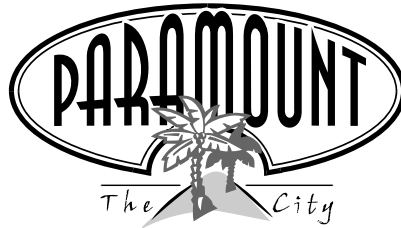


AGENDA

Paramount City Council
May 21, 2019



Adjourned Meeting
City Hall Council Chambers
5:00 p.m.

City of Paramount

16400 Colorado Avenue ♦ Paramount, CA 90723 ♦ (562) 220-2000 ♦ www.paramountcity.com

Public Comments: If you wish to make a statement, please complete a Speaker's Card prior to the commencement of the Public Comments period of the meeting. Speaker's Cards are located at the entrance. Give your completed card to a staff member and when your name is called, please go to the rostrum provided for the public. Persons are limited to a maximum of 3 minutes unless an extension of time is granted. No action may be taken on items not on the agenda except as provided by law.

Americans with Disabilities Act: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's office at (562) 220-2027 at least 48 hours prior to the meeting to enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Note: Agenda items are on file in the City Clerk's office and are available for public inspection during normal business hours. Materials related to an item on this Agenda submitted after distribution of the agenda packet are also available for public inspection during normal business hours in the City Clerk's office. The office of the City Clerk is located at City Hall, 16400 Colorado Avenue, Paramount.

Notes

CALL TO ORDER:

Mayor Tom Hansen

ROLL CALL OF
COUNCILMEMBERS:

Councilmember Laurie Guillen
Councilmember Peggy Lemons
Councilmember Diane J. Martinez
Vice Mayor Daryl Hofmeyer
Mayor Tom Hansen

PRESENTATIONS

1. [PROCLAMATION](#)

National High Blood Pressure Education
Month

2. [PROCLAMATION](#)

National Public Works Week

CITY COUNCIL PUBLIC COMMENT UPDATES

PUBLIC COMMENTS

CONSENT CALENDAR

All items under the Consent Calendar may be enacted by one motion. Any item may be removed from the Consent Calendar and acted upon separately by the City Council.

- | | | |
|----|--|--|
| 3. | <u>ORDINANCE NO. 1114 (Adoption)</u> | Approving Zoning Ordinance Text Amendment No. 11, Allowing Housing Uses and Incorporating Regulations for Housing and Mixed-Use Developments in the Clearwater East Specific Plan Area in Order to Implement the 5 th Cycle Housing Element and Comply with State Law |
|----|--|--|

NEW BUSINESS

- | | | |
|----|--|---|
| 4. | <u>APPROVAL</u> | Installation of a Disabled Parking Zone in Front of 15949 Georgia Avenue |
| 5. | <u>APPROVAL</u> | Applications for Fireworks Permits - 2019 |
| 6. | <u>ORDINANCE NO. 1113 (Introduction)</u> | Adopting a Citywide Sidewalk Vending Program in Order to Comply with Updated Provisions of State Law Regarding Sidewalk Vendors |
| 7. | <u>RESOLUTION NO. 19:019</u> | In Support of the Formation of and Inclusion in the Lower Los Angeles River Recreation and Parks District |
| 8. | <u>ORAL REPORT</u> | Code Enforcement Update |
| 9. | <u>ORAL REPORT</u> | Heritage Festival Update |

COMMENTS/COMMITTEE REPORTS

- Councilmembers
- Staff

ADJOURNMENT

To a meeting on June 4, 2019 at 6:00 p.m. at City Hall (Council Chambers), 16400 Colorado Avenue, Paramount.

MAY 21, 2019

PROCLAMATION

NATIONAL HIGH BLOOD PRESSURE EDUCATION MONTH
MAY 2019

MAY 21, 2019

PROCLAMATION

NATIONAL PUBLIC WORKS WEEK

City Council Public Comment Updates

May 21, 2019

From the May 7, 2019 Council Meeting:

Resident	Request/Issue/Concern	Action/Comment
Ms. Rebecca Guillen	Requesting that the City allow gardening boxes in residential areas to be used for agricultural purposes.	Staff is researching this, including obtaining information from other cities, and will report back to the City Council at a later date.
Ms. Gloria Fernandez	Public safety issues in the Orange/Century neighborhood.	Request for patrols forwarded to the Sheriff's Department. Neighborhood Watch meeting scheduled for 5/18.

MAY 21, 2019

ORDINANCE NO. 1114

“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARAMOUNT, APPROVING ZONING ORDINANCE TEXT AMENDMENT NO. 11, AMENDING CHAPTER 44, ARTICLE XXII, SECTION 44-259 OF THE PARAMOUNT MUNICIPAL CODE TO ALLOW HOUSING USES AND INCORPORATE REGULATIONS FOR HOUSING AND MIXED-USE DEVELOPMENTS IN THE CLEARWATER EAST SPECIFIC PLAN AREA TO IMPLEMENT THE 5TH CYCLE HOUSING ELEMENT AND COMPLY WITH STATE LAW”

MOTION IN ORDER:

READ BY TITLE ONLY, WAIVE FURTHER READING, AND ADOPT ORDINANCE NO. 1114.

MOTION:

MOVED BY: _____

SECONDED BY: _____

[] APPROVED

[] DENIED

ROLL CALL VOTE:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____



To: Honorable City Council
From: John Moreno, City Manager
By: Lana Chikami, City Clerk
Date: May 21, 2019

Subject: ORDINANCE NO. 1114

The City Council, at its regularly scheduled meeting on May 7, 2019, introduced Ordinance No. 1114 and placed it on the next regular agenda for adoption.

