

REGULAR MEETING OF THE ZONING ADMINISTRATOR  
OF THE CITY OF VICTORVILLE

OCTOBER 3, 2018  
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 ADMN18-00109 – DESERT COLLISION CENTER**

ENVIRONMENTAL – CONSIDERATION OF AN ENVIRONMENTAL EXEMPTION

PROJECT – A MINOR INTERIM USE PERMIT USE PERMIT WITH A CATEGORICAL EXEMPTION TO ALLOW FOR AN AUTOBODY SHOP WITHIN AN EXISTING BUILDING ZONED C-2 GENERAL COMMERCIAL

LOCATION – 16611 MOJAVE DRIVE

2. **MINOR INTERIM USE PERMIT ADMN18-00110– KING'S CAR WASH**

ENVIRONMENTAL – CONSIDERATION OF AN ENVIRONMENTAL EXEMPTION

PROJECT – A MINOR INTERIM USE PERMIT WITH A CATEGORICAL EXEMPTION TO ALLOW FOR AN AUTOMOTIVE REPAIR SHOP AT A MULTI-TENANT PROPERTY

LOCATION – 15830 SAND STREET

PUBLIC COMMENTS

ADJOURNMENT

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# ZONING ADMINISTRATOR STAFF REPORT

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**DATE:** OCTOBER 3, 2018 **AGENDA NO. 1**

**CASE:** ADMN18-00109

**SUBJECT:** A MINOR INTERIM USE PERMIT USE PERMIT WITH A CATEGORICAL EXEMPTION TO ALLOW FOR AN AUTO BODY SHOP WITHIN AN EXISTING BUILDING ZONED C-2 GENERAL COMMERCIAL

**APPLICANT:** DESERT COLLISION CENTER

**LOCATION:** 16611 MOJAVE DRIVE

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## **I. STAFF RECOMMENDATION:**

Staff recommends that the Zoning Administrator 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 ADMN18-00109, 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 automobile paint and body shop at the noted location. The site is located within a C-2 (General Commercial) Zone District and is surrounded by rights-of-way on two sides, as well as a vacant parcel and a restaurant. The location most recently operated as an auto body facility in accordance with Conditional Use Permit CUP-4-84 (Sonshine Auto Body), however, that use ceased operations and the CUP subsequently expired. Included in the proposal to establish the automobile paint and body business are minor site improvements such as the addition of a small amount of asphalt and parking lot stripping to meet off-street parking requirements, landscaping at the base of the building, trash enclosure gates and touch up paint on the building. These associated improvements will bring the site into conformance with current Municipal Code standards, improve the quality of the site, and reduce any potential negative impacts to the surrounding C-2 area. Additionally, automobile repair uses are no longer permitted within the underlying C-2 Zone District, and an Interim Use Permit is required to re-establish the proposed use on-site.

## **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 has operated as a car repair facility in the past, in addition because the site improvements are minor and intended to improve circulation and site aesthetics on a previously disturbed site, Staff finds that the proposal constitutes a negligible expansion of use and is therefore exempt from CEQA.

## 2. Minor Interim Use Permit

### Use History

- Auto body repair existed at the subject site as recently as September of 2016, at which time the previously existing business license expired. The non-conforming auto body facility subsequently lost its non-conforming status due to the use being discontinued for over 90 days in accordance with Section 16-3.05.030(a)(1) of the Municipal Code.

### Business Operations

- The proposed Interim Use Permit seeks to re-establish the previous automobile repair use focusing on automobile paint and body repair within an existing single-tenant commercial site.
- Hours of operation for the proposed business include Monday – Friday operation from 8AM-5PM and Saturdays from 8AM-12PM with limited operations. Additionally, five employees are scheduled to Staff the facility daily.
- To ensure all repairs, vehicle prep, as well as painting is done indoors as required by the Development Code, Staff has included Condition #9 requiring such. Additionally, to ensure outdoor storage of inoperable vehicles does not take place and required customer parking areas remains available to customers, Condition #10 has been included requiring all vehicles in a state of repair to be stored within the building outside required customer parking areas.

### Parking

- The proposal includes 15 off-street parking spaces, with 8 of the required spaces being provided within the building, whereas the automotive paint & body repair business requires 10 spaces based upon the area of work within the building ([2,423 sq. ft. repair area/ 400 sq. ft. = 6 spaces] + [780 sq. ft. office area/ 200 sq. ft. = 4 spaces] = 10 total spaces). Therefore, Staff finds that the site meets the parking standards of the Development Code.

### Site

- Although improved, the site does not appear to have been significantly updated or improved since the site was originally approved in the 1984 (CUP-4-84). As such, the proposal includes updates to the parking area, landscaping, trash enclosure, and building that will cumulatively bring the site into conformance with current Municipal Code standards, upgrade the aesthetics of the site, and protect the public health, safety and welfare.
- The building currently has painted wall signs along the Mojave Drive elevation, which are prohibited pursuant to Section 16-3.22.050 of Title 16. Conditions 17-19 have been added, requiring permanent signage in accordance with Title 16 as well as all existing permanent signage and any future signage to be located and designed in accordance with the Development Code

### City Council Policy Findings

- The General Commercial Zone District (C-2) does not permit the proposed automobile paint and body repair business as a permitted or conditional use. However, an interim use within the 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 automobile paint and body business at this location does meet the requirements of the Council Policy as discussed in the following section.

o Basis of Need:

The proposal is located within an area that has struggled in recent years to retain tenants, with numerous vacancies along Mojave Drive and within the immediate area including along Seventh Street. Economic decline and shifting land use patterns have removed many long standing commercial businesses in the area, and the site itself was most recently utilized as an auto body facility and includes improvements that serve automobile related uses (e.g. large warehouse space, roll-up doors). Therefore, based upon the circumstances noted above, Staff finds the site meets the basis of need requirement.

o Required Findings:

- i) The proposed use is 'similar' to other permitted uses within the zone in regards to:
- Hours of Operation – Typical daytime and afternoon business hours that are not uncommon for commercial uses in the area.
  - Parking Needs/Requirements – Adequate parking on-site has been provided in accordance with Title 16 standards.
  - Traffic Impacts – Access from the abutting roadway, Mojave Drive, should be adequate to serve proposal.
  - Occupancy Patterns – A similar automobile paint and body facility operated at the site for over thirty years and other automobile repair facilities exist along Mojave Drive and adjacent Seventh Street.
  - Noise – Noise impacts should be minimal as the proposal would not exceed the noise levels of the previous automobile paint and body facility at the site, and all work is conditioned to be performed indoors.
  - Environmental Impacts – The use should not produce any negative environmental impacts as conditioned and with the issuance of required building permits.
  - Required Licensing/Permits – Any required permits can be obtained during the Business License phase of the entitlement as well as during plan check with the Building Division.
  - Required Facilities – The site contains restroom facilities that should be adequate to serve the proposed use and handicapped access and parking appears adequate as proposed.
- ii) The proposed use is a 'good fit' in regards to:
- Existing Structures – The proposed operation will be located within an existing building that has been previously modified to accommodate automobile repair.
  - Existing Site Development/Conditions – The site will be improved per the noted site improvements and include minor paving and stripping, landscaping, trash enclosure gates and minimal painting to the exterior of the building.
  - Compatibility with Adjacent Existing & Permitted Uses – The proposal is surrounded by commercial land uses with auto repair facilities to the north, vacant land to the south, east by a commercial warehouse use and west by vacant land. Therefore, the proposal should be compatible with the surrounding uses.

- 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 the site was recently utilized for auto paint and body and site improvements will update on-site parking and curb appeal by adding landscaping at the base of the building.
  - Public Health, Safety, and Welfare – No negative impacts as conditioned and with required building permits, which will ensure approval by the local air quality management district.
  - Economic Vitality of the Area – The use will fill a vacancy in an area and will improve the existing conditions on-site.
  - Neighboring Businesses and Residents – No negative impacts are expected because of this business because neighboring businesses offer similar services and have been accustomed to automotive paint and body operations at this location for over thirty years. Additionally, no residential property is located adjacent to the site.
  - 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 and non-conforming land 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	Existing Auto Repair Building	Commercial	C-2	N/A
North	Existing Auto Repair Use	Commercial	C-1	N/A
South	Vacant	Commercial	C-2	N/A
East	Commercial Warehouse	Commercial	C-2	N/A
West	Vacant	Commercial	C-2	N/A

**NUMBER OF RADIUS LETTERS MAILED: 11**

TC

Attachments:

Attachment A – Site Plan

Attachment B – Aerial Image

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

CONDITIONS OF APPROVAL - MINOR INTERIM USE PERMIT  
ADMN18-00109  
OCTOBER 3, 2018

**Planning Conditions:**

1. This approval is to allow for the operation of an automobile paint and body shop located at 16611 Mojave Drive. Hours of operation are Monday – Friday operation from 8AM-5PM and Saturdays from 8:30AM-2PM, with limited Sunday operation by appointment only, and three employees scheduled to Staff the facility daily. 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. The proposed development shall comply with all applicable development standards of Title 16 and shall be in general compliance with the Commercial Design Guidelines.
3. The proposed development 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 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 Planning Commission review and approval.
5. The number and location of all handicapped parking spaces shall be subject to Development Department review and approval.
6. The applicant shall slurry coat and seal any area of the parking lot not replaced with concrete and/or new asphalt prior to the issuance of a permanent Certificate of Occupancy.
7. The parking area shall be restriped with parking space delineations and entry/exit arrows in accordance with the submitted approved plans prior to the issuance of a permanent Certificate of Occupancy.
8. The development shall be in substantial conformity with the architectural elevations and renderings submitted with this application, unless modification is required by condition.
9. All work including the preparation of vehicles for repair shall be conducted indoors within the building. All exterior work shall be prohibited.
10. There shall be no storage of inoperative vehicles outdoors including but not limited to those in some state of repair or preparation for repair.
11. The building shall be repaired and re-painted in those areas where paint is chipped, cracked and/or peeling.
12. Any new rooftop and/or ground mounted equipment visible from public right-of-ways shall be screened from view and architecturally integrated into the building to the extent feasible.

13. Any new wall mounted utility equipment (i.e. meters, panels, boxes, conduit etc.) shall not be visually exposed on the building. This type of equipment shall be internally located, screened with landscaping or covered in a manner that is architecturally integrated into the design of the building, subject to the review and approval of the Zoning Administrator.
14. Any new roof drains (i.e. scuppers and down spouts) shall not be visually exposed on the building(s). Roof drains shall be internally located, subject to the review and approval of the Zoning Administrator.
15. The applicant shall install non-transparent solid metal trash enclosure gates prior to the issuance of a Certificate of Occupancy.
16. Painted wall signs are prohibited and shall be removed prior to the issuance of a building permit.
17. All proposed signs, including 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.
18. 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.
19. The applicant/developer shall be responsible for obtaining all necessary permits from any affected regulatory agencies.
20. Prior to the release of any utilities for the use, all Title 16 improvements for the project shall be installed or a bond posted in the amount of one hundred fifty percent (150%) of the value of the uncompleted work shall be submitted to the Development Department, unless otherwise deemed unnecessary by the Director of Development. Any modifications to the amount of the bond shall be subject to review and approval by the Director of Development only if the Director finds that there are circumstances unique to the use that is not applicable to other uses.
21. A six-inch wide planter curbing, in accordance with Engineering Standard S-09, is required along the perimeter of all landscaped areas, including planters that abut the public right-of-way sidewalk. All planter strips abutting a public right-of-way and planter islands/landscape fingers shall be a minimum interior width of five feet, exclusive of curbing. The grading and site plans shall clearly show all required curbing.
22. The applicant/developer shall provide landscaping/irrigation plans in accordance with Chapter 13.60 of the Victorville Municipal Code, entitled Water Conservation. Landscape areas shall not exceed a slope of 3:1 and shall meet Title 16 standards, including the minimum interior percentage of landscaping and the maximum dispersal of landscaping within a parking lot. The landscaping plan shall include a minimum of one 24-inch box tree for every eight parking spaces provided on-site. In addition, the landscaping plan shall include the maximum spacing of all plants as follows:
  - A. Ground cover – eighteen inches on center
  - B. One gallon plants – three feet on center
  - C. Five gallon plants – five feet on center

In addition, a note shall be conspicuously placed on the landscape plan indicating the following: Any discrepancy between the maximum spacing criteria and the number of plants shown on the landscape plan shall result in the spacing criteria superseding any other information shown on the landscape plan.

