

SPECIAL MEETING OF THE ZONING  
ADMINISTRATOR OF THE CITY OF VICTORVILLE

NOVEMBER 18, 2020  
10:00AM

**ZOOM INFORMATION**

**MEETING LINK:**[https://victorvilleca.gov.zoom.us/j/95747149862?  
pwd=cnhVVMUxHc3dFSnJKN3FQMgdaNkxtZz09](https://victorvilleca.gov.zoom.us/j/95747149862?pwd=cnhVVMUxHc3dFSnJKN3FQMgdaNkxtZz09)  
**MEETING ID:** 957 4714 9862  
**PASSCODE :** VV123  
**CALL IN NUMBER :** (669) 900 9128

Notice to the Public: This meeting is being held in accordance with the Brown Act that is currently in effect under the State Emergency Services Act, the Governor's Emergency Declaration related to COVID-19, and the Governor's Executive Order N-29-20 issued on March 17, 2020. To minimize the spread of COVID-19, City Conference Rooms are closed to the public. This meeting will be available via Zoom and can be accessed through the following link [https://victorvilleca.gov.zoom.us/j/95747149862?  
pwd=cnhVVMUxHc3dFSnJKN3FQMgdaNkxtZz09](https://victorvilleca.gov.zoom.us/j/95747149862?pwd=cnhVVMUxHc3dFSnJKN3FQMgdaNkxtZz09) or by phone (669)900-9128.  
**Meeting ID: 957 4714 9862 and Passcode: VV123**

To provide public comments during Zoom, click "Raise Hand" and you will be advised to speak and be unmuted. If you would like your comments to be read during the meeting, please email [planning@victorvilleca.gov](mailto:planning@victorvilleca.gov) no later than November 17, at 3:00 p.m. Include the agenda item number in your subject line; if your comment doesn't pertain to an item, indicate "general public comment" in the subject line.

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. CONDITIONAL USE PERMIT - ADMN20-00083 – Pacific Gas & Electric Co.**

ENVIRONMENTAL – CONSIDERATION OF AN ENVIRONMENTAL EXEMPTION

PROJECT – A CONDITIONAL USE PERMIT WITH AN ENVIRONMENTAL EXEMPTION TO ALLOW FOR A TEMPORARY STAGING AREA FOR A PACIFIC GAS & ELECTRIC COMPANY INSPECTION PROJECT THAT INCLUDES EQUIPMENT AND MATERIAL STAGING AS WELL AS TRUCK AND TRAILER PARKING FOR A PERIOD OF APPROXIMATELY SIX MONTHS (NOVEMBER 25, 2020 - MAY 25, 2021) ON PREVIOUSLY DISTURBED PROPERTY

LOCATION – APPROXIMATELY WEST OF AND ABUTTING THE INTERSECTION OF TURNER ROAD AND SEALS ROAD

- ATTACHMENT -
- A. SITE PLAN
  - B. AQMD COMMENTS
  - C. AERIAL IMAGE

PUBLIC COMMENTS

ADJOURNMENT

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# ZONING ADMINISTRATOR STAFF REPORT

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**DATE:** NOVEMBER 18, 2020 **AGENDA NO. 1**

**CASE:** ADMN20-00083

**SUBJECT:** A CONDITIONAL USE PERMIT WITH AN ENVIRONMENTAL EXEMPTION TO ALLOW FOR A TEMPORARY STAGING AREA FOR A PACIFIC GAS & ELECTRIC COMPANY INSPECTION PROJECT THAT INCLUDES EQUIPMENT AND MATERIAL STAGING AS WELL AS TRUCK AND TRAILER PARKING FOR A PERIOD OF APPROXIMATELY SIX MONTHS (NOVEMBER 25, 2020 - MAY 25, 2021) ON PREVIOUSLY DISTURBED PROPERTY

**APPLICANT:** PACIFIC GAS & ELECTRIC CO.

**LOCATION:** APPROXIMATELY WEST OF AND ABUTTING THE INTERSECTION OF TURNER ROAD AND SEALS 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 15304(e) – Minor Alterations to Land; and
2. **Minor Conditional Use Permit** – Approve case ADMN20-00083 subject to the recommended conditions and find that:
  - (a) The proposed location of the conditional use is in accord with the objectives and requirements of the Development Code;
  - (b) 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, or welfare or materially injurious to uses, properties or improvements in the vicinity;
  - (c) 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; and
  - (d) The proposed conditional use will comply with each of the applicable provisions of the Development Code.

