

**ORDINANCE NO. 2300**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA CALIFORNIA APPROVING CODE AMENDMENT NO. 15-03, RELATED TO THE OFFSITE STORAGE OF VEHICLES BY AUTOMOBILE DEALERSHIPS**

**WHEREAS**, on the 10th day of November, 2015, the Planning Commission initiated a code amendment to establish standards for off-site storage of vehicles by automobile dealerships; and

**WHEREAS**, the Planning Commission held a study session on the 24<sup>th</sup> day of May, 2016; and

**WHEREAS**, the Planning Commission, upon giving required notice, did on the 26<sup>th</sup> day of July, 2016, conduct a duly advertised public hearing as prescribed by law, at which time the Planning Commission adopted Resolution No. 16-5819 recommending to the City Council approval of Code Amendment No. 15-03; and

**WHEREAS**, the City Council considered evidence presented by the Planning Commission, Planning Department, and other interested parties at a duly advertised public hearing on the 20<sup>th</sup> of September, 2016; and

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

1. The Municipal Code does not currently allow the temporary use of off-site storage of vehicles by automobile dealerships.
2. Due to the absence of standards for the temporary use of off-site storage of vehicles, the City is aware that auto dealerships have leased a variety in the City to store their vehicles. It is necessary to develop standards where off-site storage of vehicles may be appropriate in designated zones.
3. The automobile dealership industry is interested in the ability to provide storage for new vehicles on off-site vacant or underutilized sites.
4. The proposed action is considered to be exempt from the provisions of the California Environmental Quality Act (CEQA), pursuant to Section 15061(b)(3) of the CEQA Guidelines, in that the proposed action consists of a code amendment, which does not have the potential for causing a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of West Covina as follows:

**SECTION NO. 1:** The above recitals are true and correct and are incorporated herein as if set forth herein in full.

**SECTION NO. 2:** Based on the evidence presented and the findings set forth, Code Amendment No. 15-03 is hereby found to be consistent with the West Covina General Plan and the implementation thereof and that the public necessity, convenience, general welfare, and good zoning practices require Code Amendment No. 15-03.

**SECTION NO. 3:** Based on the evidence presented and the findings set forth, the Planning Commission of the City of West Covina hereby recommends to the City Council of the City of West Covina that it approves Code Amendment No. 15-03 to amend Chapter 26 (Zoning) of the West Covina Municipal Code to read as shown on Exhibit "A."

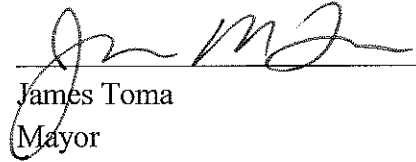
**SECTION NO. 4:** The City Council finds that adoption of this Ordinance is exempt because it can be seen with certainty that there is no possibility that Code Amendment No. 15-03 will have a significant effect on the environment (CEQA Guidelines section 15061(b)(3)).

**SECTION NO. 5:** Any provision of the West Covina Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance.

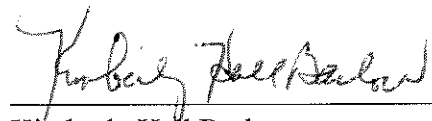
**SECTION NO. 6:** Should any provision of this Ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this Ordinance or the application of this Ordinance to any other person or circumstance and, to that end, the provisions hereof are severable. The City Council of the City of West Covina declares that it would have adopted all the provisions of this Ordinance that remain valid if any provisions of this Ordinance are declared invalid.

**SECTION NO. 7:** The City Clerk shall certify to the passage and adoption of this ordinance, causing it to be posted or published as required by law and it shall be effective thirty (30) days after its adoption.

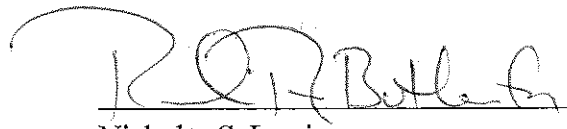
**PASSED, APPROVED AND ADOPTED** on this 4<sup>th</sup> day of October, 2016.

  
James Toma  
Mayor

**APPROVED AS TO FORM:**

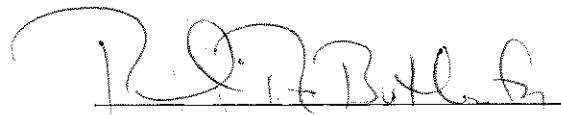
  
Kimberly Hall Barlow  
City Attorney

**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 20<sup>th</sup> day of September, 2016. That thereafter said Ordinance was duly adopted and passed at a regular meeting of the City Council on the 4<sup>th</sup> day of October, 2016, by the following vote:

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

  
Nickolas S. Lewis  
City Clerk

## Exhibit A

### CHAPTER 26 ZONING

**SECTION 1.** Section 26-206 of Article VI of Chapter 26 of the West Covina Municipal Code, Notices, is amended to read as follows:

**Sec. 26-607. – Vehicle Storage.**

Primary and permanent use of vehicle storage shall not be permitted in any zone. A temporary use as an accessory use for the storage of vehicles may be permitted subject to all of the following conditions:

- a) Temporary use of vehicle storage shall be granted only to an auto dealership with a valid existing business license.
- b) Temporary use of vehicle storage may be permitted on a vacant lot with no discretionary review. Vacant lots used for such purposes shall comply with the following standards:
  1. Lots shall be gated and fenced with posts that are anchored into the ground and shall not be located on public property or right-of-way.
  2. The gates on the fencing to allow vehicle access shall be set back from the curb a minimum of 20 feet.
  3. Lots shall have a finished surface of a minimum three (3) inches of gravel base, asphalt concrete or Portland concrete.
  4. In such cases where gravel base is installed a Stabilized Construction Entrance/Exit shall be provided in compliance with the most current edition of the Los Angeles County Department of Public Works Best Management Practice Manual.
- c) Temporary use of vehicle storage may be permitted on surplus parking spaces based on standards as set forth in sections 26-581 and 26-582 and shall require the approval of an administrative use permit pursuant to section 26-270. Time frames for approval shall be as follows:
  1. Temporary use shall be permitted up to one (1) calendar year from the date of approval. A one (1) year extension may be approved if the conditions of the original permit have been met.
  2. Any request for an extension of time for a temporary use beyond two (2) years shall be subject to Planning Commission review and approval.