

REGULAR MEETING OF THE ZONING ADMINISTRATOR  
OF THE CITY OF VICTORVILLE

JULY 1, 2020  
10:00 A.M.

CITY HALL CONFERENCE ROOM A  
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 HEARINGS

**1. ADMN20-00036 – HIGH DESERT EMT**

ENVIRONMENTAL – CONSIDERATION OF AN ENVIRONMENTAL EXEMPTION

PROJECT - AN INTERIM USE PERMIT WITH AN ENVIRONMENTAL EXEMPTION TO ALLOW FOR EMERGENCY MEDICAL TECHNICIAN TRAINING COURSES WITHIN AN EXISTING BUILDING ON A C-M ZONED PROPERTY

LOCATION – 12241 INDUSTRIAL BLVD #208

PUBLIC COMMENTS

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# PUBLIC HEARINGS

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# ZONING ADMINISTRATOR STAFF REPORT

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**DATE:** JULY 1, 2020 **AGENDA NO. 1**

**CASE:** ADMN20-00036

**SUBJECT:** AN INTERIM USE PERMIT WITH AN ENVIRONMENTAL EXEMPTION TO ALLOW FOR EMERGENCY MEDICAL TECHNICIAN TRAINING COURSES WITHIN AN EXISTING BUILDING ON A C-M ZONED PROPERTY

**APPLICANT:** HIGH DESERT EMT

**LOCATION:** 12241 INDUSTRIAL BLVD #208

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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 Minor Interim Use Permit case ADMN20-00036, subject to the recommended conditions.

## **II. SUMMARY:**

The applicant is requesting approval of this Minor Interim Use Permit to allow for the establishment of an emergency medical technician (EMT) certification and training program within an existing multi-tenant industrial/commercial development. The site is comprised of two buildings, the primary building with frontage on Industrial Blvd, is approximately 15,000 sq. ft and occupied by an outpatient surgery center, chiropractic office and church. The second building at the rear of the site is approximately 12,000 sq. ft and is currently occupied by a home health office, physical therapy center and yoga studio. The proposed use will occupy a 1,200 sq. ft. suite within the rear building which has historically had vacancies, struggled to retain tenants in recent years and presently has three vacancies. The proposal seeks to establish an EMT training program that will accommodate up to 25 students with classes offered during evening hours and weekends when many of the neighboring businesses will be closed (6pm-10pm Mon–Fri, Sat 10am-5pm and Sun 12pm- 6pm). Staff finds that the proposed use at this particular location meets the intent of the Interim Use Permit Policy.

## **III. 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 site was developed as a multi-tenant warehouse/office development, and the proposal will include similar uses and numbers of employees/patrons of a typical office use, Staff finds the noted exemption applicable and is therefore categorically exempt per (CEQA) Section 15301.

## 2. Minor Interim Use Permit.

### Business Operations

- As previously noted, the proposed training center will occupy a 1,200 sq. ft. suite within a multi-tenant building and will initially consist of approximately 8 student training tables each with two chairs with classes accommodating 16 students. Classes may be expanded if the need arises to accommodate up to a maximum of 25 students at which time additional tables and chairs would be brought in as needed. Students will receive on-site training for EMT certification and 24 hour refresher courses for EMT certifications. Upon successfully completing the course, students are awarded a certificate for EMT training that will allow them to test for the National Registry of Emergency Medical Technicians.
- Courses are to be offered evenings and weekends (6pm-10pm Mon–Fri, Sat 10am-5pm and Sun 12pm- 6pm) when many of the neighboring businesses are closed and no negative impacts on existing businesses are anticipated. However, in the event the operation does create a negative impact on adjacent uses, Condition #8 has been included to require Zoning Administrator review and may include modifications to the operation and/or revocation.
- Additionally, to further ensure the classes do not become a nuisance to neighboring businesses with students loitering outside, Staff has included Condition #9 requiring the business to have students wait within the building if they are awaiting transportation to prohibit loitering outside the business.

### Site Condition

- The site is generally in satisfactory condition with well maintained landscaping and building surfaces (i.e. walls, windows, etc.) and a parking area that is weathered in some areas but as a whole is not in need of maintenance. However, the site is missing trash enclosure doors that are required to be replaced in conjunction with this approval. Therefore, Staff has included Condition #10, requiring the installation of trash enclosure doors prior to the issuance of a business license or Certificate of Occupancy.

