



Conference Room A  
14343 Civic Drive  
Victorville, CA  
[www.victorvilleca.gov](http://www.victorvilleca.gov)

## Zoning Administrator

**Regular Meeting Agenda  
Wednesday, August 17, 2022**

**10:00 a.m. Regular Meeting**

The Zoning Administrator welcomes and encourages public participation and invites the community to attend in person. If you cannot attend in person, the meeting will also be available via Zoom.

**To join via Computer, Laptop, or Smart Device:**

Meeting ID: 891 9367 2163

\*To provide comment, click the “Raise Hand” button and the Clerk will unmute you.

**To join via Audio only (cell phone or landline):**

Dial: (669) 444-9171

Meeting ID: 891 9367 2163

\*To provide comment dial \*9 to “Raise Hand”

**Public Comments:** Members of the public may submit comments electronically to [planning@victorvilleca.gov](mailto:planning@victorvilleca.gov). All email comments received by 3 p.m. the day before the meeting will be distributed to the Zoning Administrator. Participants are invited to address the Zoning Administrator on agenda and non-agenda topics. Public comments will be no longer than three (3) minutes per community member. Should a speaker conclude their comments prior to the expiration of three (3) minutes, the speaker waives the right to speak for any remaining amount of time.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Division at (760) 955-5135 no later than 72 hours prior to the meeting.

## Call to Order

### PUBLIC HEARINGS

1. ADMN22-00092 – Steve Rawlings

**Environmental** – Environmental Exemption

**Project** – A Minor Conditional Use Permit with an Environmental Exemption to allow for alcohol sales (including beer, wine, & distilled spirits) for on-site consumption at an existing restaurant.

**Location** – 11612 Amargosa Road

**Attachments** – Attachment A – Site and Floor Plan  
Attachment B – Aerial Image

2. ADMN22-00093 – Dr. Nakia Wilson

**Environmental** – Environmental Exemption

**Project** – An Interim Use Permit with an Environmental Exemption to allow for group counseling services to include classes in parenting, domestic violence, and anger management at a C-A (Administrative Professional Offices) zoned property.

**Location** – 16519 Victor Street, Suite #401

**Attachments** – Attachment A – Site and Floor Plan  
Attachment B – Aerial Image

## Public Comments

## Adjournment



# ZONING ADMINISTRATOR STAFF REPORT

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**DATE:** August 17, 2022 **AGENDA NO. 1**

**CASE:** ADMN22-00092

**SUBJECT:** A MINOR CONDITIONAL USE PERMIT WITH AN ENVIRONMENTAL EXEMPTION TO ALLOW FOR ALCOHOL SALES (INCLUDING BEER, WINE, & DISTILLED SPIRITS) FOR ON-SITE CONSUMPTION AT AN EXISTING RESTAURANT

**APPLICANT:** STEVE RAWLINGS

**LOCATION:** 11612 AMARGOSA ROAD

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## **I. STAFF RECOMMENDATION:**

Staff recommends that the Zoning Administrator take the following actions:

- 1. Environmental Assessment** – Find the project categorically exempt per CEQA Section 15301 – Existing Facilities; and
- 2. Minor Conditional Use Permit** – Approve case ADMN22-00092 subject to the recommended Conditions of Approval.

## **II. SUMMARY:**

The applicant is requesting approval of this Minor Conditional Use Permit to allow for the addition of full-service alcohol sales in conjunction with an existing Cracker Barrel restaurant that currently sells beer and wine only. The subject site is located on a stand-alone pad within a multi-tenant commercial center in the “Restaurant Row” area of the City. The site is a recent development, with Cracker Barrel gaining occupancy in early 2018. The existing restaurant operates between the hours of 7AM – 10PM Sunday – Thursday & 7AM – 11PM on Friday and Saturday with no proposed change to the hours based on the proposed expansion. The restaurant is located within an area that is over-concentrated with on-sale alcohol licenses as defined by the California Department of Alcoholic Beverage Control (ABC), however, any required findings are made by the ABC at their discretion, and in conjunction with this Minor Conditional Use Permit.

## **III. STAFF ANALYSIS:**

### **1. Environmental Assessment.**

California Environmental Quality Act (CEQA) Section 15301 allows a categorical exemption for projects involving the permitting of private structures involving no expansion of use. The use of a restaurant with alcohol sales for on-site consumption will not constitute an expansion of use as no construction activities or other tenant improvements are proposed, and the site is currently operating as a restaurant.

Therefore, Staff finds this categorical exemption applicable to this proposal.

## 2. Minor Conditional Use Permit.

### Business Operations

- As noted in the summary, the restaurant presently operates between the hours of 7AM – 10PM Sunday – Thursday & 7AM – 11PM on Friday and Saturday with no proposed changes. The submitted floor plan indicates an interior dining room with tables and seating for approximately 180 patrons. The remaining area of the 9,170 sq. ft. building consists of kitchen, storage, cooler, restrooms, office, employee break rooms, and a retail gift shop. The building also includes a 1,316 sq. ft. covered porch along the front elevation where outside dining was first allowed during the COVID-19 pandemic. As permitted by the California Department of Alcoholic Beverage Control (ABC), service of alcoholic beverages would also take place where outside dining takes place.
  - Based upon previous approvals by the Planning Commission and Zoning Administrator with regard to restaurants seeking the sales of distilled spirits, Staff has included Conditions 10 – 25, in an effort to ensure the operations do not morph into a bar and/or nightclub atmosphere during late night hours. These conditions include use restrictions, required ABC license type, and hours of operation that will not exceed those proposed in this application.

### Title 16

- Title 16 defines a restaurant as a *“bona fide eating place whose predominant function is the service of food and where alcoholic beverages are incidental. Incidental in this context means a restaurant with alcohol sales totaling less than twenty-five (25%) percent of all gross sales.”* Although a restaurant (meeting the definition above) selling beer and wine only is exempt from the requirement of a Conditional Use Permit as outlined in Section 16-3.07.020(a)(1), a Conditional Use Permit is required due to the proposals request for alcohol sales that include liquor.
- Eighty-one off-street parking spaces are required pursuant to the Title 16 requirement of one space for every one-hundred square feet of floor area for the restaurant component and one space for every two hundred square feet of floor area for the retail component ( $[6,756 \text{ sq. ft.} / 100 \text{ sq. ft.} = 68 \text{ spaces}] + [2,594 \text{ sq. ft.} / 100 \text{ sq. ft.} = 13 \text{ spaces}] = 81 \text{ spaces}$ ). The Cracker Barrel site was developed with ninety-six parking spaces, and an additional approximately 157 spaces in the adjoined multi-tenant center. Due to the excess number of parking spaces, Staff finds the available parking sufficient to meet the needs of the use.

### Site Condition

- Developed only five years ago, the site is in overall good condition with full street improvements, non-weathered paved parking areas, landscaping, and underground utilities. The existing trash enclosure however, does not meet current code standards related to an appropriate roofing, screening, and security. Staff has included Condition #9, requiring an upgrade to the existing trash enclosure to comply with the current applicable standards of Title 16.

### Required Findings

- In order to approve a Conditional Use Permit the Development Code requires that the Zoning Administrator make the following findings:
  - *The proposed location of the conditional use is in accord with the objectives and requirements of the Development Code.*
    - Comment: The underlying C-2 (General Commercial) zoning of the property conditionally permits full-service alcohol sales in conjunction with a restaurant. Therefore, the proposed location of the use is in accord with the objectives and requirements of the Development Code.
  - *The proposed location of the conditional use and the conditions under which it will be operated is consistent with the General Plan and will not be detrimental to the public health, safety and welfare or materially injurious to uses, properties or improvements in the vicinity.*
    - Comment: The site has a General Plan designation of Commercial with a Zone District that conditionally allows for the proposed use. Additionally, the Vision for the Land Use Element of the General Plan notes that a “*Separation of incompatible land uses and integration of complementary ones*” and “*Locations for commercial uses with strong vehicular and pedestrian access*” are characteristics of the Vision for Victorville. Since the proposal is located approximately sixteen-hundred feet from the nearest residential zone, and due to the site’s location on a developed property abutting an Arterial Roadway (Amargosa Road), Staff finds that the proposal is consistent with the General Plan and will not be detrimental to the public health, safety and welfare or materially injurious to uses, properties or improvements in the vicinity.
  - *The traffic generated by the proposed conditional use will not overload the capacity of the surrounding street system and will not create a hazard to public safety.*
    - Comment: Since the location was developed as a restaurant and has experienced no major traffic impacts, and due to the site’s location on a developed lot with complete street improvements, the proposal will not overload the capacity of the surrounding street system and will not create a hazard to public safety.
  - *The proposed conditional use will comply with each of the applicable provisions of the “Zoning and Land Use Requirements” chapter of Title 16.*
    - Comment: The existing site is fully developed, including sufficient parking for the proposed use and improvements in accordance with current Municipal Code requirements. Additionally, full-service alcohol sales in conjunction with a restaurant is listed as a conditional use within the underlying C-2 zoning of the site. Therefore, Staff finds that the proposal will comply with each of the applicable provisions of the “Zoning and Land Use Requirements” chapter of Title 16.

**IV. SITE CHARACTERISTICS:**

	<b>Existing Land Use</b>	<b>General Plan</b>	<b>Zoning</b>	<b>Specific Plan District</b>
Site	Restaurant	Commercial	C-2	N/A
North	Multi-tenant Commercial Center	Commercial	C-2	N/A
South	Self-Storage Facility	Commercial	C-2	N/A
East	Amargosa Road and I-15 Freeway Right-of-Way	N/A	N/A	N/A
West	Self-Storage Facility	Commercial	C-2	N/A

**NUMBER OF RADIUS LETTERS MAILED: 12**

DK

Attachments:

- Attachment A – Site Plan & Floor Plan Graphic
- Attachment B – Aerial Image

THE ZONING ADMINISTRATOR'S ACTION WILL BE FINAL UNLESS APPEALED TO THE PLANNING COMMISSION WITHIN TEN DAYS.