## **II. SUMMARY:**

The applicant is requesting approval of this Minor Conditional Use Permit in order to allow for an outdoor temporary contactor storage yard for a period of six months, which exceeds the ninety consecutive days that can be approved administratively. The temporary storage yard will be used by Pacific Gas & Electric Co. (PG&E) as a staging area and materials/equipment storage

space for multiple gas line inspection projects taking place in surrounding communities. The subject use is permitted in the underlying M-2 (Heavy Industrial) Zone District, however, a Minor Conditional Use Permit is required in accordance with the Development Code due to the land uses extended temporary nature and lack of permanent site improvements. While the subject site does not include permanent improvements, the site has been heavily disturbed and graded from previous industrial uses with little natural vegetation, includes adequate access to the abutting Turner Road, and should not cause any permanent impacts to the site or the community as conditioned. Additionally, the applicant has used the site in the past for a similar staging area with no adverse impacts to the community reported. Therefore, Staff supports the request as conditioned.

### **III. STAFF ANALYSIS:**

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

California Environmental Quality Act (CEQA) Section 15304(e) allows a categorical exemption for temporary land uses involving negligible or no permanent effects on the environment. Since the site is previously disturbed, graded, and has been used for industrial activities in the past, Staff finds the noted exemption applicable as the proposal involves negligible or no permanent effects on the environment as conditioned.

#### **2. Minor Conditional Use Permit.**

##### **Business Operations**

- The proposed yard will be used from November 25, 2020 through May 25, 2021 and includes primary operating hours of 6AM-6PM seven days a week. The site will also provide support to local projects 24 hours a day as needed.
- As noted in the "Summary" section of the Staff Report, the temporary storage yard will be used by PG&E as a staging area and materials/equipment storage space for multiple gas line inspection projects taking place in surrounding communities. The proposal includes equipment and material storage such as bulldozers, excavators, compactors, trucks, a water tank, etc.; however, no office trailers or associated temporary improvements are included as the site will be unmanned excepting for pick-up/drop-off of materials and equipment as necessary.
- In addition to the approval of a Conditional Use Permit, the applicant is required to obtain a Business License to operate within the City limits. Therefore, in accordance with Section 16-7.01.040 of the Victorville Municipal Code, Staff has included Condition 12 that requires the operator to obtain a Business License prior to the commencement of operations on-site.

##### **Parking/Circulation**

- The Development Code requires 1 space for every employee during the highest shift change as well as 1 space for every 300 sq. ft. of administrative office area. Since the no office trailers are proposed and the number of employees at the subject site will vary, Staff has included Condition 7, requiring employee parking to be provided on-site that is sufficient to accommodate the highest anticipated shift change.

- The site is directly accessed from Turner Road and Seals Road traverses the site, which have the capacity to serve the site on a temporary basis as proposed. In order to ensure Seals Road remains unobstructed for access to neighboring properties, Staff has included Condition 8 requiring such.

#### **General/Site Information**

- Temporary uses such as this proposal are permitted to be administratively approved by the Zoning Administrator for up to 90 consecutive days, however, uses that exceed said allowance are required to obtain a Conditional Use Permit pursuant to Section 16-3.07.050(b) of the Development Code.
- The subject site is a City owned parcel and as such will require a signed lease agreement to be executed prior to that site being used as proposed. Although negotiations are ongoing and should be completed prior to operations taking place on-site, Staff has included Condition 13 requiring an executed lease agreement to be in place prior to the use of the site.
- Although fencing is not included on the Site Plan, Staff would not be opposed to temporary fencing being installed to secure the site, provided said fencing is removed at the conclusion of on-site operations. Therefore, Staff has included Condition 9 in order to ensure any temporary fencing installed is removed accordingly.
- Staff received comments from the Mojave Desert Air Quality Management District (Attachment B) recommending access and parking areas be treated to eliminate visible fugitive dust. Therefore, Staff has included Condition 10, requiring compliance with the mitigation measure proposed.