### Parking

- The multi-tenant site includes shared parking that is utilized by the office and industrial warehouse uses, or future uses, within each building and limited based on previous entitlements. The development is occupied by tenants that predominately operate during normal daytime hours and a conflict in parking is not anticipated with class times being offered during evening hours and weekends outside of common commercial office hours. The site includes 96 parking spaces, whereas the proposed operation will likely require approximately 20 spaces based upon class sizes. However, should a parking issue arise Staff has included Condition #12 requiring modifications to the operation in order to correct a parking issue.

### City Council Policy Findings

- The Commercial Manufacturing District (C-M) does not permit the proposed EMT training courses as a permitted or conditional use. However, an interim use within C-M 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 business at this

location does meet the requirements of the Council Policy as discussed in the following section.

○ Basis of Need:

The multi-tenant building has not had full occupancy for many years due to changing land use patterns, and the overall decline of various areas of Industrial Boulevard. 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 – Hours of operation are opposite of most services in the area with evenings and weekend services that are not anticipated to create a parking conflict.
  - Parking Needs/Requirements – Adequate parking exists on-site for the proposed use given services are offered outside the normal business hours of the adjacent businesses and parking is provided in accordance with Title 16 standards.
  - Traffic Impacts – The abutting roadway, Industrial Boulevard (Arterial) should be adequate to serve the proposed use due to the roadways capacity and the hours proposed differ from many surrounding uses.
  - Occupancy Patterns – The C-M District permits for service industries which combine a mixture of commercial and light industrial uses for which the proposed EMT training facility is not anticipated to alter or negatively impact.
  - Noise – Noise impacts should not be greater than permitted commercial or industrial uses or other land uses permitted within the C-M Zone District.
  - Environmental Impacts – The use should not produce any negative environmental impacts.
  - Required Licensing/Permits – Any required permits can be obtained during the Business License process.
  - Required Facilities – The suite contains restroom facilities that should be adequate to serve the proposed use.
- ii) The proposed use is a 'good fit' in regards to:
  - Existing Structures – The proposal is located within an existing building that was developed for commercial and industrial uses.
  - 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 within a multi-tenant building with uses including an home health office, physical therapy center and yoga studio for which this use is compatible.
- 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 site was developed for commercial/industrial uses and all access is via adequately sized roadways located away from residential.
  - Public Health, Safety, and Welfare – No negative impacts as conditioned.
  - Economic Vitality of the Area – The use will fill a vacancy along major traffic corridor and improve the existing conditions on-site.

- Neighboring Businesses and Residents – No negative impacts are expected as a result of the training courses.
- 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/industrial and service uses.
- 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 District</b>
Site	Multi-tenant Commercial/Industrial Building	Commercial	C-M	N/A
North	Multi-tenant Commercial/Industrial Building	Commercial	C-M	N/A
South	Church	Commercial	C-M	N/A
East	Industrial/Manufacturing	Commercial	C-M	N/A
West	Multi-tenant Commercial/Industrial Building	Commercial	C-M	N/A

**NUMBER OF RADIUS LETTERS MAILED: 12**

Attachments:

- Attachment A – Site Plan Graphics
- Attachment B – Applicants Description
- Attachment C – Aerial Image

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



CONDITIONS OF APPROVAL  
ADMN20-00036  
July 1, 2020

**Planning Conditions:**

1. This approval shall be valid for an EMT training business at 12241 Industrial Blvd, Suite 208 operating as a single user. 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. This Interim Use Permit shall expire immediately upon a change in the business owner, operator, or subject use of the business; or, a vacancy. If a change in ownership, control or location of any licensed premises occurs, whether pursuant to move, sale, transfer, assignment, or otherwise, the owner or proposed new owner must complete a new application subject to approval of CP-11-05. This Interim Use Permit is not transferable to any other person or premises.
3. The proposed improvements and use shall comply with all applicable development standards of Title 16.
4. 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.
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. The number and location of all handicapped parking spaces shall be subject to Development Department review and approval.
7. Class sizes shall be limited to a maximum of 25 students regardless of building occupancy classification unless otherwise approved by the Zoning Administrator.
8. Should the classes offered pose a negative impact on adjacent uses including but not limited to parking, noise, loitering, etc., the applicant/business owner shall correct the problem to the satisfaction of the Zoning Administrator.
9. The applicant shall make seating available and allow for student waiting within the building area. Loitering shall be prohibited outside the suite, within the development and along the right-of-way, excepting at a designated bus stop.
10. The applicant and/or property owner shall install solid metal trash enclosure doors on all trash enclosures on site prior to the issuance of a business license or Certificate of Occupancy.
11. The applicant shall ensure the training facility is operated in compliance with the California Department of Public Health school guidance on Novel Coronavirus or COVID-19.