CONDITIONS OF APPROVAL  
ADMN22-00092  
August 17, 2022

**Planning Conditions:**

1. This approval is to allow for full-service alcohol sales (beer, wine, & distilled spirits) in conjunction with a restaurant located at 11612 Amargosa Road. Operating standards, including business hours, use restrictions, and California Alcoholic Beverage Control licensure type shall be as designated within the following Conditions of Approval.
2. The proposed use shall comply with all applicable development standards of Title 16.
3. The proposed development shall be in substantial conformity with the plans submitted as part of this conditional use permit, unless modification is required to comply with the applicable development standards of Title 16, and/or conditions of approval.
4. Any expansion of this proposed use beyond the scope of this conditional use permit shall require submission and approval of a conditional use permit modification or a new conditional use permit based upon the extent of the expansion.
5. Any change in use or implementation of a new use within the facility, which will require additional parking spaces resulting in non-compliance of Title 16 shall cause that use to be subject to Zoning Administrator and/or Planning Commission review and approval.
6. Approval of the Conditional Use Permit shall not abrogate the applicant from obtaining all necessary licenses for alcoholic beverage sales from the Department of Alcoholic Beverage Control.
7. Any non-compliance with this Conditional Use Permit and/or any subsequent Alcohol Beverage License's issued on the premises may be cause for revocation of this Conditional Use Permit and the user's Business License.
8. All landscaped areas shall be maintained in a neat, clean, orderly and healthful condition. This includes proper pruning, mowing of lawns, weeding, removal of litter, fertilizing, replacement of plants when necessary and the regular watering of all plants. In addition, all landscaped areas shall be provided with a suitable permanent water system.
9. The on-site trash enclosure shall be made to conform with current code prior to the issuance of the new and/or revised Alcoholic Beverage Control license. In accordance with the City's Small MS4 Permit, a solid roof/cover that is architecturally compatible with the primary building onsite and serves to protect the refuse area from inclement weather shall be provided, as well as wrought iron that fully encloses the trash enclosures between the block wall/metal gates and the roof to prevent unauthorized entry. (See Section 16-3.10.060(d)(2) & Sec. 16-3.24.110).
10. The hours of operation shall be limited to 7AM – 10PM Sunday – Thursday & 7AM – 11PM on Friday and Saturday. Sales, service and consumption of alcoholic beverages shall cease 30 minutes before closing on each night. When a national holiday is celebrated on a Monday, then Sunday operational hours are permitted to match those of Friday and Saturday.

11. The subleasing or renting out of the entire facility is prohibited.
12. The restaurant shall not include a stage of any kind, unless approved on a temporary basis in conjunction with a Temporary Use Permit approved by the Zoning Administrator.
13. Alcoholic beverages are only to be sold and/or provided by the licensed business at the location. Outside alcohol provided by patrons or other vendors is prohibited.
14. Minors, under the age of 18 years, shall not be on the premises after 10pm, unless accompanied by their legal guardian.
15. A full food menu shall be available during business hours.
16. Alcohol sales shall total less than twenty-five (25%) of all gross sales on-site.
17. No live entertainment shall be offered within the business, including but not limited to bands, singers, karaoke, disc jockeys, dancers, or comedians, without first obtaining a discretionary modification to the Conditional Use Permit and/or Temporary Use Permit.
18. Exterior or off-site advertising intended to bring customers to the restaurant exclusively or primarily for the consumption of beer, wine or alcohol is prohibited except for advertising related to a champagne brunch.
19. The facility shall remain a restaurant and maintain a Type 47 Department of Alcoholic Beverage Control license (bona fide eating place) at all times and not become strictly a bar.
20. Patrons who appear obviously intoxicated shall not be served any alcoholic beverages.
21. There shall be no "stacking" of alcoholic drinks, i.e., no server shall deliver more than one alcoholic drink at a time, to a single patron.
22. Employees shall be advised in writing by the Applicant and/or business owner that they are prohibited from consuming any alcoholic beverages during their work shift, and that the penalty for doing so may be suspension or termination of their employment.
23. An incident log shall be maintained at the licensed premises on a continual basis with at least one year of entries and be readily available for inspection by a police officer. The log is for recording any physical altercations, injuries, and objectionable conditions that constitute a nuisance occurring in, on, or at the licensed premises, including the immediately adjacent area that is owned, leased, or rented by the licensee. The log will indicate date, time, description of incident, and action taken. "Objectionable conditions that constitute a nuisance" means disturbance of the peace, public drunkenness, drinking in public, harassment of passersby, gambling, prostitution, loitering, public urination, lewd conduct, drug trafficking, or excessive loud noise.
24. Install a closed circuit television system capable of readily identifying facial features, and stature of all patrons entering the establishment during hours of operation. Cameras are to be recorded and a minimum of a 9 day library of events shall be kept and available for inspection by the Victorville Police Department.



25. Special events and/or any use proposed outdoors shall be required to obtain Temporary Use Permit or Conditional Use Permit Modification at the discretion of the Director of Development.
26. All proposed signs, including any freestanding signage, shall comply with Title 16. The applicant shall be required to submit a sign package for review and must gain approval by the Planning Commission prior to approval of any signage proposed which is inconsistent with Title 16. All signs shall be subject to Planning Staff review and approval prior to obtaining a building permit.
27. All proposed temporary signage shall comply with Title 16. All temporary signs (grand openings, special sales, etc.) shall only be affixed to the suite they serve in accordance with an approved Temporary Sign Permit. Flags or other off-site signage is prohibited within multi-tenant developments.
28. The Applicant/Owner shall agree to defend, indemnify and hold harmless, the City of Victorville, its agents, officers and employees from any claim, action or proceeding against the City of Victorville or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Victorville shall promptly notify the applicant of any such claim, action or proceeding, and the City of Victorville shall cooperate fully in the defense.