#### **Required Findings**

- In order to approve a Conditional Use Permit the Development Code requires that the Zoning Administrator make the following findings pursuant to Section 16-3.02.050.
  - *The proposed location of the conditional use is in accord with the objectives and requirements of the Development Code.*
    - Comment: The underlying M-2 zoning of the property permits the subject storage yard and the Development Code also allows for temporary uses for the period proposed with approval of a Conditional Use Permit. Additionally, the site is bordered by industrial districts on all sides and the use will not negatively affect existing or future businesses the M-2 Zone District due to its limited duration of operations. 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 Heavy Industrial with a Zone District that allows for the proposed use. The land use descriptions outlined in Table LU-2 in Land Use Element of the General Plan states heavy

industrial districts “...are more specialized in nature and require special consideration in terms of use of the property as well as impacts on adjacent properties.” Since the subject site is surrounded by heavy industrial zoned property on all sides and developed on three sides with land uses that incur similar impacts, 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 proposed use will mainly utilize typical daytime hours of operation, which are similar to existing industrial uses in the vicinity that operate without overloading the capacity of the roadways, the proposal is not anticipated to overload the surrounding street system or include impacts greater than those that the existing uses would generate during peak hours. Additionally, the site abuts and is accessed via Turner Road, a Collector Roadway, in a sparsely developed area of the City, which has the ability to serve the traffic created by the use on a temporary basis as proposed.
- *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 undeveloped; however, due to the temporary nature of the proposal full site improvements are not required as they may negatively impact the potential for future development. Additionally, the use is listed as permitted the underlying zoning of the site, and the proposal will not negatively affect the existing uses in the vicinity. 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	Vacant	Heavy Industrial	M-2	N/A
North	Industrial/Materials Transportation	Heavy Industrial	M-2	N/A
South	Asphalt Plant	Heavy Industrial	M-2	N/A
East	Contractor Storage	Heavy Industrial	M-2	N/A
West	Vacant	Heavy Industrial	M-2	N/A

**NUMBER OF RADIUS LETTERS MAILED: 5**

Attachments:

- Attachment A – Site Plan
- Attachment B – AQMD Comments
- Attachment C – Aerial Image

AJ

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

CONDITIONS OF APPROVAL

ADMN20-00083  
November 18, 2020

A CONDITIONAL USE PERMIT WITH AN ENVIRONMENTAL EXEMPTION TO ALLOW FOR A TEMPORARY STAGING AREA FOR A PACIFIC GAS & ELECTRIC COMPANY INSPECTION PROJECT THAT INCLUDES EQUIPMENT AND MATERIAL STAGING AS WELL AS TRUCK AND TRAILER PARKING FOR A PERIOD OF APPROXIMATELY SIX MONTHS (NOVEMBER 25, 2020 - MAY 25, 2021) ON PREVIOUSLY DISTURBED PROPERTY

**Planning Conditions:**

1. This Conditional Use Permit allows for the temporary operation of an equipment/materials storage and staging yard for gas line inspection/repair projects associated with Pacific Gas & Electric Company for a period of six months beginning November 25, 2020 on property located west of and abutting the intersection of Turner Road and Seals Road (APN 0472-101-49). This approval includes temporary primary hours of operation from 6AM-6PM daily with limited support provided to projects as needed 24 hours a day. The Zoning Administrator may allow revised hours of operation, accessory or revised services not listed in this approval, and an extended conditional use permit duration, providing the approved use does not change and the changes do not negatively affect the public health, safety, and welfare nor cause nonconformance with findings required by Section 16-3.02.050 of the Development Code.
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 this proposed use beyond the scope of this conditional use permit shall require submission and approval of a site plan 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 review and approval.
6. 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.
7. The applicant shall provide 1 off-street parking space for every employee during the highest shift change on-site in accordance with Title 16 standards. Compliance can be verified during field inspection by Planning Staff prior to the commencement of operations on-site.
8. Seals Road shall remain open and unobstructed during the entire duration of permitted operations on-site. Additionally, access along this roadway shall be repaired as needed if the



equipment associated with the storage/staging yard damages or otherwise restricts access to this roadway.

