

## 4.0 LAND USE PLAN

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

This chapter contains the following sections:

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

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

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

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

## 4.1 Land Use Districts

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

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

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

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

**Table 4.1 Land Use Districts**

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

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

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

## 4.2 Old Town Victorville Land Use Mix

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

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

The hierarchy of streets is as follows:

7<sup>th</sup> Street as Main Street

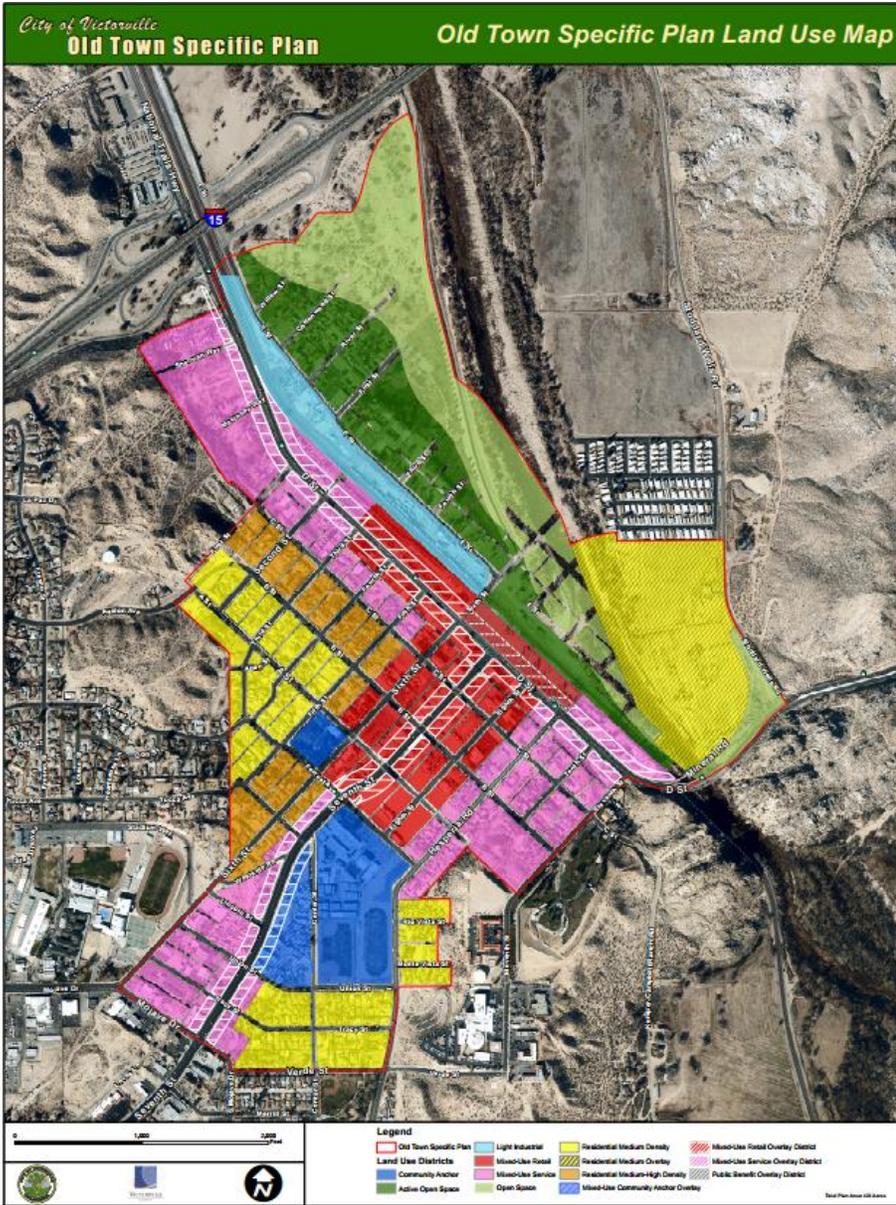
Hesperia Road/9<sup>th</sup> Street as the bypass moving fast traffic away from Old Town