**Building/Fire Conditions:**

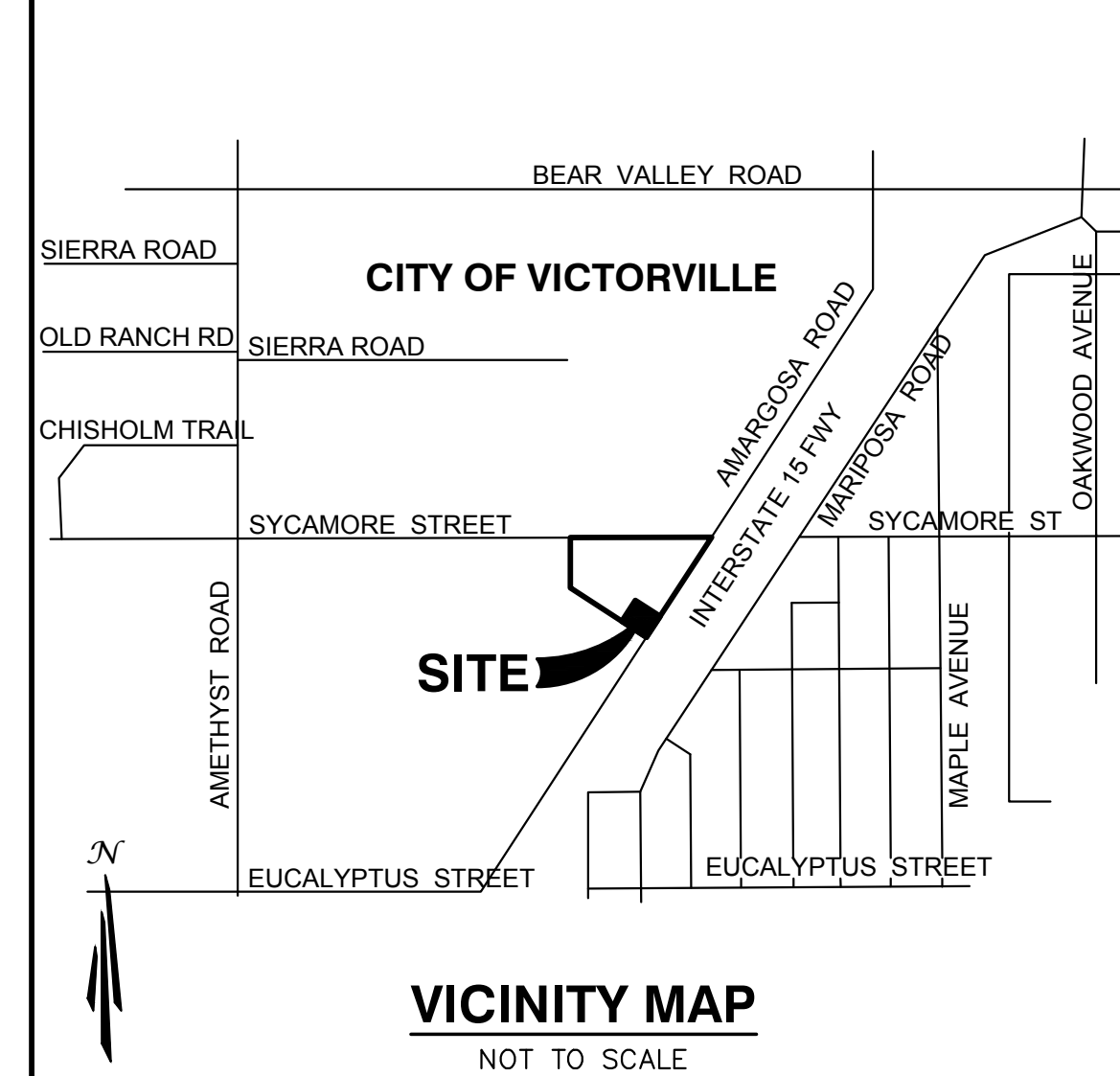
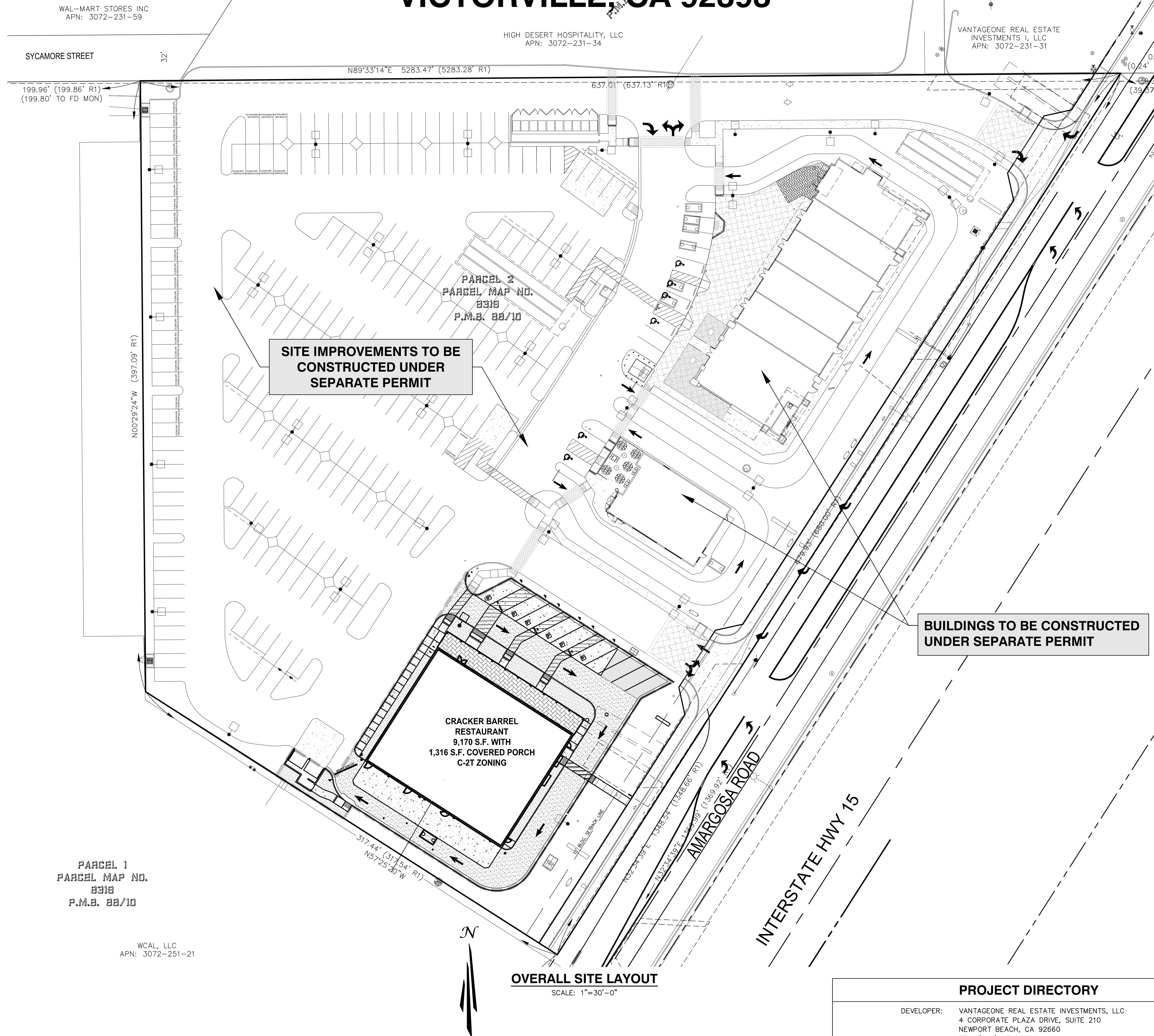
29. Shall comply with all current Building and Fire Code requirements based on occupancy classification.

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# ATTACHMENT A

# CRACKER BARREL

## 2025 AMARGOSA ROAD VICTORVILLE, CA 92393



**SHEET INDEX**

C-0	COVER SHEET
C-1	SITE LAYOUT PLAN
C-2	GRADING / DRAINAGE PLAN
C-3	SWPPP / EROSION CONTROL PLAN
C-4	UTILITY PLAN
SD-1	STANDARD DETAILS
SD-2	STANDARD DETAILS

**LEGEND**

CF	CURB FACE
EG	EXISTING GROUND
FF	FINISH FLOOR
FS	FINISH SURFACE
FL	FLOW LINE
GB	GRADE BREAK
HP	HIGH POINT
INV	INVERT
LIP	LIP OF GUTTER
LP	LOW POINT
RIM	MANHOLE RIM
TC	TOP OF CURB
TOG	TOP OF GRATE
+	EXISTING FIRE HYDRANT
[Symbol]	GREASE INTERCEPTOR
[Symbol]	POST INDICATOR VALVE AND FIRE DEPARTMENT CONNECTION
[Symbol]	TRANSFORMER
[Symbol]	YARD LIGHT
0000.00XX / 0000.00XX	PROPOSED ELEVATION
0000.00XX / 0000.00XX	EXISTING ELEVATION
[Symbol]	STORM DRAIN INLET PROTECTION
[Symbol]	FIBER ROLLS
[Symbol]	CONCRETE WASHOUT
[Symbol]	PROPERTY LINES
[Symbol]	WORK LIMITS LINE
[Symbol]	EXISTING CONTOUR LINE
[Symbol]	PROPOSED CONTOUR LINE
[Symbol]	ELEC LINE
[Symbol]	GAS LINE
[Symbol]	SANITARY SEWER LINE
[Symbol]	STORM DRAIN LINE
[Symbol]	TELEPHONE LINE
[Symbol]	WATER LINE
[Symbol]	PROPOSED SANITARY SEWER
[Symbol]	PROPOSED STORM DRAIN
[Symbol]	PROPOSED WATER LINE
[Symbol]	STANDARD DUTY PAVEMENT
[Symbol]	HEAVY DUTY PAVEMENT
[Symbol]	CONCRETE PAVING
[Symbol]	ENHANCED PAVING PORCH AREA
[Symbol]	LANDSCAPE AREA

**CRACKER BARREL PROJECT NUMBER: 04-11-CITY, STATE-11**  
**CRACKER BARREL**  
**OLD COUNTRY STORE #765**  
**2025 AMARGOSA ROAD**  
**VICTORVILLE, CA 92393**  
PROPERTY OF CRACKER BARREL OLD COUNTRY STORE  
REPRODUCED WITHOUT THE WRITTEN PERMISSION OF TAIT  
ENGINEERING, OLD COUNTRY STORE

**Cracker Barrel**  
P.O. Box 787  
Hartmann Drive, Lebanon, TN 37087



**TAIT**  
Since 1964  
11885 Roca Center Plaza  
Rancho Cordova, CA 95742  
Tel: (916) 632-0444  
www.tait.com  
Tait  
Della  
Driver

**Site Plan**

PROJECT DIRECTORY		UTILITY COMPANY	CONTACT NAME	PHONE NO.
DEVELOPER:	VANTAGEONE REAL ESTATE INVESTMENTS, LLC 4 CORPORATE PLAZA DRIVE, SUITE 210 NEWPORT BEACH, CA 92660 TEL: (949) 631-6620 FAX: (949) 903-3818 THOMAS ROBINSON	SANITARY SEWER & STORM WATER CITY OF VICTORVILLE	DAVE COCKRUM	(760) 955-5158
CIVIL ENGINEER:	TAIT & ASSOCIATES 11280 TRADE CENTER DRIVE RANCHO CORDOVA, CA 95742 TEL: (916) 669-1821 FAX: (916) 635-2606 STAN IVERSON	WATER CITY OF VICTORVILLE	DAVE COCKRUM	(760) 955-5158
GEOTECHNICAL ENGINEER:	SALEM ENGINEERING GROUP, INC. 11650 MISSION PARK DRIVE, #108 RANCHO CUCAMONGA, CA 91730 TEL: (909) 980-6455 FAX: (909) 980-6435 R. SAMY SALEM	FIRE SAN BERNARDINO COUNTY FIRE	KIM COLVER	(760) 955-5227
		ELECTRICITY SOUTHERN CALIFORNIA EDISON	DEANGELO MC VAY, JR.	(800) 655-4555
		GAS SOUTHWEST GAS CORPORATION	TERRI ROBERTS	(877) 860-6020
		TELEPHONE FRONTIER COMMUNICATIONS	-	(855) 504-4913
		CABLE TV CHARTER COMMUNICATIONS	-	(866) 499-8080

INITIAL DATE: 04/07/16  
RE-ISSUE DATE:  
REVISIONS  
JOB NUMBER  
**Cracker Barrel**  
Old Country Store  
**C-O**  
CB 180 11F

**UNAUTHORIZED CHANGES AND USES:** The engineer preparing these plans will not be responsible for, or liable for, unauthorized changes to or uses of these plans. All changes to the plans must be in writing and must be approved by the preparer of these plans.