9. Any temporary fencing installed in conjunction with the approved temporary use shall be removed promptly upon operations ceasing on-site.
10. In accordance with Mojave Desert Air Quality Management District (AQMD) requirements, the applicant shall stabilize maintenance and vehicular access areas with water, chemical, gravel, or asphaltic pavement sufficient to eliminate visible fugitive dust from vehicular travel and wind erosion. Additionally, the applicant shall take actions to prevent project related track-out onto paved surfaces and clean any project-related track-out within 24 hours.
11. The applicant/developer shall be responsible for obtaining all necessary permits from any affected regulatory agencies.
12. The applicant shall obtain a City of Victorville Business License prior to operations commencing on-site.
13. A lease agreement between the applicant and the City of Victorville for the duration of operations on-site shall be executed and in place prior to the placement of any materials and/or equipment on-site.
14. 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.

**Engineering Conditions:**

15. The project operator shall submit a copy of a Storm Water Pollution Prevention Plan that has been approved by the State Water Resources Control Board to the City Development Department.
16. An adequate dust palliative shall be applied to the site to prevent dust and sand to be blown beyond the project property.
17. The project operator shall restore the site to its original condition, as approved by the City, after the use of the property is done.

**Building Conditions:**

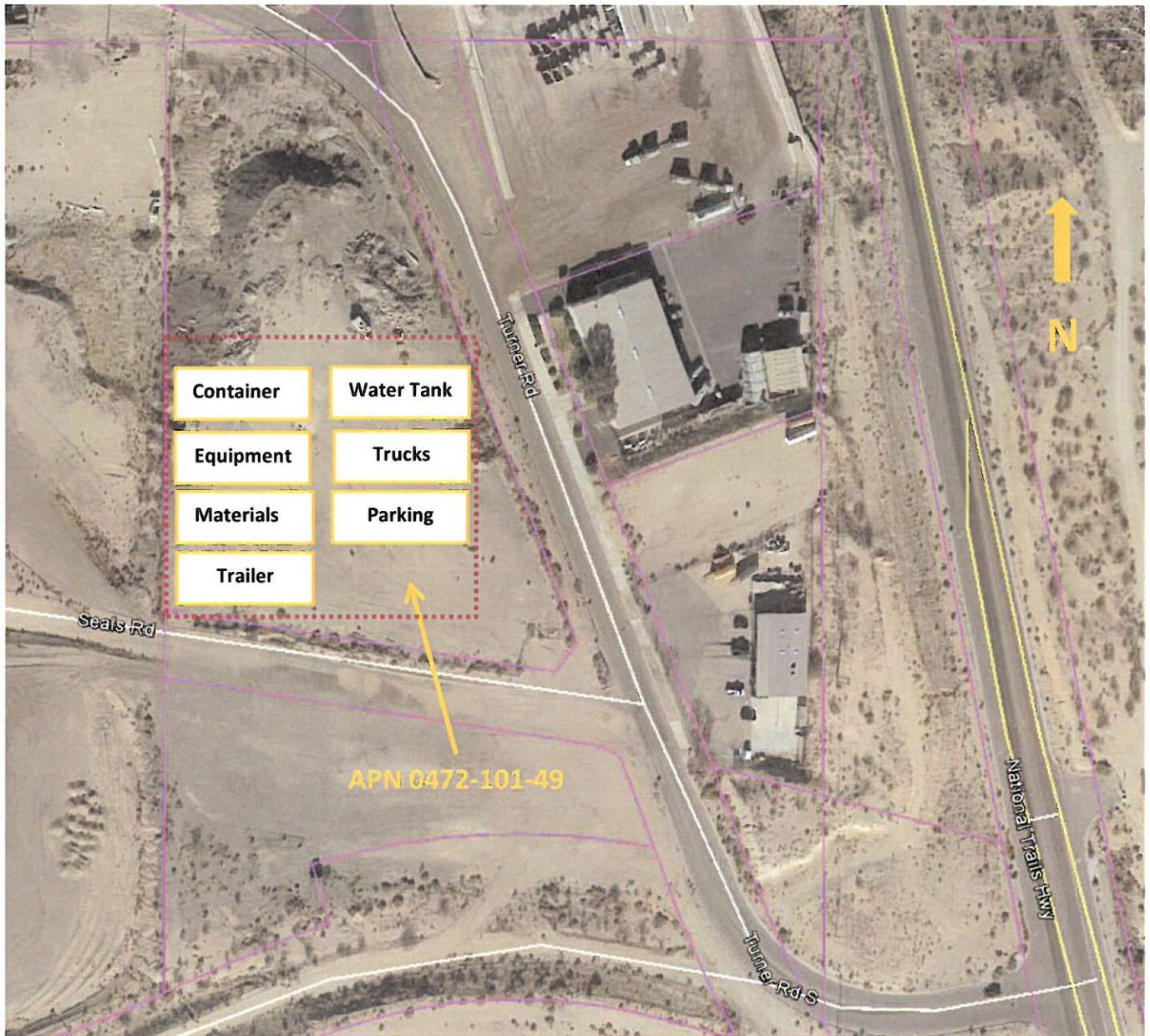
18. The project shall comply with all building codes in effect at the time of plan submittal.
19. Plan check fees for this project will be due, and shall be paid in full, upon submittal of plans to the Building Division as necessary. The Building Division may be contacted at (760) 955-5100 for an estimation of these fees. Tools for estimating total permit fees are available on the City's website at: <https://www.victorvilleca.gov/government/city-departments/development/permit-center/fees-forms>. Actual amounts owed will be determined upon submittal of the plans via the City's online permit center.

