

ORDINANCE NO. 2472

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA APPROVING CODE AMENDMENT NO. 20-02, CODE AMENDMENT RELATED TO COMMERCIAL (NONRESIDENTIAL) USES AND STANDARDS

WHEREAS, on the 28th day of January 2020, the Planning Commission initiated a code amendment related to commercial standards; and

WHEREAS, the Planning Commission, did on the 25th day of February 2020, conduct a study session to consider the initiated code amendment; and

WHEREAS, the Planning Commission, upon giving the required notice, did on the 14th day of April 2020, conduct a duly advertised public hearing as prescribed by law; and

WHEREAS, the City Council, upon giving the required notice, did on the 5th day of May 2020, conduct a duly advertised public hearing as prescribed by law on the proposed ordinance; and

WHEREAS, based on review of the State CEQA Guidelines, the City Council finds and determines that the proposed ordinance is statutorily exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of the CEQA Guidelines, which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment; and

WHEREAS, the City Council has duly considered all information presented to it, including written staff reports and any testimony provided at the public hearing, with all testimony received being made a part of the public record.

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

SECTION 1: Subsection (a) of Section 26-572 of Chapter 26, Article X, Division 3 of the West Covina Municipal Code is hereby amended to read as follows:

- (a) A minimum of eight (8) percent of the total net area (net area shall be computed by excluding public streets) of the development, in all zone except the Manufacturing (M-1) zone, shall be landscaped, and permanently watered with a water efficient automatic irrigation system. In the Manufacturing (M-1) zone, a minimum of four (4) percent of the total net area (net area shall be computed by excluding public streets) of the development shall be landscaped, and permanently watered with a water efficient automatic irrigation system, and 75 percent of the landscaping shall be within 50 feet of a public street.

Approximately one-half of such landscaped area shall be generally distributed throughout the parking lot with the remainder as planted areas around buildings, peripheral planters around the site, parkways, street tree wells and other locations as deemed appropriate by the planning director. The planning director shall also determine whether the type, size, and location of the proposed landscaping is appropriate given the scale and design of the development.

- (b) No planting area shall be less than twenty-four (24) square feet or less than three (3) feet in width (inside dimensions) with the exception of raised planter boxes around or in close proximity to buildings.
- (c) Parking lot trees.
 - (1) An average of at least one (1) tree (minimum fifteen (15) gallon) of a species satisfactory to the planning director shall be planted for every ten (10) single row parking stalls or every twenty (20) double row parking stalls within the parking lot in all zones.
 - (2) An average of at least one (1) tree (minimum fifteen (15) gallon) of a species satisfactory to the planning division shall be planted for every five (5) single row parking stalls.
- (d) Landscaping shall consist of combinations of trees, shrubs, and ground covers with careful consideration given to eventual size and spread, susceptibility to disease and pests, durability, drought tolerance and adaptability to existing soil and climatic conditions. A majority of plant material used through a development must be specimen-size material a combination of twenty-four (24) inch boxed, thirty-six (36) inch boxed, and fifteen (15) gallon trees and minimum five (5) gallon for shrubs.
- (e) Unused space resulting from the design or layout of parking spaces or accessory structures which is over twenty-four (24) square feet shall be landscaped.
- (f) All planted areas shall be surrounded by a concrete curb six (6) inches above final grade or above asphalt level of the parking lot. However, when such planted areas lie adjacent to a concrete sidewalk, masonry wall, or a building, a raised concrete curb need not be provided in the adjacent area.
- (g) A minimum of six (6) feet of either the rear or side yard adjacent to residential zoning or development shall be landscaped with specimen plant materials and trees appropriate in size and type to create a solid plant screen, subject to the approval of the planning director, and as represented on the approved landscaping plan.
- (h) Undeveloped areas proposed for future expansion shall be maintained in a weed free and dust free condition.
- (i) All landscaping referred to in this section shall be maintained in a neat orderly fashion and free of debris.

- (j) The landscaping and irrigation plan shall be approved by the planning director in compliance with the provisions of this division. Landscape and irrigation plans or projects with required landscaping consisting of two thousand five hundred (2,500) square feet or more, shall be prepared by a licensed landscape architect. The planning director has the right to disapprove a landscaping plan if the quantity, size, type, placement and use of plant material do not meet the minimum requirements of this division, Planning Commission Guidelines for Water Efficient Landscaping and Article XIV, Division 1.
- (k) All landscape areas and irrigations systems shall be subject to the water efficiency provisions contained in Division 1, of Article XIV of Chapter 26 of this Code, and the Planning Commission Guidelines for Water Efficient Landscaping, unless specifically exempted by those water efficiency provisions.