ORDINANCE NO. 1114

“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARAMOUNT, APPROVING ZONING ORDINANCE TEXT AMENDMENT NO. 11, AMENDING CHAPTER 44, ARTICLE XXII, SECTION 44-259 OF THE PARAMOUNT MUNICIPAL CODE TO ALLOW HOUSING USES AND INCORPORATE REGULATIONS FOR HOUSING AND MIXED-USE DEVELOPMENTS IN THE CLEARWATER EAST SPECIFIC PLAN AREA TO IMPLEMENT THE 5TH CYCLE HOUSING ELEMENT AND COMPLY WITH STATE LAW ”

Attached is the agenda report from the May 7, 2019 meeting.

RECOMMENDED ACTION

It is recommended that the City Council read by title only, waive further reading, and adopt Ordinance No. 1114.



To: Honorable City Council
From: John Moreno, City Manager
By: Kevin M. Chun, Assistant City Manager/
Community Development Director
John King, Principal Planner
Date: May 7, 2019

**Subject: ORDINANCE NO. 1114
ZONING ORDINANCE TEXT AMENDMENT NO. 11 – CLEARWATER
EAST SPECIFIC PLAN AMENDMENT**

Request

This item is a request for City Council adoption of a Zoning Ordinance Text Amendment (ZOTA) to allow housing uses and incorporate regulations for housing and mixed-use developments in the Clearwater East Specific Plan Area to implement the 5th Cycle Housing Element and comply with State law. At its April 9, 2019 meeting, the Planning Commission unanimously approved Resolution No. PC 19:008, recommending adoption of this ZOTA request.

The Clearwater East Specific Plan presently allows for swap meet, retail/commercial, office, and light manufacturing uses; but housing is not permitted. The proposed ZOTA will bring the City of Paramount in compliance with State law, and approval will allow the California Department of Housing and Community Development (HCD) to certify the Paramount Housing Element.

Background

A specific plan is a regulatory tool in California for furthering a vision for a “sense of place” and implementing a jurisdiction’s general plan (the Paramount General Plan was last comprehensively revised in 2007). The Clearwater East Specific Plan is the zoning document that encompasses the 68-acre area south of Rosecrans Avenue, west of Paramount Boulevard, north of Somerset Boulevard, and east of the Union Pacific Railroad. The chronology of the Clearwater East Specific Plan is as follows:

- 1985 – The City Council adopted a comprehensive update to the General Plan that included a broad “policy level” specific plan for the Clearwater East area.
- 1987 – The City Council adopted Ordinance No. 708 for a complete Clearwater East Specific Plan (Article XXII of Chapter 44 of the Paramount Municipal Code) to serve a planning and regulatory function. The Plan implemented the General Plan and contained applicable land use regulations constituting zoning for the Clearwater East area.
- 1993 – The City Council adopted Ordinance No. 828, amending the Clearwater East Specific Plan to allow the expansion of swap meets and the sale of alcoholic beverages for onsite consumption with an approved Conditional Use Permit (CUP).

- 1996 – The City Council adopted Ordinance No. 869, amending the Clearwater East Specific Plan to allow movie theaters with an approved CUP.
- 2008 – The City Council adopted Ordinance No. 1005, amending the Clearwater East Specific Plan to include the storage of recreational vehicles and boats with an approved CUP.

Housing Element

On February 4, 2014, the City Council adopted the 2014-2021 Housing Element Update (5th Cycle). A housing element, one of the required general plan elements, is used to identify existing and projected local housing needs and to specify measures that will be undertaken to meet the housing needs of all economic segments of a community. The Paramount Housing Element was prepared in consultation with HCD, but HCD will not certify the Housing Element until the Clearwater East Specific Plan is amended to provide the 961 housing units specified in the adopted Housing Element.

On March 5, 2019, the City Council reviewed an update of the Housing Element compliance status. Assuming the City Council adopts this proposed ordinance amending the Clearwater East Specific Plan, the Housing Element will then be in compliance with State law. Community Development Department staff has been in close contact with HCD in recent months, and they have accepted our timeline.

Paramount/South Gate Station Area Plan

On March 12, 2019, the Planning Commission reviewed the Draft Paramount/South Gate Station Area Plan. The City Council reviewed the Station Area Plan on April 2, 2019. Gruen Associates, an established multidisciplinary firm in partnership with Eco-Rapid Transit, City of Paramount, and City of South Gate, began working in 2017 on this conceptual land use planning study for the areas along the West Santa Ana Branch (WSAB) transit corridor.

The Station Area Plan includes the land within one-half mile of the two station areas – an aerial station platform planned above the intersection of Paramount Boulevard and Rosecrans Avenue in Paramount; and a second station serving as a transfer station with the Metro Green Line will be located in South Gate, immediately to the north of the Paramount/South Gate boundary. The Vision Plan section of the Paramount/South Gate Station Area Plan includes a conceptual update to the Clearwater East Specific Plan Area that provides a strong framework for the Clearwater East Area.

Proposed Amendments

The primary amendment to the Clearwater East Specific Plan to obtain final certification with HCD is the inclusion of housing as an allowable use and development option. The proposed changes follow statute and the adopted Housing Element, and they also

reflect existing architectural and design regulations for the R-M (Multiple Family Residential) zone. Housing development regulations include criteria for parking, landscaping, objective architectural design standards, setbacks, and refuse storage and disposal.

Housing Element Compliance

As described last month with the City Council review of the Station Area Plan, the importance of approving a Zoning Ordinance Text Amendment to obtain Paramount Housing Element compliance cannot be understated. In 2017, Governor Brown signed AB 72, which increases accountability and State of California enforcement to ensure jurisdictions implement housing elements. AB 72 grants HCD authority to review any action or failure to act by a local government that it determines is inconsistent with an adopted housing element or housing element law. Cities that fail to implement program actions in an adopted housing element are subject to such enforcement. HCD may revoke housing element compliance if the local government's actions do not comply with State law.