12. The applicant shall obtain building permits for any tenant improvement and/or modification to the suite prior to initiating work.
13. Should the Development Department 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 permit in accordance with Title 16 guidelines.
14. 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.
15. 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.
16. 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.
17. The applicant/business owner shall be responsible for obtaining all necessary permits from any affected regulatory agencies.
18. 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:**

19. The project shall comply with all building codes in effect at the time of plan submittal.
20. 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.

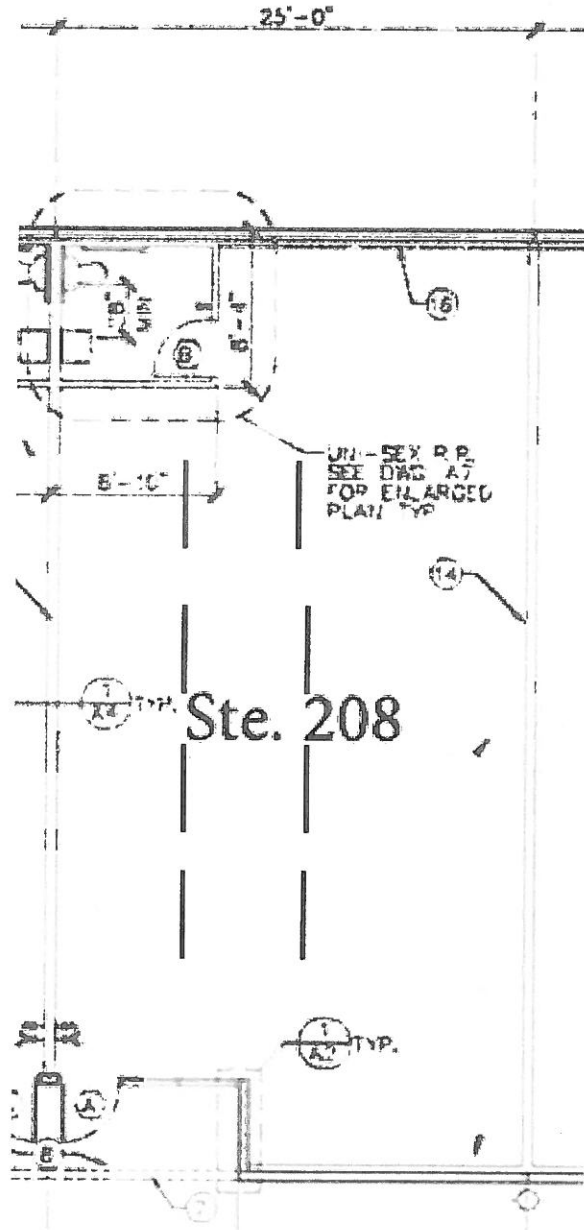
**Fire Conditions:**

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

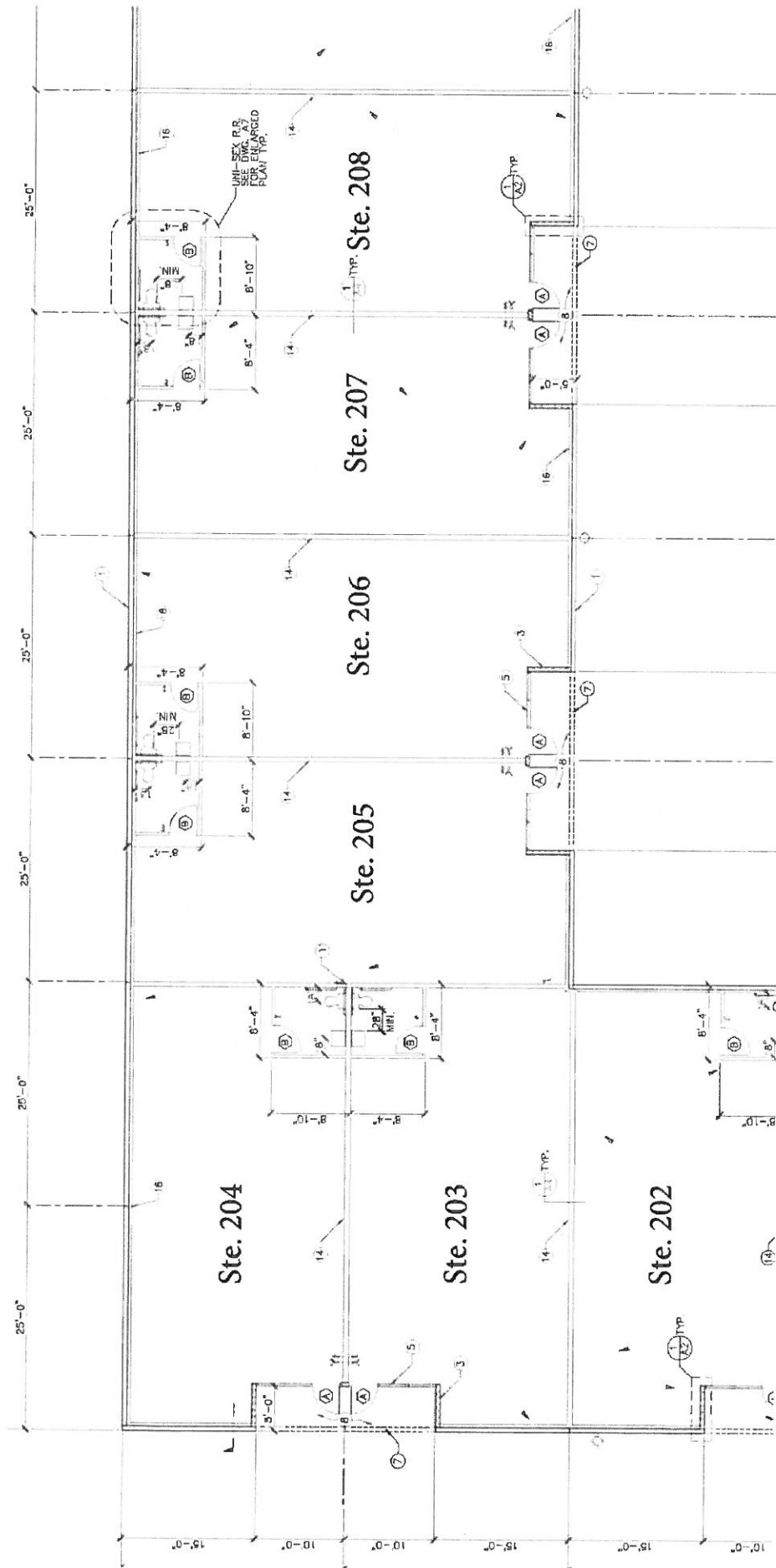
# ATTACHMENT A

Proposed hours: Monday-Friday 6pm-10pm, Saturday 10am-5pm, Sunday 12:00-6pm

Lines  
represent  
student folding  
tables



Services we offer include: on site training for EMT certification and 24 hour refresher courses for EMT certificate. Upon successfully completing our class, students will be awarded a certificate for EMT training that will allow them to take the National Registry of Emergency Medical Technician.



