



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

**July 21, 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](mailto:planning@victorvilleca.gov) no later than July 20, 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 CONDITIONAL USE PERMIT - ADMN21-00074 - Set Free Church

ENVIRONMENTAL - Consideration of an Environmental Exemption

PROJECT - A Minor Conditional Use Permit with an Environmental Exemption to allow for a church at an existing building zoned residential medium-high density

LOCATION - Within the Old Town Specific Plan located at 16806 B Street

ATTACHMENTS - A. Church Narrative  
B. Floor Plan  
C. Aerial Image

PUBLIC COMMENTS

ADJOURNMENT

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# ZONING ADMINISTRATOR STAFF REPORT

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**DATE:** July 21, 2021 **AGENDA NO. 1**

**CASE:** ADMN21-00074

**SUBJECT:** A Minor Conditional Use Permit with an Environmental Exemption to allow for a church at an existing building zoned residential medium-high density

**APPLICANT:** Cynthia Thomas

**LOCATION:** Within the Old Town Specific Plan located at 16806 B Street

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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 Conditional Use Permit** – Approve Minor Conditional Use Permit Case No. ADMN21-00074 subject to the recommended Conditions of Approval.

## **II. SUMMARY:**

The applicant is proposing a church at an existing church building which is a designated historical point of interest as the first church in Victorville. It is located within the Old Town Specific Plan (OTSP) in a residential neighborhood at the northeast corner of 'B' Street and Fifth Street. It is within the Residential Medium-High District, which allows for churches as a conditional use. Originally the applicant was proposing to relocate all of the Set Free Church and homeless services, unpermitted or not, to the site. However, the applicant has since revised the request and is asking to relocate only the church services to the site. The Conditional Use Permit will include Conditions of Approval to prevent the unpermitted activities that occur at the Set Free Church site on 'D' Street. Additionally, the applicant will be required to close their business license at the 'D' Street site with this approval.

## **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. The site is a church building that had become unoccupied. Therefore, Staff finds the exemption applicable as the proposal does not constitute an expansion of use.

**2. Minor Conditional Use Permit.**

- The church will have office operating hours from 9 am until 5 pm Monday through Saturday. Church service times and attendance will occur according to the following:

Planned Services & Times	Description of Service	Estimated Attendance	Number of Cars
Monday 6 PM – 8 PM	School of Ministry	20	5
Tuesday 6 PM – 7 PM	Hour of Prayer	20	5
Wednesday 6 PM – 7 PM	Bible Study	20	5
Friday 6 PM – 8 PM	Evening Worship & Service	20	5
Sunday 10 AM – 12 PM	Morning Worship & Service	30	10
Daly M-F 11 AM – 12 AM	Bible Study	10	3

- Parking for non-residential uses within the Medium-High District is not identified within the OTSP. Additionally, parking may be reduced per Section 5.2 if on-street parking is available and within walking distance. The dirt lot behind the church will not be utilized for parking, however due to the ample on-street parking available on 'B' Street (see below), there is sufficient parking available for the church in the amounts shown in the chart above.



- There is no parking lot, landscaping or trash enclosure at the church site. As with many old buildings on Old Town, the site is non-conforming and may remain as such. The site also has protections from Section 4.10 of the OTSP, Historic Resource Preservation, and may not be modified, altered, remodeled or renovated without specific approval from an additional Minor Conditional Use Permit. However, ordinary maintenance and repair that does not alter the building or site is permitted.
- Because of the history of the Set Free Church site on 'D' Street, which evolved from a church to a church providing homeless services such as car washes and food/item giveaways, etc., this Conditional Use Permit shall include conditions to prevent homeless services, including periodic site inspections. Additionally, the site is within an established residential neighborhood and additional conditions will be included that will be sensitive to the use to prevent parking issues, loitering, trash and noise.

**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 Old Town Specific Plan.*
    - Comment: As mentioned, churches are allowed by a Minor Conditional Use Permit within the Medium-High District. Therefore, the proposed church, with conditions, is in accordance with the Medium-High District of the Old Town Specific Plan.
  - *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 Specific Plan. Being designated Specific Plan, the Old Town Specific Plan is the general land use guide and document for Old Town. Since the proposed church meets the intent of the Plan, the proposal is consistent with the General Plan. The church will help the goal to create a vibrant, safe and pedestrian friendly Plan and is not detrimental to the public.
  - *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: The church will not increase traffic to the area. Although, it is unknown when a church occupied the building last, historically it has always been a small church with a minor traffic demand.
  - *The proposed conditional use will comply with each of the applicable provisions of the Land Use Plan within the Old Town specific Plan.*
    - Comment: As mentioned, churches are allowed with a Condition Use Permit and the church affords the provisions of Section 4.10 of the OTSP, Historic Resource Preservation Therefore, the proposal will comply with each of the applicable provisions of the Land Use Plan section of the OTSP.

