

ORDINANCE NO. 2455

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING ZONE CHANGE NO. 19-01 TO CHANGE THE ZONING FOR THE PROPERTY AT 1904 W. PACIFIC LANE FROM “SINGLE FAMILY RESIDENTIAL” (R-1) TO “MULTIPLE FAMILY 20” (MF-20)

WHEREAS, the City Council did, on the 5th day of February 2019, adopt Resolution No. 2019-08 to formally initiate a zone change for 1904 W. Pacific Lane (Assessor’s Parcel Number 8459-026-006); and

WHEREAS, the Planning Commission, upon giving the required notice, did on the 9th day of April 2019, conduct a duly noticed public hearing to consider said application and adopted Planning Commission Resolution No. 19-5983 recommending the approval of Zone Change No. 19-01; and

WHEREAS, the City Council did, on the 7th day of May, 2019, conduct a duly advertised public hearing as prescribed by law, and considered evidence presented by the Planning Commission, Planning Division, and other interested parties; and

WHEREAS, 1904 W. Pacific Avenue is the only lot on the south side of Pacific Lane zoned as R-1.

WHEREAS, approval of the zone change will make the zoning designation of the subject lot consistent with the MF-20 zoning designation of the adjacent lots to its south, east, and west.

WHEREAS, there are changed conditions since the existing zoning became effective to warrant different zoning.

WHEREAS, the proposed change of zone will not adversely affect adjoining property as to value or precedent and will not be detrimental to the area.

WHEREAS, a change of zone will be in the interest or furtherance of the public health, safety, and general welfare.

WHEREAS, the approval of such a change of zone will not adversely affect the comprehensive General Plan so adopted by the City.

WHEREAS, the approval of such a zone change is consistent with the General Plan or applicable specific plans.

WHEREAS, this ordinance is not subject to the California Environmental Quality Act (CEQA) per Sections 15060(c)(2) and 15061(b)(3) of the CEQA Guidelines, which provides that CEQA only applies to activity that results in direct or reasonably foreseeable indirect physical change in the environment and for activity considered to be a project, respectively. The zone change

would not result in physical change in the environment because it would simply make the zoning designation of the subject lot consistent with the zoning of the adjacent lots, and any reasonably foreseeable construction pursuant to the authority in the zone change would not have a significant effect on the environment. Furthermore, the proposal does not involve any construction or additions to the existing structures on the site.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. RECITALS. The above recitals are found to be true and correct and incorporated herein by this reference.

SECTION 2. GENERAL PLAN CONSISTENCY. Based on the evidence presented, and the findings set forth, the above Zone Change No. 19-01 is hereby found to be consistent with the City's General Plan and the land uses permitted within said zone classification as follows:

- a. The site is currently zoned "Single-Family Residential" (R-1). All the other residential properties on the same side of Pacific Lane are zoned as "Multiple-Family Residential" (MF-20). The zoning inconsistency is due to individual zone changes (ZC Nos. 237, 300, 306, and 309) approved in the late 1950s through the early 1960s which changed the zoning designation of the parcels surrounding the subject lot from R-1 to R-3. The R-3 zoning designation was later changed to MF-20 in June 1972. It is reasonable for the subject property to be changed to MF-20 so as to have the same zoning as the immediately adjacent properties on the same side of the street.
- b. The proposed zone change will not adversely affect adjoining property or be detrimental to the area as there are other single-family houses on lots zoned as MF-20 in the vicinity. In addition, approval of the zone change would make the zoning designation of the subject lot consistent with the MF-20 zoning designation of abutting properties.
- c. The proposed zone change would be in the interest or furtherance of the public health, safety, and general welfare, because the zone change would make the zoning designation of the subject lot consistent with the MF-20 zoning designation of abutting properties. As such, the project would not adversely impact public health, safety, and general welfare.
- d. The proposed zone change would not adversely affect the General Plan since the project does not require a General Plan Amendment because the General Plan Designation for the subject lot is Neighborhood Medium (9 to 20 units per acre), which is consistent with the proposed MF-20 zoning of the subject lot.
- e. Approval of the zone change is consistent with the General Plan because the General Plan Designation for the subject lot will not change and will remain Neighborhood Medium (9 to 20 units per acre).

SECTION 3. ZONE CHANGE. The City Council of the City of West Covina hereby approves Zone Change No. 19-01, to change the zoning designation for subject property from R-1 to MF-20 as set forth on Exhibit A and to change the Zoning Map of the City of West Covina accordingly.

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: CERTIFICATION. 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 21st day of May 2019.



