

# PLANNING COMMISSION

## ATTACHMENT B

Parcel Map Resolution No. P-23-024

RESOLUTION NO. P-23-024

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VICTORVILLE APPROVING THE PARCEL MAP PORTION OF CASE NO. PLAN22-00023; A SITE PLAN WITH AN ENVIRONMENTAL IMPACT REPORT (EIR) TO ALLOW FOR THE DEVELOPMENT OF AN APPROXIMATELY 1.1 MILLION SQUARE FOOT WAREHOUSE DISTRIBUTION BUILDING AND A TENTATIVE PARCEL MAP TO ALLOW FOR THE CREATION OF ONE PARCEL FROM FIVE EXISTING PARCELS ON AN APPROXIMATELY 66-ACRE SITE ZONED M-1 (LIGHT INDUSTRIAL) LOCATED AT THE NORTHEAST CORNER OF MOJAVE DRIVE AND MESA LINDA AVENUE

WHEREAS, an application has been received from Industrial Property Group, Inc. regarding property in the City of Victorville, County of San Bernardino, State of California, particularly described as follows:

PARCEL 1: (3128-621-02)

THE EAST 1/2 OF THE NORTH 1/2 OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 5 NORTH, RANGE 5 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO GOVERNMENT SURVEY.

PARCEL 2: (3128-621-06)

THE EAST 1/2 OF THE SOUTH 1/2 OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 5 NORTH, RANGE 5 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO GOVERNMENT SURVEY.

PARCEL 3: (3128-621-05)

PARCEL 4 OF PARCEL MAP NO. 2092, IN THE CITY OF VICTORVILLE, COUNT OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 18 OF PARCEL MAPS, PAGE 52, RECORDS OF SAID COUNTY.

PARCEL 4: (3128-621-03)

PARCEL NO. 2 OF PARCEL MAP NO. 2092, IN THE CITY OF VICTORVILLE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 18, PAGE 52 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 5: (3128-621-04)

PARCEL 3 OF PARCEL MAP NO. 2092, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 18 OF PARCEL MAPS, PAGE(S) 52, RECORDS OF SAID COUNTY.

WHEREAS, a public hearing was opened on the 11<sup>th</sup> day of October 2023, and closed on the 8<sup>th</sup> day of November 2023, 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, in accordance with the California Environmental Quality Act (CEQA), and the CEQA Guidelines, the City of Victorville Development Department determined that implementation of the project had the potential to result in significant environmental effects and determined that an EIR was required, subject to CEQA Guidelines Section 15063(a) and therefore not required to prepare an Initial Study.

WHEREAS, in accordance with the California Environmental Quality Act (CEQA), and the CEQA Guidelines a Notice of Preparation was distributed on March 3, 2023, to responsible agencies, local government agencies, the State of California Office of Planning and Research, State Clearinghouse (SCH) for distribution to State agencies and interested parties for a 30-day public review period in order to solicit comments and inform agencies and the public of the project.

WHEREAS, the Development Department initiated an Environmental Impact Report regarding the Mojave 68 Project located on property as described above.

WHEREAS, a Notice of Availability (NOA) of a Draft EIR (DEIR) was issued on August 18, 2023 for the project allowing a forty-five (45) day comment and review

period in accordance with CEQA Guidelines and was mailed to responsible agencies, local government

agencies, and interested parties that received the NOP and to individuals who had previously requested the NOA or EIR; and

WHEREAS, the Draft EIR was circulated on August 18, 2023, for a forty-five (45) day comment and review period in accordance with CEQA Guidelines to the public, was distributed to the State Clearinghouse for distribution to State agencies, was posted on the City's website and at the San Bernardino County Clerk's office in accordance with applicable CEQA Guidelines; and

WHEREAS, the Planning Commission has reviewed the Draft EIR and the Final EIR prepared for the project, including all supporting evidence and comments received, all of which documents are hereby incorporated by reference into this Resolution; and

WHEREAS, the Draft EIR, supporting documents, and Final Environmental Impact Report for a proposed Mojave 68 Project have been presented to the Planning Commission, and after review and consideration of the environmental information the Planning Commission finds the proposal will not have a significant effect on the environment and therefore adopts the attached Statement of Facts and Findings, and determined that a Statement of Overriding Considerations is not required under Section 15093 of the CEQA Guidelines because all impacts can be mitigated to below a level of significance; and

WHEREAS, the Planning Commission makes and adopts the Statement of Facts and Findings noted the Planning Commission Staff Report Attachment F "*Facts*

*and Findings for the Mojave 68 Project*” and certifies that the Final EIR for the Project, *Planning Commission Staff Report Attachment E*, has been completed in compliance with the California Environmental Quality Act, the State CEQA Guidelines, and local procedures adopted pursuant thereto and reflects its independent judgment and analysis.

