEM

CITY COUNCIL MEETING OF: JULY 10, 2007

SUBMITTED BY: Carolee Bates
City Clerk

DATE: 7/2/07

SUBJECT: PRESENTATION OF ORDINANCE NOS. 2198, 2199 AND 2201
FOR SECOND READING AND ADOPTION BY THE CITY
COUNCIL

RECOMMENDATION: That the City Council waive further reading and
adopt Ordinance Nos. 2198, 2199 and 2201

Ordinance No. 2198 – Approving Zone Change PLN07-00039
Ordinance No. 2199 – Approving Zone Change PLN07-00052
Ordinance No. 2201 – Approving Amendment PLN07-00062

DISCUSSION: At a regular City Council meeting held June 26, 2007, the
City Council conducted a public hearing and introduced the above-referenced
Ordinances. Accordingly, these Ordinances are presented for second reading
and possible adoption at this time.

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Attachments

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ORDINANCE NO. 2198

AN ORDINANCE OF THE CITY OF VICTORVILLE APPROVING ZONE CHANGE PLN07-00039 TO RECLASSIFY A PORTION OF PROPERTY FROM R-3T (HIGH DENSITY RESIDENTIAL - TRANSITIONAL) AND C-2T (GENERAL COMMERCIAL – TRANSITIONAL) TO C-2 (GENERAL COMMERCIAL) – ST. MARY'S MEDICAL CENTER

Pursuant to Title 7, Division 1, Chapter 4, Article 2 of the Government Code of the State of California, a Public Hearing was held on the 13th day of June 2007, to hear arguments for and against the issue, and after hearing all testimony offered, the Planning Commission approved Resolution No. P-07-098, which recommended to the City Council the adoption of the zone change on property in the City of Victorville, County of San Bernardino, State of California hereinafter described as:

A 44.28 acre portion of the Southeast ¼ of Section 11, Township 4 North, Range 5 West, San Bernardino Base and Meridian, County of San Bernardino, State of California, according to the official plat of said land on file in the district land office, lying Northwesterly of State Highway No. 31C, as the same now exists, and lying Southwesterly of that portion conveyed to Mono Power Company, a corporation, by deed recorded February 8, 1971, in book 7605, page 124, official records; and

WHEREAS, The City Council finds that the proposed zone change is consistent with the General Plan; and

WHEREAS, The City Council finds that the site is adequate in size to accommodate the proposed land use; and

WHEREAS, The City Council finds that the proposed use will have no adverse effect upon abutting property; and

WHEREAS, a Negative Declaration for the proposed Zone Change has been presented to the Planning Commission, and each member having reviewed and considered the information contained therein, and the Planning Commission having determined that the proposed Zone Change will not have a significant effect on the environment and therefore recommends adoption by the City Council,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF VICTORVILLE DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. That Zone Change PLN07-00039 be adopted, reclassifying a portion of property from R-3T (High Density Residential - Transitional) and C-2T (General Commercial – Transitional) to C-2 (General Commercial) on property generally located north of Mojave Street, south of and abutting Mesa Street, east of Topaz Road and west of Amargosa Road.

ORDINANCE NO. 2199

AN ORDINANCE OF THE CITY OF VICTORVILLE APPROVING ZONE CHANGE PLN07-00052 TO RECLASSIFY PROPERTY FROM IPDT (INDUSTRIAL PARK DISTRICT - TRANSITIONAL) TO P-C (PUBLIC AND CIVIC) – ADELANTO SCHOOL DISTRICT

Pursuant to Title 7, Division I, Chapter 4, Article 2 of the Government Code of the State of California, a Public Hearing was held on the 13th day of June 2007, to hear arguments for and against the issue, and after hearing all testimony offered, the Planning Commission approved Resolution No. P-07-100, which recommended to the City Council the adoption of the zone change on property in the City of Victorville, County of San Bernardino, State of California hereinafter described as:

Parcels 3 and 4 of Parcel Map 2441, in the City of Victorville, County of San Bernardino, State of California, as per map recorded in Book 21, of Parcel Maps, page 80, records of said County, and the West ½ of the East ½ of the Northwest ¼ of Section 11, Township 5 North, Range 5 West, San Bernardino Base and Meridian, County of San Bernardino, State of California; and

WHEREAS, The City Council finds that the proposed zone change is consistent with the General Plan; and

WHEREAS, The City Council finds that the site is adequate in size to accommodate the proposed land use; and

WHEREAS, The City Council finds that the proposed use will have no adverse effect upon abutting property; and

WHEREAS, a Negative Declaration for the proposed Zone Change has been presented to the Planning Commission, and each member having reviewed and considered the information contained therein, and the Planning Commission having determined that the proposed Zone Change will not have a significant effect on the environment and therefore recommends adoption by the City Council,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF VICTORVILLE DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. That Zone Change PLN07-00052 be adopted, reclassifying property from IPDT (Industrial Park District - Transitional) to P-C (Public and Civic) on property generally located at the northwest corner of Cactus Road and Cobalt Road.