23. 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.
24. 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.
25. 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:**

26. Forward egress onto Mojave Dr. is required.
27. The Applicant/Property Owner must coordinate with the Cross Connection Division of the Water Department regarding the water backflow requirements. Contact Darren Hill, Cross Connection Coordinator at 760.955.2483.

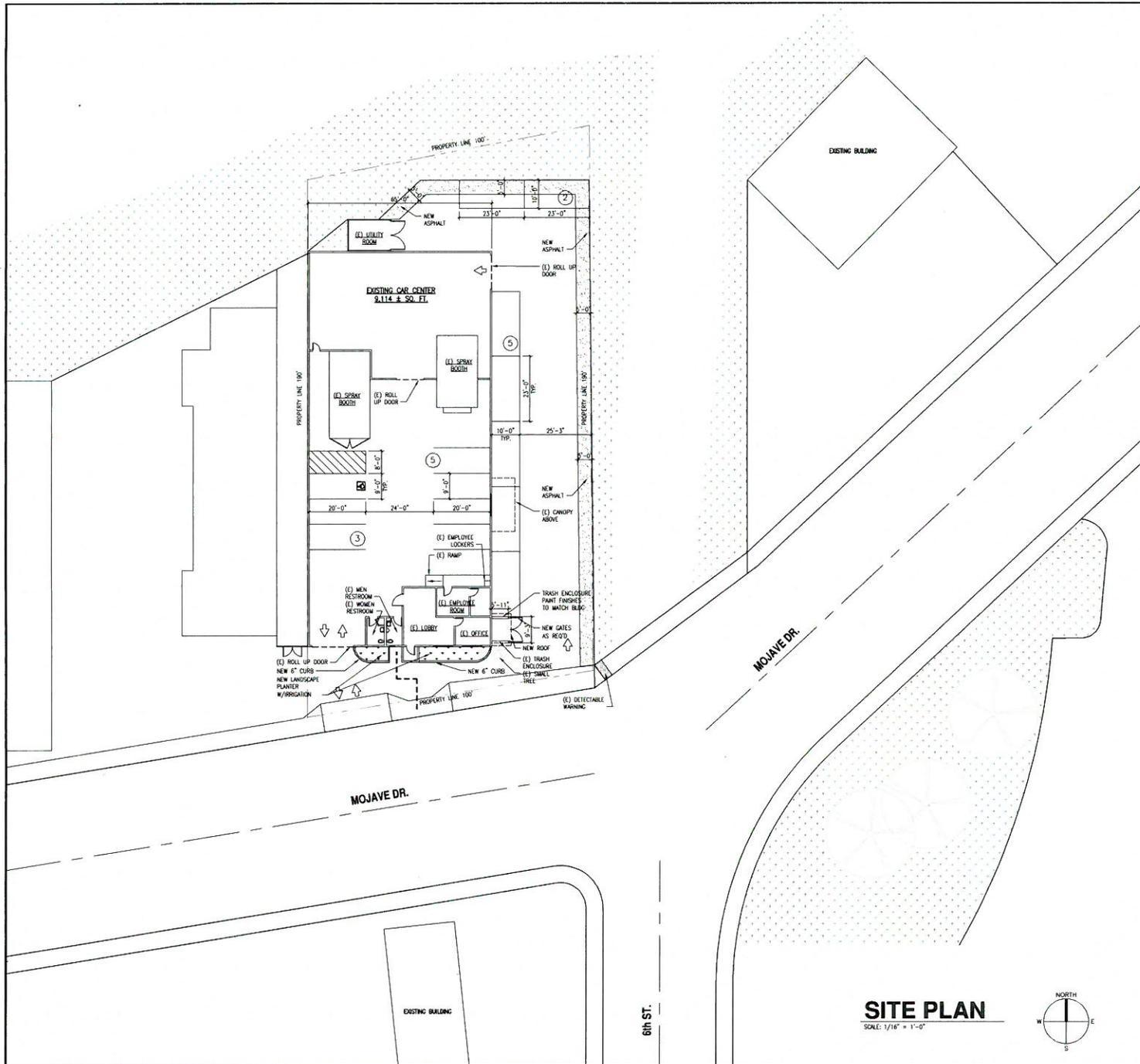
**Fire Conditions:**

28. Interior/exterior Fire Department access roadways/fire lanes shall be required per Fire Department Standard. Fire Department access roadways providing access to the building(s) in this project shall be a minimum of 26' wide and provide access along the longest side of the building. If gates installed, must comply with Fire Department Standards.
29. Shall comply with all current Building and Fire Code requirements based on occupancy classification.

**Building Conditions:**

30. The project shall comply with all building codes in effect at the time of plan submittal.
31. The scope of work indicated will require accessibility upgrades to be included in accordance with Section 11B-202 of the California Building Code.
32. 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.

# ATTACHMENT A



### SITE INFO

APR.	04/7-04/1-01
ZONING	C-2 (GENERAL COMMERCIAL)
BUILDING AREA	9,114 SQ. FT.
LOT SIZE	4.18 ACRES SQ.
PARKING PROVIDED	26 STALLS

### LEGEND

	NEW CONCRETE FOUNDATION, SEE DETAILS 3/12 AND 4/12 FOR TOOL JOINT (T-J) AND CONTROL JOINT (C-J)
	EXISTING LANDSCAPE AREA
	NEW LANDSCAPE AREA
	NEW ASPHALT AREA

### PARKING ANALYSIS

OFFICE PARKING REQ'D: (750 SQ.FT./1 PER 200 SQ.FT.)	4 STALLS
FACILITY PARKING REQ'D: (2,423) PER 100 SQ.FT.)	8 STALLS
PARKING PROVIDED:	15 STALLS

- ### PLANNING DEPT. NOTES
- BUILDINGS ON-SITE SHALL BE REPAIRED AND RESTORED WHERE NECESSARY, INCLUDING CEILING, REPAIR AND MAINTENANCE WHERE PAINT IS PEELING, FADING, FLAKING, ETC.
  - PARKING AREAS AND SURFACES AS NOTED, INCLUDING THE REPAIR OR REPLACEMENT OF ANY DAMAGED ASPHALT OR CONCRETE.
  - REPAIRS/CLEAN-UP OF ANY OUTDOOR STORAGE OR DECKS ON-SITE, INCLUDING THOSE UNDEVELOPED AREAS OF THE SITE.

