

REGULAR MEETING OF THE ZONING
ADMINISTRATOR OF THE CITY OF VICTORVILLE



ZOOM INFORMATION

MEETING LINK: <http://vv.city/zamtg3>

MEETING ID: 941 7812 7997

Call IN NUMBER: (669) 900 9128

June 16, 2021

10 a.m.

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, this meeting will be available via Zoom and can be accessed through the following link : <http://vv.city/zamtg3> or by phone (669) 900 9128.

Meeting ID: 941 7812 7997

Public comments can be submitted via zoom by computer, laptop, and smart device or by email. 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 no later than June 15, 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. MINOR INTERIM USE PERMIT - ADMN21-00064 - CPI CAPITAL

ENVIRONMENTAL - Consideration of an Environmental Exemption

PROJECT - A Minor Interim Use Permit with an Environmental Exemption to allow for the Cal State San Bernardino Psychology Department to relocate from their current location at 15419 Cholame Road to teach classes and provide training to parolees on a daily basis within an existing IPD zoned building

LOCATION - 15367 Tamarack Rd Suite #B

ATTACHMENTS -
A. Site Plan & Floor Plan Graphic
B. Project Description
C. Aerial Image

PUBLIC COMMENTS

ADJOURNMENT

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ZONING ADMINISTRATOR STAFF REPORT

DATE: June 16, 2021 **AGENDA NO. 1**

CASE: ADMN21-00064

SUBJECT: A MINOR INTERIM USE PERMIT WITH AN ENVIRONMENTAL EXEMPTION TO ALLOW FOR THE CAL STATE SAN BERNARDINO PSYCHOLOGY DEPARTMENT TO RELOCATE FROM THEIR CURRENT LOCATION AT 15419 CHOLAME ROAD TO TEACH CLASSES AND PROVIDE TRAINING TO PAROLEES ON A DAILY BASIS WITHIN AN EXISTING IPD ZONED BUILDING

APPLICANT: JOHN CONNOLLY

LOCATION: 15367 TAMARACK ROAD, SUITE #B

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
1. **Minor Interim Use Permit** - Approve case ADMN21-00064 subject to the recommended conditions 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 is requesting approval of this Interim Use Permit in order to allow for Cal State San Bernardino Psychology Department to operate their Cal State Reentry Initiative program. This program provides focused training, programming, and education for individuals who are being supervised by the nearby California Department of Corrections and Rehabilitation (CDCR) parole office. The Cal State Reentry Initiative is currently located at 15419 Cholame Road approximately one block from the subject site at 15367 Tamarack Road and this proposal seeks to move all operations to the subject facility.

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 has been previously used for a law office that would typically include client visits throughout the day similar to the proposal, Staff finds the proposed use a negligible expansion of use.

2. Minor Interim Use Permit.

Facility Operations

- The Cal State Reentry Initiative will utilize 6,300 sq. ft. of an 8,990 sq. ft. building divided into two total suites. Floor plans indicate that the uses include offices, open areas, conference rooms, clerical and reception areas, as well as other accessory uses typical of office uses. Classes and training will be located within the open areas and conference rooms.
- Hours and days of operation for the use is as follows:
 - Cal State Reentry Initiative: Monday – Friday, 9AM – 5PM with occasional 7PM closure; as well as Saturdays from 9AM – 1PM.

Functions and Services Provided

- The Cal State Reentry Initiative is a project under the California State University of San Bernardino Psychology Department and serves individuals on parole with the California Department of Corrections and Rehabilitation (CDCR) by providing services and training in GED, employment preparation, financial literacy, anger management, substance abuse, and basic education. This use is typically staffed by 7 personnel who see approximately 40 participants per day and never exceed a ratio of 1 staff to 18 parolees. The Cal State Reentry Initiative is funded by the CDCR and may subcontract out to other entities (i.e. local non-profits, Victor Valley College, etc.) for specific training or services.

