

# CITY OF VICTORVILLE



760.955.5000  
FAX 760.269.0013  
vville@victorvilleca.gov  
<http://victorvilleca.gov>

14343 Civic Drive  
P.O. Box 5001  
Victorville, California 92393-5001

January 12, 2023

John Gomez  
Real Property Agent III  
County of San Bernardino  
385 N. Arrowhead Ave, Third Floor  
San Bernardino, CA 92415-0180

Re: ACQUISITION OF PROPERTY IN THE CITY OF VICTORVILLE – 13333 PALMDALE ROAD (APN: 3105-191-11)

Dear Mr. Gomez:

Thank you for the attached December 29, 2022, notification of the above-mentioned action to be considered by San Bernardino County.

The existing use of the property as described in the notice does not comply with the City of Victorville's underlying Single-Family Residential (R-1) Zoning District or the site's Low Density Residential General Plan designation; however, the exiting use was originally conditionally permitted in conjunction with Conditional Use Permit No. CUP-50-97 via Resolution No. P-97-145 (attached), which remains valid. Inasmuch as the site and existing use maintain a valid Conditional Use Permit, the use is permitted to remain as a Nonconforming Use pursuant to Section 16-3.05.030(b) of the Victorville Municipal Code. Additionally, the proposed use of the site by the San Bernardino County Department of Behavioral Health (DBH) Substance Use Disorder and Recovery Services (SUDRS) program, as described in your notice, is considered a similar use to those originally approved at the site and would be permitted to remain in operation in accordance with Conditional Use Permit No. CUP-50-97.

Please be advised that pursuant to Sections 16-3.05.030(c)/(d) of the Victorville Municipal Code, any new development or intensification, alteration, or expansion of use at the subject site would be subject to the review and approval of a new Conditional Use Permit.

While we understand the County of San Bernardino is not subject to local zoning requirements if this property is purchased, we have appreciated the pattern of cooperative efforts in the past to comply with the City of Victorville's local zoning requirements. We encourage the same compliance with local zoning requirements and the opportunity for associated public notifications in the future with regard to this location.

We thank you in advance for your consideration and look forward to working with the County of San Bernardino in the future should any new development or intensification, alteration, or expansion of use at the subject site be proposed.

Sincerely,



Scott Webb  
City Planner

Attachment: City of Victorville Resolution No. P-97-145

cc: Keith C. Metzler – City Manager, City of Victorville  
Jenele Davidson – Deputy City Manager, City of Victorville

RESOLUTION NO. P-97-145

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VICTORVILLE GRANTING CONDITIONAL USE PERMIT CUP-50-97 TO ALLOW FOR THE ESTABLISHMENT OF A DRUG AND ALCOHOL REHABILITATION FACILITY AND ASSOCIATED DAY CARE CENTER

WHEREAS, an application has been received from St. John of God Health Care Services, owner, for a Conditional Use Permit to allow for the establishment of a drug and alcohol rehabilitation facility and associated day care center on property in the City of Victorville, County of San Bernardino, State of California, particularly described as follows:

The Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  and the North  $\frac{1}{2}$  of the Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 23, Township 5 North, Range 5 West, San Bernardino Base and Meridian, and the Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$ , and the North  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of said Section 23, excepting therefrom that portion conveyed to Victorville County Water District, by deed recorded May 24, 1960, in book 5144, page 277, Official Records, and also excepting any public rights-of-way: Official Records, County of San Bernardino; and

WHEREAS, a public hearing was held on the 22nd day of October, 1997, pursuant to Title 7, Division I, Chapter 4, of the Government Code, State of California, to hear arguments for and against the issue; and

WHEREAS, a Negative Declaration for the proposed Conditional Use Permit has been presented to the Planning Commission, and after review and consideration of the environmental information the Planning Commission found that the proposed Conditional Use Permit will not have a significant effect on the environment and therefore recommended to the City Council adoption of the Negative Declaration; and

WHEREAS, the Planning Commission finds that the site is adequate in size to accommodate the proposed use along with adequate development standards to insure land use compatibility; and

WHEREAS, the Planning Commission finds that the proposed use is properly related to other uses in the vicinity and will have no adverse effect on abutting property or the permitted use thereof; NOW,

THEREFORE, BE IT RESOLVED by the Planning Commission, pursuant to Section 18.30.030 of the Victorville Municipal Code, that Conditional Use Permit CUP-50-97 to allow for the establishment of a drug and alcohol rehabilitation facility and associated day care center on property hereinabove described, be granted the applicant subject to the following conditions of approval:

PLANNING CONDITIONS:

1. The proposed development shall comply with all applicable development standards of Title 18 as required by Planning Commission Policy PCP-2-96.
2. The proposed development shall be in substantial conformity with the plans submitted as part of this application.
3. Implementation of this conditional use permit shall be subject to the adoption and implementation of General Plan Amendment GPA-3-97 and Zone Change ZC-4-97.

ENGINEERING CONDITION:

1. As a notice to the applicant that the sewer connection shall be required upon expansion of the site or failure of the existing septic system.

PASSED, APPROVED AND ADOPTED this 22<sup>nd</sup> day of October, 1997.

  
 LAWRENCE E. HUBER, CHAIRMAN  
 VICTORVILLE PLANNING COMMISSION

ATTEST:

  
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 JOHN R. HNATEK, SECRETARY  
 TO THE PLANNING COMMISSION