REV.	DATE	DESCRIPTION

THE USE OF THESE PLANS AND SPECIFICATIONS SHALL BE LIMITED TO THE ORIGINAL USE FOR WHICH THEY WERE PREPARED AND NO ALTERATION THEREOF IS PERMITTED UNLESS IT IS APPROVED IN WRITING BY THE ARCHITECT. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE PLANS AND SPECIFICATIONS. OWNER SHALL BE ADVISED THAT THE ARCHITECT SHALL CONDUCT VISUAL INSPECTION OF THE WORKMANSHIP OF THE CONTRACTOR AT THE SITE OF THE WORK.



LOCATION:  
**DESERT COLLISION CENTER**  
 18611 MOJAVE DRIVE  
 VICTORVILLE, CA 92395

DATE: 08/08/18  
 JOB NO:  
 DRAWN BY: LIZ BARCELATA  
 CHECKED BY:  
 FILE NAME: C1\_Site\_Plan.dwg  
**AS-BUILT SITE PLAN**

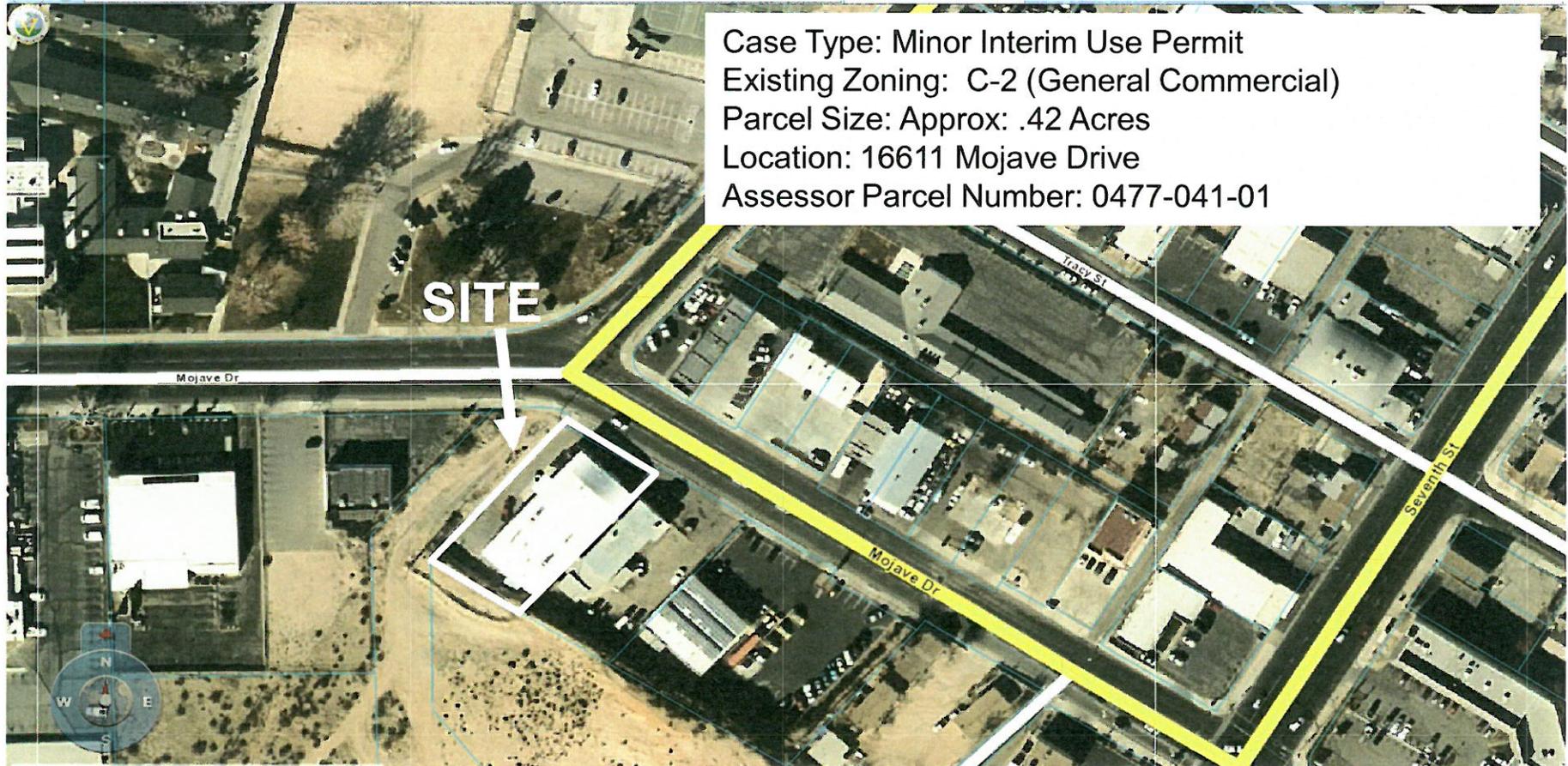
**C1**

**SITE PLAN**  
 SCALE: 1/16" = 1'-0"



# ATTACHMENT B

# CASE: ADMN18-00109



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# ZONING ADMINISTRATOR STAFF REPORT

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**DATE:** OCTOBER 3, 2018 **AGENDA NO. 2**

**CASE:** ADMN18-00110

**SUBJECT:** A MINOR INTERIM USE PERMIT WITH A CATEGORICAL EXEMPTION TO ALLOW FOR AN AUTOMOTIVE REPAIR SHOP AT A MULTI-TENANT PROPERTY LOCATED WITH THE CIVIC CENTER COMMUNITY SUSTAINABILITY SPECIFIC PLAN

**APPLICANT:** KINGS CAR WASH

**LOCATION:** 15830 SAND 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 Interim Use Permit** – Approve case ADM18-00110, subject to the recommended conditions.

