

ORDINANCE NO. 2308

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA APPROVING ZONE CHANGE NO. 16-01 TO CHANGE THE ZONING DESIGNATION ON THE PROPERTIES IN THE DOWNTOWN AREA

WHEREAS, on July 15, 2014, the City Council awarded a contract to Rangwala Associates to create a zoning code for the Central Business District (now referred to as the Downtown) and initiated a Zone Change that would:

create a "Downtown Plan and Code" on the existing "Regional Commercial", "Service Commercial", "Office Professional", "Neighborhood Commercial", "Public Buildings", and "Specific Plan No. 24" Zones; and

on those certain properties generally described in Exhibit A,

WHEREAS, consistent with the proposed zone change, a code amendment (No. 16-01) is proposed to create the Downtown Plan and Code including development standards; and

WHEREAS, the proposed zone change is consistent with the General Plan Designations that are part of the General Plan Update (PlanWC) of "Commercial", "Public Institutions", "Neighborhood Medium", "Neighborhood High", and "Parks and Open Space"; and

WHEREAS, the proposed zone change establishes consistency between the General Plan (PlanWC) and Zoning Map; and

WHEREAS, consistent with this proposal, a General Plan Amendment (No. 14-03) is being considered concurrently to update the General Plan and revise the adopted 2014-2021 Housing Element; and

WHEREAS, consistent with this request, a Code Amendment (No. 16-01) is being considered concurrently to amend the West Covina Municipal Code to include the Downtown Plan and Code; and

WHEREAS, the Planning Commission, upon giving the required notice, did on the 22nd day of November, 2016 conduct a duly advertised public hearing to consider the subject application, at which time the Planning Commission adopted Resolution No. 16-5836 recommending approval to the City Council; and

WHEREAS, the City Council did, on the 20th day of December, 2016, conduct a duly advertised public hearing as prescribed by law, and considered evidence presented by the Planning Commission, Planning Department, and other interested parties; and

WHEREAS, studies and investigations made by the City Council and in its behalf reveal the following facts:

1. In 2012, as part of the Housing Element Update (2006-2014), the City adopted a Mixed Use Overlay Zone along with zoning standards that allowed for high density residential development and mixed use in that area in the Central Business District (as defined in the 1985 General Plan). The zoning standards were adopted without considering a vision for the future or providing any direction on the type of growth encouraged.
2. The Downtown Plan will be developed as a form-based code. Form-based Codes specify building types and building frontage types. They provide more direction to an applicant on the form and mass of a building rather than just providing setbacks and height limits as a traditional Zoning Code normally does.
3. To provide for growth for the City it is envisioned that new development in downtown will primarily be urban in nature, developed primarily with multiple-story buildings. The Downtown Plan will provide specific development and design requirements to require a more urban development pattern. New buildings will be required to provide street level storefronts and parking behind buildings or in structures to provide a comfortable pedestrian experience so that driving is an option, not a necessity.
4. Findings necessary for approval of a zone change are as follows:
 - a. There are changed conditions since the existing zoning became effective to warrant other or additional zoning.
 - b. The proposed change of zone will not adversely affect adjoining property as to value or precedent and will not be detrimental to the area.
 - c. A change of zone will be in the interest or furtherance of the public health, safety, and general welfare.
 - d. The approval of such a change of zone will not adversely affect the comprehensive General Plan adopted by the City.
 - e. The approval of such a zone change is consistent with the General Plan or applicable specific plans.
5. Pursuant to the requirements of the California Environmental Quality Act (CEQA) of 1970, an ENVIRONMENTAL IMPACT REPORT has been prepared in accordance with the California Environmental Quality Act of 1970, as amended.