ORDINANCE NO. 2201

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE APPROVING AMENDMENT PLN07-00062, TO ALLOW FOR VARIOUS AMENDMENTS OF THE VICTORVILLE MUNICIPAL CODE TO TITLE 17, SUBDIVISIONS; AND TITLE 18, ZONING – CITY OF VICTORVILLE

Pursuant to Title 7, Chapter 4, article 2 of the Government Code of the State of California, the Victorville Planning Commission held a public hearing on the 13th of June 2007, to hear arguments for and against the issue and, after hearing all testimony offered, they adopted Resolution No. P-07-110, which recommended to the City Council the adoption of Amendment PLN07-00062, and

This project has been determined to be categorically exempt from the California Environmental Quality Act (CEQA) based upon CEQA Guidelines Section 15061(b) (3).

The City Council finds the following amendments appropriate:

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF VICTORVILLE DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Amend the following sections of Title 17 & 18, to read:

Title 17 Amendments

Chapter 17.48 - Lots and Blocks

17.48.060 Avoidance of through, reverse frontage and reverse corner lots. *Addition*

Through lots, reverse frontage lots and reverse corner lots shall be avoided except where essential to provide a separation of residential development from traffic arteries or where otherwise required by topography and/or orientation.

17.48.060 Avoidance of through, flag, reverse frontage and reverse corner lots.

Through lots, flag lots, reverse frontage lots and reverse corner lots shall be avoided except where essential to provide a separation of residential development from traffic arteries or where otherwise required by topography and/or orientation.

17.48.100 Residential lots. *Change*

(a) Single-family residential lots abutting any arterial street shall not front or have access rights to such streets. The planning commission may allow, however, single-family residential lots one-half acre or larger in size with frontages of one hundred feet or greater to front on and have access rights to ~~secondary~~ arterial streets. Circular drives or other means to allow forward egress of vehicles from residential property onto the ~~secondary~~ arterial may be required by the planning commission in such cases. No residential lots shall front on or have access to major arterial streets. Where a frontage road is not provided, a solid masonry wall six feet in height shall be constructed along the right-of-way line along an arterial street. In lieu of the required solid masonry wall along arterial streets, the planning commission may substitute the requirement with more restrictive setback requirements for residential lots one-half acre or larger and one hundred feet of frontage or more.

(a) Single-family residential lots abutting any arterial or collector street shall not front or have access rights to such streets. The planning commission may allow, however, single-family residential lots one-half acre or larger in size with frontages of one hundred feet or greater to front on and have access

rights to arterial or collector streets. Circular drives or other means to allow forward egress of vehicles from residential property onto the arterial or collector may be required by the planning commission in such cases. No residential lots shall front on or have access to major arterial streets. Lots rearing onto collector streets shall provide an additional ten foot wide lettered lot for the establishment of Landscape Management Assessment District. Where a frontage road is not provided, a solid masonry wall six feet in height shall be constructed along the right-of-way line along an arterial street. In lieu of the required solid masonry wall along arterial streets, the planning commission may substitute the requirement with more restrictive setback requirements for residential lots one-half acre or larger and one hundred feet of frontage or more.

Title 18 Amendments

Chapter 18.16 - R-1 Single-Family Residential District

18.16.030 Conditional uses.

Change

~~(8) Nursing home and/or rest home serving six or fewer adults;~~

18.16.040 Accessory Uses.

Change

~~(3) An accessory building may occupy part of a required rear yard and/or side yard along the interior side lot line, provided that the roof system does not extend beyond the property line and shall meet all building code requirements. An accessory structure may be constructed anywhere within the rear and side yards, provided the structure meets all building code requirements;~~

(3) An accessory structure may occupy part of a required rear yard and/or side yard along the interior side lot line, provided that the roof system does not extend beyond the property line and a building permit is not required. Any structure that requires a building permit shall be setback a minimum of five (5) feet from any rear or interior side lot line. All accessory structures shall incorporate architectural features/elements of the primary structure and shall meet all current building code requirements.

Chapter 18.18 - R-2 Medium-Density Residential District

18.18.030 Conditional Uses.

Change

~~(8) Nursing and/or rest home serving six or fewer adults;~~

18.18.020 Accessory Uses.

Change

~~(1) An accessory building may occupy part of a required rear yard and/or side yard along an interior side lot line. Said accessory structure may be constructed to the property line of said rear and side yard, provided that the roof system does not extend beyond the property line, and shall meet all building code requirements.~~

(1) An accessory structure may occupy part of a required rear yard and/or side yard along the interior side lot line, provided that the roof system does not extend beyond the property line and a building permit is not required. Any structure that requires a building permit shall be setback a minimum of five (5) feet from any rear or interior side property line. All accessory structures shall incorporate architectural features/elements of the primary structure and shall meet all current building code requirements.