WHEREAS, the Planning Commission adopts the Mitigation Monitoring Program as set forth in the Final EIR for the Project; and

WHEREAS, the Planning Commission finds that all materials that constitute the record of proceedings upon which its decision is based, shall be located with the City of Victorville Clerk, located at 14343 Civic Drive, Victorville, CA; and

WHEREAS, the Planning Commission finds that the proposed project will have no adverse effect upon abutting properties due to: development standards included in Title 16 that ensure this proposal and any future development is in accordance with minimum standards designed to protect the health, safety and welfare of the community; because the subject proposal is an industrial development that is in accordance with the underlying General Plan and Zone District; and

WHEREAS, the Planning Commission finds that this land division is consistent with the City's adopted General Plan and Zoning Ordinance since the site meets the required lot size, access requirements, is in general conformance with the purpose of the applicable Design Guidelines and the proposal will not divide an established land use designation; and

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission, pursuant to Sections 16-2.05.010 & 16-4.01.020 of the Victorville Municipal Code that the

Tentative Parcel Map portion of Case No. PLAN22-00023, A Tentative Parcel Map with an Environmental Impact Report (EIR) to allow for the creation of one parcel from five existing parcels on an approximately 66-acre site zoned M-1 (Light Industrial) on the hereinabove described property be granted subject to the following conditions of approval:

**Planning Conditions:**

1. The proposed subdivision shall comply with all applicable development standards of Title 16 and Title 17 of the City of Victorville Municipal Code, as well as the Subdivision Map Act of the State of California.
2. The final map shall be in substantial conformance with the tentative map submitted as part of this application, unless modification is required to comply with Title 16 of the City of Victorville Municipal Code and/or conditions of approval.
3. The applicant shall provide the Zoning Administrator or his designee with a lot closure list for all lots within the subdivision at the time of submission of maps for final approval.
4. The final map shall be subject to review and approval by the Zoning Administrator or his designee prior to recordation.
5. The City of Victorville's name shall not be used in any Conditions, Covenants, and Restrictions (CC&Rs) associated with this development to which it is not a party.
6. 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 Zoning Administrator. Any modifications to the amount of the bond shall be subject to review and approval by the Zoning Administrator only if it is found that there are circumstances unique to the use that is not applicable to other uses.
7. The proposed development is required to mitigate its ongoing economic impacts that require the provision of additional municipal services. To mitigate ongoing economic impacts created by new development, the City is preparing to form a Community Facilities District (CFD) to fund the ongoing costs of City services permitted by the CFD, including such services as public safety, street/sidewalk maintenance, and other eligible service impacts. Once formed, the City CFD will have established a uniform, standardized City-wide rate structure that will apply to new developments. If the City forms said CFD prior to the recordation of a final map or issuance of a building permit for the proposed development, the Developer shall annex the subject site into the

CFD or shall establish a funding mechanism to provide an ongoing source of funds for the additional services comparable to the uniform standardized City-wide rate established in the CFD Resolution and associated Financial Impact Analysis report.

8. 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.
9. The applicant/developer shall be responsible for obtaining all necessary permits from any affected regulatory agencies.
10. The subdivider shall be responsible for obtaining any permissions or easements for grading or public improvements constructed on adjacent properties.
11. 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:**

12. The subdivider shall dedicate an easement for public right-of-way to the City of Victorville for the following in accordance with the Circulation Element of the General Plan:
  - i. 32-feet from the centerline of improvements for Onyx Street.
  - ii. 34-feet from the centerline of improvements for Mesa Linda Street.
  - iii. 64-feet from the centerline of improvements for Mojave Drive.
  - iv. 75-feet from the centerline of improvements for Mojave Drive for the required right-turn pocket.
  - v. The corner cut-off/chamfer for the NEC of Mojave Drive and Mesa Linda Avenue shall accommodate a 40-foot radius curb return and City standard accessibility ramp.
  - vi. The corner cut-off/chamfer for the NWC of Mojave Drive and Onyx Road shall accommodate a 40-foot radius curb return and City standard accessibility ramp.
  - vii. The corner cut-off/chamfer for the SWC of Cactus Road and Onyx Road shall accommodate a 25-foot radius curb return and City standard accessibility ramp.