AB 72 also authorizes HCD to notify the Attorney General if HCD finds that the housing element, or any city action or failure to act, does not comply with State law. As an example of Attorney General action, on January 25, 2019, HCD filed a lawsuit against the City of Huntington Beach. HCD is seeking a writ of mandate from the Superior Court to order Huntington Beach to bring their housing element into immediate compliance, all at exceptional legal and potentially punitive cost to that city. In the leadup to the State lawsuit, HCD had sent a series of letters to Huntington Beach, culminating in a notice of noncompliance on November 18, 2018.

Similar to Huntington Beach, HCD has been in written and verbal communication with City of Paramount staff. Additionally, Community Development Department staff met with the Deputy Director of Housing Policy Development and his staff at the HCD offices in Sacramento in October 2018 to discuss a compliance timeline for the Paramount Housing Element. On December 28, 2018, HCD issued a noncompliance letter (copy attached), which is clearly a "final warning" before HCD invokes the legal option. Fortunately, to date the proposed Clearwater East Specific Plan revision (building upon the Station Area Plan reviewed by the Planning Commission and City Council last month) has remained on schedule to the apparent satisfaction of HCD. However, any further delay of implementing the changes in the adopted Paramount Housing Element will surely trigger HCD notification of Attorney General Xavier Becerra to begin legal proceedings.

Aside from liability, a noncompliant housing element will also render the City ineligible for grant funding, and Governor Newsom is in the process of tying local transportation funds (used to pave streets, repair sidewalks, and other road projects) to compliant housing elements. In summary, a noncompliant housing element would jeopardize millions of dollars of transportation funds to the City (e.g., SB 1 Transportation Funds,

SB 1 Planning Grant funds, SB 1 Sustainable Communities grant funds, SB 2 Planning Grant funds, the Strategic Growth Council/HCD's Affordable Housing and Sustainable Communities programs, and potentially all transportation funds from Metro/Los Angeles County) and expose the City to inordinate legal expenses.

Alternatives

If the proposed Clearwater East amendment to allow housing is set aside, and if the City Council were to opt to expend funds to legally counter HCD and the State Attorney General, the Clearwater East Specific Plan would remain unchanged. As such, with the majority landowner considering development opportunities, the existing development options for the primary landowner would remain exclusively Commercial, Office/Professional, and Industrial. Of these non-housing possibilities, industrial/warehouse developers (such as Amazon-related distribution centers) have been soliciting the landowner more so than other developers. To date, City staff has been able to stall such development with looming implementation of the Paramount Housing Element, but any action to delay implementation and/or counter HCD and State law could quickly open up the site to serious industrial development proposals to meet market demands (and the resulting impacts from additional trucks on Paramount streets).

Another realistic result of resisting HCD and the Attorney General is a broader mandate by the State of California to usurp local authority and directly oversee City of Paramount zoning. In this scenario, local land use controls would fall to the State, and all land within one-half mile of the two planned West Santa Ana Branch light rail stations would potentially be subject to dense, multifamily residential zoning. Single-family neighborhoods would in effect lose their Single-Family Residential (R-1) designation and be open to apartment or condominium development, and the State could demand even higher density development in existing multiple-family residential (R-M) neighborhoods, such as the area known as Clearwater North with Arthur Avenue, McClure Avenue, Laredo Avenue, Denver Street, Pearle Street, Howe Street, and Rose Street.

As expressed to the City Council at its last meeting with review of the Station Area Plan, the existing housing crisis and chronic homeless situation are leading the State's position to aggressively enforce housing element compliance and encourage housing production. This position is vigorously supported by Governor Newsom and the State Legislature. Clearly, staff does not recommend countering the State's housing policies as the existing development alternatives would be detrimental to the City's planning goals and quality of life for Paramount residents.

Public Notification

Extensive public outreach was conducted to solicit public input about the Housing Element update. In addition to the publicly noticed Planning Commission public hearing on September 10, 2013 and the City Council public hearing on February 4, 2014, the City hosted community meetings on August 8, 2013 and August 22, 2013 to introduce the Housing Element revision and obtain comments. The meetings were advertised on

the City's webpage, in the Paramount Journal, as a bulletin board posting in various public facility locations, and through the distribution of flyers. Furthermore, the draft Housing Element was prominently posted on the City website for public opportunity to review the document in the course of its preparation.

Community engagement has also been a priority in the development of the associated Paramount/South Gate Station Area Plan, and a multitude of outreach types have taken place to solicit public input, including:

- Project website at www.ParamountSouthGateWSAB.com (active and updated since August 2017).
- Pop-up booth at Summer Concerts, Farmers Market, and Eco-Friendly Fair events (2017-2019).
- Community workshop that culminated in community groups presenting their proposed vision and improvements (August 19, 2017).
- Social media posts:
 - Project updates on multiple social media platforms (23 updates between August 2017 and April 2019).
 - City of Paramount social media posted workshop information and shared project invitation to workshop (August 2017).
- 5,000 project flyers hand-delivered around stations (August 2017).
- Additional project flyers available at entry of City Council Chambers for several months (August to November 2017).
- Directly phoned/emailed list of 21 neighborhood watch leaders (August 2017).
- Community Development Department staff announced workshop and pop-up events at a Public Safety Commission meeting (August 2017).
- Economic Development Board meeting presentations – (June 13, 2017 and August 14, 2017).
- Community Development Department staff presented Station Area concepts to the Youth Commission (March 11, 2019).
- Planning Commission and City Council meeting presentations – each with a variety of public notification types (June 6, 2017, August 8, 2017, December 12, 2017, March 12, 2019, and April 2, 2019).
- Business owner outreach. The project group met with Swap Meet management, the owner of property at northeast corner of Paramount Boulevard and Rosecrans Avenue, the owners of Contreras Furniture, and the owners of Shakey's Pizza (July 24, 2017).

Next Steps

While an adopted amendment to the Clearwater East Specific Plan will meet the minimum requirements of HCD, a more detailed and deliberative update to the Specific Plan will still be needed. In the coming months, Community Development Department staff will secure grant funding for a more robust Clearwater East Specific Plan, and will keep the City Council informed of progress.

