

REGULAR MEETING OF THE ZONING ADMINISTRATOR  
OF THE CITY OF VICTORVILLE

JANUARY 16, 2019  
10:00 A.M.

DEVELOPMENT CONFERENCE ROOM  
14343 CIVIC DRIVE

ANY INDIVIDUAL WITH A DISABILITY WHO REQUIRES REASONABLE ACCOMMODATIONS TO PARTICIPATE IN A ZONING ADMINISTRATOR'S MEETING MAY REQUEST ASSISTANCE AND/OR RECEIVE THE AGENDA IN AN ALTERNATIVE FORMAT BY CONTACTING THE DEVELOPMENT DEPARTMENT SECRETARY AT (760) 955-5135 NO LATER THAN SEVENTY-TWO HOURS PRIOR TO THE MEETING

CALL TO ORDER

PUBLIC HEARING

1. **MINOR INTERIM USE PERMIT ADMN18-00142 – VICTOR VALLEY DOMESTIC VIOLENCE**

ENVIRONMENTAL – CONSIDERATION OF AN ENVIRONMENTAL EXEMPTION

PROJECT – A MINOR INTERIM USE PERMIT WITH AN ENVIRONMENTAL EXEMPTION TO ALLOW FOR DOMESTIC VIOLENCE CLASSES AND COUNSELING SESSIONS WITHIN MULTIPLE SUITES OF AN EXISTING C-2 GENERAL COMMERCIAL ZONED BUILDING

LOCATION – 14070 HESPERIA ROAD

PUBLIC COMMENTS

ADJOURNMENT

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# PUBLIC HEARINGS

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# ZONING ADMINISTRATOR STAFF REPORT

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**DATE:** JANUARY 16, 2019 **AGENDA NO. 1**

**CASE:** ADMN18-00142

**SUBJECT:** A MINOR INTERIM USE PERMIT WITH AN ENVIRONMENTAL EXEMPTION TO ALLOW FOR DOMESTIC VIOLENCE CLASSES AND COUNSELING SESSIONS WITHIN MULTIPLE SUITES OF AN EXISTING C-2 GENERAL COMMERCIAL ZONED BUILDING

**APPLICANT:** VICTOR VALLEY DOMESTIC VIOLENCE / "A BETTER WAY"

**LOCATION:** 14070 HESPERIA ROAD

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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 ADMN18-00142 subject to the recommended conditions.

## **II. SUMMARY:**

The applicant is requesting approval of this Interim Use Permit in order to allow for outreach and counseling as an accessory service to their main offices located north of and abutting the site at 14114 Hesperia Road. The counseling provided will target youth and couples during weekday evening hours in group formats with varying daytime use of the location as needed for various counseling sessions associated with the applicant. Currently the proposal is to utilize suite 102, with the possible future expansion into suites 101 & 103 for counseling services if demand increases. The subject multi-tenant commercial site has struggled to retain tenants in recent years with a convenience store, professional offices, and retail business all having previously operated at the location, leaving multiple vacancies within the development.

## **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 for retail and office uses that include customer visits throughout the day similar to the proposal, Staff finds that the proposal does not constitute an expansion of use.

## 2. Minor Interim Use Permit.

### Services Provided

- The applicant will operate two programs out of the location with the potential to add more services if demand increases. Initially “Y.O.U.T.H. L.I.F.E.” and “Couples Count” will alternate use of the facility, with other programs such as office space, an intern program, and a work/study job readiness program added as demand and/or leased space increases. The youth program typically includes 3-9 participants and is designed to educate at-risk youth about domestic violence, relationship abuse, and anger management while targeting junior high/middle school and high school aged youth. The couples program is a ten-week course that usually includes 1-3 at-risk couples and is designed to educate those looking to improve their relationship while discussing the effects of domestic violence, relationship abuse, and anger management. These programs have the ability to double in attendance given the size of the new location, as they are currently limited due to the size of the existing main office on the neighboring parcel where meetings currently take place.

### Business Operations

- The 1,100 sq. ft. suite 102 will be utilized by the applicant with the potential to add over 2,400 additional sq. ft. (1,160 sq. ft. in suite 101 & 1,278 sq. ft. in suite #03) based upon demand. Additionally, suites 104 and 105 may be added in the future to accommodate a work-study program for use as a restaurant, store, or other job readiness use. Suite 102 is specifically included in this approval; however, additional suites may be added in the future at the discretion of the Zoning Administrator pursuant to Condition 1. Floor plans indicate that the use includes open areas consisting of furniture and seating areas as well as a single workspace. Counseling will be conducted in the open areas utilizing the proposed seating areas.
- Proposed hours and days of operation are as noted below; however, Condition 1 allows these hours to be modified at the discretion of the Zoning Administrator.
  - Youth Program: Tuesday from 5PM – 7PM with additional hours if demand increases;
  - Couples Counseling: Wednesday from 4PM – 6PM with additional hours if demand increases; and
  - Other Counseling: Various daytime business hours as needed by the applicant.

