



Chapter 26 Zoning

ARTICLE 7 ZONING ORDINANCE ADMINISTRATION

DIVISION 1 – AMENDMENTS

26-284 Purpose [Source: 26-151 ,26-152 and NEW]

- (a) The purpose of this Article is to set forth the general provisions established by the City of West Covina for the administration of the zoning ordinance and the implementation of the General Plan.
- (b) Whenever the public necessity, convenience, general welfare, or good zoning practice require, the council may amend, supplement, or change the regulations, zone boundaries, or classifications of property, now or hereafter established by this chapter.
- (c) Amendments, supplements or changes to this chapter and/or the official zoning map which:
 - (1) Change any property from one zone to another; or
 - (2) Add, modify, or remove any regulations pertaining to the use or development of property shall be initiated and adopted in accordance with the procedures stated in this article.

26-285 Initiation [Source: 26-153]

- (a) Amendments of this chapter and/or the official zoning map that change any property from one zone to another may be initiated by:
 - (1) The verified application of one (1) or more owners of property proposed to be changed or reclassified, or by a purchaser or lessee with consent of the owner.
 - (2) Resolution of the City Council.
 - (3) Resolution of the Planning Commission.
- (b) Amendments, supplements, or changes to this chapter other than the change of property from one zone to another may be initiated by:
 - (1) Applicant.
 - (2) Resolution of the City Council.
 - (3) Resolution of the Planning Commission.

26-286 Application [Source: 26-199 – 26-201 and NEW]

- (a) A qualified applicant shall submit an application for a zoning amendment on a form prescribed by the Community Development Director or their Designee accompanied by the required fee. The Community Development Director or their Designee may require an applicant to submit such additional information and supporting data as considered necessary to process the application.
- (b) The Community Development Director or their Designee may allow any necessary applications for amendments to zoning regulations or for approval under the requirements of this Ordinance to be processed simultaneously with the proposed zoning amendment.



- (c) A General Plan Amendment application shall be submitted for concurrent processing for Zoning Amendments that are not in conformance with the General Plan.

26-287 Noticing and Public Hearing Procedures [Source: 26-206]

Notice and hearings regarding an application for an amendment shall be provided in compliance with Article 6 Division 1.

26-288 Planning Commission Action [Source: 26-210, 26-211]

- (a) The Planning Commission shall conduct a public hearing in conformance with Article 6 Division 1.
- (b) Following the public hearing, the Planning Commission shall make a recommendation on the proposed zoning amendment to the City Council. Such recommendation shall include the reasons for the recommendation, and the findings related to the criteria for zoning amendments in section 26-290 (Findings) and shall be transmitted to the City Council.

26-289 City Council Action [Source: 26-217, 26-218]

- (a) After receiving the report from the Planning Commission or a written request from an interested party pursuant to Article 6 Division 1, the City Council shall hold a duly-noticed public hearing. At least 10 days before the date of the public hearing, the Planning Division shall provide notice consistent with Article 6 Division 1. The notice shall include a summary of the Planning Commission recommendation.
- (b) After the conclusion of the hearing, the City Council may approve, modify, or deny the proposed amendment.

26-290 Findings [Source: NEW]

An amendment to the Zoning Map, or this Chapter may be approved only if all of the following findings can be made in a positive manner, as applicable to the type of amendment. It is the responsibility of the applicant to establish evidence in support of the required findings.

- (a) Mandatory Findings required for all Zoning Ordinance Amendments:
 - (1) The proposed amendment ensures and maintains internal consistency with the goals, policies, and strategies of all elements of the General Plan, and, in the case of a Zoning Code amendment, will not create any inconsistencies with this Chapter.
 - (2) The proposed amendment would not be detrimental to the public interest, health, safety, convenience or welfare of the City.
 - (3) The proposed amendment is in compliance with the provisions of the California Environmental Quality Act (CEQA).
- (b) Additional Findings for Zoning Map Amendments:
 - (1) The site(s) is/are physically suitable (including access, provision of utilities, compatibility with adjoining land uses and absence of physical constraints) for the requested zoning designation(s) and anticipated land use development.



DIVISION 2 – ADMINISTRATION AND ENFORCEMENT

26-291 Community Development Director [Source: NEW]

The Community Development Director or their designee shall be the official responsible for the enforcement of this Chapter. The Community Development Director or their designee may serve notice requiring the removal of any structure or use in violation of this title to the owner or his authorized agent, on a tenant, or on an architect, builder, contractor or other person who commits or participates in any violation. The Community Development Director or their designee may call upon the City Attorney to institute necessary legal proceedings to enforce the provisions of this title, and the City Attorney is hereby authorized to institute appropriate actions to that end. The Community Development Director or their designee may call upon the chief of police and his authorized agents to assist in the enforcement of this title.

26-292 Fees [Source: 26-202]

- (a) Filing fees shall be paid as established by a resolution of City Council.
 - (1) If, pursuant to the guidelines and procedures for evaluating environmental impacts of proposed projects, the Community Development Director or their designee declares that a proposed action is not categorically exempt from the provisions of the California Environmental Quality Act of 1970, the applicant shall hire and directly pay for the City's CEQA consultant who shall pay the required environmental impact report filing fee as established by a resolution of the City Council at the time the application to prepare or process required environmental impact documents is accepted.