RECOMMENDED ACTION

It is recommended that the City Council read by title only, waive further reading, introduce Ordinance No. 1114, and place it on the next agenda for adoption.

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**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov

RECEIVED

2019 JAN -4 AM 10:46

CITY OF PARAMOUNT



December 28, 2018

John Moreno, City Manager
City of Paramount
16400 Colorado Avenue
Paramount, CA 90723

RE: 5th Cycle (2013-2021) Housing Element Notice of Noncompliance

Dear John Moreno:

The Department of Housing and Community Development (HCD) is responsible for administering State Housing Element Law (Article 10.6 of the Government Code), including the review of local housing elements for compliance pursuant to Gov. Code, section 65585, subdivision (b). In 2017, Governor Brown signed the 2017 Housing Package, which provides a renewed focus on housing, one of the most basic needs for every Californian. Chapter 370 Statutes of 2017, Assembly Bill (AB) 72 expands and clarifies HCD's enforcement authorities. Under Gov. Code, section 65585, subd. (i)(1)(A), HCD must review any action or failure to act that it determines is inconsistent with an adopted housing element or Gov. Code, section 65583, and issue written findings to the locality as to whether the action or failure to act substantially complies with Article 10.6 of the Government Code.

The 5th cycle planning period for the City of Paramount is October 15, 2013 to October 15, 2021.

On December 30, 2013, the City of Paramount submitted a draft housing element to HCD for review.

On January 27, 2014, HCD issued findings stating Paramount's housing element would not be found in compliance unless and until zoning amendments pursuant to Gov. Code, section 65583, subd. (a)(4)(A) are implemented and the element adopted.

On February 13, 2014, Paramount submitted an adopted housing element to HCD.

On March 10, 2014, HCD issued findings stating Paramount's housing element would not be found in compliance unless and until zoning amendments required by Gov. Code, section 65583, subd. (a)(4)(A) are implemented.

On May 7, 2018, HCD issued a letter inquiring about the status of zoning amendments.

On May 14, 2018, the City of Paramount proposed a schedule for implementation of zoning amendments required pursuant to Gov. Code, section 65583, subd. (a)(4)(A).

On July 2, 2018, HCD accepted the proposed schedule, but reminded Paramount of additional zoning amendments required pursuant to Gov. Code, section 65584.09.

On July 31, 2018, Paramount submitted documentation demonstrating implementation of zoning amendments required by Gov. Code, section 65583, subd. (a)(4)(A).

On September 4, 2018, HCD issued findings to Paramount acknowledging completion of zoning amendments required pursuant to Gov. Code, section 65583, subd. (a)(4)(A). However, the city failed to implement zoning actions required pursuant to Gov. Code, section 65584.09. Therefore, the housing element remains noncompliant.

As of the date of this correspondence, Paramount has failed to adopt a 5th cycle housing element in compliance with State Housing Element Law.

This failure to act constitutes a violation of Gov. Code Article 10.6, including, but not limited to, sections 65583, 65589.5, 65863, 65915 and 65008. HCD has determined that the city failed to act in compliance with section 65583 when it failed to submit a compliant adopted housing element by its 5th cycle due date of October 15, 2013. Under Gov. Code, section 65585, subd. (i)(1)(A), HCD provides the city until January 25, 2019 to respond to these written findings. HCD reserves the right to take further action, including those actions authorized by Gov. Code, section 65585, subd. (i) and (j).

Many federal, state, and regional funding programs consider housing element compliance as a condition for receipt of funds. (Senate Bill 1 Sustainable Communities grants; the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities programs; and Senate Bill 2 Planning Grant). Without a compliant housing element, Paramount may be ineligible for such funding sources. HCD welcomes the opportunity to assist Paramount comply with housing element law. Please see the enclosure for a list of ways HCD can help.

If you have questions or need additional information, please contact Robin Huntley of our staff at (916) 263-7422.

Sincerely,



Zachary Olmstead
Deputy Director

Enclosure

CITY OF PARAMOUNT
LOS ANGELES COUNTY, CALIFORNIA

ORDINANCE NO. 1114

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARAMOUNT, APPROVING ZONING ORDINANCE TEXT AMENDMENT NO. 11, AMENDING CHAPTER 44, ARTICLE XXII, SECTION 44-259 OF THE PARAMOUNT MUNICIPAL CODE TO ALLOW HOUSING USES AND INCORPORATE REGULATIONS FOR HOUSING AND MIXED-USE DEVELOPMENTS IN THE CLEARWATER EAST SPECIFIC PLAN AREA TO IMPLEMENT THE 5TH CYCLE HOUSING ELEMENT AND COMPLY WITH STATE LAW

WHEREAS, California Constitution Article XI, Section 7, enables the City of Paramount ("the City") to enact local planning and land use regulations; and

WHEREAS, the authority to adopt and enforce zoning regulations is an exercise of the City's police power to protect the public health, safety, and welfare; and

WHEREAS, the City desires to ensure that development occurs in a prudently effective manner, consistent with the goals and objectives of the General Plan as updated and adopted by the City Council on August 7, 2007 and reasonable land use planning principles; and

WHEREAS, a housing element is one of the required general plan elements as mandated by the State of California. On February 4, 2014, the City Council adopted the 2014-2021 Housing Element (5th Cycle); and

WHEREAS, the adopted Housing Element (5th Cycle) includes the Clearwater East Specific Plan Amendment Program, which commits the City to amend the Clearwater East Specific Plan to permit housing densities of a minimum of 20 units per acre and up to 22 housing units per acre;

WHEREAS, this project was considered under provisions of the California Environmental Quality Act (CEQA) at the time of adoption of the Housing Element (5th Cycle);

WHEREAS, the Planning Commission held a duly noticed public hearing on April 9, 2019 at which time it considered all evidence presented, both written and oral, and at the end of the hearing voted to adopt Resolution No. PC 19:008, recommending that the City Council adopt this Ordinance; and

WHEREAS, the City Council held a duly noticed public hearing on this Ordinance on May 7, 2019, at which time it considered all evidence presented, both written and oral.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PARAMOUNT DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 44-259 of the Paramount Municipal Code is hereby amended to read as follows:

"Section 44-259. Adoption by Reference.