Construction contractor agrees that in accordance with generally accepted construction practices, construction contractor will be required to assume sole and complete responsibility for job site conditions during the course of construction of this project, including safety of all persons and property, that this requirement shall be made to apply continuously and not limited to normal working hours, and construction contractor further agrees to defend, indemnify and hold design professional harmless from any and all liability, real or alleged, in connection with the performance of work on this project, excepting liability arising from sole negligence of design professional.

**Engineers Note to Contractor:**  
The existence and location of any underground utilities, pipes, and/or structures shown on these plans were obtained by a search of available records. To the best of our knowledge, there are no existing utilities except as shown on these plans. The contractor shall ascertain the true vertical and horizontal location and size of those to be used of any underground utilities and shall be responsible for any damage to any public or private utilities, shown or not shown hereon.



**BENCHMARK:**  
BENCH MARK NO. V-12R 2003  
ELEVATION = 3178.86  
N/W CORNER BEAR VALLEY ROAD  
AND AMARGOSA ROAD AT BCR.

**NPDES WDID NO. 6B36C377869**

**DOOR & WINDOW IDENTIFICATION**  
NOTE: SEE SHEET A-12 FOR DOOR & WINDOW SCHEDULE

XX	DOOR IDENTIFICATION
X	WINDOW IDENTIFICATION

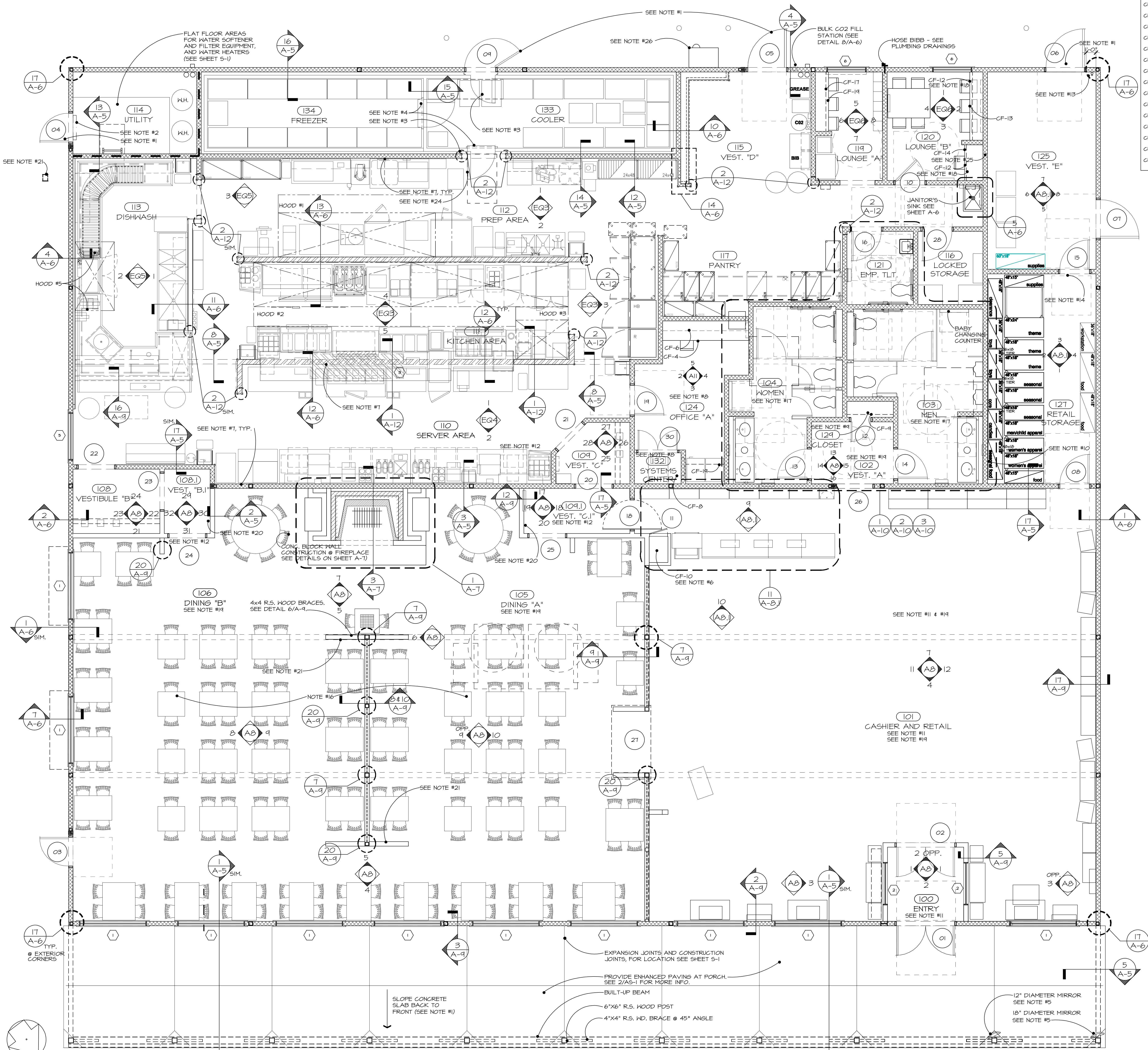
**CONTRACTOR FURNISHED MILLWORK**

ITEM	REFERENCE
CF-1	COUNTER OVER SAFE AND FILE CABINET SEE SHEET A-11
CF-2	OPEN
CF-3	OPEN
CF-4	OFFICE DESK COUNTER SEE SHEET A-11
CF-5	OPEN
CF-6	OFFICE DESK O/H CABINET SEE SHEET A-11
CF-7	OPEN
CF-8	SYSTEMS CENTER SHELVING SEE ELEV. 6 ON SHEET A-11
CF-9	CLOSET SHELVING SEE NOTE 9 ON THIS SHEET
CF-10	CASHIER CLOSET SHELVING SEE NOTE 6 ON THIS SHEET
CF-11	OPEN
CF-12	LOUNGE 'B' CABINET SEE NOTE 18 ON THIS SHEET
CF-13	LOUNGE 'B' DESK COUNTER SEE ELEV. 3 ON SHEET EG-6
CF-14	LOUNGE 'B' DESK COUNTER SEE ELEV. 1 ON SHEET EG-6
CF-15	OPEN
CF-16	LOUNGE 'A' SHELVES & CABINET SEE ELEV. 7 ON SHEET EG-6
CF-17	LOUNGE 'A' SHELVES & CABINET SEE ELEV. 6 ON SHEET EG-6
CF-18	LOUNGE 'A' DESK COUNTER SEE ELEV. 7 ON SHEET EG-6
CF-19	LOUNGE 'A' DESK COUNTER SEE ELEV. 6 ON SHEET EG-6