D Street as a commercial corridor

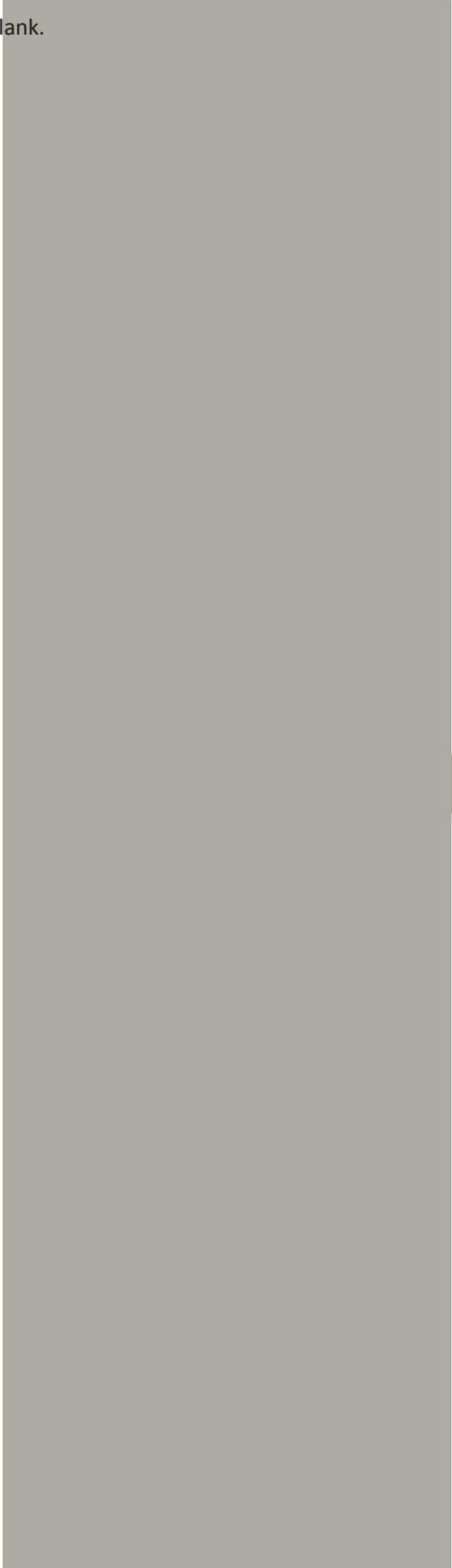
Minor streets located behind the three major streets provide supporting uses to the downtown

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

**Figure 4.1  
 Land Use Map**

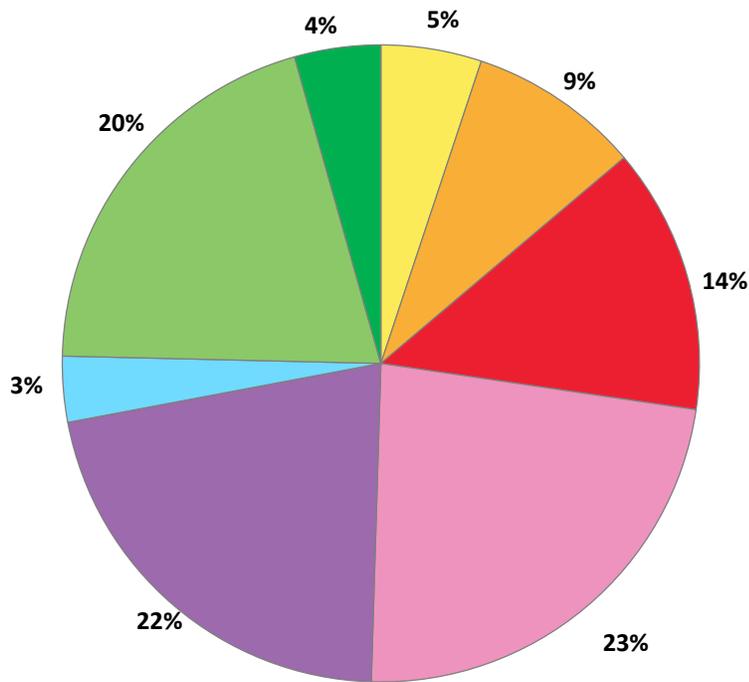


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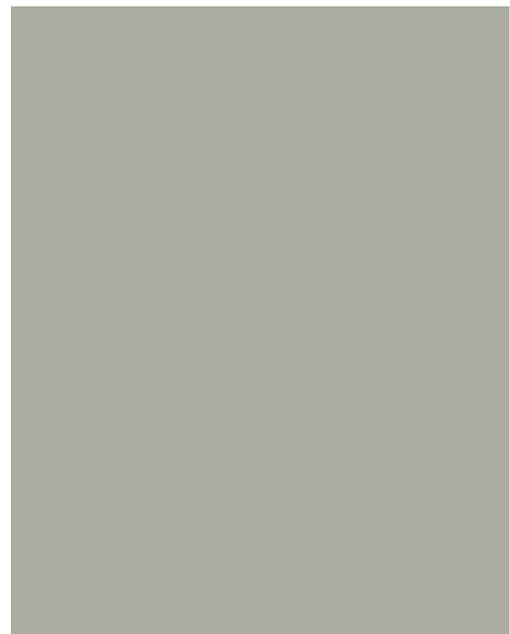
The figure below demonstrates the distribution of parcel acreage in the Specific Plan area designated for each land use district.