Parking

- Title 16 requires 1 space per 200 sq. ft. of floor area for government offices frequently visited by the public and additional spaces are also required if government vehicles are kept on-site. With no government vehicles on-site, 32 spaces are required for the proposed use (6,300 sq. ft. / 200 sq. ft. = 32 spaces). Although the site does not include parking accordance with Title 16 standards, Staff finds that with the limited number of program staff members on-site, the limited number of program participants, and the availability of on-street parking in the vicinity due to the large number of warehouse uses in the area, the 30 parking spaces on-site are sufficient to serve the proposed interim use and the remaining suite in the building.

Site Condition

- The site requires maintenance and repair as the parking area, landscaping, and trash enclosure either require attention or need updating to comply with current Municipal Code standards. Staff finds that the issues noted herein can be remedied with the approval of this Minor Interim Use Permit via Conditions of Approval as follows:
 - Landscape - Most landscape areas include mature live vegetation and ground cover; however, these areas also require maintenance including the removal of weeds and debris throughout the site. Therefore, Staff has included Conditions 7 & 8, requiring all landscape and parking areas to be cleared of weeds and debris, with replacement groundcover also required as needed, prior to the issuance of a Business License or Certificate of Occupancy.

Landscape Examples



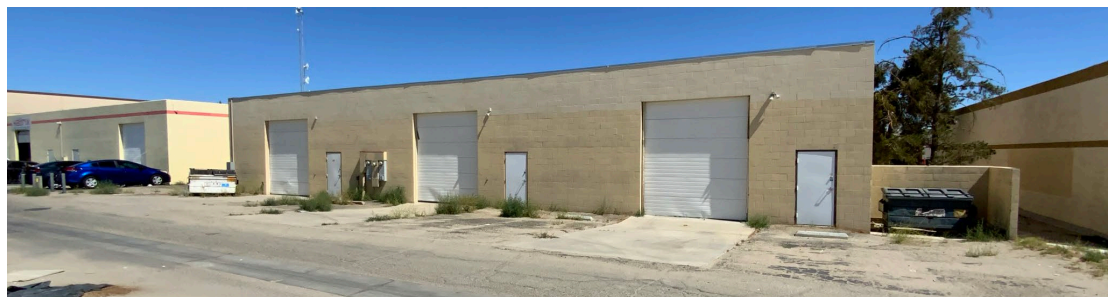
- Parking Area/Access - Parking and access areas are weathered and at a minimum require repair, slurry coat, and seal. Therefore, Staff has included Condition 10 to remedy this issue.

Parking Area/Access Examples



- Trash Enclosure - The existing trash enclosure lacks gates as well as a roof/cover and is not sized to accommodate separate bins for refuse and recycling as required by Title 16. Therefore, Staff has included Condition 11, requiring the trash enclosure to comply with the applicable standards of Title 16 (e.g. appropriate size, screening, and security).

Trash Enclosure Examples



Required Findings

- The Industrial Park District (IPD) does not permit the proposed government social service as a permitted or conditional use. However, an interim use within IPD 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 government social service at this location does meet the requirements of the Council Policy as discussed in the following section.
 - Basis of Need:

The subject suite has been vacant for approximately two years, and is located within an area that has historically struggled to retain tenants as well as with its identity, operating as an area with a mix of industrial, commercial, professional, and government/social service uses. Economic decline and shifting land use patterns have removed much of the “development oriented” businesses that were once prominent in this area from approximately 2005 through 2010, while the COVID-19 pandemic has created additional vacancies. 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 regard to:
 - Hours of Operation – Typical daytime and evening business hours that are not uncommon for commercial or distribution uses in the area.
 - Parking Needs/Requirements – Adequate parking on-site to support the proposed interim use.
 - Traffic Impacts – Access from abutting roadway Tamarack Road and an alley should be adequate to serve proposal.
 - Occupancy Patterns – The IPD Zone allows various other uses, including an industrial trade school, and a public safety facility, which would have similar impacts to the area. Additionally, other government social services exist in the same vicinity as the proposal.
 - Noise – Noise impacts should not be greater than permitted industrial uses or other land uses permitted within the IPD 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 accessible parking is provided.
 - 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 that will be improved per the conditions of approval and are adequate to serve the proposed use.
 - Compatibility with Adjacent Existing & Permitted Uses – The proposal is located near a mix of warehousing, light industrial, and office uses that are

not anticipated to be impacted by the proposed use given its operating history in other locations in the vicinity that did not include any negative impacts.