## **II. SUMMARY:**

The applicant is requesting approval of this Interim Use Permit in order to allow for the establishment of automobile repair facility within a vacant tenant space at the rear of a site that was previously occupied by automobile detailing business. The proposed automobile repair business will provide general repair services such as engine, suspension, electrical, maintenance, etc. The proposal includes upgrades to the site including landscaping, parking area, and a trash enclosure that will improve the site in accordance with Development Code standards. The parcels Office Campus land use designation within the Specific Plan does not allow for the proposed use; however, Staff does not object to the proposed land use due to the previously existing use on-site (automobile detailing), the existing self-service carwash on-site, and the developments existing buildings that are exclusively designed for an automobile oriented business such as this proposal.

## **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 has operated as a similar vehicle detailing facility in the past, and because site improvements are minor and being proposed to improve a previously disturbed site in

accordance with Development Code standards, Staff finds that the proposal constitutes a negligible expansion of use and is therefore exempt from CEQA.

## 2. Minor Interim Use Permit.

### Use History

- In addition to the existing self-service carwash, the previous user at the subject site was an automobile detailing business that utilized the subject rear portion of the site. At the time of the previous user's business license approval, automobile detailing was a permitted use. Since the approval of the Civic Center Community Sustainability Plan, the use became legally non-conforming and subsequently lost that status after the discontinuation of the use (e.g. no valid Business License) for over 90 days in accordance with Section 8.10.3(a) of the underlying specific plan.

### Business Operations

- The proposal seeks to allow an automotive repair facility in an existing building at the rear of the site that includes service bays. As noted on the submitted business license application, the proposed automobile repair business (AMX Automotive, LLC) will provide general repair services such as engine, suspension, electrical, maintenance, etc. and will utilize associated tools and apparatus such as an air compressor and vehicle lifts. Due to the the sites proximity to used vehicle retailers along Seventh Street, the proposal will have the ability to efficiently and sustainably serve adjacent used vehicle retailers.
- Proposed hours of operation for the automobile repair business are not proposed at this time; however, Staff anticipates common Monday-Sunday business hours of approximately 6AM-6PM. Staff finds that such hours of operation will not negatively affect existing businesses in the vicinity due to existing operations of the truck rental facility (U-Haul) and a bus terminal to the north, as well as a recently approved heavy equipment rental facility in close proximity to the site. Therefore, Staff has included Condition 1, allowing the hours of operation as noted unless otherwise modified by the Zoning Administrator.

### Site Condition

- The existing site is in need of general site maintenance and repair due to its age and deterioration of the site due to vandalism. Staff has therefore included applicable Conditions of Approval to ensure the noted improvements are completed and the site is brought into conformance with current Specific Plan/Municipal Code standards, while also beautifying the site and protecting the public health, safety and welfare.
  - Parking area repair and restriping (Conditions 8 & 5);
  - Landscaping maintenance and repair (Conditions 12-13); and
  - New trash enclosure (Condition 14);
- The proposed trash enclosure design submitted by the applicant omits the pedestrian alcove entrance in lieu of an access gate. While the design does not conform to the City standard, Staff does not object to the proposal due to the low volume of trash typically created on-site and the site location on a small right-of-way with low visibility where a secluded pedestrian alcove may contribute to vandalism and/or criminal activity.

#### **Parking**

- The proposed use requires 4 spaces based upon 1 space per 400 sq. ft. of repair area and 1 space per 200 sq. ft. of office area ( $[1,357 \text{ sq. ft.} / 400 \text{ sq. ft.} = 3 \text{ spaces}] + [138 \text{ sq. ft.} / 200 \text{ sq. ft.} = 1 \text{ space}] = 4 \text{ Total spaces}$ ). Additionally, the existing self-serve carwash does not require any off-street parking spaces due to the nature of the uses and the omission of any on-site office spaces. Therefore, with 4 spaces provided on-site, Staff finds that the site meets the parking standards of Title 16.

#### **Public Utilities / Street Improvements**

- Overhead utility lines traverse and serve the property; however, its relocation to underground is not required pursuant to Section 16-5.12.220 of Title 16 since the proposal does not include an increase in building size nor will the proposal result in improvements to the site that will equal ten percent of its fair market value. Additionally, due to the unique right-of-way size near this site not being to City standard, the lack of complete improvements in the vicinity, and the small scope of the proposed automobile repair facility, the Engineering Department is not requiring any street improvements in conjunction with this land use proposal.

#### **Civic Center Community Sustainability Plan**

- Although the Specific Plan aims to avoid interim uses, allowances are provided given extreme circumstances where a site's land use potential would cause an Interim Use Permit to be the preferable option. Since the site is located in an Office Campus District, allowable land uses are limited to education and office/professional focused businesses, which would not be possible at the subject site without a complete redevelopment of the subject parcel. Therefore, due to the sites limited potential for education and office/professional focused uses as a result of limited parcel size, existing improvements, limited site access and parking, as well as the the proposed use not being a listed use in any neighboring district, Staff finds the proposal complies with the intent of the Civic Center Community Sustainability Plan.

### **3. City Council Policy Findings**

- The Office Campus District within the Civic Center Community Sustainability Plan does not permit the proposed automobile repair facility as permitted or conditional use. However, an interim use within the Specific Plan 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 use at this location does meet the requirements of the Council Policy as discussed in the following section.
  - Basis of Need:  
The proposal is located on property that has struggled recently to obtain tenants that will be able to utilize the sites automobile oriented design and comply with the land use standards of the underlying Specific Plan. Shifting land use patterns in the area have designated this site as Office Campus, whose rigid land use allowance does not make redevelopment of this site in accordance those standards feasible as it has limited potential with regards to size, access, and visibility. Therefore, based upon the circumstances noted above, Staff finds the site meets the basis of need requirement as the proposed user can effectively utilize the site and provide ancillary services to the existing self-service carwash on-site as well as used vehicle retailers in the vicinity.