13. The subdivider shall prepare and file with the City, a parcel map in accordance with the requirements of Subdivision Map Act per its latest amendment, and all applicable provisions of Title 16 and Tile 17 of the Victorville Municipal Code.
14. The parcel map shall be based upon a recent field survey made in conformity with the Land Surveyor's Act.
15. The parcel map shall address the vacation of excess right-of-way on Mesa Linda Avenue.
16. The subdivider shall comply with all applicable requirements and provisions of Title 16 and Title 17 of the Victorville Municipal Code, and the Subdivision Map Act.
17. The subdivision map shall show any easements of record within the subdivision boundary and annotate said easements as required by the City.
18. Any easements required for public utilities, city owned sewer, and/or drainage facilities shall be dedicated on the parcel map.
19. All improvements along the frontages of the subject properties shall be constructed as required by Sections 16-4.08.010, 16-4.08.020, 16-4.08.030, and 16-4.08.040, of the Victorville Municipal Code in accordance with the requirements of the Standard Specifications for Public Improvements of the City of Victorville and the City Engineer. In accordance with the provisions of Sections 66411.1 of the Subdivision Map Act, the fulfillment of the construction requirements shall not be required until the time a permit or other grant of approval for development of any or all parcels created by this subdivision is issued by the City of Victorville. The owners of the land being subdivided shall acknowledge the requirement of improvements by statement on the parcel map. Said improvements include but are not limited to:
  - (a) Street grading, installation of curbs, gutters and sidewalks, provisions for drainage and construction of drainage structures necessary to the proper use and drainage of the streets and/or to the public safety, convenience and protection of property;
  - (b) Paving of streets, paths and alleys as required;
  - (c) Provision for a water system with mains of sufficient size and having a sufficient number of outlets to furnish adequate potable water supply to each lot of the subdivision in accordance with the Standard Specifications for Public Improvements with sufficient fire hydrants, gated connections and appurtenances to provide adequate fire protection in accordance with the standard specifications;
  - (d) Sanitary sewer facilities to enable connections for each lot to a sewage system approved by the City;
  - (e) Installation of street lighting system;
  - (f) Installation of street signs as required;



- (g) Installation of a system of monuments conforming to this title and as approved by the City;
  - (h) Installation of electric utility service facilities to each lot within the subdivision;
  - (i) Installation of communication service facilities (telephone) to each lot within the subdivision;
  - (j) Installation of natural gas service facilities to each lot within the subdivision;
  - (k) Installation of cable television service for every CATV franchise authorized by the City to serve the subdivision to each residential parcel in the subdivision pursuant to the provisions of Section 16-4.08.040 (b). All costs associated with such installations and equipment shall be the responsibility of any franchised cable television franchisee.
  - (l) Subdivider shall relocate or cause to be relocated all existing utility facilities required to be relocated as a result of the construction of improvements.
20. Within six months of recordation of the parcel map, the subdivider shall enter into an Improvement Agreement as required by Section 16-4.08.060 of the Victorville Municipal Code and Section 66411.1 of the Subdivision Map Act for the completion of any improvements as set forth in Section 16-4.09.010 that have not been completed. Said agreement shall be secured by one of the forms specified by Section 17.64.060 of the Victorville Municipal Code.
21. The subdivider shall monument or reference at least one exterior boundary line of the land being subdivided before the map is recorded and shall furnish to the City a security guaranteeing the payment of the cost of setting monuments not in place at the time the map is recorded.
22. Pursuant to Section 17.76.010 of the Victorville Municipal Code, prior to permit issuance, the subdivider shall pay or cause to be paid any fees (assessments) for defraying the actual or estimated costs of constructing planned drainage facilities for the removal of surface and storm waters from local or neighborhood drainage areas, or sanitary sewer facilities for local sanitary sewer areas established pursuant to Section 66483 of the Government Code.
23. The subdivider's surveyor or engineer shall comply with Section 8771 (b) of the Business and Professions Code (Land Surveyors Act), including the filing of a corner record, regarding the preservation of the location of existing monuments that may be destroyed as a result of construction for this subdivision.
24. The subdivider shall submit an initial and final digital AutoCAD copy of the map.
25. The subdivider shall provide the City with a copy of the recorded map on reproducible polyester based film (mylar).