There is hereby adopted by reference that document known as the Clearwater East Specific Plan, which shall contain all applicable land use regulations constituting zoning for the Clearwater East area. Said document shall be that document contained in Exhibit A of Ordinance No. 1114."

SECTION 2. If any section, subsection, subdivision, sentence, clause, phrase or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 3. This Ordinance shall be certified as to its adoption by the City Clerk and shall be published once in the Paramount Journal within 15 days after its adoption together with the names and members of the City Council voting for and against the Ordinance.

PASSED, APPROVED, and ADOPTED this 21st day of May 2019.

Tom Hansen, Mayor

Attest:

Lana Chikami, City Clerk

EXHIBIT "A"

CLEARWATER EAST SPECIFIC PLAN

CLEARWATER EAST SPECIFIC PLAN

(DRAFT AMENDMENT BY ORDINANCE NO. 1114 – MAY 7, 2019)

CLEARWATER EAST SPECIFIC PLAN

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- III. DEVELOPMENT PLAN CONCEPT**
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CLEARWATER EAST SPECIFIC PLAN

I. EXECUTIVE SUMMARY

- The Clearwater East Specific Plan area encompasses approximately 68 acres within North-Central Paramount.
- The Specific Plan is written under the authorization of California Government Code Title 7, Division 1, Chapter 3, Article 8, Sections 65450 through 65457.
- The plan is consistent with the Paramount General Plan.
- The plan implements the Paramount General Plan and serves a regulatory function which constitutes the zoning for the Clearwater area.
- The plan may be amended in the same manner and process by which it was originally adopted.
- The plan concept provides flexible land use options that allows maximum development potential. This land use mix may include “housing,” “industrial,” “business park,” “public/quasi-public,” “urban space” and “commercial” uses.
- Development regulations and design guidelines are included for each land use type in order to ensure quality products within the development and compatibility with adjacent land uses.

II. INTRODUCTION

A. PROJECT DESCRIPTION AND LOCATION

The Clearwater project area is approximately 68 acres located in the north-central area of Paramount. Existing development includes church, office, commercial, and industrial buildings that vary both in size and quality of structure, as well as a Swap Meet/Drive-in theater complex.

The site has access to three major streets that act as boundaries of the project area. The streets are Rosecrans Avenue to the north, Paramount Boulevard to the east and Somerset Boulevard to the south. A Union Pacific rail line right-of-way is the western boundary of the property. Access to the proposed West Santa Ana Branch light rail station at the intersection of Paramount Boulevard and Rosecrans Avenue makes the area a prime location for redevelopment.

Adjacent uses to the site include the Clearwater North and Howe/Orizaba Specific Plan areas to the north; Paramount Park and Paramount Park Community Center, the Paramount Park Middle School, Paramount High School – West Campus, and residential neighborhoods to the east; the Central Industrial and Central Business Districts to the south; and the Clearwater West Specific Plan area to the west.

B. SCOPE AND AUTHORITY

The California Government Code authorizes cities to adopt Specific Plans under Title 7, Division 1, Chapter 3, Article 8, Sections 65450 through 65457. Specific Plans may be adopted by resolution, becoming policy, or by ordinance, becoming regulation. Public hearings before the Planning Commission and City Council are required before adoption.

The Clearwater East Specific Plan is a regulatory plan. Development plans or agreements, tract or parcel maps, or any development of land use approval requiring ministerial or discretionary actions must be consistent with the Specific Plan which itself is consistent with the General Plan.

C. STATEMENT OF PURPOSE

When adopted by City ordinance, the Specific Plan serves a Planning and regulatory function. It implements the Paramount General Plan, contains applicable land use regulations, and constitutes zoning for the Clearwater East area.

D. AMENDING THE PLAN

Requirement and Procedures: This plan may be amended at any time in the same manner and process by which the plan was originally adopted. An amendment or amendments shall not require a concurrent General Plan amendment unless by determination of the Director of Community Development, the General Plan goals, objectives, policies, or programs would be substantially affected by the proposed change.

Ministerial Action: The addition of new information to the Specific Plan that does not change the effect of any concepts or regulations may be made administratively by the Director of Community Development, subject to appeal to the Planning Commission.

E. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE

This Specific Plan Amendment is accompanied by a Negative Declaration which addresses potential impacts of the proposed amendment in conformance with the guidelines of the State of California.

III. DEVELOPMENT PLAN CONCEPT

A. INTRODUCTION

The Clearwater East Specific Plan area has been designed as a project of various land use types that have been carefully integrated into a multi-purpose redevelopment district. It is the intention of the plan to provide quality development, employment, and service opportunities for residents in and around the City, and to create a land use pattern that is compatible with the surrounding neighborhoods.

Specific land use recommendations include housing, light industrial, office/business park, commercial, and public/quasi-public uses. This concept was developed and based upon the objectives set forth by the Paramount General Plan and analysis of market conditions.

The development plan is the foundation by which the accompanying regulations and design guidelines have been developed. These will be used in the discretionary review and approval process for projects that are proposed for this area.

The development plan recognizes the need for land use flexibility in conjunction with reviewing usability potential and optimum market choices for specific sites within the project area.

B. OBJECTIVES AND POLICIES

The following list of objectives and policies for the Clearwater East Specific Plan was adopted from the Clearwater East Policy Level Specific Plan within the Paramount General Plan. These objectives were instrumental in formulating policy guidance, designing the development plan, and drafting supporting regulations.

Objectives;

1. Construct and maintain buildings and associated sites to support and improve community health and well-being.
2. Advocate for and require sustainable design to the maximum extent feasible.