### Parking

- Title 16 requires 1 space per 200 sq. ft. of floor area for social services such as this facility that are supported public funds (e.g. government offices frequently visited by the public). Since the overall site was parked at 1 space per 200 sq. ft. and provides 43 spaces in accordance with Title 16 standards (8,698 sq. ft. / 200 sq. ft. – 43 spaces), Staff finds that this proposal is in accordance with Title 16 parking requirements.

### Site Condition

- The site is generally in a satisfactory condition with mature and well maintained landscaping, solid metal gates on the trash enclosure, and a concrete parking area that has few signs of wear.

### **Required Findings**

- The General Commercial (C-2) Zone District does not permit the proposed group counseling/social service as a permitted or conditional use. However, an interim use within C-2 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 group counseling/social service at this location does meet the requirements of the Council Policy as discussed in the following section.
  - Basis of Need:

Since the site was originally developed, the location has never been completely leased and its location is within an area that has historically struggled to retain tenants. Economic decline and shifting land use patterns in the area has caused the relatively new development to maintain vacancies since its inception. 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 and evening 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 roadway Hesperia Road and Sunhill Drive should be adequate to serve the proposal, in addition to excess available on-site parking that will not cause the use of on-street parking.
      - Occupancy Patterns – While the C-2 Zone does not allow the subject use, the subject site is a candidate for a future zone change to C-1 (to match the commercial property across Hesperia Road) as the property will better serve neighborhood service uses as opposed to regional commercial uses. The C-1 Zone would then conditionally allow similar assembly type uses.
      - Noise – Noise impacts should not be greater than permitted commercial uses or other land uses permitted within the C-2 or C-1 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 and handicapped access and parking appears adequate.
    - ii) The proposed use is a 'good fit' in regards to:
      - Existing Structures – The proposal is located within an existing building that was previously utilized as an office/retail use with a high volume of 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 that are in accordance with current Municipal Code standards.

- Compatibility with Adjacent Existing & Permitted Uses – The proposal is located near other social services and the center includes numerous vacant suites.
- iii) The proposed use presents no negative impacts to any of the following:
- Public Interest – The use should not have a negative impact on public interest as the land use currently takes place on the neighboring parcel to the north with no documented concerns affecting public interest.
  - 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 obtaining suitable land uses and will introduce additional patrons to a mostly vacant development.
  - Neighboring Businesses and Residents – No negative impacts are expected as a result of this business due to proposed operations and the specific target populations the programs serve who will benefit from the proposal.
  - Overall Integrity of the Center, District or Area – The use will not negatively affect the integrity of the area due to the existing mix of commercial, professional, residential, and existing social service.
  - 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 Commercial	Commercial	C-2	N/A
North	Social Service for Domestic Violence	Commercial	C-2	N/A
South	Vacant	Low Density Residential	R-1	N/A
East	Multi-tenant Office Building	Commercial	C-1*	N/A
West	Vacant	High Density Residential	R-3T**	N/A

\* This area along the east side of Hesperia Road is an Initiative Area.

\*\* The “T” or Transitional District was applied to these parcels in order to require a Site Plan review prior to new construction.

**NUMBER OF RADIUS LETTERS MAILED: 15**

AJ

Attachments:

Attachment A – Site Plan & Floor Plans

Attachment B – Project Description

Attachment C – Aerial Image

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



CONDITIONS OF APPROVAL  
ADMN18-00142  
January 16, 2019

**Planning Conditions:**

1. This approval is to allow for domestic violence classes and counseling sessions within multiple suites operating Tuesday 5PM – 7PM (youth program) and Wednesday 4PM – 6PM (couples counseling) at 14070 Hesperia Road, Suite 102. The services included in this approval as well as typical office functions and any additional counseling services that serve the same target population and do not make the required findings inapplicable may be permitted at the discretion of the Zoning Administrator within Suites 101 and 103 as needed. The Zoning Administrator may allow revised hours of operation and accessory or revised services not listed in this approval, providing the primary use does not change and the changes do not negatively affect the public health, safety, and welfare nor cause nonconformance with the City Council Policy for Interim Uses (CP-11-05).
2. Loitering on-site by participants/clients is prohibited and signs shall be posted at exterior corridors indicating such.
3. The proposed improvements and use shall comply with all applicable development standards of Title 16.
4. The proposed development shall be in substantial conformity with the plans and description 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.
5. Any change in use or implementation of a new use within the facility, which will require additional parking spaces resulting in noncompliance with the parking standards of Title 16, shall cause that use to be subject to Zoning Administrator and/or Planning Commission review and approval.
6. The number and location of all handicapped parking spaces shall be subject to Development Department review and approval.
7. 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.
8. 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.
9. 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.
10. The applicant/developer shall be responsible for obtaining all necessary permits from any affected regulatory agencies.
11. 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.