Chapter 18.20 - R-3 High-Density Residential District**18.20.040 Accessory Uses.*****Change***

~~(1) An accessory building may occupy part of a required rear yard and/or side yard along an interior side lot line. Said accessory structure may be constructed to the property line of said rear and side yard, provided that the roof system does not extend beyond the property line, and shall meet all building code requirements.~~

(1) An accessory structure may occupy part of a required rear yard and/or side yard along the interior side lot line, provided that the roof system does not extend beyond the property line and a building permit is not required. Any structure that requires a building permit shall be setback a minimum of five (5) feet from any rear or interior side property line. All accessory structures shall incorporate architectural features/elements of the primary structure and shall meet all current building code requirements.

Chapter 18.22 - R-4 Very-High-Density Multiple Residential District**18.22.040 Accessory Uses.*****Change***

~~(1) An accessory building may occupy part of a required rear yard and/or side yard along an interior side lot line. Said accessory structure may be constructed to the property line of said rear and side yard, provided that the roof system does not extend beyond the property line, and shall meet all building code requirements.~~

(1) An accessory structure may occupy part of a required rear yard and/or side yard along the interior side lot line, provided that the roof system does not extend beyond the property line and a building permit is not required. Any structure that requires a building permit shall be setback a minimum of five (5) feet from any rear or interior side property line. All accessory structures shall incorporate architectural features/elements of the primary structure and shall meet all current building code requirements.

Chapter 18.30 - C-2 General Commercial District**18.30.020 Permitted uses.*****Change***

~~(7)(B) Billiard hall, bowling alley or other similar indoor amusement facility,~~

*Existing Uses (7)(C) – (7)(D) shall be renumbered to (7)(B) – (7)(C) to reflect this change.

Addition

(7)(D) Hospital (minimum twenty (20) acre building site), including accessory uses such as nursing homes;

*Existing Uses (7)(E) – (7)(K) shall remain as numbered.

18.30.030 Conditional Uses.***Change***

~~(3) Alcohol rehabilitation/recovery facility;~~

*Existing Uses (4)-(9) shall be renumbered to (3)-(8) to reflect this change.

Addition

(9) Billiard hall, bowling alley or other similar indoor amusement facility;

*Existing Uses (10)-(37) shall remain as numbered.

Chapter 18.42 - M-1 Light Industrial District

18.42.055 Lot Coverage.

Addition

The lot area coverage by buildings or structures shall not exceed sixty percent of the total area.

Chapter 18.44 - M-2 Heavy Industrial District

18.44.055 Lot Coverage.

Addition

The lot area coverage by buildings or structures shall not exceed sixty percent of the total area.

Chapter 18.58 - General Regulations

18.58.200 Wireless communication antenna and accessory equipment facilities. *Change*

(c) Location. Wireless communication facilities shall be allowable within all zone districts provided that they are approved administratively or by the planning commission.

(1) Administrative Review. The following wireless communication facilities shall be subject to review and approval by the planning director upon the filing of a proper application with the planning department. Administrative review shall be conducted within ten working days of application submission.

(A) Antennas up to a maximum of fifteen feet in height above an existing building or rooftop and that are screened from view from all adjacent public rights-of-way;

(B) Antennas that are architecturally integrated with an existing building or structure so as not to be recognized as antennas;

(C) Antennas that are mounted onto other existing structures such as water tanks, pump stations, utility poles, ball field lighting, and similar structures where the antenna height does not exceed the structure height by more than fifteen feet;

(D) Addition of new equipment to allow for co-location on an existing city-approved structure, ~~not to exceed an additional increase in height of fifteen feet;~~

Chapter 18.60 - Off-Street Parking

18.60.140 Landscaping requirements.

Change

(c) Landscaping requirements for parking areas are as follows:

(2) All nonresidential parking areas requiring four or more parking stalls shall have a minimum of ~~three~~ percent of its surface area exclusive of frontage planting, devoted to landscaping as follows:

(A) Interior Landscaping. Every parking area which requires twenty-five parking spaces or more shall provide all of the required ~~three~~-percent landscaping within the interior of the parking area. The landscaping shall be located throughout the parking area in order to obtain maximum dispersion and shall consist of one ~~fifteen-gallon~~ tree for each ~~fifteen~~ parking spaces or fraction thereof and approved ground cover. Required planting located along the perimeter of the parking area or abutting the buildings on the subject property shall not be considered as part of the interior landscaping. See Figure 18.60.140

(B) Peripheral Landscaping. Where interior landscaping is not required, the required ~~three~~-percent landscaping may be distributed along the periphery of the parking area and between any building and parking area. See Figure 18.60.140.