- NOTES**
- SEE CIVIL & STRUCTURAL PLANS FOR LOCATION & ELEVATIONS OF EXTERIOR CONCRETE PORCH SLABS, UTILITY PADS, & SIDEWALKS
  - PROVIDE (2) SETS OF 'AS BUILT' DRAWINGS & SPECIFICATIONS AT THE CONCLUSION OF THE PROJECT. STORE ONE SET IN A 4'-0" LONG BY 2" DIAMETER PVC TUBE W/ END CAPS, ATTACHED TO THE UTILITY ROOM WALL ABOVE DOOR. DELIVER OTHER SET IN CD FORMAT TO THE ATTENTION OF THE PROJECT MANAGER AT THE CRACKER BARREL CORPORATE HEADQUARTERS.
  - CLOSURE STRIPS ADJACENT TO FREEZER & COOLER SHALL BE PROVIDED BY THE KITCHEN EQUIPMENT SUPPLIER AND INSTALLED BY THE CONTRACTOR.
  - VINYL CURTAINS AT FREEZER & COOLER DOORS SHALL BE FURNISHED & INSTALLED BY THE KITCHEN EQUIPMENT SUPPLIER.
  - 12" & 18" DIAMETER SECURITY MIRRORS PROVIDED BY THE OWNER & INSTALLED BY THE CONTRACTOR AT THE TOP OF HOOD POST. SEE DETAIL AT 1/A-5.
  - SEE ELEVATION 33 A/B ON SHEET A-8 FOR DETAILS ON SHELVING AND KV BRACKETS INSTALLED BY G.C.
  - CONTRACTOR TO EXTEND PLYWOOD SHEATHING ON WALLS ABOVE CEILING TO PROVIDE ADDED SUPPORT FOR WALL-HUNG ITEMS. SEE 1/A-6 & EG SHEETS
  - SEE ENLARGED PLAN, DETAILS, & ELEVATIONS OF OFFICE & SYSTEMS CENTER ON SHEET A-11.
  - CONTRACTOR TO PROVIDE & INSTALL (3) 16" DEEP FIXED WOOD SHELVES AT 24", 42" & 60" AFF. AT CLOSET. ALL SHELVES TO BE WILSONART D-66-60 "SHADOW" LAMINATE W/ MATTE FINISH. STANDARDS & BRACKETS BY OWNER.
  - OWNER TO PROVIDE & CONTRACTOR TO INSTALL (6) 4'-0" KV STANDARDS STARTING AT 42" AFF. W/ BRACKETS REQUIRED TO SUPPORT (3) 17" x 16" x 8'-0" LONG SHELVES STARTING FROM THE LEFT CORNER ABOVE THE GIFT SHOP STORAGE WORK COUNTER. SEE ELEV. 2/A-8. (SHELVES PROVIDED BY CONTRACTOR.)
  - SEE NOTE 1 & DTL. 17 ON SHEET A-9 FOR INFORMATION ON KV STANDARDS, BRACKETS, & SHELVING IN CASHIER AND RETAIL AREA.
  - SEE INTERIOR ELEVATIONS ON SHEETS A-8 AND A-8.1 FOR INFORMATION REGARDING WALL-MOUNTED ITEMS.
  - INSPECTOR'S TEST VALVE LOCATION.
  - G.C. TO PROVIDE AND INSTALL A 24" DEEP x 108" LONG WOOD SHELF ABOVE THE RETAIL STORAGE EXIT DOOR. SEE DETAIL 3/A-8.1.
  - OPEN
  - OPEN
  - SEE ENLARGED PLAN DETAILS & INTERIOR ELEVATIONS FOR TOILET ROOMS ON SHEET A-10.
  - OWNER TO PROVIDE & CONTRACTOR TO INSTALL (3) KV STANDARDS ABOVE COUNTER. INSTALL BRACKETS TO SUPPORT. CONTRACTOR TO FINISH AND INSTALL LOCKABLE WALL CABINET W/ (3) ADJUSTABLE SHELVES. CABINET TO HAVE WILSONART D46-60 "SHADOW" LAMINATE W/ MATTE FINISH. CONTRACTOR TO PROVIDE & INSTALL CABINETS AND (3) 14" WHITE LAMINATE SHELVES ON OWNER-FURNISHED KV STANDARDS
  - ALL INTERIOR ROUGH-SAWN PLYWOOD, TRIM, & BATTENS SHALL BE FIR OR WESTERN RED CEDAR.
  - RECESSED DIMMER PANEL. SEE DETAIL 12/A-8.1.
  - SEE INTERIOR ELEVATIONS 5 & 4/A-8 AND DTL. 10/A-9 FOR LOW WALL VERTICAL DIMENSIONS.
  - CONTRACTOR TO INSTALL WOOD TRIM BETWEEN BATTENS AT REAR OF BUILT-IN CABINETS/ COUNTER. SEE ELEVATION 1/A-8 & DETAIL 13/A-8.1.
  - OPEN
  - GENERAL CONTRACTOR TO INSTALL (2) WALL STOPS (HIGH AND LOW) AT LEFT JAMB OF COOLER DOOR TO RESTRICT DOOR SWING FROM MAKING CONTACT WITH ADJACENT KITCHEN EQUIPMENT. SEE DOOR SCHEDULE AT A-12 FOR WALL STOP TYPES.
  - SMOKE WALL AROUND STORAGE LEDGE ABOVE LOUNGE 'B'. (SEE SHEET A-11)
  - MAIN ELECTRIC DISCONNECT AND METER, SEE ELECTRICAL DRAWINGS
- NOTE:**  
ALL MASONRY BLOCK WALLS SHALL BE REINFORCED WITH ONE #5 REBAR VERTICAL AND CORE FILLED WITH 3000 PSI CONC. AT THE FOLLOWING LOCATIONS: AT ALL JAMBS, END WALLS, WALL CORNERS, AND ALONG WALLS AT 8'-0" O.C. MIN. TYP. AT FOUNDATION WALLS.

**WALL LEGEND**

[Symbol]	WOOD FRAMED HALL - SEE SHEET A-2 FOR FRAMING SIZES (UNLESS NOTED OTHERWISE). INTERIOR WALLS RECEIVE DOUBLE COMPOSITE PLATES (CURB). SEE DETAIL #15, SHEET A-9 FOR CURB DETAIL. EXTERIOR WALLS TO RECEIVE 2x6 PR. TR. SINGLE BASE PLATES. SEE WALL SECTIONS ON SHEETS A-3 & A-6
[Symbol]	WOOD FRAMED HALL - SEE SHEET A-2 FOR FRAMING SIZES (UNLESS NOTED OTHERWISE).
[Symbol]	6" METAL STUD WALLS, UNLESS NOTED. SEE SHEET A-2 FOR SIZES AND LOCATIONS
[Symbol]	INSULATED INTERIOR WALLS SEE SHEET A-2 FOR LOCATIONS
[Symbol]	SMOKE PARTITION - SEE 13 & 17/A-5 AND DTL. 3/A-11



DEPICTIVE FLOOR PLAN (SCALE: 1/4" = 1' - 0") SEATING CAPACITY 180

CRACKER BARREL, INC. 10777 HANOVER AVENUE, SUITE 100, RICHMOND, CA 94804  
**CRACKER BARREL**  
**OLD COUNTRY STORE**  
 500 ARMARGOSA RD. &  
 SYCAMORE ST.,  
 VICTORVILLE, CA 92389

**Cracker Barrel**  
 P.O. Box 787  
 Hartmann Drive, Lebanon, TN 37087



**LYONS WARREN**  
 architects + engineers  
 9550 Canfield St.  
 San Diego, CA 92128-4560  
 TEL: 619.599.8888  
 FAX: 619.599.8888  
 lyons@lyonswarren.com

DEPICTIVE FLOOR PLAN

INITIAL DATE: MAY, 01 2017  
 RE-ISSUE DATE:  
 REVISIONS:  
 JOB NUMBER:  
  
**A-1**  
 CB 180 ITP

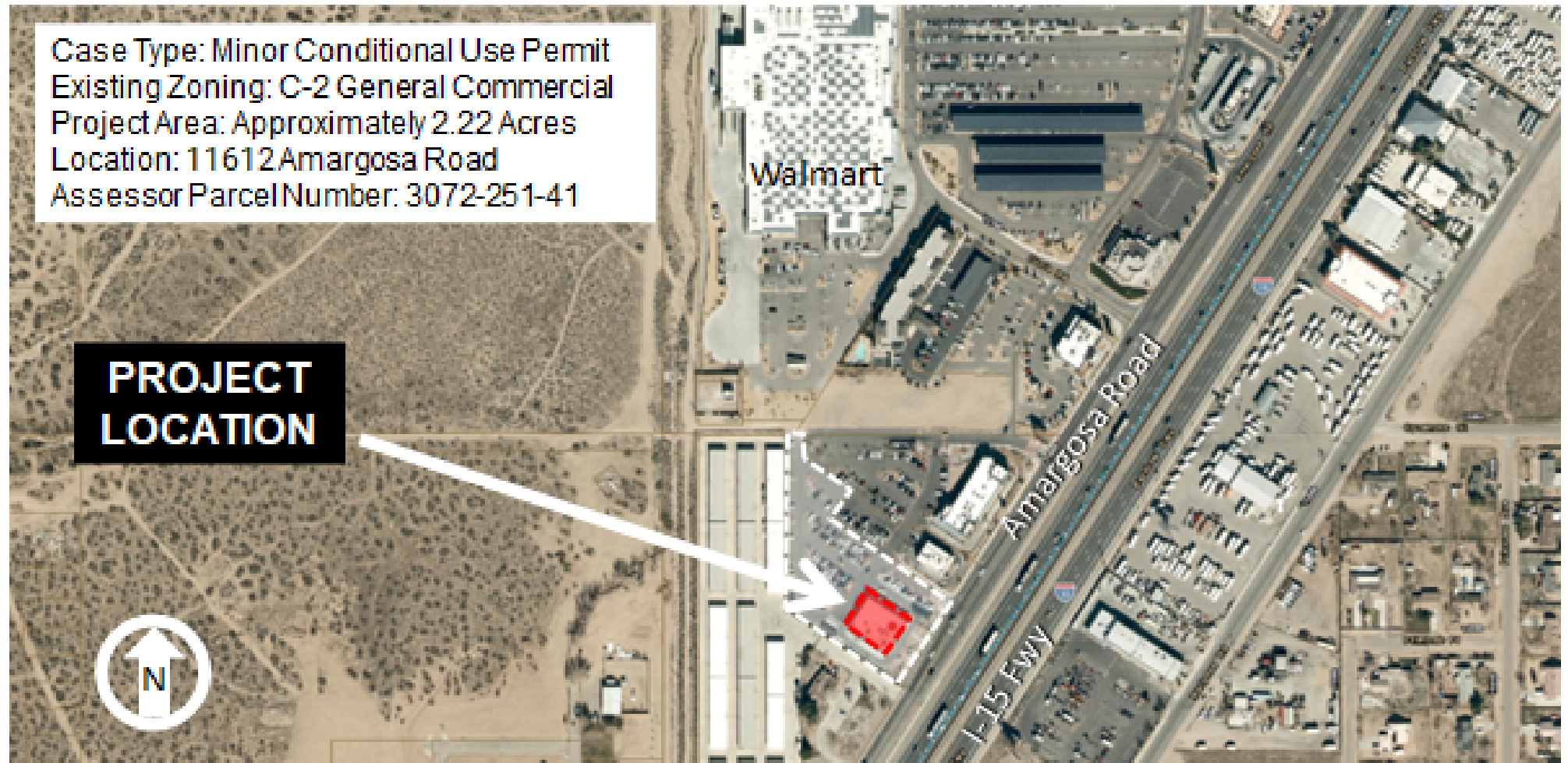
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# ATTACHMENT B

# CASE: ADMN22-00092

Case Type: Minor Conditional Use Permit  
Existing Zoning: C-2 General Commercial  
Project Area: Approximately 2.22 Acres  
Location: 11612 Amargosa Road  
Assessor Parcel Number: 3072-251-41

**PROJECT  
LOCATION**







# ZONING ADMINISTRATOR STAFF REPORT

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**DATE:** August 17, 2022 **AGENDA NO. 2**

**CASE:** ADMN22-00093

**SUBJECT:** An Interim Use Permit with an Environmental Exemption to allow for group counseling services to include classes in parenting, domestic violence, and anger management at a C-A (Administrative Professional Offices) zoned property.