**IV. SITE CHARACTERISTICS:**

	<b>Existing Land Use</b>	<b>General Plan</b>	<b>Zoning</b>	<b>Specific Plan District</b>
Site	Church	Specific Plan	S-P	RMHD
North	Residence	Specific Plan	S-P	RMHD
South	Residence	Specific Plan	S-P	RMHD
East	Vacant	Specific Plan	S-P	MUR
West	Residence	Specific Plan	S-P	RMHD

**NUMBER OF RADIUS LETTERS MAILED: 42 (with no responses)**

MJS

Attachments:

Attachment A – Church Narrative

Attachment B – Floor Plan

Attachment C - Aerial Image

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



CONDITIONS OF APPROVAL  
ADMN21-00074  
July 21, 2021

**A MINOR CONDITIONAL USE PERMIT WITH AN ENVIRONMENTAL EXEMPTION TO ALLOW FOR THE APPROVAL OF A CHURCH AT AN EXISTING BUILDING ZONED RESIDENTIAL MEDIUM-HIGH DENSITY**

**Planning Conditions:**

1. This approval shall be valid for a church with no additional services beyond what is listed within Condition #2.
2. The church office hours of operation shall be Monday through Saturday 8 am to 5 pm and services in accordance with the below:

Planned Services & Times	Description of Service	Estimated Attendance	Number of Cars
Monday 6 PM – 8 PM	School of Ministry	20	5
Tuesday 6 PM – 7 PM	Hour of Prayer	20	5
Wednesday 6 PM – 7 PM	Bible Study	20	5
Friday 6 PM – 8 PM	Evening Worship & Service	20	5
Sunday 10 AM – 12 PM	Morning Worship & Service	30	10
Daly M-F 11 AM – 12 AM	Bible Study	10	3

3. Prior to occupancy, the applicant shall close their current business license at 16947 'D' Street.
4. The proposed church shall comply with all applicable development standards of the Old Town Specific Plan.
5. The proposed church 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, the Old Town specific Plan, and/or conditions of approval.
6. The church shall be periodically inspected for conformance to the Conditions of Approval by Development Department Staff at 6-months, 12 months, 24-months and as needed thereafter. Non-conformance to the Conditions of Approval shall cause the use to return to the Zoning Administrator for review, modification or revocation.
7. There shall be no modification to the locally historic designated building or the site itself unless approved by an additional Minor Conditional Use Permit.
8. There shall be no parking on the dirt area behind the church unless the area is paved and striped and approved under the provisions of Condition #4.
9. On-street parking for church services shall be located on the north side of 'B' street, away from the existing residences. If a parking issue should occur due to complaints or over-parking, the zoning administrator shall review the Conditional Use for modification or revocation.

10. There shall be no homeless services or activities at the church site, including food giveaways, shower services and car washes.
11. The church shall not cause excessive noise, excessive lighting, loitering, panhandling, or trash and debris within the neighborhood.
12. The church site and building shall be maintained including general painting and repair work, weeding, raking and cleaning.
13. Any expansion of the 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.
14. The applicant/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.



# ATTACHMENT A



UPDATE: JUNE 18, 2021

## SUPPLEMENTAL SUBMISSION FOR CLARIFICATION TO CITY OF VICTORVILLE

PLANNING CASE: ADMN21-00074

IN REFERENCE TO: A MINOR CONDITIONAL USE PERMIT WITH AN ENVIRONMENTAL EXEMPTION TO ALLOW FOR CHURCH WITH SUPPORT SERVICES AND DISTRIBUTION OF SUPPLIES TO THOSE IN NEED AT AN EXISTING BUILDING ZONED RESIDENTIAL MEDIUM-HIGH DENSITY WITHIN THE OLD TOWN SPECIFIC PLAN LOCATED AT 16806 B STREET

### 01. DESCRIPTION OF CHURCH OPERATIONS

The purpose this submission is to provide the pertinent information required for your review, analysis and recommendation.

Hours of Operation: M-St 9AM to 5PM,

Planned Services & Times	Description of Service	Estimated Attendance	Number of Cars
Monday 6 PM – 8 PM	School of Ministry	20	5
Tuesday 6 PM – 7 PM	Hour of Prayer	20	5
Wednesday 6 PM – 7 PM	Bible Study	20	5
Friday 6 PM – 8 PM	Evening Worship & Service	20	5
Sunday 10 AM – 12 PM	Morning Worship & Service	30	10
Daly M-F 11 AM – 12 AM	Bible Study	10	3

### Rescinded Operations

The Church will not be offering showers to the homeless, distributing food or raising funds through carwashes.