**Fire Conditions:**

20. Shall comply with all current Building and Fire Code requirements based on occupancy classification.
21. Two Fire Extinguishers will be required on-site.

# ATTACHMENT A

## SITE PLAN



**PG&E Co. Temporary Staging Area on APN 0472-101-49  
(17553 Turner Road, Victorville, CA)**

### Statement of Operations:

Temporary staging area will have 24/7 presence in support of the nearby gas inline inspection project.

The main operating hours will be Monday thru Sunday from 6:00 am to 6:00 pm.

Purpose of laydown area is for staging equipment, materials, frac/water tank, trucks, containers and trailers.

Temporary staging area needed from 11/25/20 to 05/25/21.

# ATTACHMENT B

**Mojave Desert Air Quality Management District**

Brad Poiriez, *Executive Director*  
14306 Park Avenue, Victorville, CA 92392-2310  
760.245.1661 • Fax 760.245.2022  
[www.MDAQMD.ca.gov](http://www.MDAQMD.ca.gov) • @MDAQMD



September 29, 2020

Rebecca Carrillo  
City of Victorville  
Development Department  
14343 Civic Drive  
Victorville, CA 92392

RECEIVED

SEP 30 2020

DEVELOPMENT  
DEPARTMENT

**Subject: ADMN20-00083**

Dear Ms. Carrillo:

The Mojave Desert Air Quality Management District (District) has received the Notice for ADMN20-00083, a conditional use permit with an environmental exemption to allow for a temporary staging area for a Pacific Gas & Electric company inspection project that includes equipment and material staging as well as truck and trailer parking for a period of approximately six months (November 25, 2020 - May 25, 2021) on previously disturbed property located approximately west of and abutting the intersection of Turner Road and Seals Road.

The District has reviewed the project, and based on the information provided to us at this time, recommends maintenance areas and vehicular access and parking areas shall be stabilized with water, chemical, gravel or asphaltic pavement sufficient to eliminate visible fugitive dust from vehicular travel and wind erosion. Take actions to prevent project-related trackout onto paved surfaces, and clean any project-related trackout within 24 hours.

Thank you for the opportunity to review this planning document. If you have any questions regarding this letter, please contact me at (760) 245-1661, extension 6726, or Tracy Walters at extension 6122.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. De Salvio', is written over a white background.