12. The project shall comply with all Federal, State and local laws and policies, including: the California Government Code (including the Planning, Zoning and Development Laws), Environmental Quality Act (CEQA), Subdivision Map Act, International Building Code, Green Code, Fire Code; and, Victorville General Plan and Municipal Code; unless permitted to deviate through provisions of such, or through adopted mitigation measures, conditions of approval, or the plans themselves.

**Building Conditions:**

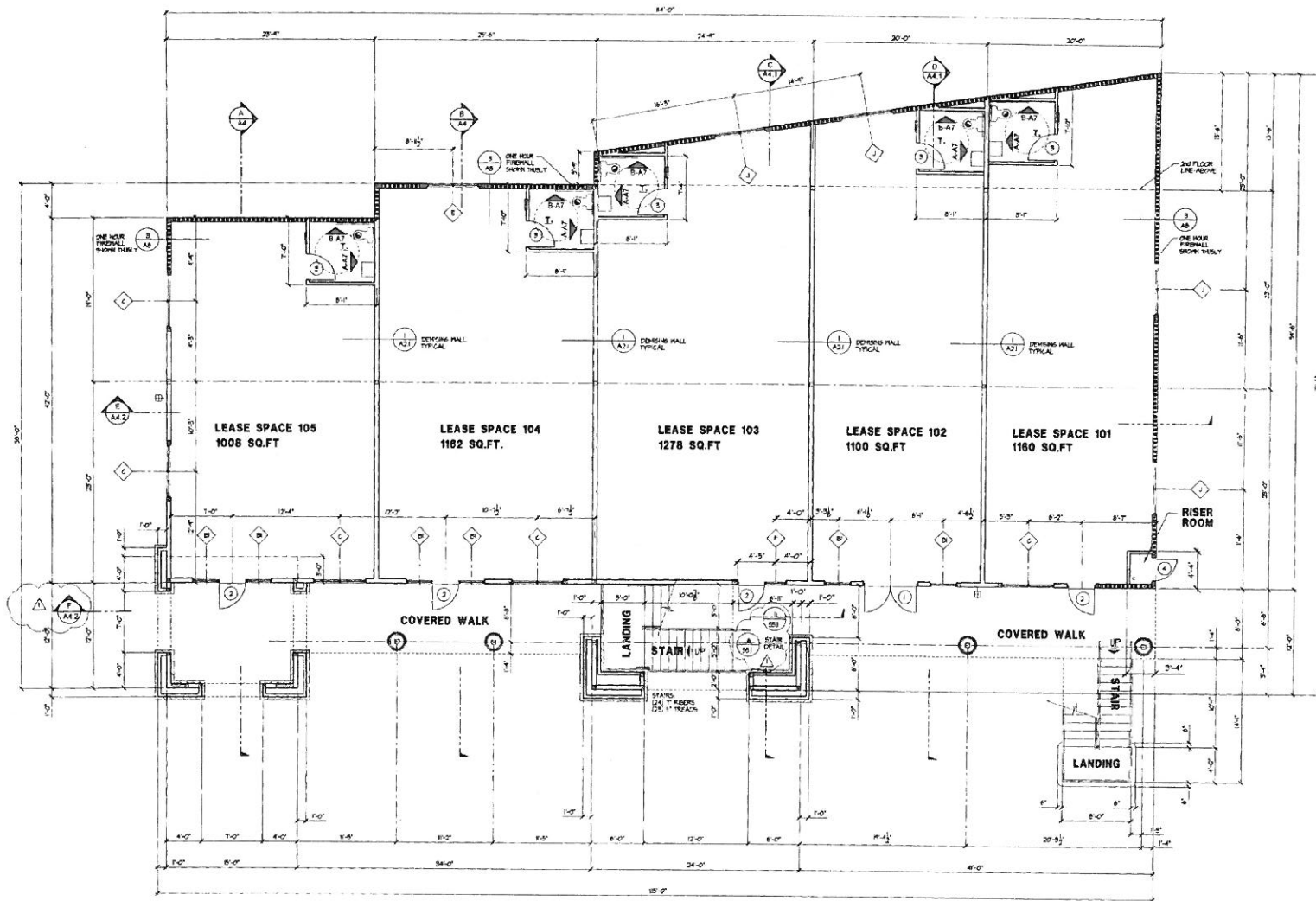
13. The project shall comply with all building codes in effect at the time of plan submittal.
14. The scope of work indicated may require accessibility upgrades to be included in accordance with Section 11B-202 of the California Building Code if building permits are required.
15. Plan check fees for this project will be due, and shall be paid in full, upon submittal of plans to the Building Division if required. 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:**