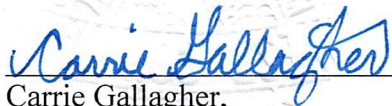
Lloyd Johnson
Mayor

APPROVED AS TO FORM



Scott Porter
City Attorney

ATTEST



Carrie Gallagher,
Assistant City Clerk

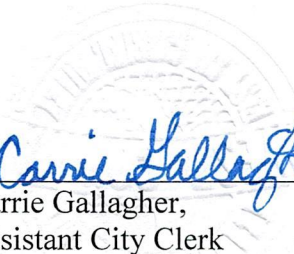
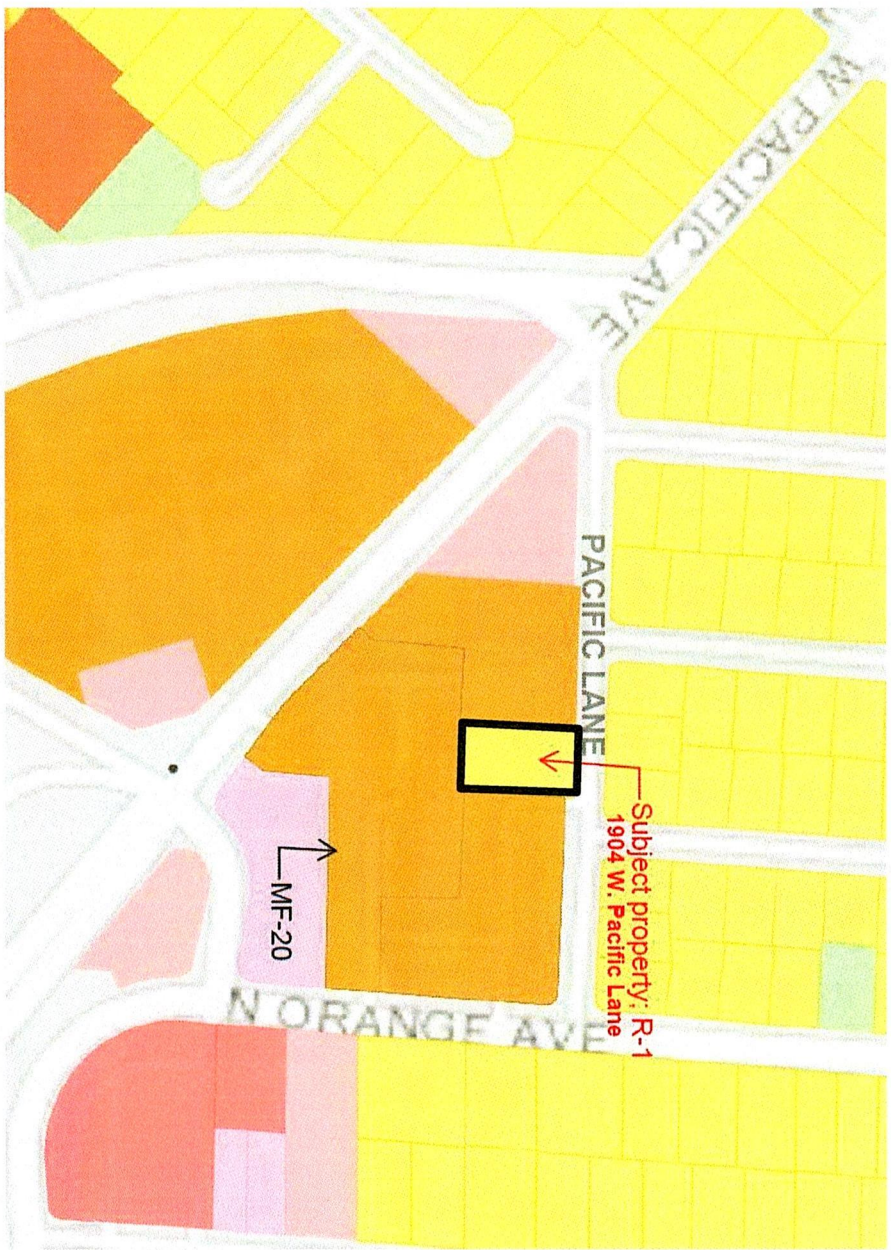


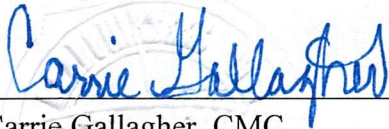
EXHIBIT A



Indicates the area to be changed from “Single-Family Residential” (R-1) to “Multiple-Family Residential” zone (MF-20)

I, Carrie Gallagher, Assistant City Clerk of the City of West Covina, do hereby certify the foregoing Ordinance, being Ordinance No. 2455 was introduced and adopted by the City Council of the City of West Covina at a regular meeting of the City Council on May 21, 2019, by the following roll call vote:

AYES: Castellanos, Lopez-Viado, Shewmaker, Wu, Johnson
NOES: None
ABSENT: None
ABSTAIN: None



Carrie Gallagher, CMC
Assistant City Clerk