3. Encourage and provide support for mixed-income developments.
4. Strive for pedestrian-oriented design with walkability-enhancing features.
5. Increase access to active transportation options to promote health living, provide mobility alternatives, and decrease dependency upon automobiles.
6. Create a pattern of development that allows the most efficient possible use of the land and establishes and develops a true sense of place.
7. Promote the highest quality of development that can be sustained by the market.
8. Eliminate vehicle congestion on Paramount Boulevard and at intersecting arterials.
9. Improve the appearance of existing development along major street corridors within the plan area.
10. Provide improved public street access to development parcels.
11. Resolve land use conflicts.
12. Encourage an appropriate mix of uses that are responsive to market opportunities and that yield strong revenue flow to the City.
13. Preserve and upgrade existing commercial and industrial land use.
14. Provide optimum development choices to property owners where such choices make sense from a land use compatibility standpoint.
15. Assist in maintaining and improving long-term community educational and empowerment opportunities.

Policies:

1. Development of office use is acceptable in-lieu of commercial land use with a Conditional Use Permit.
2. Development or expansion of “commercial” and “commercial/industrial” uses are allowed with a Conditional Use Permit.
3. Restricted and/or limited access will be observed for purposes of safety and circulation.

4. Appropriate design buffers will be established to ensure compatibility of land uses.

C. LAND USE PLAN

The Clearwater East Land Use Plan is designed to produce a quality multiple use district and provide a positive interaction between land use types.

Land Use	Acres	Percent of Total Acres
Industrial/Housing	45.00	60%
Business Park/Housing	15.00	22%
General Commercial/Housing	4.50	6.50%
Public/Quasi-Public	3.50	5.50%
TOTAL	68.00	100%

SPECIFIC PLAN AREA



IV. DEVELOPMENT REGULATIONS

A. INTRODUCTION

These Development Regulations implement the Clearwater East Specific Plan. The regulations are adopted by ordinance pursuant to Article 8, Authority for Scope of Specific Plans of the Government Code in compliance with Sections 65450 and 65453 thereof. The regulations are divided into sections as follows:

1. General Development Provisions: Statements of use regulation and management practices common to all land use types.
2. Commercial Provisions: Statements of use and development regulations for commercial land use development.

3. Office/Professional Provisions: Statements of permitted and unpermitted uses and development criteria for office development.
4. Industrial Provisions: Statements of permitted and unpermitted uses and project development criteria within industrial areas.
5. Housing Provisions: Statements of permitted and unpermitted uses and development criteria for housing development.

B. GENERAL DEVELOPMENT PROVISIONS

1. Conflict in Regulations: Whenever the regulations contained in this text conflict with the regulations of Chapter 44 of the Paramount Municipal Code, the regulations of the Clearwater East Specific Plan shall take precedence.
2. Property Owners' Association By-Laws: All Property Owners' by-laws and conditions, covenants, and restrictions (CC&Rs) shall be approved by the City Engineer and recorded concurrent with final map recordation where property is subdivided and prior to issuance of certificates of occupancy where property is not subdivided.
3. Property Maintenance: The Property Owners' Association shall be responsible for the maintenance, repair, replacement, restoration, operation, and management of all the common area and all facilities, improvements, equipment, and landscaping thereon, and all property that may be acquired by the Association. Maintenance shall include, without limitation, painting, maintaining and repairing and replacing all common areas, exterior building surfaces, landscaping, and parking areas. The Association shall also be responsible for maintaining and repairing all fences, walks, sewers, drains, curbs, sidewalks, roadways, and parking areas which are built or maintained within the Specific Plan area.

A financing and management mechanism for the community-wide property maintenance program shall be established prior to the recordation of the first tentative tract map approved under this Specific Plan.

Incremental phases of property improvements and the property maintenance program including, but not limited, to landscaping, hardscape, irrigation, equipment, lighting, signage, management, organization, financing, mechanism, and operation rules shall be in place and operational prior to any Certificate of Occupancy.

4. Landscape Plans: A master landscape and irrigation plan shall be submitted and approved by the Director of Community Development. The plan shall comply with the Model Water Efficient Landscape Ordinance (MWELO) of the State of California and Article XXIV (Water-Efficient Landscape Provisions) of Chapter 44 of the Paramount Municipal Code. The plan shall contain designs for the following components: Primary and secondary entrances, roadways, intersections, open space/pedestrian paths, and parking areas. The design of these components shall contain architecturally consistent wall materials, plant materials, and adequate lighting. Landscape plans shall place heavy emphasis on the use of mature trees and dense planting materials throughout the entire Specific Plan area, including streetscapes. All landscape improvement plans, including the Master Plan, developed pursuant to this requirement, will be prepared by a licensed landscape architect. Any changes to the approved master landscape plan must be approved by the Development Review Board.
5. Utilities: All utility lines shall be underground. No pipe, conduit, cable, line for water, gas, sewage, drainage, electricity or any other energy or service component shall be installed or maintained upon any lot (outside of any building) above the surface of the ground, except for hoses, movable pipes used for irrigation, or other purposes during construction or transformers.
6. Vehicular Access: Each building or lot shall have permanent access to a street or alley on which the building or lot abuts. Whenever possible, access to each lot or building shall be provided from the internal circulation system.
7. Outdoor Screening Materials: The use of exterior sun screens and awnings which are not approved as part of the initial building development review process shall be prohibited, unless prior approval is obtained from the Paramount Development Review Board.
8. Exterior Security Bars and Screens Prohibited: The use of exterior security bars, screens, and other security devices which are visible from the public right-of-way shall not be permitted within the Specific Plan area unless prior approval is obtained from the Paramount Development Review Board.