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

# ATTACHMENT A





**FIRST FLOOR  
KEY FLOOR PLAN**  
SCALE: 3/16"=1'-0"

1ST FLR. LEASE SPACE 5708 SQ. FT.



**PONTIUS ARCHITECTURE**  
ARCHITECT FLOOR PLAN  
1855 HWY 18, STE E  
APPLE VALLEY, CA 92302  
OFFICE 760-242-5180  
FAX 760-242-6000  
www.pontius-arc.com



CLIENT: **VIP #3  
CD & G, INC.**  
PROJECT: **TUSCANY PLAZA  
14070 HESPERIA RD  
VICTORVILLE, CA 92392**

DESIGNED BY: **FIRST FLOOR  
KEY FLOOR PLAN**

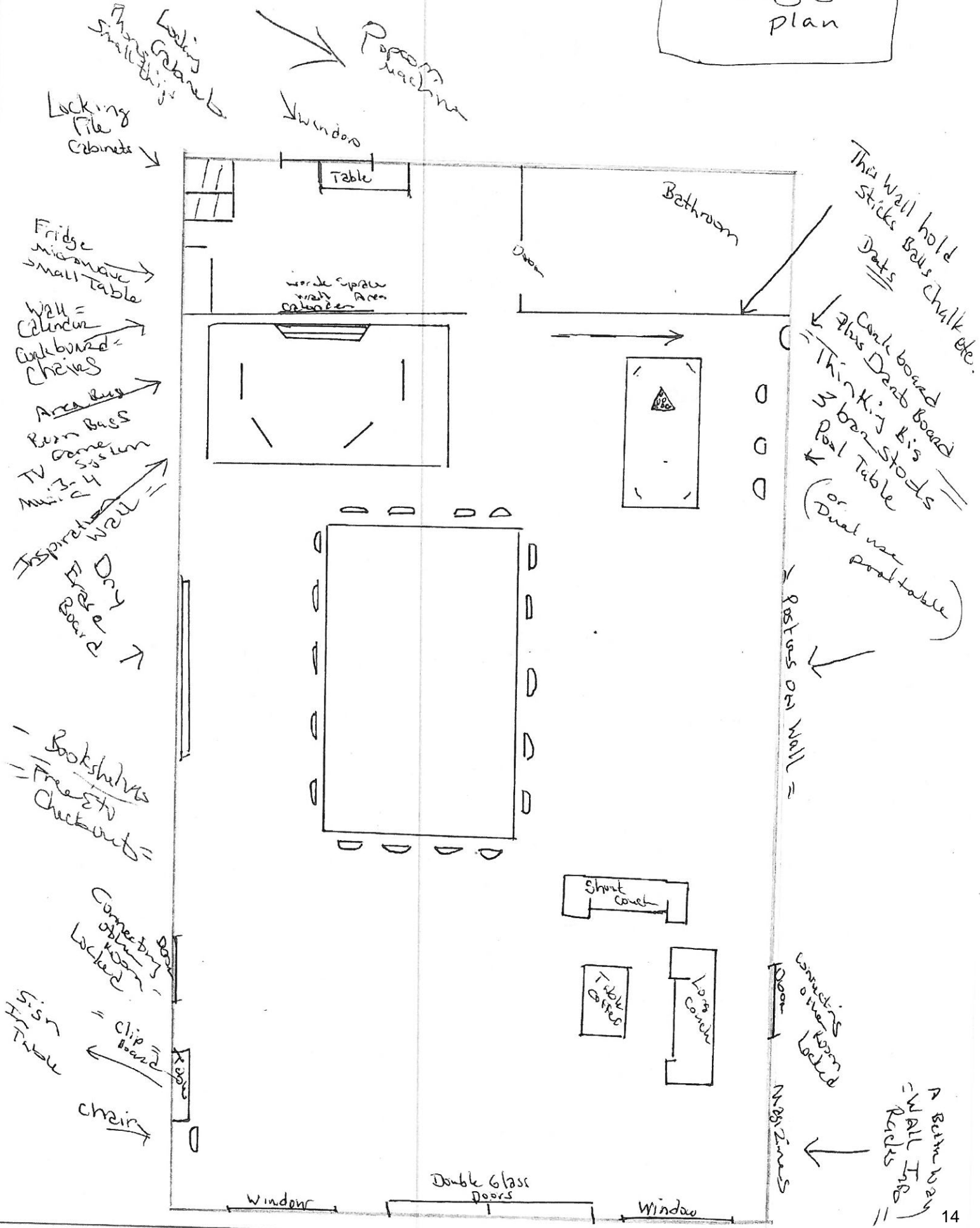
CONSULTANT: **CITY OF VICTORVILLE  
BUILDING DEPARTMENT  
PLANNING**  
DATE: 7/22/10  
PLAN APPROVAL