- 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 is currently located approximately one block from the subject site with no documented concerns affecting public interest.
 - Public Health, Safety, and Welfare – Due to the proposals guidelines for admission to the program (e.g. non-mandatory participation by parolees), as well as their affiliation with the California Department of Corrections and Rehabilitation, Staff does not anticipate any negative impacts to the public health, safety and welfare. Additionally, no complaints have been received while this facility has been operating in the vicinity.
 - Economic Vitality of the Area – The use will fill a vacancy in an area with a history of 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 operations and guidelines (e.g. non-mandatory participation, loitering prohibited, etc.) of the use that should deter any negative impacts. Additionally, no residential property is located in the immediate area.
 - 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 industrial, commercial, professional, and government/social service land uses, as well as the areas historically alternating identity.
 - Does not Contribute to Over-Concentration – N/A

IV. SITE CHARACTERISTICS:

	Existing Land Use	General Plan	Zoning	Specific Plan
Site	Office/Warehouse	Light Industrial	IPD	N/A
North	Warehouse/Office	Light Industrial	IPD	N/A
South	Undeveloped	Light Industrial	IPD	N/A
East	Warehouse/Office	Light Industrial	IPD	N/A
West	Warehouse/Office	Light Industrial	IPD	N/A

NUMBER OF RADIUS LETTERS MAILED: 24

AJ

Attachments:

- Attachment A – Site Plan & Floor Plan Graphic
- 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
ADMN21-00064
June 16, 2021

Planning Conditions:

1. This approval is to allow for the relocated operation of the Cal State Reentry Initiative operating Monday – Friday, 9AM – 5PM with occasional 7PM closure; as well as Saturdays from 9AM – 1PM. The Cal State Reentry Initiative is permitted to provide typical administrative/professional office functions, as well as on-site client services including services and training in GED, employment preparation, financial literacy, anger management, substance abuse, and basic education, without exceeding a 1 staff to 18 parolee ratio or posted maximum occupancy.
2. Loitering on-site by parolees/clients is prohibited and signs shall be posted at exterior corridors indicating such.
3. Any 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 further 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. Prior to the issuance of a Business License or Certificate of Occupancy 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 where necessary and the regular watering of all plants. In addition, all landscaped areas shall be provided with a suitable permanent water system.
8. Prior to the issuance of a Business License or Certificate of Occupancy decorative rock a minimum $\frac{3}{4}$ in size or other ground cover approved by the Zoning Administrator to match existing shall be provided in all landscape planters with a weed barrier where dirt/soil is exposed.
9. 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.
10. All parking areas and access thereto, including access to bay doors and the trash enclosure, shall be repaired prior to the issuance of a Business License or Certificate of Occupancy. Repair shall include repaving, patching and/or slurry coat & seal as needed to repair broken and weathered asphalt throughout the site. Additionally, all parking spaces and directional arrows shall be restriped prior to the issuance of a Business License or Certificate of Occupancy

11. Prior to the issuance of a Business License or Certificate of Occupancy the existing trash enclosure shall be updated or replaced to include: solid metal doors with a closure mechanism, a solid roof or cover, and security measures to prevent unauthorized access (e.g. wrought iron between the roof and enclosure walls). Additionally, the trash enclosure shall be sized to accommodate separate refuse and recycling bins, which can be accomplished through extended masonry walls or solid metal wingwalls to match the required doors.
12. The applicant/developer shall be responsible for obtaining all necessary permits from any affected regulatory agencies.
13. 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.
14. 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.

