

ORDINANCE NO. 2289

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA,
CALIFORNIA, APPROVING ZONE CHANGE NO. 14-01**

ZONE CHANGE NO. 14-01

MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT

APPLICANT: Steve Anderson

LOCATION: 1388 E. Garvey Avenue

WHEREAS, there was filed with this City a verified application on the forms prescribed in Section 26-153 and 26-199 of the West Covina Municipal Code, for the reclassification from:

“Office Professional” (O-P) to “Service Commercial” (S-C).

on that certain property generally described as follows:

Assessor Parcel No. 8476-001-013, in the records of the Los Angeles County Assessor;
and

WHEREAS, consistent with the request, the applicant has also requested a General Plan amendment from “Office” to “Service and Neighborhood Commercial”; and

WHEREAS, the proposed zone change is requested to provide consistency between the General Plan and Zoning Map, and to establish zoning standards for the subject project; and

WHEREAS, said zone change application is requested to allow for the development of a 78,474-square foot public storage building; and

WHEREAS, a precise plan for the site plan and architecture has been submitted for the development of the project; and

WHEREAS, a conditional use permit for the operation of a public storage facility has been submitted for the development of the project; and

WHEREAS, a variance has been submitted to deviate from various zoning regulations including lot coverage and side yard setback requirements; and

WHEREAS, it is a stated policy of the Land Use Element of the General Plan to provide for a range of non-residential uses that will ensure a strong economic base for the City; and

WHEREAS, the Planning Commission, upon giving the required notice, did on the 27th day of October, 2015, conduct a duly noticed public hearing to consider the subject application for a Zone Change, at which time the Planning Commission adopted Resolution No. 15-5787 recommending approval to the City Council; and

WHEREAS, the City Council did, on the 15th day of December, 2015, 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. The applicant is requesting approval of a design to allow for the construction of a 78,474-square foot public storage building.
2. 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 so adopted by the City.
 - e. The approval of such a zone change is consistent with the General Plan or applicable specific plans.
3. Pursuant to the requirements of the California Environmental Quality Act (CEQA) of 1970, a MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT has been prepared indicating that although the project could have a significant effect on the environment, there will not be a significant effect due to mitigating measures.

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

- a. The proposed zone change facilitates the development of a 78,474-square foot public storage building with a maximum height from average grade of 33 feet will be consistent with the neighboring single-family residences to the west, and south of the subject site. The existing zoning restricts the property to general office uses. The subject property is located on Collector Street (W. Garvey Avenue

South). Surrounding land uses include residential to the south and west, the San Bernardino Freeway to the north, and a vacant lot and residential to the east.

- b. The proposed zone change will not adversely affect adjoining property value and will not be detrimental to the area because the property is located adjacent to the freeway. Due to the location, the subject property is not ideal for the development of residential uses. The proposed development is a 78,474-square foot public storage development that has been designed to be sensitive to neighboring single-family properties in terms of setbacks, architectural treatment and privacy issues.
- c. The proposed zone change is compatible with the surrounding area in that the subject property is located adjacent to the San Bernardino Freeway where lots are generally zoned "Service Commercial".
- d. The proposed zone change will not adversely affect the General Plan as consistency between the General Plan and the Zoning Map will be maintained through the proposed General Plan amendment. The concurrent General Plan amendment allows for consistency and for developments of public storage facilities.
- e. The approval of such zone change is consistent with the proposed General Plan land use designation of "Service and Neighborhood Commercial." There are no specific plans that affect the property.

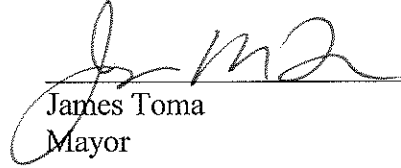
NOW, THEREFORE, the City Council of the City of West Covina, California, does resolve as follows:

SECTION 3. The City Council of the City of West Covina hereby approves Zone Change No. 14-01, adopting the specific plan text as set forth in Exhibit A and changing the zoning designation for the subject property as set forth on Exhibit B and amending the Zoning Map of the City of West Covina.

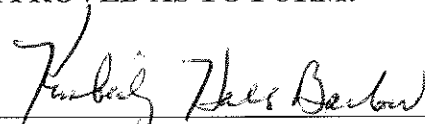
SECTION 4. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Chapter, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Chapter, or its application to any other person or circumstance. The City Council declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

SECTION 5: This ordinance shall take effect thirty (30) days after its final passage and within fifteen (15) days after its passage, the City Clerk of the City of West Covina shall certify to the passage and adoption of this ordinance and to its approval by the Mayor and City Council and shall cause the same to be published in a newspaper in the manner required by law.

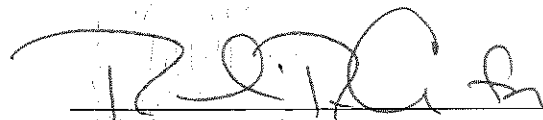
PASSED, APPROVED AND ADOPTED on this 19th day of January, 2016.


James Toma
Mayor

APPROVED AS TO FORM:

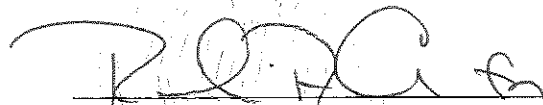

Kimberly Hall Barlow
City Attorney

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 15th day of December, 2015. That thereafter said Ordinance was duly adopted and passed at a regular meeting of the City Council on the 19th day of January, 2016, by the following vote:

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


Nickolas S. Lewis
City Clerk