

ORDINANCE NO. 2418

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE, ADOPTING A TITLE 16 MUNICIPAL CODE AMENDMENT WITH A MITIGATED NEGATIVE DECLARATION TO ALLOW PUBLIC/RECREATIONAL VEHICLE STORAGE FACILITIES AS A CONDITIONAL USE WITHIN THE M-1 (LIGHT INDUSTRIAL) ZONE DISTRICT CITYWIDE

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

WHEREAS, Pursuant to Title 7, Division 1, Chapter 4, Article 2, Section 65850 of the Government Code of the State of California, the City may adopt by ordinance regulations affecting: the use of buildings, structures and land; the location, height, bulk, and size of buildings and structures; and the size of lots, yards, courts and other open spaces; and

WHEREAS, Pursuant to Title 7, Division 1, Chapter 4, Article 2, Section 65850 of the Government Code of the State of California, the City has adopted Title 16, Chapter 2, Article 1, Section 16-2.01.010 of the Victorville Municipal Code, providing the authority to amend Title 16 of the Victorville Municipal Code and the various regulations, requirements, exceptions and guidelines located therein; and

WHEREAS, pursuant to Section 16-2.01.020 of the Victorville Municipal Code, an application has been received from Jordan Architects, authorized agent for owner of real property in the City of Victorville, to initiate amendments to Title 16 of the Victorville Municipal Code in order to conditionally permit public/recreational vehicle storage facilities within the M-1 Zone District; and

WHEREAS, pursuant to Section 16-2.01.030 of the Victorville Municipal Code, the City of Victorville Planning Department prepared a Staff Report detailing the proposed Victorville Municipal Code amendments as well as their conformance with applicable standards and requirements; and

WHEREAS, Pursuant to Title 7, Division 1, Chapter 4, Article 2 of the Government Code, State of California and Section 16-2.01.040 of a Victorville Municipal Code, the Victorville Planning Commission held a public hearing on April 14th, 2021, to hear arguments for and against the proposed amendments to Title 16 of the Victorville Municipal Code (the “Development Code”) and; after hearing all testimony offered; the Victorville Planning Commission adopted Resolution No. P-21-018, which recommended to the City Council the adoption of Municipal Code amendments specified in Planning Case No. PLAN20-00023; and

WHEREAS, the City Council finds that the addition of storage facilities as a conditional use in the M-1 (Light Industrial) Zone District will not be detrimental to the public health, safety or welfare, nor cause the underlying purpose of the M-1 Zone District to be negatively impacted due to the limited impacts to traffic and future industrial development that may be caused by storage facilities developed on M-1 zoned properties; and

WHEREAS, the City Council finds that the Mitigated Negative Declaration reflects the lead agency’s independent judgment and analysis; and

WHEREAS, the Initial Study, supporting documents, and a Mitigated Negative Declaration for the proposed Development Code Amendment have been presented to the City Council, and after review and consideration of the environmental information the City Council finds that the proposal will not have a significant effect on the environment with adoption of the associated Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program with applicable mitigation measures being enforced in conjunction with the associated Conditional Use Permit and Site Plan portions of the proposal; and

WHEREAS, Pursuant to Title 7, Division I, Chapter 4 of the Government Code of the State of California and Section 16-2.01.060 of the Victorville Municipal Code, a duly noticed Public Hearing was held by the City Council on the 18th day of May, 2021 to hear arguments for and against the code amendments, and after hearing all verbal and written testimony offered,

including the Planning Commission's recommendation and minutes, and after thoroughly reviewing and considering the code amendments, the City Council affirms the recommendation of the Planning Commission, approving the Victorville Municipal Code Amendments included in Case No. PLAN20-00023 and adopting the Mitigated Negative Declaration with a Mitigation Monitoring and Reporting Program.

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

Section 1. Recitals.

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

Section 2. Certification.

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

Section 3. Severability.

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

Section 4. Addition and Revision to Section 16-3.07.010 of the Victorville Municipal Code.

That Title 16 of the Victorville Municipal Code be amended as follows (with included legend defining existing, new, and deleted text by means of underscores, strikethroughs, and italicization for reference only):

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

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

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

{Excerpt of Table 7-1 shown for clarity. All other areas of Table 7-1 not included herein remain as is}

Zoning Categories:

Commercial Zoning Districts

C1: Neighborhood Service
C2/C4: General Commercial
CA: Administrative Professional
Offices
CM: Commercial Manufacturing

Industrial Zoning Districts

IPD: Industrial Park
M1: Light Industrial
M2: Heavy Industrial

Use Legend:

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

TYPE	USE	ZONE						
		C1	C2/C4	CA	CM	IPD	M1	M2
INDUSTRIAL	30) WAREHOUSE/STORAGE							
	Public/recreational vehicle storage	C	-	-	C	-	<u>C</u>	-


ORDINANCE NO. 2418

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT ON JULY 1, 2021.

PASSED, APPROVED AND ADOPTED THIS 1st DAY OF JUNE 2021.


MAYOR OF THE CITY OF VICTORVILLE

ATTEST:


CITY CLERK

6/8/21
DATE

APPROVED AS TO FORM:


CITY ATTORNEY

I, CHARLENE ROBINSON, City Clerk of the City of Victorville and ex-officio Clerk to the City Council of said City, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. 2418 which was introduced at a meeting held on the 18th day of May 2021 and duly adopted at a meeting held on the 1st day of June 2021 by the following roll call vote, to wit:

AYES: Mayor Jones, Councilmembers Becerra, Gomez, and Irving

NOES: None

ABSENT: None

ABSTAIN: None


CITY CLERK OF THE CITY OF VICTORVILLE