Engineering Conditions:

15. Unless waived by the City Engineer, the developer shall install all improvements required by Section 9.32.010 of the Victorville Municipal Code (including curbs, gutters, sidewalks, pavement widening, drive approaches, street lighting, and drainage facilities) along the street frontages of the project, in accordance with the Standard Specifications for Public Improvements of the City of Victorville. The required street improvements include:
 - i. Removal & replacement of existing driveway approach along the Tamarack Road frontage. The driveway approach and pedestrian bypass shall be constructed per City Standard No. S-03.
16. A permit issued from the City's Engineering Department is required prior to commencement of any work performed within public right-of-way and the City's inspection process followed for the connection to and construction of any facilities that are to be dedicated to, owned and maintained by the City.
17. Landscaping within the traffic sighting distance triangle at intersections and driveway connections to public streets shall be limited to ground cover only and shall not include shrubs and trees.

Building Conditions:

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

Fire Conditions:

19. Shall comply with all Building and Fire Code requirements based on occupancy classification.
20. If Building has an Automatic Fire Sprinkler System, the System shall have a current 5 Year Certification prior to granting a Certificate of Occupancy.

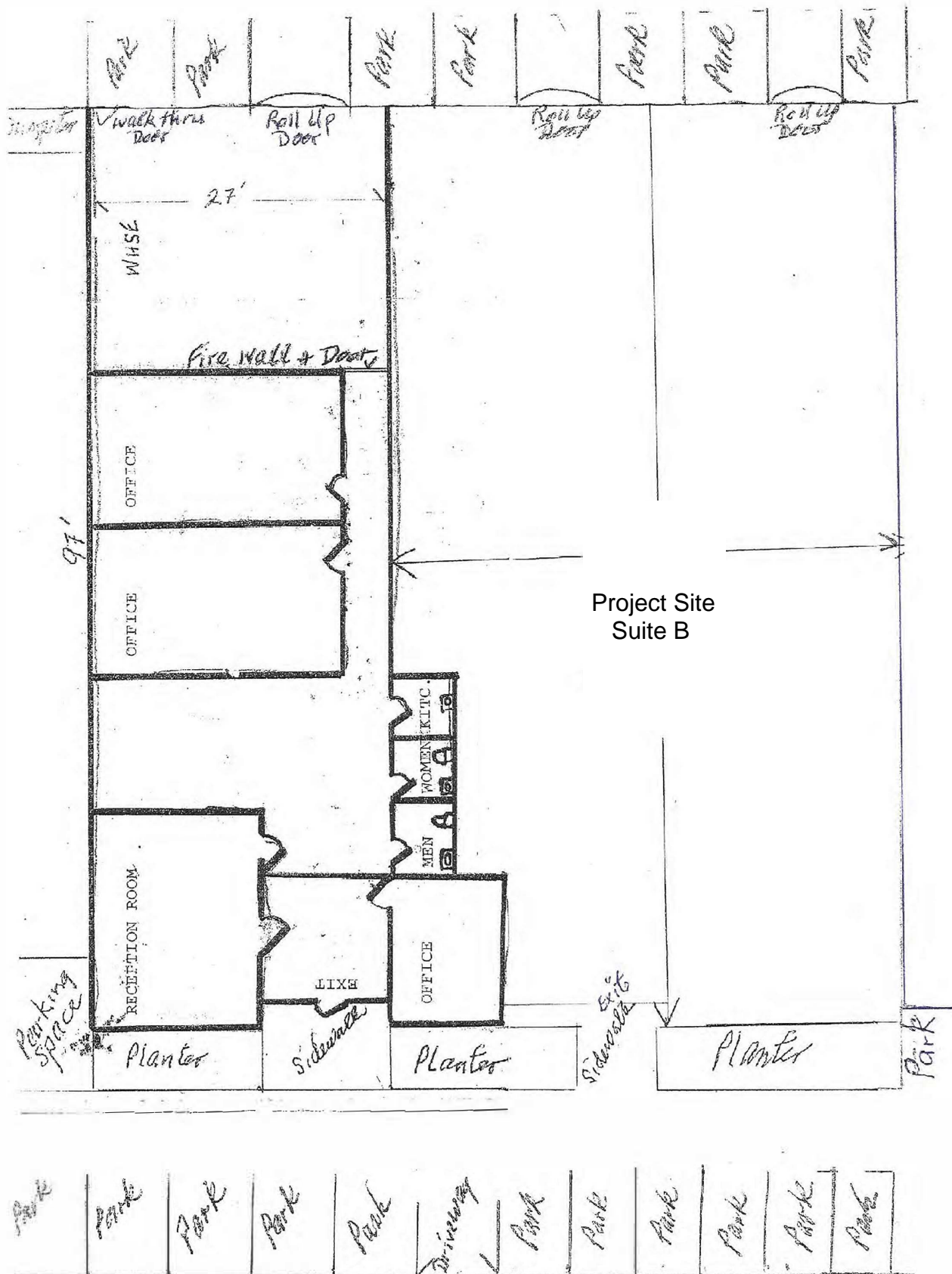
21. If Building has a Fire Alarm or Water Monitoring System, the System shall have a current Annual Certification prior to granting a Certificate of Occupancy.
22. Knox Box/Key Box is required and shall be provided and installed in accordance with Fire Department Standards.