# ATTACHMENT B

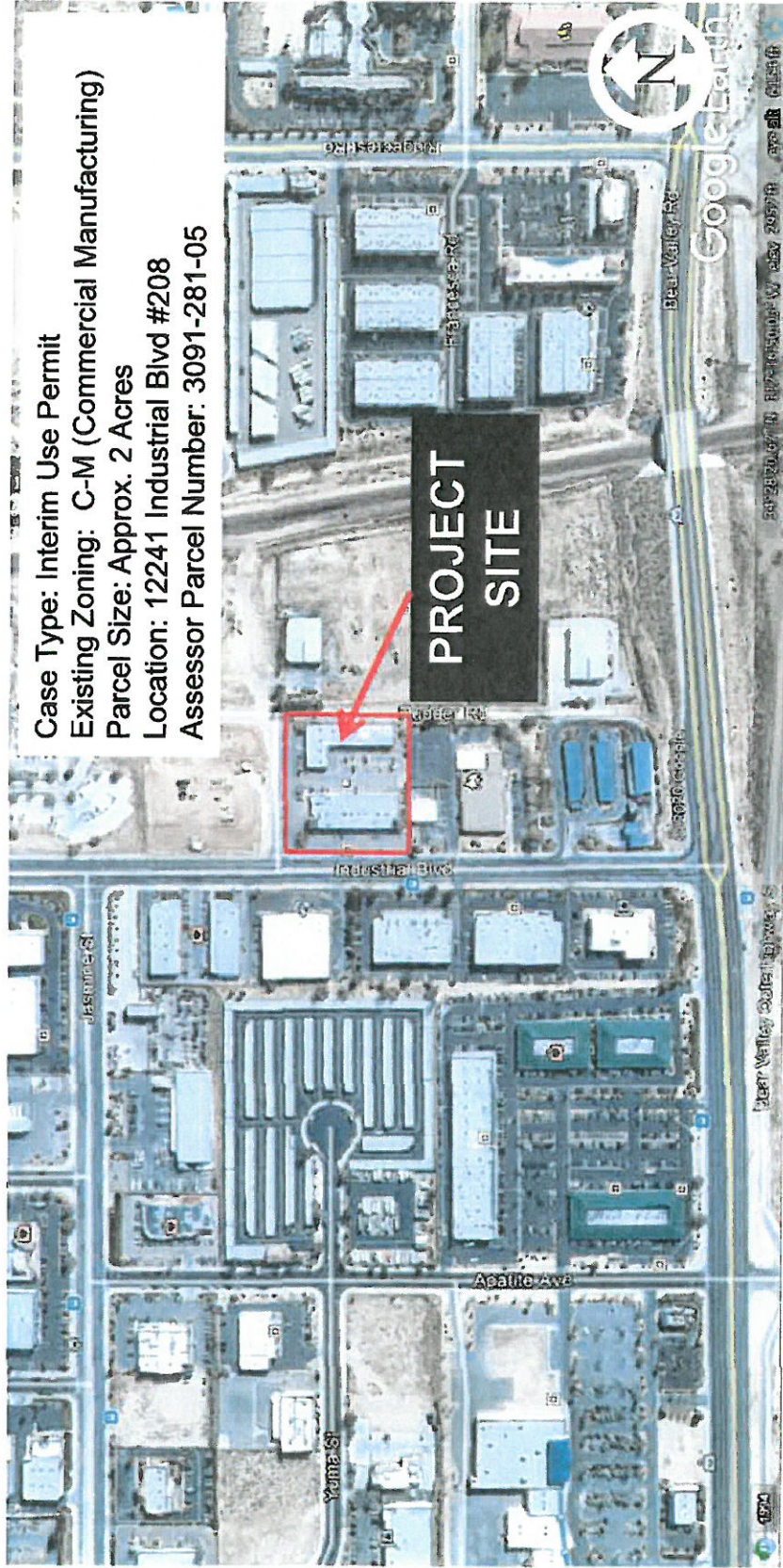
## High Desert EMT Interim Use Permit (Per Council Policy CP-11-05)

1. Please see attached **Grant Deed**
2. Please see attached **Site Floor Plan**
3. **Project Description:** High Desert EMT will utilize 12241 Industrial Blvd. Ste 208 Victorville, CA. 92395 to train students to become competent Emergency Medical Technicians. We have supplies that EMT's must be trained to use that we will train our students with for hands on skills. We also will lecture via powerpoint slides and discussion.
4. **Proposed hours:** M-F (5pm) Saturday-Sunday (afternoon)
5. **Parking:** Students will utilize the common parking area for the center. Students will be using this parking after normal business hours and will not be taking away from other businesses. Classes will hold 20-25 students.
6. **Traffic:** Traffic will not be negatively impacted.
7. **Noise:** Noise level will be kept to a minimum as this is a class environment.
8. **Environmental Impact and Vitality:** High Desert EMT will not have any environmental impact. Classes do not create a negative crowd, only adults trying to better themselves and their community. High Desert EMT will not negatively impact economic vitality of the area, business, residents, or overall integrity of the center. Students attending will be in uniformed clothing, clean shaved and hair done, and are expected to hold respect for themselves and the community. High Desert EMT will not tolerate any negativity or students who do not abide by our policy.
9. Please see attached **Property Owner Affidavit**
10. Please see attached **Applicant Affidavit**

# ATTACHMENT C



**CASE: ADMN20-00036**



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# 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:rc