**Figure 4.2**  
**Land Use Distribution**



**Land Use Designation**

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



## 4.3 Development Types

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

### Residential Medium Density (RM)



Residential Medium High (RMH)



Mixed-Use Retail (MUR/MURO)



Mixed-Use Service (MUS/MUSO)



Commercial (C)



Light Industrial (LI)



Open Space (OS)



Active Open Space (AOS)



Public Benefit Overlay (PB)



## 4.4 Permitted Uses

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

**P** = Permitted by right

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

– = Not Permitted

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

**Table 4.2 Permitted Uses**

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

LAND USE CLASSIFICATION	<i>P = Permitted; C = Conditional; – = Not Permitted</i>									
	RM(O)	RMH	MUR	MURO	MUS	MUSO	CA	LI	OS	AOS
Public Safety Facility	P	P	P	P (1K SF max)	P	P (1K SF max)	C	P	C	P
Schools – Public	P	P	P	–	P	–	P	C	–	–
Schools – Private	P	P	P	–	P	–	C	C	–	–
Schools – Vocational	P	P	P	C	P	P	C	C	–	–
Theatres and Auditoriums	–	–	P	C	P	C	P	C	C	C
<b>Utility, Transportation and Communication Use Listings</b>										
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
<b>Retail, Service, and Office Listings</b>										
Alcoholic Beverage Sales (Off Sale) <sup>3</sup>	–	–	C	C	C	C	–	–	–	–
Art studio	–	–	P	P	P	P	–	C	–	–
Banks and Financial Services	–	–	P	P <sup>1</sup>	P	P	–	–	–	–
Bed and Breakfast Inn	P	P	P	P <sup>1</sup>	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	–	P	P	–	–	–	–
Neighborhood Market	–	–	P	P	P	P	–	–	–	–

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

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

## 4.5 Accessory Uses

### 4.5.1 Residential

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

### 4.5.2 Commercial, Light Industrial

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

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

## 4.6 Special Requirements for Certain Uses

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

### 4.6.1 Veterans Memorial

The Veterans Memorial located on the northeast corner of Forrest and Seventh Streets is a cherished memorial for not only veterans, but for the residents of Old Town and the citizens of Victorville. Due to the importance of this memorial and the fact that parades and other gatherings often occur at and near the memorial, future land uses that will occur adjacent to this site must take this sensitive land use into account during development. Therefore, any use and/or development that will occur on the adjacent vacant parcels must provide for a public benefit buffer and amenity around the memorial that shall be installed concurrently with

the development. The buffer and feature may be utilized during gatherings at the memorial by the general public and may be as basic as grass or concrete with benches and/or may contain an arbor or trellis and landscaping. The exact size and design of the buffer and amenity shall be determined during the time of project entitlement and in the case of a mixed-use development, the feature may be counted toward any open space and/or amenity requirement for that project.



#### 4.6.2 Emergency Shelters

- 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.

## 4.7 Process to Determine Similar Uses

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

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

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

## 4.8 Temporary Uses

Temporary uses are limited short term uses that help generate additional pedestrian activity in Old Town to increase awareness, interest and revenue for local businesses as well as to encourage the community to gather. Such activities include, but are not limited to, Farmers Markets, Route 66 Car Shows, Grand Openings, Special Events, Community Events and Public Events. Those temporary uses that are deemed beneficial to the Old Town area economically and/or socially and are open to the public as well as free of charge shall not be subject to the typical fees incurred by a City issued Temporary Use Permit. The Zoning Administrator shall determine if any given Temporary Use qualifies for a fee waiver through the Temporary Use permitting process per Section 16-3.07.050 of the VVMC.

## 4.9 Nonconforming Uses

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

## 4.10 Historical Resource Preservation

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

### 4.10.1 Locally Historical

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

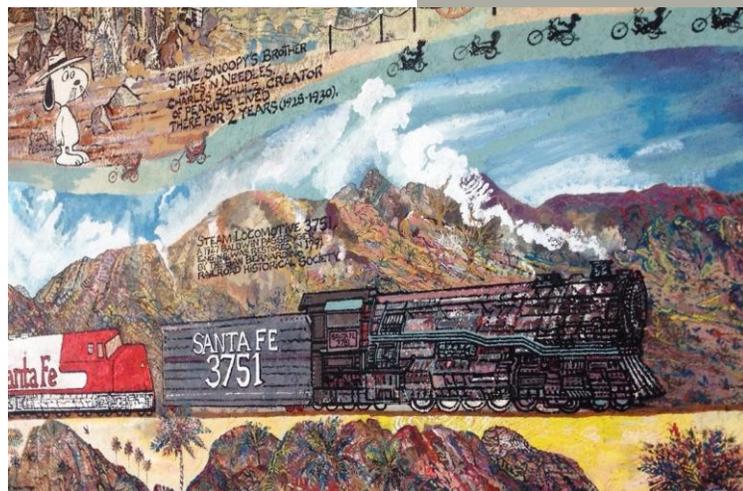


Any proposal for a Locally Historic Point of Interest, Building, Sign, Structure, Place, Block, District or other area shall be heard by the City Council after a recommendation from the Historic Preservation Committee per Section 16-1.02.080 of the VVMC and may be subject to Section 16-3.17 Historic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

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

#### 4.10.2 State and Federal Historical

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



#### 4.11 Historic Wall Murals/Public Art

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

#### 4.10.1 Historic Wall Murals

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

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

#### 4.10.2 Public Art

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