9. Alterations: No owner or tenant shall, whether at his or her own expense or otherwise, do, make, or suffer any alteration, addition, or modification to any portion of the Common Area nor shall he install, attach, paste, hinge, screw, nail, build, or construct any lighting, decoration, or other articles or thing thereto until plans and specifications showing the nature, kind, shape, height, materials, and locations of the same shall have been submitted to and approved in writing by the Paramount Development Review Board.
10. Storage: No storage shall be permitted outside of any building, unit, or lease space.
11. Parking: All required parking spaces are to be maintained by the owner and/or tenant within the respective development solely for the temporary parking of vehicles owned by tenants, building owners, or their guests.
12. Signs: The City of Paramount will review all proposed signage for individual projects. Review shall include, but not be limited to: size, uniformity, number, type-face style and uniformity, lighting conditions, installation conditions, and directional signage. Additional criteria is specified under individual land use types.
13. Art in Public Places: A mandatory one percent (1%) of construction cost assessment is to be contributed to the general "Art in Public Places" fund of the City of Paramount by the developer of projects within the Specific Plan area.
14. Color and Materials: Use of all color and material selected for projects is subject to the City review and approval prior to construction.

C. COMMERCIAL DEVELOPMENT PROVISIONS

1. Permitted Uses:
 - Appliance stores
 - Bakeries
 - Banks and saving and loan institutions
 - Barber and beauty shops
 - Blueprinting and printing establishments
 - Book and stationery stores
 - Dairy products, retails sales of
 - Dress shops
 - Drug stores
 - Dry cleaners
 - Dry goods, notion stores, and boutiques

- Florist shops
- Furniture stores
- Grocery stores and delicatessen shops
- Hardware stores
- Insurance agencies
- Jewelry stores
- Locksmiths
- Meat markets
- Photographic supply stores
- Real estate brokers and sales offices
- Shoe repair/stores
- Wearing apparel
- Other similar retail or service establishments, or businesses when interpreted by the Planning Commission as to performance standards set forth in this zone

2. Uses Subject to a Conditional Use Permit: The following uses may be permitted; provided that a conditional use permit is first obtained.

- Any new or expanded swap meet uses
- Any establishment offering alcoholic beverages for sale for consumption on the premises
- Drive-through establishments of any type
- Restaurants, coffee shops, fast food, take-out service or other such retail food establishment
- Stores with sale of liquor for off-site consumption that exceeds 50 percent of their gross sales
- Any exterior placement of public telephones, antennae, satellite antennae, or radio, microwave, or other such transmission device which is not in a fully-enclosed building
- All office and professional uses, including medical/dental clinics

3. Prohibited Uses: The following uses are prohibited in this zone.

- Bars or cocktail lounges, where no food is served
- Automotive repair or service
- Coin-operated or other laundries
- Exterior display of merchandise other than as part of an approved Special Event Sale or Grand Opening
- Game arcades
- Tire shops, sales or service
- Billiard parlors

- Churches
- Fraternal or social organizations
- Vocational schools
- Fabrications or manufacturing uses of any kind
- The use or handling of radioactive materials
- No exterior storage of vehicles, materials, supplies, equipment, or machinery shall be permitted whether open or in tanks, bins or other container devices.
- Retail or service establishments or business enterprises when interpreted by the Planning Commission to be in conflict with the development standards as set forth in this plan
- All other uses not specifically permitted or conditionally permitted by this ordinance

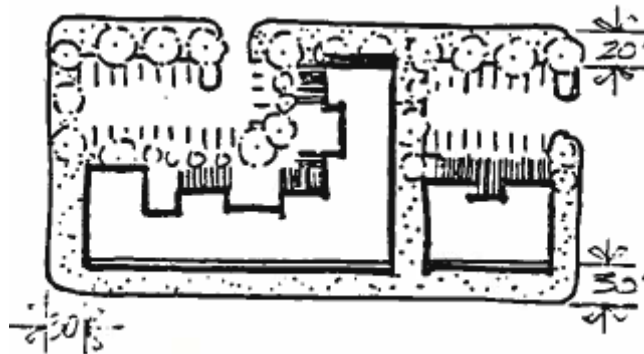
Any use which creates any of the following adverse effects shall be specifically prohibited:

- Any noise or vibration other than related to temporary construction work which is discernible without instruments at any lot line of the site
- Any electrical disturbance adversely affecting the operation of any equipment other than that of the creator of such disturbance
- Any direct or reflected glare or heat which is perceptible at any point outside of any building
- Hours of loading and unloading shall be prohibited between the hours of 10:00 p.m. and 7:00 a.m.

4. Development Standards:

a. Setbacks:

- Front setbacks are not to be less than 20 feet from the right-of-way.
- Side and rear setbacks are not to be less than 30-feet from the project property lines.



b. Parking:

- One parking space is required for each 250 square feet of building area. Up to 25 percent of the required parking spaces may be designed for compact automobiles, with each compact space measuring at least 8 feet in width by 16 feet in length.

c. Sign Standards:

- Specific dimensions and specifications for development of particular sign types as listed in City of Paramount Central Business District Signage Guidelines should be followed.

- General Guidelines:

- 1) “Net Sign Area”: The “net sign area” is defined as the overall height and width of the sign (including all trim or molding). Other definitions as listed in the City ordinance shall be used in conjunction with this guideline.

No more than two rows of letters are permitted, provided their maximum total height does not exceed the height of the “net sign area.”

All lettering shall be restricted to the “net sign area”. (See design criteria for specific signage type.)

No projections above or below the “net sign area” will be permitted.

Individual logos may be located anywhere within the “net sign area”, provided their height does not exceed the height of the “net sign area”.

- 2) Sign Area Limitations: Suspended signs, individual letters, and individual letter plaques shall be limited to 1 ½ square feet per lineal foot of building façade frontage and a maximum of 60 percent of the premises width. See City ordinance for additional limitations. See specific criteria for signs not mentioned above.