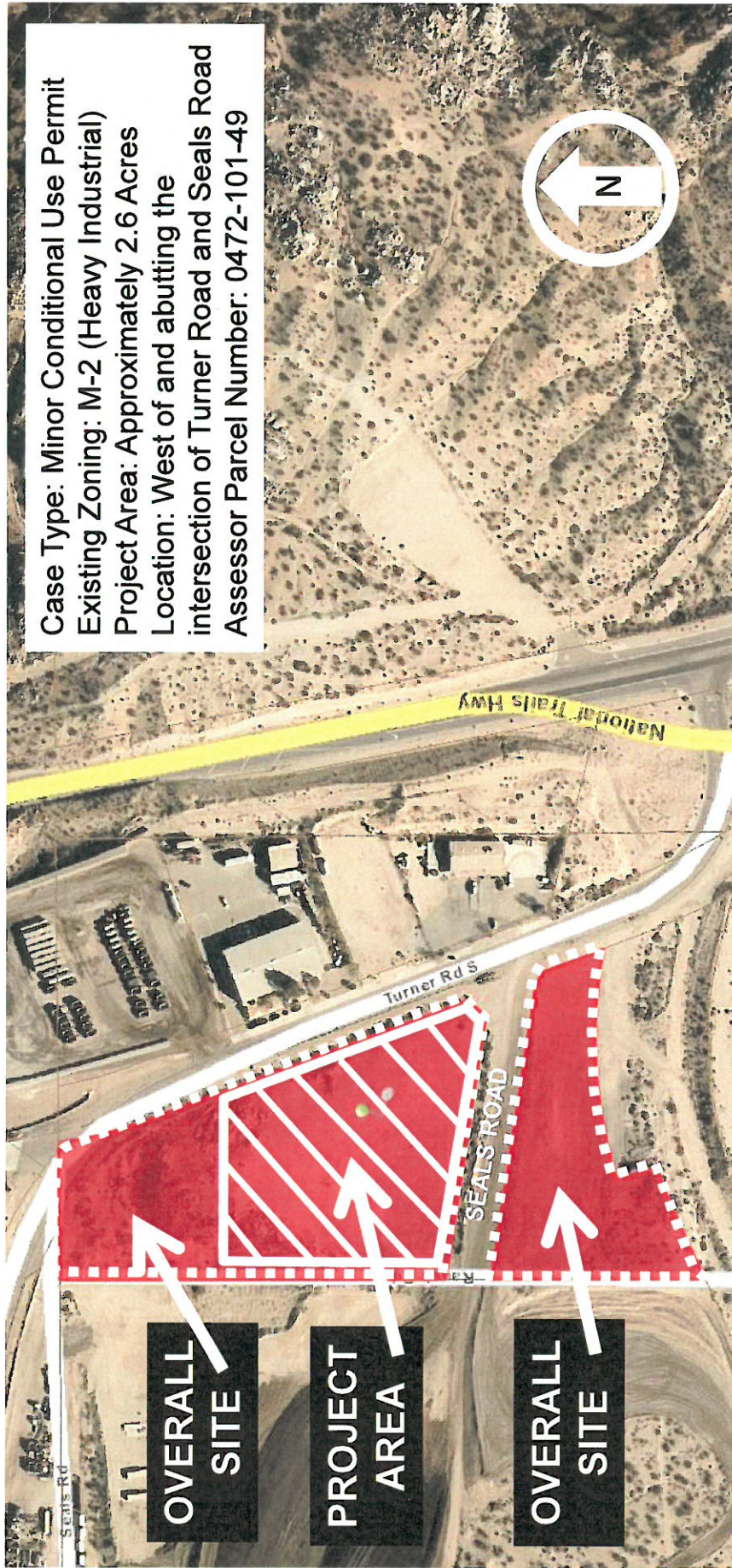
Alan J. De Salvio  
Deputy Director – Mojave Desert Operations

AJD/tw

Victorville ADMN20-00083.doc

# ATTACHMENT C

# CASE: ADMN20-00083





# PUBLIC HEARINGS

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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:cj