REVISION	DATE	BY

DATE: 07/19/06  
JOB NO: 10-17-010  
SHEET NO:

**A2**

Funding go plan



This wall hold sticks Bells Chalk etc.

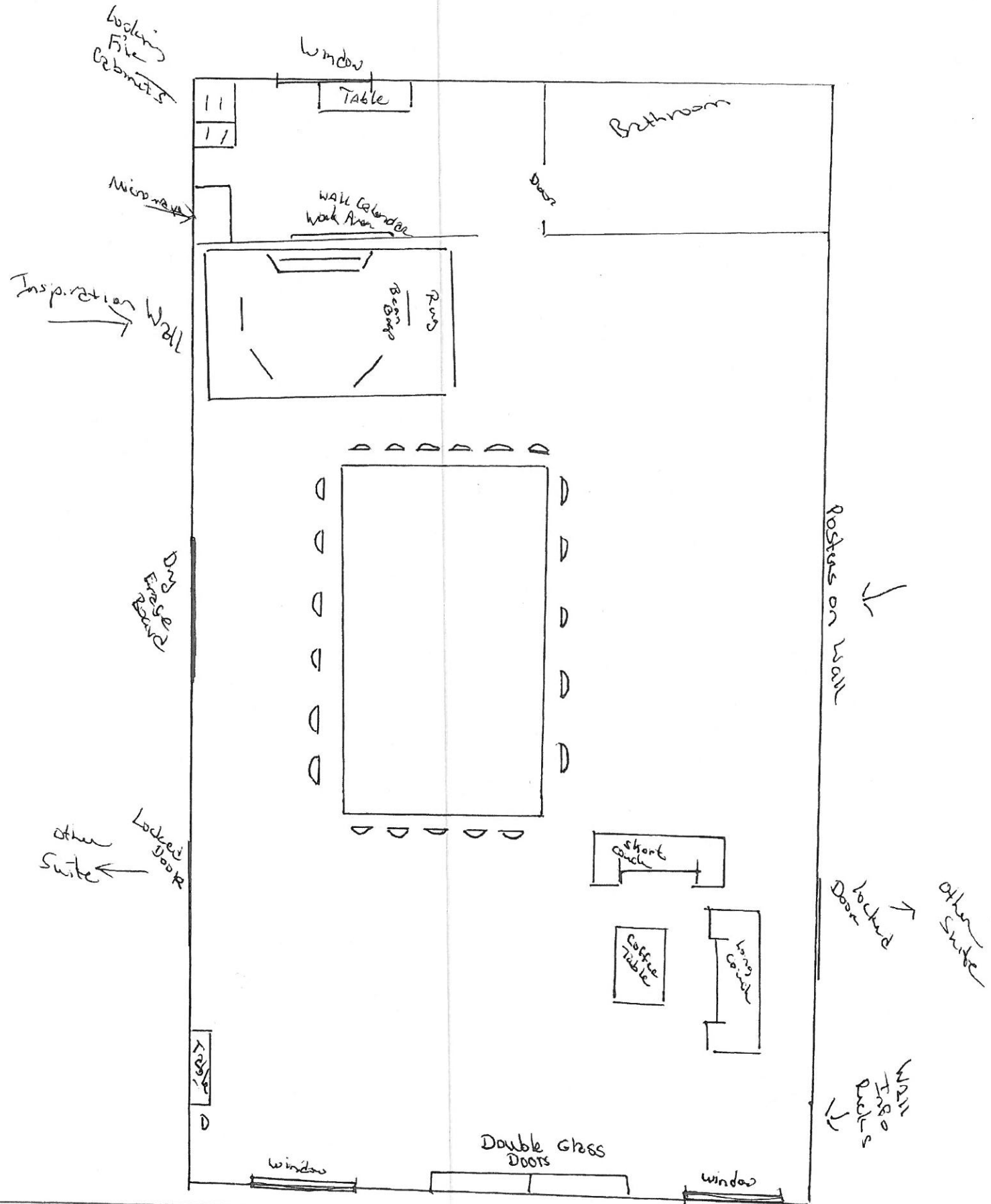
Conk board Board  
 Thinking B's  
 Y-bran stools  
 Pool Table  
 (or Dual use pool table)