**APPLICANT:** Dr. Nakia Wilson

**LOCATION:** 16519 Victor Street, Suite #401

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## **I. STAFF RECOMMENDATION:**

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

1. **Environmental Assessment** – Find the project categorically exempt per CEQA Section 15301 – Existing Facilities; and
2. **Minor Interim Use Permit** - Approve case ADMN22-00093 subject to the included Conditions of Approval and by finding that the proposal meets the requirements of the City Council Policy for Interim Uses (CP-11-05), including basis of need and required findings as outlined within the Staff Analysis section of the Zoning Administrator Staff Report.

## **II. SUMMARY:**

The applicant, YONNIK Support Services, is requesting approval of this Interim Use Permit (IUP) in order to hold group classes and counseling services within an existing 1,215 square foot suite where the company has already been permitted to offer one-on-one counseling sessions. The County of San Bernardino Human Service's Department has contracted YONNIK Support Services to provide hour-long classes in parenting, anger management, and domestic violence. Though the class sessions will be primarily virtual, approximately four in-person sessions to accommodate up to 15 individuals will take place once on Tuesday, twice on Wednesday, and once again on Thursday. While the underlying C-A Administrative Professional Offices zone district does not allow for assembly uses such as group counseling sessions, Staff finds the proposed IUP appropriate at this location given the suite's prolonged vacancy within a center where charter schools, vocational schools, and other types of assembly uses have historically been approved.

## **I. STAFF ANALYSIS:**

### **1. Environmental Assessment.**

California Environmental Quality Act (CEQA) Section 15301 allows a categorical exemption for the permitting of private structures that involve negligible or no expansion of use. Since the location was developed as multi-tenant commercial office building, the proposal does not

include any physical expansion, and the applicant seeks to operate during hours similar to other commercial uses in the area, Staff finds that this exemption is applicable to this proposal.

## 2. Minor Interim Use Permit.

- The Victor Professional Center is comprised of four buildings on one parcel located south of Victor Street and east of Victor Court within the C-A Administrative Professional Offices zone district. The proposed counseling center is located within an end suite of Building "D". The proposed use is in line with previous entitlements within the center and compatible with adjacent uses in regards to hours of operation and vehicle trips.
- Counseling facilities offering group classes are not listed as a permitted or conditional use in the underlying zone district, however, infrequent in-person sessions are not expected to be detrimental to the surrounding office related land uses. Additionally, vocational schools, charter schools, and churches with similar group classes and sessions have previously operated within this center with no issue.

### **Group Counseling Operations**

- The counseling center will utilize approximately 1,215 sq. ft. of an existing 46,332 sq. ft. office complex that is divided into approximately 38 suites. Floor plans indicate that the use will include a waiting room with reception desk, administrative offices, and a conference room capable of accommodating approximately 15 individuals.
- YONNIK Support Services obtained a business license earlier this year to utilize the space as an administrative office and to hold one-on-one, couples, or small family counseling sessions. Virtual group counseling and class sessions are held frequently throughout the week, but there is a need for infrequent in-person sessions. Proposed hours and days of in-person sessions are as follows:
  - Tuesday, 11AM –12PM for Domestic Violence
  - Wednesday, 10AM-11AM & 4PM-5PM for Parenting
  - Thursday, 11AM-12PM for Anger Management
- In order to provide the applicant the ability to adjust services provided to meet demand, Staff has included Condition #1, which includes the noted operations, as well as the ability for the Zoning Administrator to adjust services provided (e.g. frequency and number of attendees) should they remain consistent with City Council Policy for Interim Uses (CP-11-05).
- The County of San Bernardino Department of Human Services oversee this program. As a Licensed Marriage and Family Therapist, YONNIK Support Services was qualified to enter into a two-year contract with the County to offer court mandated one-on-one counseling sessions as well as hold courses in parenting, anger management, and domestic violence. As part of their agreed contract, YONNIK Support Services is required to keep detailed case reports to be submitted to the County regularly. The County can extend or terminate the contract at their discretion.

### **Parking**

- Title 16 requires 1 parking space per 200 square feet of floor area for a professional office, not including utility rooms. Based upon the floor plans provided, the suite would require 7 parking spaces (1,215 sq. ft. / 200 sq. ft. = 7 spaces). The overall center shares a parking area comprised of approximately 154 spaces. Due to the limited

frequency of class sessions and the availability of excess parking in the center, Staff does not foresee a parking shortage to occur. However, should a parking problem arise in connection with this use, Staff has included Condition #5 requiring the business to address the parking concerns subject to the review and approval of the Zoning Administrator.

- In the event that class frequencies and group sizes increase in the future or business hours of other permitted uses on-site change, Staff has included Condition #6, requiring review and approval of an Interim Use Permit Modification and/or revocation should a parking deficiency develop on-site due to the proposed use.

#### **Site Condition**

The site is generally in satisfactory condition with mature and maintained landscaping, and a concrete parking area that has few signs of wear. While a trash enclosure exists in the center to serve this building, it does not comply with current code standards in terms of appropriate roof, screening, and security requirements. Staff has included Condition #10, requiring that the applicant make the landlord aware that the trash enclosure is required to be corrected to comply with the current applicable standards of Title 16 within 6 months of occupancy.

#### **Required Findings**

- The C-A Administrative Professional Offices zone district does not permit the proposed group counseling center as a permitted or conditional use. However, an interim use within C-A district is permitted if the proposed use meets the requirements of the City Council Policy for Interim Uses (CP-11-05). Staff finds that the proposed counseling center at this location does meet the requirements of the Council Policy as discussed in the following section.
  - Basis of Need:

The subject site as well as the surrounding multi-tenant office center has struggled to fill vacancies and the proposed counselling location has been vacant approximately three years since the last user (Mojave River Academy Charter School) ceased operations at the proposed site in or around 2019. Economic decline and shifting land use patterns in the area have caused the office center to experience vacancies for multiple years. Therefore, based upon the circumstances noted above, Staff finds the site meets the basis of need requirement.
  - Required Findings:
    - i) The proposed use is 'similar' to other permitted uses within the zone in regards to:
      - Hours of Operation – Typical daytime business hours that are not uncommon for commercial uses in the area.
      - Parking Needs/Requirements – Adequate parking on-site in accordance with Title 16 standards.
      - Traffic Impacts – Access from abutting roadways Victor Street and Victor Court will be adequate to serve the proposal.
      - Occupancy Patterns – While the C-A District does not allow the subject use, the particular suite has been vacant for several years. Records indicate that the suite has not been occupied since Mojave River Academy Charter School used the space in 2019. Since the last occupant of the site was a similar use that allowed for group sessions and no other business have been established at the location, the proposed vocational training center is similar to the established occupancy patterns in the vicinity as well as the specific site.

- Noise – Noise impacts should not be greater than permitted office uses or other land uses permitted within the C-A Zone District.
  - Environmental Impacts – The use should not produce any negative environmental impacts as conditioned.
  - Required Licensing/Permits – Any required permits can be obtained during the Business License/Certificate of Occupancy phase of the entitlement.
  - Required Facilities – The building contains restroom facilities that should be adequate to serve the proposed use as well as handicapped access and parking in the center.
- ii) The proposed use is a ‘good fit’ in regard to:
- Existing Structures – The proposal is located within an existing building that was previously used of office use with customer visits, and includes adequate interior open spaces needed for the proposed use.
  - Existing Site Development/Conditions – The site includes existing landscaping, structures, and parking areas in accordance with current Municipal Code standards. Additionally, the new trash enclosure will further improve upon the existing site per current Development Code standards.
  - Compatibility with Adjacent Existing & Permitted Uses – The proposal is located within a multi-tenant office center and is compatible with existing uses.
- iii) The proposed use presents no negative impacts to any of the following:
- Public Interest – The use will not have a negative impact on public interest, as the proposal will introduce a use similar to the previous tenant.
  - Public Health, Safety, and Welfare – Staff does not anticipate any negative impacts to the public health, safety and welfare.
  - Economic Vitality of the Area – The use will fill a vacancy in an area with a history of difficulties obtaining suitable land uses and will improve the existing conditions on-site.
  - Neighboring Businesses and Residents – No negative impacts are expected as a result of this business due to proposed daytime operations within a multi-tenant building.
  - Overall Integrity of the Center, District or Area – The use will not negatively affect the integrity of the area or center due to the existing professional and administrative office uses within the center.
  - Does Not Contribute to Over-Concentration – N/A

**IV. SITE CHARACTERISTICS:**

	<b>Existing Land Use</b>	<b>General Plan</b>	<b>Zoning</b>	<b>Specific Plan</b>
Site	Multi-tenant Office Complex	Office Professional	C-A Administrative Professional Offices	N/A
North	Multi-tenant Commercial	Commercial	C-2 General Commercial	N/A
South	Single-Family Residence	Low Density Residential	R-1 Single-Family Residential	N/A
East	Multi-tenant Office Complex	Office Professional	C-A Administrative Professional Offices	N/A
West	Single-Family Residence	Low Density Residential	R-1 Single-Family Residential	N/A

**NUMBER OF RADIUS LETTERS MAILED: 26**

DK

Attachments:

Attachment A – Site Plan & Floor Plan Graphic

Attachment B – Aerial Image

THE ZONING ADMINISTRATOR'S ACTION WILL BE FINAL UNLESS APPEALED TO  
THE PLANNING COMMISSION WITHIN TEN DAYS.