ATTACHMENT A

Building 9,000 s.f.
Parking 20 spaces

Suite A 2,690 s.f.
Suite B 6,300 s.f.

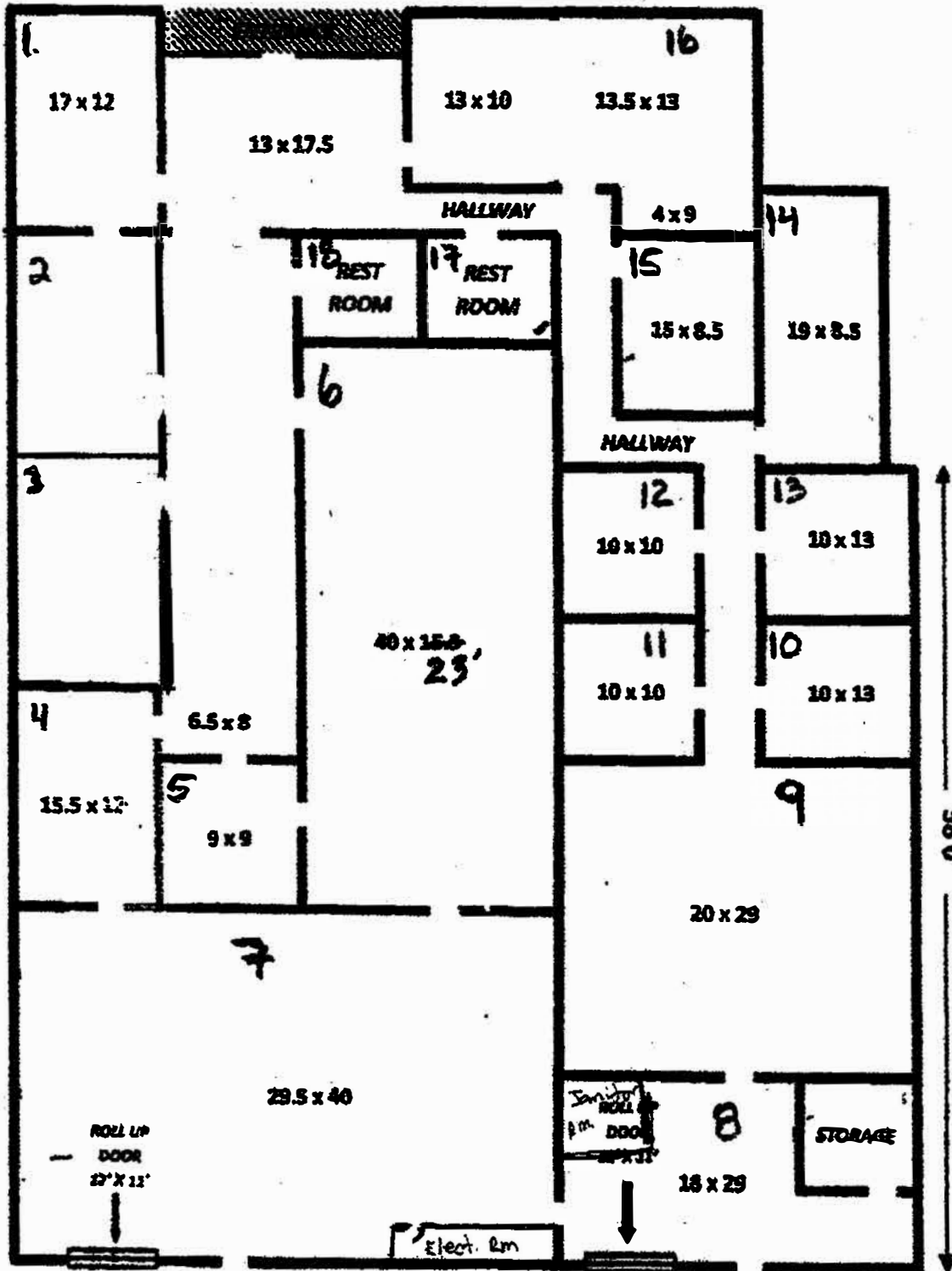
Alley



15367 Tamarack

15367 Tamarack, #B
Victorville, CA

FRONT PARKING LOT



BACK PARKING LOT

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ATTACHMENT B

The Cal State Reentry Initiative (CSRI) is a project under the California State University San Bernardino (CSUSB), University Enterprises Corporation (UEC). UEC is the contracting arm of CSUSB. CSRI serves individuals returning from California Department of Corrections and Rehabilitation (CDCR) prisons on parole. In October, 2013, due to the downsizing of the CDCR Division of Parole Operations (Parole), the Victorville Parole Office reduced their footprint. CSRI took over the space vacated by Parole and opened their doors in October, 2013. Parole opened their doors in 1995 and has remained at the same location.

CSRI only serves individuals on active parole and who are being supervised by CDCR Parole. CSRI has not had any incidents of violence or calls for police service since opening. This program is not mandatory and only individuals interested in successfully returning to their communities and who are willing to abide by program rules are admitted. Approximately forty people per day attend programming. CSRI provides training in GED, employment preparation, financial literacy, anger management programming, substance abuse education, and adult basic education programming. The participant to staff ratio will never exceed 18:1. CSRI is staffed by approximately seven qualified individuals through CSUSB. All seven staff members drive their own vehicles; whereas, fewer than 20 percent of parolees drive their vehicles. A maximum of 15 parking spaces will be utilized by CSRI at any one time.

CSRI is open Monday through Friday, 9 am to 5 pm with an occasional 7 pm closure. CSRI is also open on Saturday from 9 am to 1 pm.

This project is funded entirely by the CDCR yet contracts out to local nonprofits to provide evidence-based programming in substance abuse education, counseling, GED through Victor Valley College and other services through local providers. CSRI has a contract with CDCR through FY 2017.

currently
CSRI is ^{currently} in the same complex as CDCR Parole. Parole sees approximately 44 clients per day with an average of 4.7 parolees per hour. CDCR Parole houses 31 staff members with most driving their own vehicles. A similar percentage of parolees visiting parole drive their own vehicles resulting in a maximum of 32 parking spaces being used by Parole at any one time. CDCR Parole is open Monday through Friday, 9 am to 5 pm.

ATTACHMENT C

CASE: ADMN21-00064



PUBLIC COMMENTS

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SUBJECT: PUBLIC COMMENTS ON PLANNING MATTERS

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