Posters on wall =

Connecting room  
 Locked

A Broom bag  
 WALL Ings  
 Racks

Less funding plan



# ATTACHMENT B





**"A BETTER WAY"**  
*Domestic Violence Shelter and Outreach*

**Victor Valley Domestic Violence, Inc.**  
"Transforming lives affected by domestic violence."

P.O. Box 2825  
Victorville, CA 92393-2825  
December 10<sup>th</sup>, 2018

  
A Member Agency of  
Desert Communities United Way

Attachment for Affidavit for Planning Commission or Zoning Administrator Action

"A Better Way"/ Victor Valley Domestic Violence, Inc. (VVDV) is submitting a request for Interim Use Permit for Suite #102 at 14070 Hesperia Road in the Tuscany Plaza located next to our main offices at the Margaret Diaz Outreach and Educational Center.

We are wanting to use the space to expand our outreach with our Couples Count class as well as our YOUTH LIFE outreach. This would be offerings made both Tuesday from 5 – 7 pm. and Wednesday 4 – 6 pm evenings and will expand if the demand increases. The youth program has anywhere from 3 – 9 participants and the Couples Count has 1 to 3 couples attending. The use of the office space would also be available for counseling sessions during the day hours. It is hopeful with this change that the youth program will expand to 10 – 30 participants. The Couples Count could expand to 5 to 8 couples if the need were to arise. Parents drop-off and pick-up the youth after the class. Some couples for the couples count arrive together while other's use the bus.

In the long run, if the needs increase, we would have interest in expanding into Suite 101 and 103 at the Tuscany Plaza, on the lower level to increase our capacity to serve the needs of the population of those dealing with Domestic Violence and prevention efforts. The hours would still include those listed for the classes but would also include working hours of 8 am – 4 pm Monday through Friday. The expansion would include offices and intern work space for up to 10 people as our intern program with colleges gains momentum.

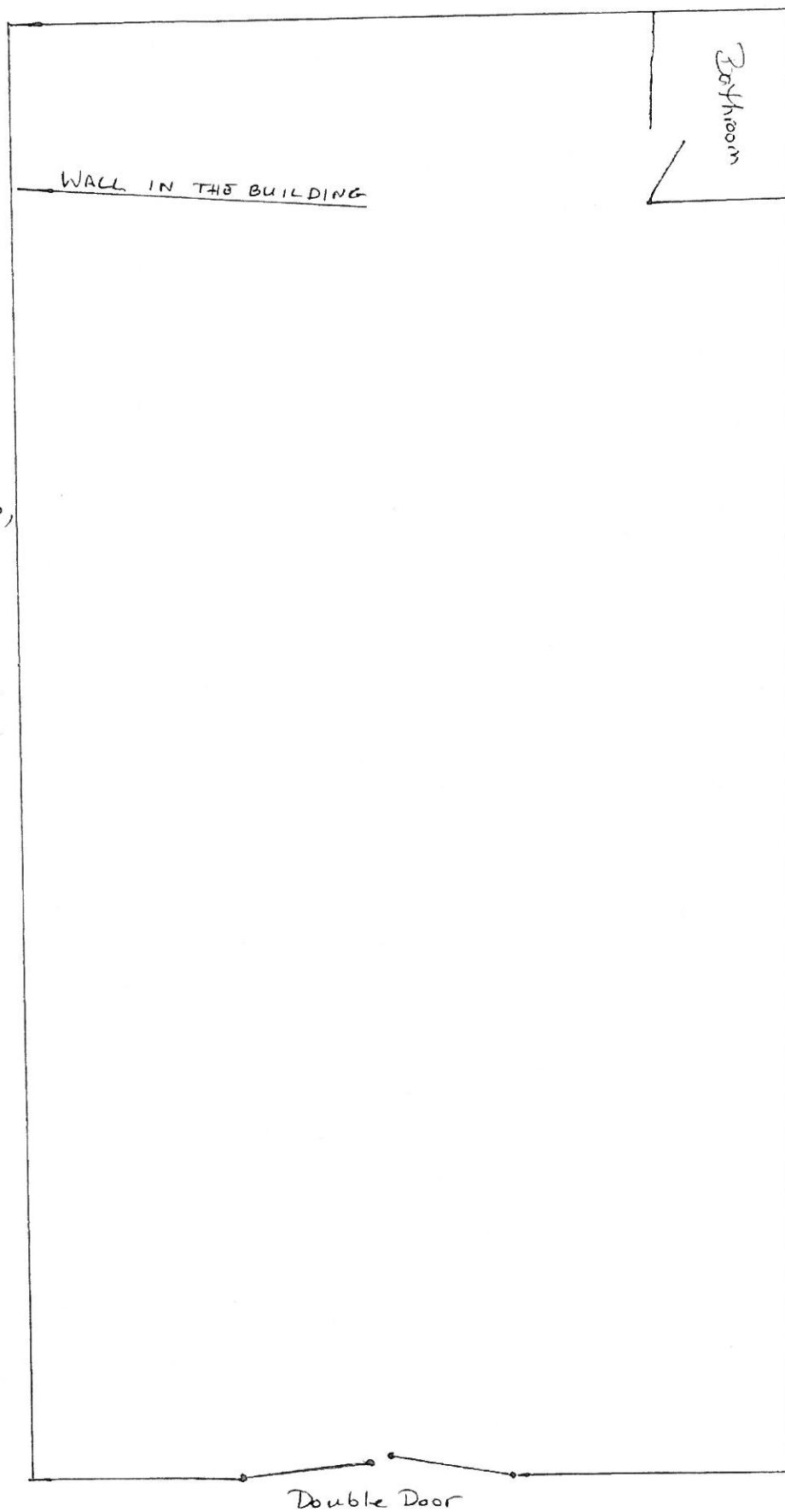
Suites 104/105, in the future might also be expanded into a work study program sight for a restaurant, store, or some other activity for job readiness. The upper level is out of scope due to ADA issues due to the stairs and no elevator.