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CONDITIONS OF APPROVAL  
ADMN22-00093  
August 17, 2022

AN INTERIM USE PERMIT WITH AN ENVIRONMENTAL EXEMPTION TO ALLOW FOR GROUP COUNSELING SERVICES TO INCLUDE CLASSES IN PARENTING, DOMESTIC VIOLENCE, AND ANGER MANAGEMENT AT A C-A (ADMINISTRATIVE PROFESSIONAL OFFICES) ZONED PROPERTY LOCATED AT 16519 VICTOR ST., SUITE #401

**Planning Conditions:**

1. This approval is to allow for group counseling and classes within an existing therapist office at 16519 Victor Street, Suite #401. In-person group sessions are limited to Tuesday thru Thursday between the hours of 10AM to 5PM. The Zoning Administrator reserves the right to adjust, modify, or add functions & times upon written request from the applicant and/or property owner/manager, providing any change is in accord with the findings presented in the accompanying Staff Report.
2. The proposed improvements and use shall comply with all applicable development standards of Title 16.
3. The proposed improvements and use shall be in substantial conformity with the plans submitted as part of this application unless modification is required to comply with the applicable development standards of Title 16 and/or conditions of approval.
4. Any expansion of the proposed use beyond the scope of this interim use permit shall require submission and approval of an interim use permit modification or a new interim use permit based upon the extent of the expansion.
5. Any change in use or implementation of a new use within the facility (including the expansion of the group session areas), which will require additional parking spaces resulting in non-compliance of Title 16 shall cause that use to be subject to Zoning Administrator and/or Planning Commission review and approval.
6. Should the City of Victorville receive complaints from patrons or adjacent neighbors of the site indicating a parking deficiency, the Zoning Administrator reserves the right to review the use and modify, revoke, or suspend the interim use in accordance with Title 16 guidelines.
7. Attendance shall not exceed a daily average of 30 individuals per day unless otherwise approved by the Zoning Administrator.
8. Should a parking deficiency arise or be reported to the Development Department due to excessive number of students or employees the applicant/business owner shall modify their classes or schedules to correct the problem, subject to Zoning Administrator review and approval.
9. The applicant shall provide proof of appropriate licensure and credentials for all therapists subject to Zoning Administrator review and approval.
10. The applicant shall make the landlord aware that the existing trash enclosure is not in compliance with current code. The Building permit process and Construction of said enclosure modifications must be completed within six-months of occupancy. The enclosure shall be architecturally compatible with the building design with matching colors and materials and

meet Title 16 standards (e.g. pedestrian access). Additionally, in accordance with the City's Small MS4 Permit, a solid roof/cover that is architecturally compatible with the primary building onsite and serves to protect the refuse area from inclement weather shall be provided, as well as wrought iron that fully encloses the trash enclosures between the block wall/metal gates and the roof to prevent unauthorized entry. (See Section 16-3.10.060(d)(2) & Sec. 16-3.24.110).

11. All landscaped areas shall be maintained in a neat, clean, orderly and healthful condition. This includes proper pruning, mowing of lawns, weeding, removal of litter, fertilizing, replacements of plants when necessary and the regular watering of all plants. In addition, all landscaped areas shall be provided with a suitable permanent water system.
12. All proposed signs, including any freestanding signage, shall comply with Title 16. The applicant shall be required to submit a sign package for review and must gain approval by the Planning Commission prior to approval of any signage proposed which is inconsistent with Title 16. Painted and off-site signs are prohibited and all signs shall be subject to Planning Staff review and approval prior to obtaining a sign permit.
13. All proposed temporary signage shall comply with Title 16. All temporary signs (grand openings, special sales, etc.) shall only be affixed to the suite they serve in accordance with an approved Temporary Sign Permit. Flags or other off-site signage is prohibited within multi-tenant developments.
14. The applicant/business owner shall be responsible for obtaining all necessary permits from any affected regulatory agencies.
15. The Applicant/Owner shall agree to defend, indemnify and hold harmless, the City of Victorville, its agents, officers and employees from any claim, action or proceeding against the City of Victorville or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Victorville shall promptly notify the applicant of any such claim, action or proceeding, and the City of Victorville shall cooperate fully in the defense.

**Building Conditions:**

16. The project shall comply with all building codes in effect at the time of plan submittal.
17. The scope of work indicated will require accessibility upgrades to be included in accordance with Section 11B-202 of the California Building Code.
18. Plan check fees for this project will be due, and shall be paid in full, upon submittal of plans to the Building Division. The Building Division may be contacted at (760) 955-5100 for an estimation of these fees. Actual amount owed will be determined upon submittal of the plans at the building counter.

**Fire Conditions:**

19. Shall comply with all 2019 Building and Fire Code requirements based on occupancy classification.
20. Street Addressing for Commercial, Condominiums and Industrial Buildings
  - a. The street address shall be posted with a minimum of twelve (12) inch in height numbers with a one (1) inch stroke, visible from the street of the corresponding



address. During the hours of darkness, they shall be electrically illuminated either externally or internally.

- b. Posted numbers shall contrast with their background and be legible from the street of the corresponding address prior to occupancy.
- c. Where building setbacks exceed one hundred (100) feet from roadway, additional non-illuminated contrasting numbers twelve (12) inch in height with a one (1) inch stroke, shall be displayed at property access entrance on a permanent monument.
- d. Commercial/Industrial buildings - Secondary or rear entrance doors shall be marked with unit designators with a minimum of four (4) inch high and 3/8-inch stroke numbers/letters.
- e. In multifamily complex there shall be positioned at each entrance of the complex, an illuminated diagrammatic representation of the complex showing the location of fire hydrants, egress/ingress, building and unit designators within the complex.
- f. Where interior buildings exist, completely detached from roadway circulation, illuminated or reflector signs shall be posted along walkway entrances from road circulation points, indicating interior buildings that take access from that particular path.
  - i. Each individual unit/building within the complex shall display a prominent identification letter, not less than six (6) inches in height and on-half (1/2) inch stroke, which is easily visible to approaching vehicular and/or pedestrian traffic. During the hours of darkness, these letters shall be internally or externally electrically illuminated.
- g. Each individual unit shall have a number/letter with the first digit indicating floor level, not less than four (4) inches in height and one-half (1/2) inch stroke.

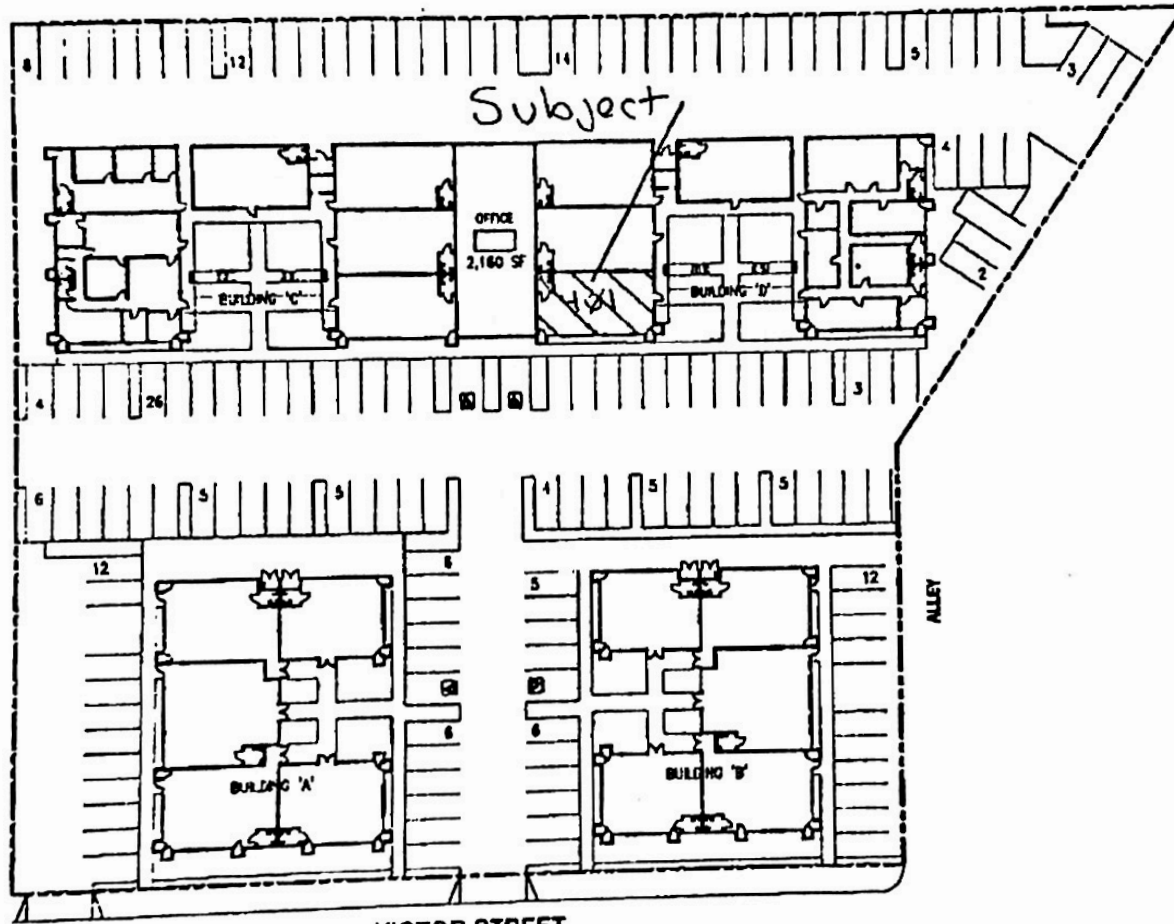
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# ATTACHMENT A