- Required Findings:
  - i) The proposed use is 'similar' to other permitted uses within the zone in regards to:
    - Hours of Operation – Typical daytime and early evening business hours that are not uncommon for commercial and service uses in the area.
    - Parking Needs/Requirements – Adequate parking on-site in accordance with Title 16 standards.
    - Traffic Impacts – Existing access from abutting Sand Street should be adequate to serve proposal.
    - Occupancy Patterns – Existing development and business along Seventh Street included used vehicles retailers with the subject site includes a self-service carwash, and this proposal will effectively serve the patrons of the noted surrounding uses.
    - Noise – Noise impacts should be minimal, as the proposal is required to perform all work indoors. Additionally, existing truck rental businesses, appliance warehousing, and future heavy equipment rental have already established a noise threshold in the vicinity that should not be exceeded by the subject use.
    - Environmental Impacts – The use should not produce any negative environmental impacts as conditioned. Additionally, the business license review process ensures compliance with applicable environmental requirements (e.g. waste tires).
    - Required Licensing/Permits – Any required permits can be obtained during the Business License 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 as proposed.
  - ii) The proposed use is a 'good fit' in regards to:
    - Existing Structures – The proposal is located within an existing building that includes sufficient repair floor space, office space, and vehicle bays.
    - Existing Site Development/Conditions – The site will be improved per the conditions of approval to update landscaping and add a trash enclosure, while the remainder of the site will be repaired and maintained as necessary.
    - Compatibility with Adjacent Existing & Permitted Uses – The proposal is located in close proximity to new and used vehicle retailers, which can utilize the services of the proposed use. Therefore, the proposal is compatible with surrounding uses.
  - 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 recently utilized for an automobile oriented business and sites vacant condition chronic vandalism will be remedied in conjunction with the proposal.
    - Public Health, Safety, and Welfare – No negative impacts as conditioned.
    - Economic Vitality of the Area – The use will fill a vacancy in an area with a history of difficulty 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 because neighboring businesses are primarily in the automotive field or oriented with rear elevations and loading areas facing the site. 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 proposal ancillary nature to existing uses in the vicinity.
- 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	Existing Carwash and Vacant Automotive Garage	Specific Plan*	Office Campus	Yes*
North	Sports Bar / Vehicle Rental	Specific Plan*	Office Campus	Yes*
South	Used Automobile Sales / Restaurant	Specific Plan*	Civic Commercial	Yes*
East	Funeral Home	Specific Plan*	Civic Commercial	Yes*
West	Multi-tenant Commercial	Specific Plan*	Office Campus	Yes*

\* Civic Center Community Sustainability Plan

**NUMBER OF RADIUS LETTERS MAILED: 16**

AJ

Attachments:

- Attachment A – Site Plan
- Attachment B – Aerial Image

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

CONDITIONS OF APPROVAL  
ADMN18-00110  
October 3, 2018

**Planning Conditions:**

1. This approval is to allow for automobile repair (e.g. engine repair, electrical repair, suspension, air conditioning, brakes, general maintenance, etc.) and associated site improvements at an existing two-tenant commercial site located at 15830 Sand Street. Approved site improvements include: landscape planter repairs and upgrades; a new trash enclosure with a roof, solid metal doors, and a pedestrian access gate in lieu of an alcove; as well as repair and restriping of the parking area. Approved hours of operation include Monday – Sunday from 6AM to 6PM. 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. All vehicle work shall be performed indoors within designated service bays and any physical work on vehicles outdoors is prohibited. Additionally, any outdoor vehicle storage will be limited to the rear of the site and any vehicles kept outdoors shall appear operable/intact (e.g. vehicles that are dismantled or are undergoing repair shall not be kept outdoors).
3. The proposed development shall comply with all applicable development standards of Title 16 and the Civic Center Community Sustainability Plan, and shall be in general compliance with the Commercial Design Guidelines.
4. The proposed development 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 Civic Center Community Sustainability Plan, and/or conditions of approval.
5. Any expansion of the proposed use beyond the scope of this interim use permit shall require submission and approval of an interim use permit modification or a new interim use permit based upon the extent of the expansion.
6. 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 or the Civic Center Community Sustainability Plan, shall cause that use to be subject to Planning Commission review and approval.
7. The number and location of all handicapped parking spaces shall be subject to Development Department review and approval.
8. The applicant shall slurry coat and seal the parking lot area prior to the issuance of a permanent Certificate of Occupancy.
9. The parking area shall be restriped, with parking space delineations and entry/exit arrows prior to the issuance of a permanent Certificate of Occupancy.
10. All proposed signs, including any freestanding signage, shall comply with Title 16 and the the Civic Center Community Sustainability Plan. 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, the the Civic Center Community Sustainability Plan. All signs shall be subject to Planning Staff review and approval prior to obtaining a building permit.

11. All proposed temporary signage shall comply with Title 16 and the the Civic Center Community Sustainability Plan. 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.
12. The applicant/developer shall provide landscaping/irrigation in accordance with Chapter 13.60 of the Victorville Municipal Code, entitled Water Conservation. Landscape areas shall not exceed a slope of 3:1 and shall also meet Title 16 standards. In addition, the landscaping shall include the maximum spacing of all plants as follows:
  - A. Ground cover – eighteen inches on center
  - B. One gallon plants – three feet on center
  - C. Five gallon plants – five feet on center
13. 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.
14. The applicant shall install a trash enclosure in conformance with Section 16-3.24.110 of the Victorville Municipal Code and as modified in conjunction with this approval. The enclosure shall have solid block walls with non-transparent metal gates. Additionally, the trash enclosure shall include side access for pedestrian use as well as a solid roof/cover that is architecturally compatible with the primary building(s) onsite and serves to protect the refuse area from inclement weather. The location and quantity of said enclosures shall be subject to Planning Staff review and approval.
15. Any new exterior site lighting, including wall or roof mounted, as well as freestanding lights shall be architecturally integrated with the design of the building and be subject to review and approval by the Zoning Administrator prior to installation. Typically dark bronze “shoebox” style lights are prohibited.
16. Any new rooftop and/or ground mounted equipment visible from public right-of-ways shall be screened from view and architecturally integrated into the building. Existing equipment visibility shall not increase as a result of this approval.
17. Any new wall mounted utility equipment (i.e. meters, panels, boxes, conduit etc.) shall not be visually exposed on the building. This type of equipment shall be internally located, screened with landscaping or covered in a manner that is architecturally integrated into the design of the building, subject to the review and approval of the Zoning Administrator.
18. Any new roof drains (i.e. scuppers and down spouts) shall not be visually exposed on the building(s). Roof drains shall be internally located, subject to the review and approval of the Zoning Administrator.
19. Prior to the release of any utilities for the use, all Title 16 improvements for the project shall be installed or a bond posted in the amount of one hundred fifty percent (150%) of the value of the uncompleted work shall be submitted to the Development Department, unless otherwise deemed

unnecessary by the Director of Development. Any modifications to the amount of the bond shall be subject to review and approval by the Director of Development only if the Director finds that there are circumstances unique to the use that is not applicable to other uses.