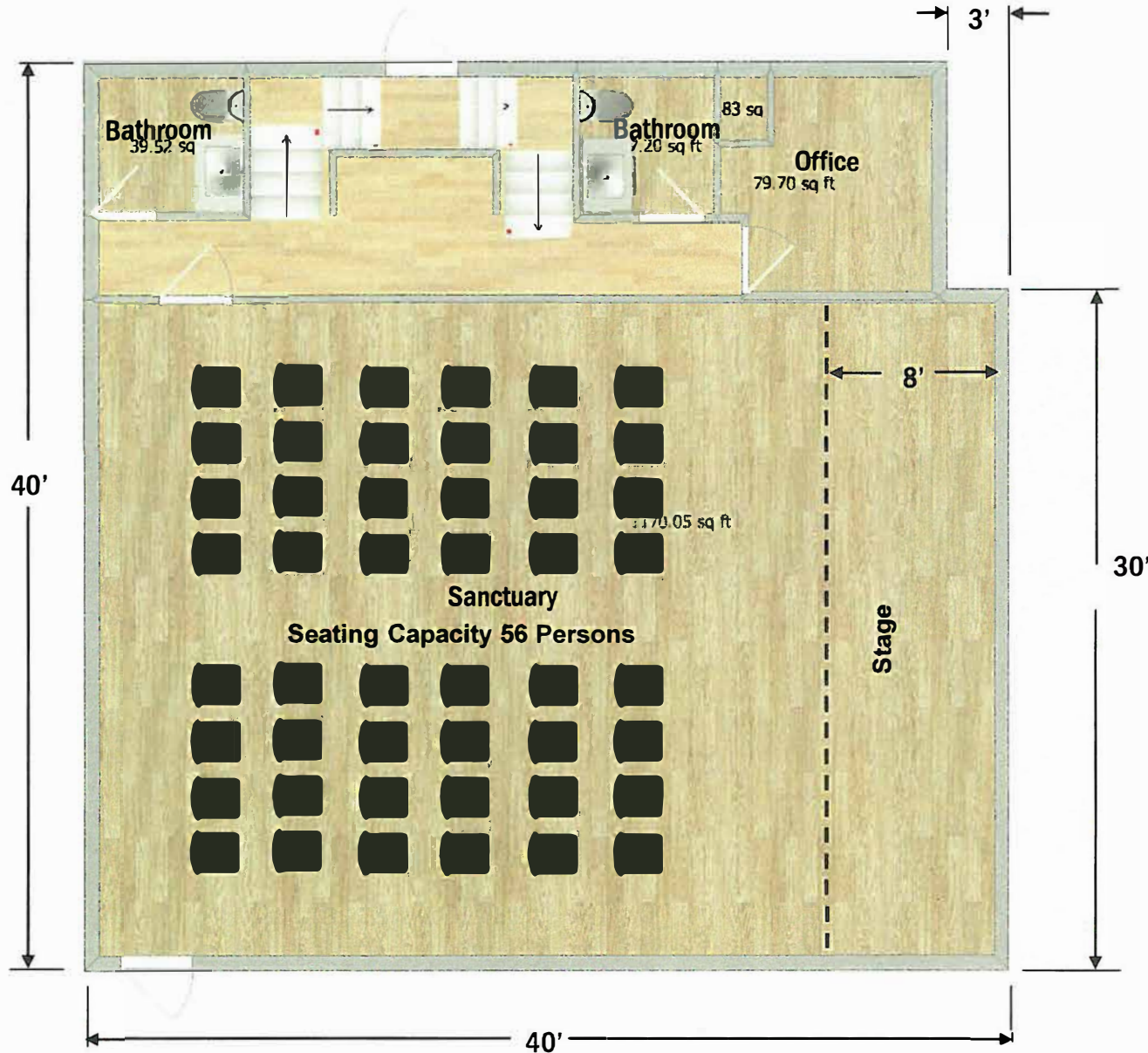
### 02. RESCIND PURPOSED PARKING PLAN

The lot adjacent to the Church will be designated a restricted area with no access for parking in accordance with the “Specific Plan/Municipal Code” requirements for street parking only.

### 03. SUBMITTAL FOR PROCESSING

Submitted by: Cynthia Thomas, Set Free Church, to amend our application, for your review and recommendation. Please remit any further information that may be needed for compliance.