**Subject Site: 16519 Victor Street – Victorville**  
(Approximated Total Parking: ±154 Spaces)



BST

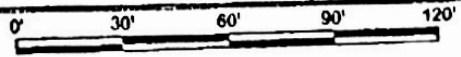


BUILDING A	=	6,564 SF
BUILDING B	=	8,564 SF
BUILDING C	=	15,579 SF
BUILDING D	=	15,529 SF
OFFICE	=	2,160 SF
TOTAL	=	48,346 SF

PARKING PROVIDED:  
 153 REGULAR PARKING  
 4 ADA PARKING  
 TOTAL = 157 PARKING SPACES

OFFICE COMPLEX  
 VICTOR ST., VICTORVILLE, CA

SITE PLAN



3585 W. DIABLO DRIVE, #1  
 LAS VEGAS, NV 89118  
 (702) 737-0390

Date:

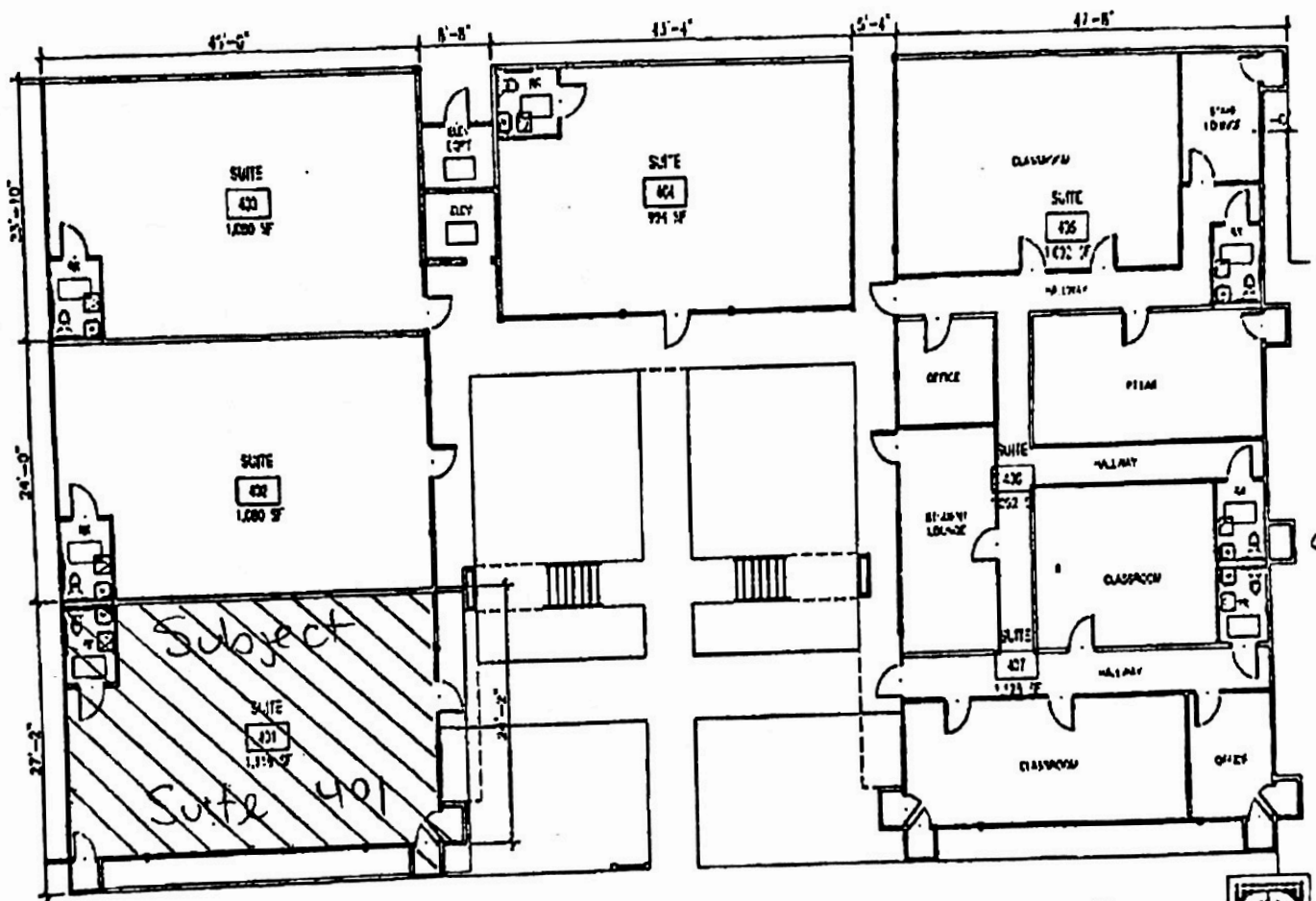
Tenant's Initials: *WJH*

*WJH*

Page 8 of 9

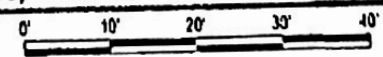
Landlord's Initials: *BST*

*BST*



OFFICE COMPLEX  
 VICTOR ST., VICTORVILLE, CA

BUILDING 'D' (400) GROUND FLOOR PLAN

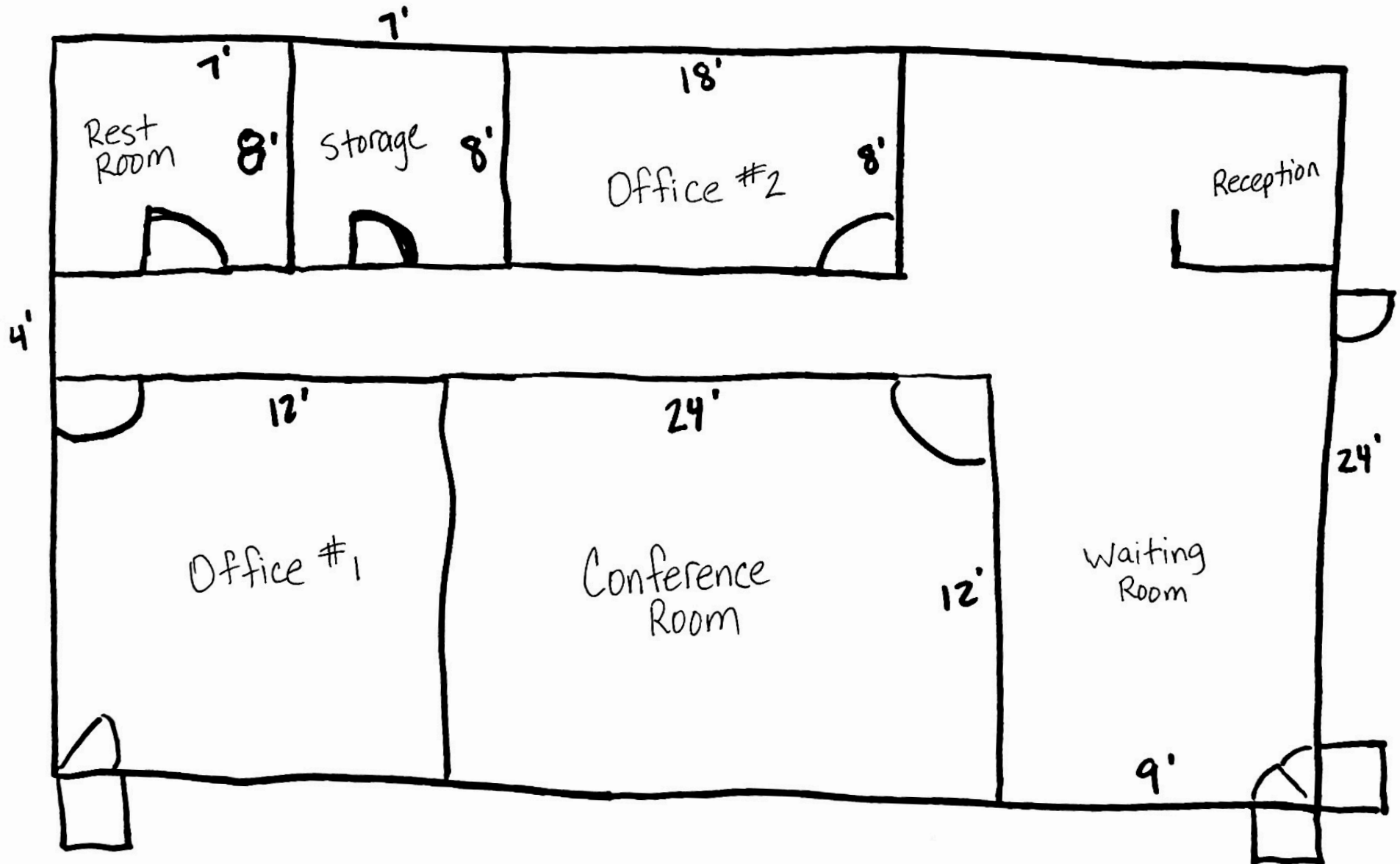


3300 W. JACOBO AVE. #1  
 LAS VEGAS, NV 89119  
 (702) 737-3300

EXHIBIT A

LEASE EXHIBIT DATED 03.24.2024, BETWEEN PROFESSIONAL CENTER AND 3333333333

16519 Victor St., Suite 401, Victorville, CA 92395



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# ATTACHMENT B

# CASE: ADMN22-00093





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SUBJECT: PUBLIC COMMENTS ON PLANNING MATTERS

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In compliance with the Brown Act, it is necessary for the Zoning Administrator to make available time for members of the public to address the Zoning Administrator on items of interest that fall within the Zoning Administrator's subject matter jurisdiction.

cj