20. The applicant/developer shall be responsible for obtaining all necessary permits from any affected regulatory agencies.
21. 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.
22. 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:**

23. A reduced pressure backflow device per City standard W-39 must be installed behind the domestic water meter serving the site.

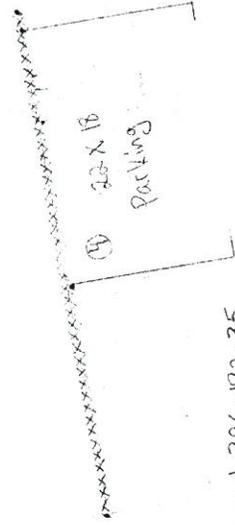
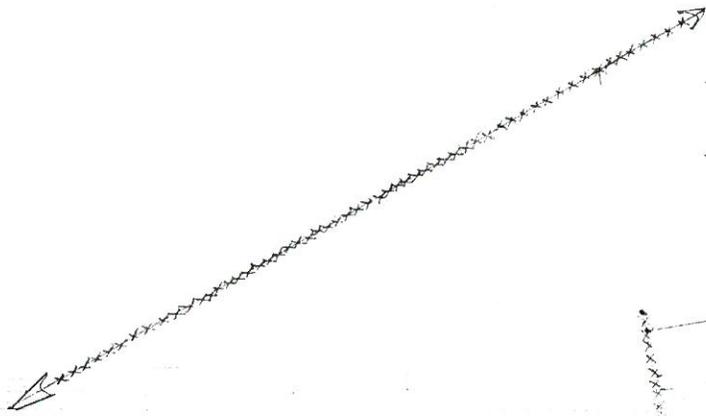
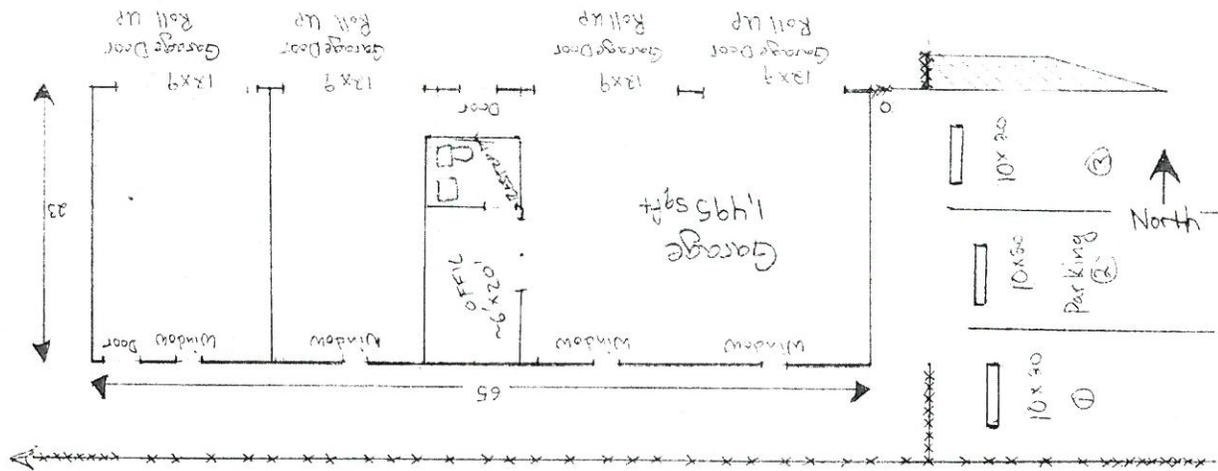
**Fire Conditions:**

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

**Building Conditions:**

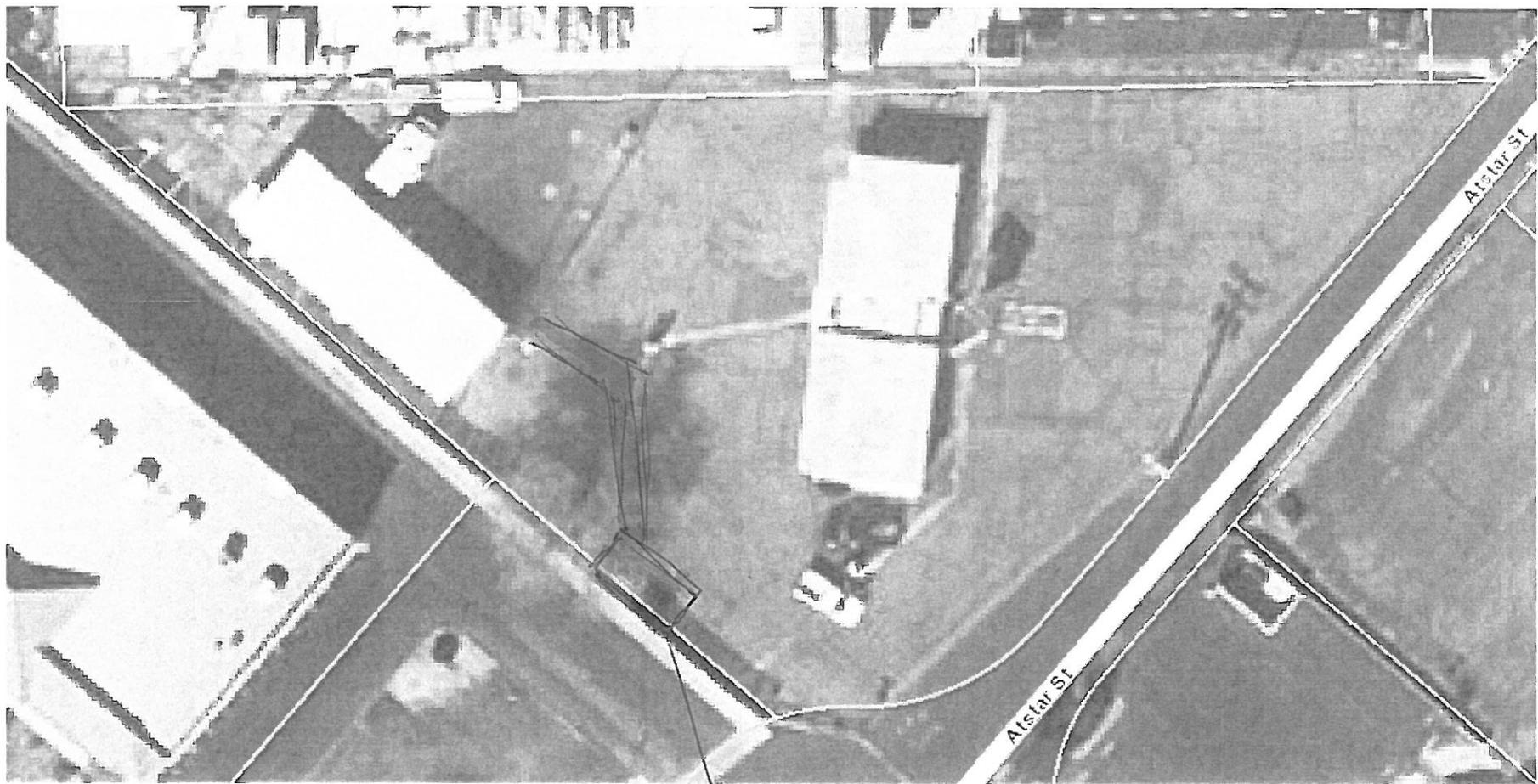
25. The project shall comply with all building codes in effect at the time of plan submittal.
26. The scope of work indicated will require accessibility upgrades to be included in accordance with Section 11B-202 of the California Building Code.
27. Plan check fees for this project will be due, and shall 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.