(c) Landscaping requirements for parking areas are as follows:

(2) All nonresidential parking areas requiring four or more parking stalls shall have a minimum of five percent of its surface area exclusive of frontage planting, devoted to landscaping as follows:

- (A) Interior Landscaping. Every parking area which requires twenty-five parking spaces or more shall provide all of the required five-percent landscaping within the interior of the parking area. The landscaping shall be located throughout the parking area in order to obtain maximum dispersion and shall consist of one 24-inch box tree for each eight parking spaces or fraction thereof and approved ground cover. Planter islands and/or landscape fingers shall have a minimum interior width of five feet. Required planting located along the perimeter of the parking area or abutting the buildings on the subject property shall not be considered as part of the interior landscaping. See Figure 18.60.140
- (B) Peripheral Landscaping. Where interior landscaping is not required, the required five-percent landscaping may be distributed along the periphery of the parking area and between any building and parking area. See Figure 18.60.140.

Chapter 18.62 - Signs

18.62.110 Prohibited signs.

Addition

(6) Any sign that encroaches into a dedicated City right-of-way, unless otherwise permitted.

Chapter 18.66 - Accessory Uses and Buildings

18.66.070 Private, Non-commercial, Amateur Antennas.

Addition

The installation of private, non-commercial or amateur antennas are permitted in single-family residential zoning districts subject to the following:

- A. One mast shall be permitted per lot or parcel. No more than three (3) antennas may be mounted per mast and provided, further, that no antennas or antenna wires shall be attached to balloons.
- B. The maximum height of a mast or an antenna shall be forty-five (45) feet. However, the maximum height of an antenna mounted upon a self-supporting telescoping tower may exceed the limit by twenty (20) feet, provided that the highest portion of the antenna does not exceed forty-five (45) foot in height when the antenna is not in use. Any greater size or height necessary for reception shall be subject to Planning Commission approval of a Conditional Use Permit pursuant to Chapter 18.74.

The following requirements shall apply to all amateur radio facilities described in this section:

- A. The antenna is accessory to the primary use of the property and that the use of the property is not a telecommunications facility;
- B. An antenna mast not roof-mounted shall be located behind the main structure and no closer than ten (10) feet to the rear and side property lines. A roof-mounted antenna shall be kept to the rear portion of the main structure to minimize antenna visibility from the street.
- C. Sufficient anti-climbing measures must be incorporated in the structure, as needed, to reduce potential for trespass and injury.
- D. The amateur radio operator must retain and provide proof upon request of an official certification from the Federal Communication Commission.
- E. A building permit shall be obtained for all amateur radio antennas.

Chapter 18.68 - Temporary Uses**18.68.020 Uses subject to planning director approval.*****Change***

~~(8) Storage containers may be used as a temporary storage structure only for retail commercial, industrial or public/civic uses, and only for a period of up to three months per calendar year, in connection with a principal use. The storage containers shall be located so as to be screened from view from a public street. If screening by location is not possible, the container may be painted to match the surroundings. Storage containers shall be well maintained and free from graffiti. For purposes of this section, a storage container is a structure that was originally designed, used and/or intended to be used to transport cargo over land or sea and has no wheels which are permanently attached to the structure; or any other approved prefabricated structure as identified by the city building department.~~

(8) Storage containers may be used in accord with the following guidelines:

(A) Retail commercial, industrial or public/civic uses: A temporary storage structure for a period of up to three months per calendar year, in connection with a principal use. The storage containers shall be located so as to be screened from view from a public street. If screening by location is not possible, the container may be painted to match the surroundings. Storage containers shall be well maintained and free from graffiti.

(B) Single-family residential uses: A "pick-up and delivery" storage structure for a period of up to 72 hours per quarter annually is permitted without review of the Director. The storage containers shall only be used for the loading or unloading of the tenants possessions. Permanent on-site storage containers are prohibited.

For purposes of this section, a storage container is a structure that was originally designed, used and/or intended to be used to transport cargo over land or sea and has no wheels which are permanently attached to the structure; or any other approved prefabricated structure as identified by the city building department (i.e. "PODS" or other "pick-up and delivery" storage structures).



AGENDA ITEM

CITY COUNCIL MEETING OF: JULY 10, 2007

SUBMITTED BY: Carolee Bates
City Clerk

DATE: 7/2/07

SUBJECT: PRESENTATION OF REPORTS BY COUNCIL MEMBERS

RECOMMENDATIONS: N/A

FISCAL IMPACT: N/A

Budget Amount:
Budget Account No.:

DISCUSSION: In the event Councilmembers have matters on which they wish to report, or desire direction from Council, those matters may be discussed at this time.

--Finance Dept. Use Only--
Additional Appropriation:

_____ No
_____ Yes/\$Amount

Finance Director Review and
Approval _____

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