WHEREAS, based on the evidence, both oral and documentary, the City Council finds as follows:

- a. The subject properties are currently zoned “Regional Commercial”, “Service Commercial”, “Office Professional”, “Neighborhood Commercial”, “Public Buildings”, and “Specific Plan No. 24” Zones. The proposed zone change would add zoning designations that are identified in the Downtown Plan and Code including the “Urban Center”, “General Urban”, “Urban Neighborhood”, “Civic Zone”, and “Parks and Open Space” Zones. The properties in the Downtown district are currently developed with intense and regionally significant commercial uses including a major shopping center, office development, and movie theater. Over the past decade the City has begun to take steps to encourage a more mixed-use and urban form in this district. In 2011, the City approved the first mixed-use project in the area through a Specific Plan, introducing residential uses to the district that had previously been a singularly commercial area. In 2012, the City adopted a “Mixed Use Overlay” to allow for additional residential uses in the area as part of the adoption of the 2014-2021 Housing Element. The City is now taking additional steps to encourage a mixed-use urban environment through Code Amendment No. 16-01, concurrent with this zone change that will establish standards that provide for an urban environment. The Downtown Plan provides a vision of a compact, walkable and mixed use built environment. The Downtown Code allows for mix of uses in a walkable environment so that driving is an option not a requirement.
- b. The proposed zone change will not adversely affect adjoining property values and will not be detrimental to the area because the modification will establish consistency between the General Plan (PlanWC) and Zoning Map and allow for the development of mixed use residential and residential developments of a high density nature that are integrated with the adjacent commercial uses in an urban environment. The design of the Downtown Plan is to allow higher intensity uses with a separation from single-family neighborhoods. The areas of highest intensity is in the central portion of the Downtown Plan, with lower intensity areas (generally limited to three stories in height) located in closer proximity with surrounding single-family neighborhoods.
- c. The proposed zone change is compatible with the surrounding area and will not adversely affect the public health, safety or general welfare of the surrounding neighborhood, as the properties are currently developed with a wide range of intense commercial and office uses. The proposed zone change is a benefit to the City in that it will provide for alternative living in a more urban environment and will allow for the development of additional housing units.
- d. The proposed zone change has been developed concurrently with the updated General Plan (PlanWC) and is consistent with its goals and policies. The zone change will not adversely affect the General Plan as consistency between the

General Plan and the Zoning Map will be maintained, since the approval of this zone change is consistent with the General Plan (PlanWC) designations.

- e. The approval of such a zone change is consistent with the General Plan (PlanWC), as the General Plan land use designation for the Downtown have been developed concurrently with the zoning designations of the Downtown Plan and Code. The zoning designations allow for a wide range of commercial and office development as well as allowing mixed use residential and residential development to create a mixed-use urban environment.

NOW, THEREFORE, the City Council of the City of West Covina, California, does resolve as follows:

SECTION NO. 1: Based on the evidence presented, and the findings set forth, the above Zone Change No. 16-01 is hereby found to be consistent with the City's updated General Plan (PlanWC).

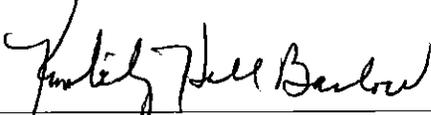
SECTION NO. 2: The City Council does hereby approve Zone Change No. 16-01 changing the zoning designation for subject property as set forth on Exhibit A and amending the Zoning Map of the City of West Covina.

PASSED, APPROVED AND ADOPTED on this 17th day of January, 2017.



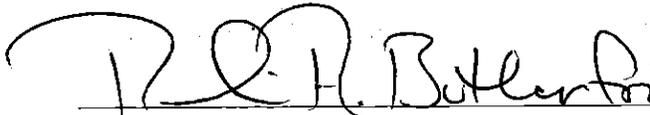
Corey Warshaw
Mayor

APPROVED AS TO FORM:



Kimberly Hall Barlow
City Attorney

ATTEST:



Nickolas S. Lewis
City Clerk

I, NICKOLAS S. LEWIS, CITY CLERK of the City of West Covina, California, do hereby certify that the foregoing Ordinance was regularly introduced and placed upon its first reading at a regular meeting of the City Council on the 20th day of December, 2016. That thereafter said Ordinance was duly adopted and passed at a regular meeting of the City Council on the 17th day of January, 2017, by the following vote:

AYES: Johnson, Toma, Wu, Warshaw
NOES: Spence
ABSENT: None
ABSTAIN: None



Nickolas S. Lewis
City Clerk

EXHIBIT A