SECTION 2: Subsection (a) of Section 26-575 of Chapter 26, Article X, Division 3 of the West Covina Municipal Code is hereby amended to read as follows:

Section. 26-575. – Walls **and Screening**

- (a) **All parking areas shall be screened from public rights-of-way with various means of screening such as land contouring, low-profile walls, shrub plantings and similar screens or a combination thereof.** ~~A thirty six (36) inch high concrete, masonry, or decorative block wall shall be provided and maintained on the outside perimeter of all off-street parking areas abutting or visible from a public street except at those points of ingress and egress for either vehicular or pedestrian traffic. The wall shall be set back a minimum of five (5) feet from the property line and this setback area shall be landscaped. Other materials may be used if approved by the planning commission.~~
~~In lieu of the thirty six (36) inch high screen wall, land contouring and landscaping equivalent to thirty six (36) inches in height, or a combination of wall and land contouring, may be provided if approved by the planning commission.~~
- (b) A six (6) foot high concrete, masonry or decorative block wall shall be provided and maintained on the boundary of any nonresidential zone which abuts or lies across a public street or alley from a residential zone except in the front setback area where said wall shall be thirty-six (36) inches high.
- (c) The height of all walls shall be measured from the highest finished grade within the required adjacent setback.
- (d) All walls shall be architecturally compatible with main buildings. Type, texture, and color shall be approved by the planning commission. Barbed wire shall not be permitted.

SECTION 3: Section 26-597 of Chapter 26, Article XI of the West Covina Municipal Code is hereby amended to read as follows:

Incidental Retail Use	P	C	C	C	2	3	1	P	B	S
Coffee/snack shop	x							x	x	
Pharmacies, including the sale of related patent medicines and notions	x						x	x	x	
Barber and beauty shops	x							x		

(Ord. No. 1976, § 2, 8-20-96; Ord. No. 2030, § 4, 4-20-99; Ord. No. 2204, § 3(Exh. A), 2-16-10)

SECTION 5: Section 26-685.7200 of Chapter 26, Article XII, Division 24 of the West Covina Municipal Code is hereby amended to read as follows:

The practice of tattooing shall be subject to and comply with the following standards and regulations:

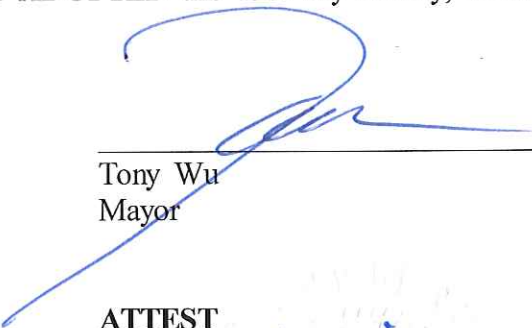
- (1) Tattooing uses may only be established in the "R-C" and "M-1" Zones.
- (2) A conditional use permit shall be obtained prior to establishing a tattooing use (as specified in section 26-246).
- (3) Tattooing uses may only be established in a tenant space with a minimum of one thousand (1,000) square feet of gross floor area.
- (4) Tattooing uses shall be located a minimum of three hundred (300) feet from a residential zone or use, religious facility, public parks, or educational institution which is utilized by minors.
- (5) Tattooing uses shall be located more than one thousand five hundred (1,500) feet from the perimeter of the tenant space of any other tattooing use.
- (6) Tattooing uses shall not operate between the hours of 10:00 p.m. and 10:00 a.m.
- (7) Temporary or mobile tattooing uses or events are not allowed by this section.
- (8) The parking requirement for a tattooing use shall be consistent with standards for personal service business. Accessory use tattooing shall comply with the parking requirements for the primary use.
- (9) The tattooing use shall comply with the Los Angeles County Code Title 11, Chapter 11.36, Body Art Establishments.
- (10) A business license as required by Chapter 14 of the West Covina Municipal Code shall be obtained prior to the start of the operation of the use.

(11) The planning commission may impose other conditions deemed necessary to reasonably relate to the purpose of this division.

SECTION 6: The City Clerk shall certify to the passage of this ordinance and shall cause the same to be published as required by law.

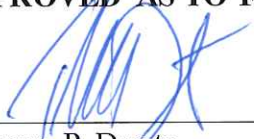
SECTION 7: This ordinance shall take effect and be in force thirty (30) days from and after the date of its passage.

PASSED, APPROVED AND ADOPTED this 19th day of May, 2020.



Tony Wu
Mayor

APPROVED AS TO FORM



Thomas P. Duarte
City Attorney

ATTEST

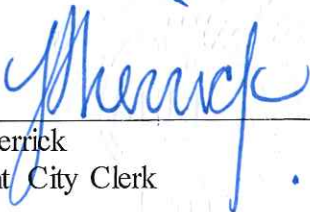


Lisa Sherrick
Assistant City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
CITY OF WEST COVINA)

I, Lisa Sherrick, Assistant City Clerk of the City of West Covina, do hereby certify the foregoing Ordinance, being Ordinance No. 2472, was introduced at the May 5, 2020 regular Council meeting and adopted at a regular meeting of the City Council on May 19, 2020, by the following roll call vote:

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



Lisa Sherrick
Assistant City Clerk