# ATTACHMENT A



Parcel 396-192-35  
 15830 B E. Sand St.  
 Victorville, CA 92395

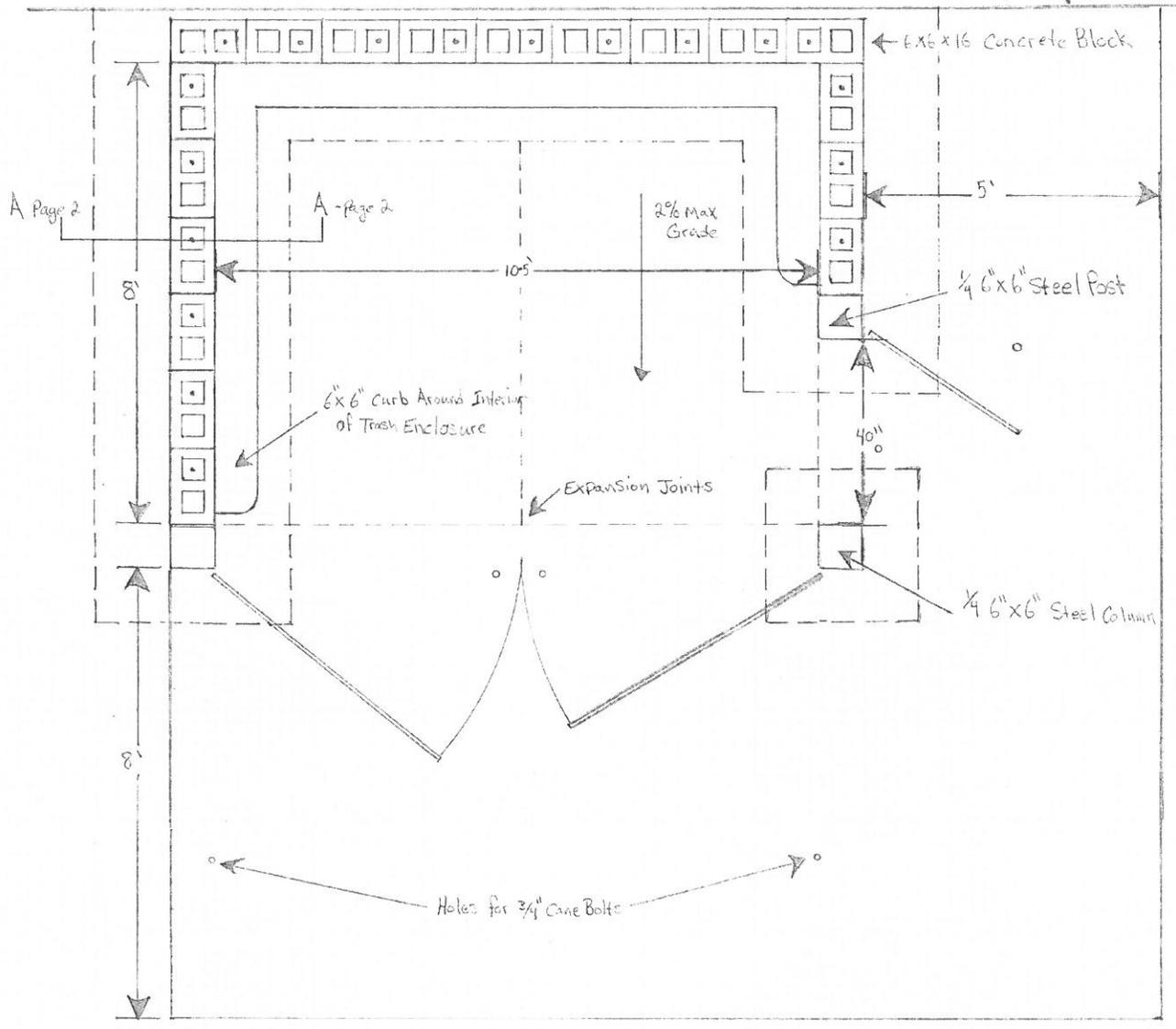




Trash  
Enclosure



Existing Block Chain Link Fence on Property Line



Parcel No. 396-192-35  
 King's Car Wash  
 15830 E. Sand St.  
 Victorville, CA. 92375  
 (760) 241-5318

Trash Enclosure



# ATTACHMENT B

# CASE: ADMN18-00110





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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

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