With the use of the Tuscany Plaza, our impact would allow more parking available for both locations. We currently do YOUTH LIFE at our current location so the impact would not increase, just change locations. Currently the building is mostly empty and tagging has been increasing in recent weeks. With our use of the facility there would be activitiy at the location so more eyes on the nearly empty Tuscany Plaza later into the evening, which might reduce the tagging taking place at this time.

Thank you.

Sincerely

Inger Robertson  
Executive Director



We do not plan on adding walls, pony walls or any construction, but to leave the space open.

# Y.O.U.T.H L.I.F.E.

(You only understand the hate—Learn instead from each other)

**"A Better Way"**/Victor Valley Domestic Violence, Inc. has updated their teen prevention program entitled Y.O.U.T.H L.I.F.E. for ages 12-18. This program is designed to educate at-risk youth in the community about domestic violence, relationship abuse and anger management. It was used widely both in the Junior Highs and high schools. Classes are conducted at our outreach office located at 14114 Hesperia Road, Victorville. The following topics are covered:

- ❖ **STEP UP:** Introduce yourself
- ❖ **VIOLENCE:** Where does it start?
- ❖ **BULLYING/CYBER VIOLENCE**
- ❖ **SEXUAL ASSAULT/SEXUAL HARASSMENT**
- ❖ **WHEN LOVE HURTS (2 Weeks)** Teen Dating Dos and Don'ts
- ❖ **BUILDING BLOCKS OF GOOD RELATIONSHIPS**
- ❖ **TEENS, SEX AND ITS CONSEQUENCES**
- ❖ **ANGER MANAGEMENT**
- ❖ **SUBSTANCE ABUSE**
- ❖ **SUICIDE**
- ❖ **GOAL SETTING/SELF-DEVELOPMENT:** Who you are makes a difference
- ❖ **GRADUATION & REVIEW**

Classes are held on Tuesday nights from 5:30 - 6:30 p.m.

**FOR MORE INFORMATION CALL**

**(760) 955-8010 "A BETTER WAY"/**

**VICTOR VALLEY DOMESTIC VIOLENCE, INC.**

# COUPLES COUNT

"A Better Way"/Victor Valley Domestic Violence, Inc. has implemented a 10 week family violence prevention program entitled COUPLES COUNT. This program is designed to educate at-risk couples looking for a better way to relate. The first half of the class discusses the effects of domestic violence, relationship abuse and anger management. The second half focuses on what healthy alternate ways of relating look like. Classes are conducted at our educational center located at 14114 Hesperia Road, Victorville. The following topics are covered:

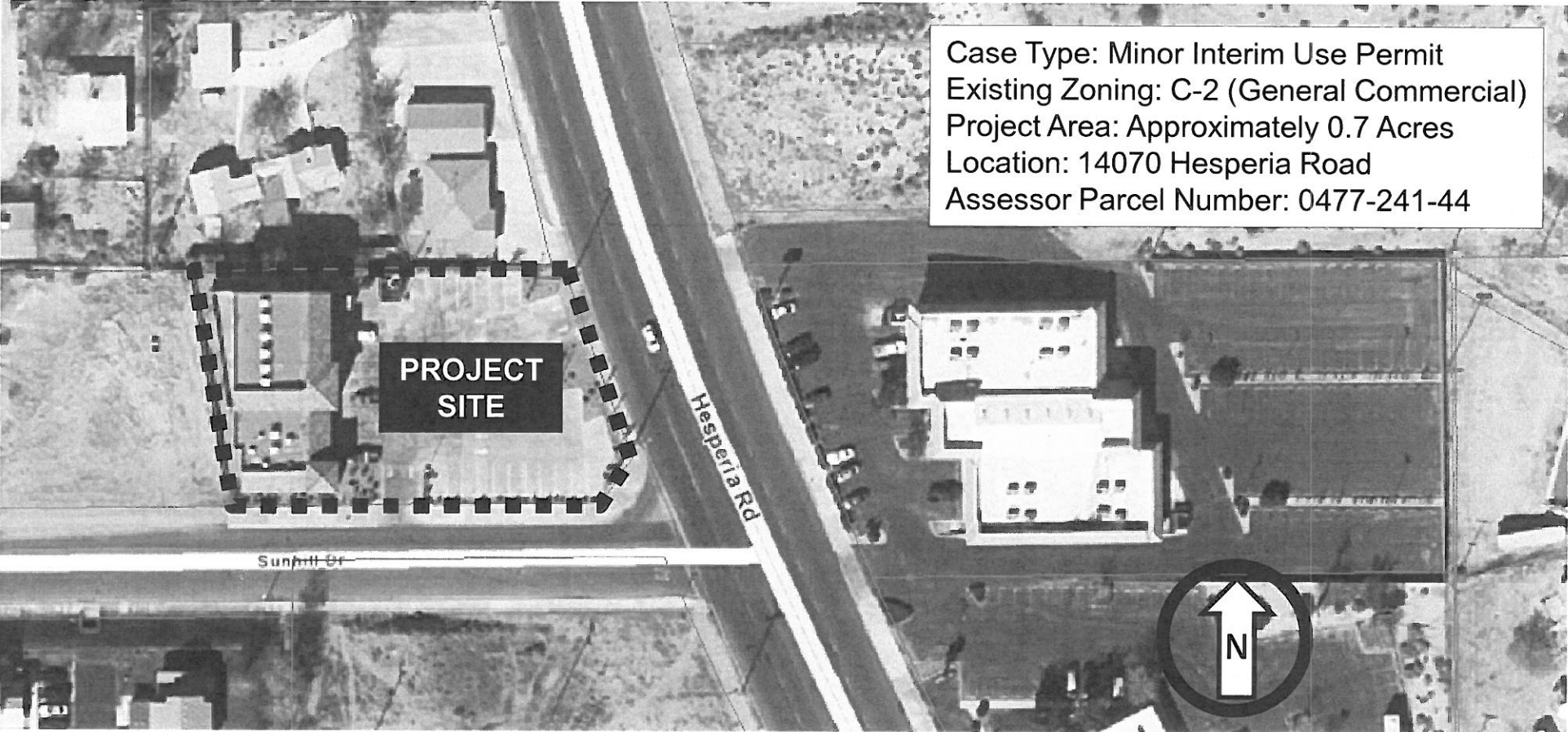
- ❖ **STEP UP: Introduce yourself**
- ❖ **VIOLENCE/Red Flags where does it start?**
- ❖ **THE 3 C'S Control, Codependency, Culture**
- ❖ **WHEN LOVE HURTS (2 Weeks)**
- ❖ **THE EFFECTS OF DOMESTIC VIOLENCE trauma on the children, self, and others**
- ❖ **ANGER MANAGEMENT/SELF CONTROL**
- ❖ **BUILDING BLOCKS OF GOOD RELATIONSHIPS the other 3 C'S Communication, Caring, Compromise**
- ❖ **SETTING BOUNDARIES AND LEARNING TO COMMUNICATE**
- ❖ **GOAL SETTING/SELF-DEVELOPMENT:**
- ❖ **GRADUATION & REVIEW**

Classes are held on WEDNESDAYS from 4:00 p.m. – 6:00 p.m.

**FOR MORE INFORMATION CALL  
(760) 955-8010 "A BETTER WAY"/  
VICTOR VALLEY DOMESTIC VIOLENCE, INC.**

# ATTACHMENT C

# CASE: ADMN18-00142



# PUBLIC COMMENTS

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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.

SW:ko