# ATTACHMENT B

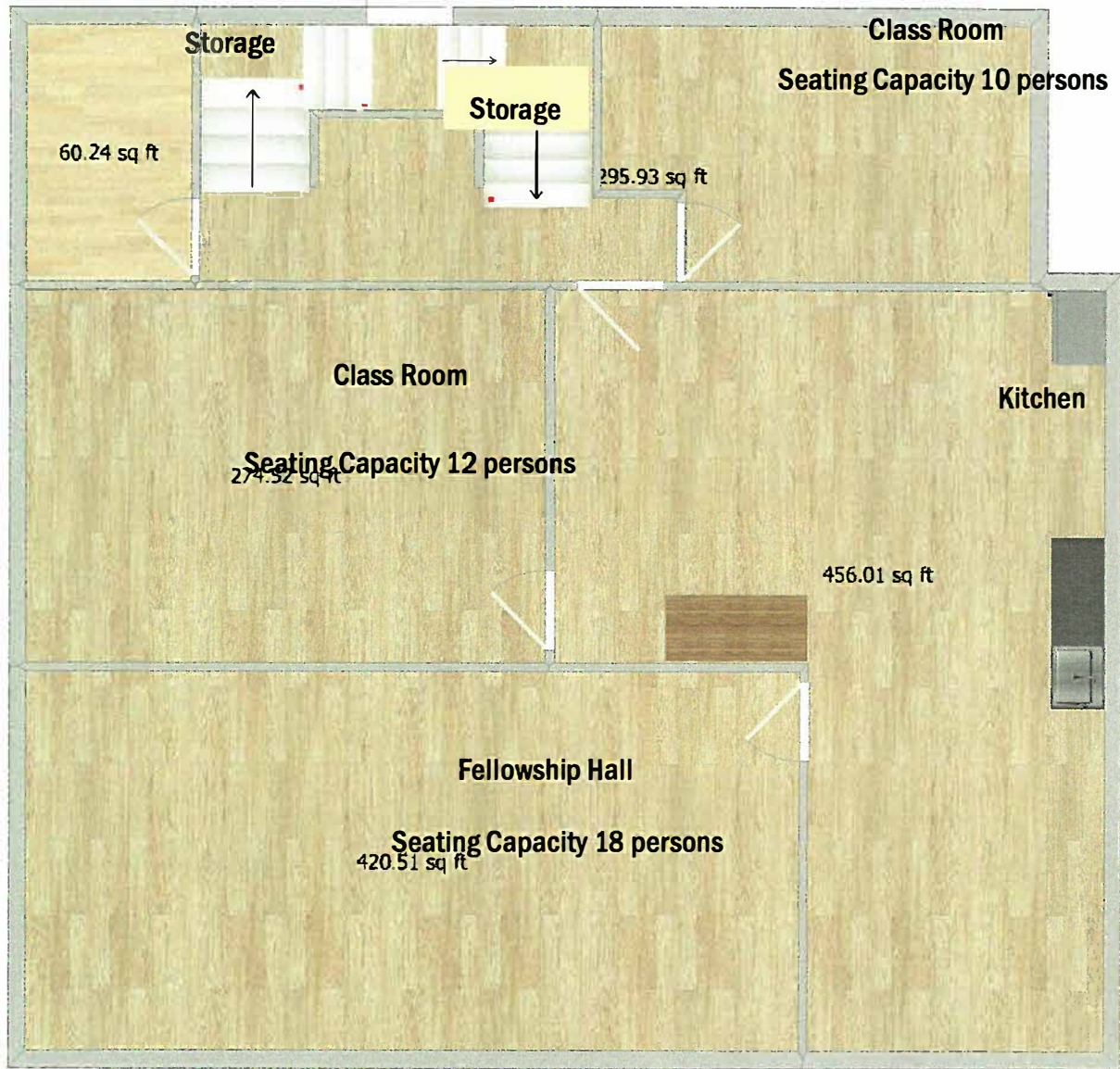


**Owner:**  
 Evangelistic Missionary  
 Crusades Inc.  
**Prepared By:**  
 George Vasquez  
**Date Prepared:**  
 5/24/21  
**Project Location:**  
 16804 B St. Victorville,  
 CA 92392

**Assessor's Parcel #**  
 0478223080000-0029

Note: Plans Not to Scale





# Basement

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# ATTACHMENT C

# CASE: ADMN21-00074

Case Type: Minor Conditional Use Permit  
Existing Zoning: Old Town SP Residential Med-High  
Parcel Size: Approx. 0.16 Acre  
Location: 16806 'B' Street  
Assessor Parcel Number: 0478-223-08





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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.

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