- 3) Awning signs shall be permitted subject to individual letter sign criteria. An awning sign shall be defined as a sign which displays type-face and/or logo on canvas/other “fabric” material. Material is assumed attached to a structural framework.
- 4) The owner/occupant/tenant shall submit a sign drawing to the appropriate City authority or approval prior to the start of any sign construction or fabrications. Owners/occupants/tenants are encouraged to review adjacent signing conditions prior to establishing their sign to develop signing that is compatible and consistent.
- 5) The letter type, logos, and their respective colors shall be submitted to the City for written approval prior to fabrication.
- 6) Non-typical signs not mentioned in this guideline or the City ordinance shall be subject to review and approval by the Community Development Department.
- 7) One “sign space” shall be allowed for each building façade. The tenant shall verify the sign location and permitted sign with the City prior to fabrication.
- 8) Address numbers should be applied to each store by the owner/occupant/tenant’s sign company during the regular course of construction. For purposes of store identification, owner/occupant/tenant will be permitted to place upon each entrance to its demised premises not more than 14 square inches of gold leaf or decal application lettering not to exceed 2 inches in height, indicating hours of business, emergency telephone, etc. The number and letter type-face shall be subject to City approval.
- 9) The owner/occupant/tenant shall display only their established trade name of their basic product name or combination thereof.

- Prohibited Signs:
 - 1) Signs Constituting a Traffic Hazard: No person shall install or cause to be installed or maintained any sign which simulates or imitates in size, color, lettering, or design any traffic sign or signal, or which makes use of the words “STOP”, “LOOK”, “DANGER” or any other words, phrases, symbols, or characters in such a manner to interfere with, mislead, or confuse traffic.
 - 2) Signs on Doors, Windows, or Fire Escapes: No window signs affixed to the glass will be permitted; however, “temporary” signs will be permissible if set a minimum 30-inch distance from the glass on an easel. No signs shall be installed, relocated, or maintained so as to prevent free ingress to or egress from any door. No sign of any kind shall be attached to a stand pipe except those signs as required by code or ordinance. All “temporary” signs require approval by the City.
 - 3) Animated, Audible, or Moving Signs: Signs consisting of any moving, swinging, rotating, flashing, blinking, scintillating, fluctuating or otherwise animated light are prohibited.
 - 4) Off-Premise Signs: Any signs installed for the purpose of advertising a project, event, person, or subject not related to the premises upon which said signs are located are prohibited.
 - 5) Vehicle Signs: Signs on or affixed to trucks, automobiles, trailers, or other vehicles which advertise, identify, or provide direction to a use or activity not related to its lawful making of deliveries of sales or merchandise or rendering of services from such vehicles are prohibited.
 - 6) Signs on Public Property or Public Rights-of-Way: Signs are not to be erected, placed, or relocated such that any public properties or public areas are encroached upon. Signs shall not be built upon, over, or across such public facilities or areas. Pylon and monument signs

where allowed may be built within landscape setbacks.

- 7) Temporary Signs: Signs painted on building elevations, canopies, overhangs, parapets, etc., are not permitted.

d. Special Event Sales and Grand Openings

Special event sales and grand openings shall be as per Paramount Municipal Code Section 44-104.7.

e. Development Review Board Approval and Guidelines

Development must be approved by the Development Review Board prior to the issuance of a building permit for any building or structure. Modifications to any structure within this area shall comply with architectural guidelines as listed in this section.

D. OFFICE/PROFESSIONAL DEVELOPMENT PROVISIONS

The intention of these provisions is to provide business and professional office structures of superior design and quality. All improvements and operations shall conform to the following provisions:

1. Permitted Uses: The following uses are permitted in this zone:

- Advertising Agencies
- Arts and Craft studios subject to the condition that:
 - The major character be that of providing a service
 - All equipment or apparatus used be of a scale and construction that facilitate easy handling and operation by nonprofessionals
 - Operations not be noxious or objectionable to surrounding property or endanger those people coming in close contact to the subject operation
- Banks and Savings and Loan Institutions
- Barber Shops and Beauty Salons
- Coin Shops
- Dental Laboratories
- Employment Agencies
- Escrow Offices
- Insurance Agencies
- Laboratories (biochemical and X-ray)
- Libraries
- Medical – Dental Buildings

- Pharmacies
 - Professional Offices, including:
 - Accountants
 - Attorneys
 - Doctors, Dentists, Optometrists, Ophthalmologists, Chiropractors, and others licensed by the State to practice healing arts
 - Planners, Engineers, and Architects
 - Realtors
 - Studios, including:
 - Interior Decorating, Photography, Couturier, Artist, and Music
 - Travel Agencies
 - Other business and professional offices consistent with the purpose and intent of this zone as determined by the Planning Commission
2. Uses Subject to a Conditional Use Permit: The following uses may be permitted provided a conditional use permit is first obtained:
- Day Care Centers
 - Day Treatment Hospitals
 - Gymnasiums
 - Health Clubs
 - Hospitals
 - Private Clubs, Fraternities, Sororities, Lodges, and Nonprofit Organizations for Young People
 - Convalescent Homes
3. Limitations and Conditions: All permitted uses shall be subject to the following conditions and limitations:
- All uses shall be conducted within an enclosed building (excluding parking lots)
 - Storage shall be limited to the accessory storage of supplies utilized in the business on the premises and shall be within an enclosed building
 - All products made incidental to a permitted use which are manufactured, processed, or treated on the premises shall be sold on the premise and at retail only
4. Sign Standards:
- a. The sign shall display only the established trade or business name or basic product name, or a combination thereof

- b. Permitted sign types shall include wall, plaque, undercanopy, suspended, address, projecting, or monument

- c. The following sign types shall be prohibited:

Signs constituting a pedestrian or vehicular traffic hazard; unlawful advertising; off-premise signs; mobile billboards; vehicle signs attached to motor vehicles that are parked on or adjacent to property for more than 24 consecutive hours, the principal purpose of which is to attract attention to a product sold, service offered, or business located on the property; pole signs; light bulb strings and exposed tubing; banners, pennants, flags, and balloons used as permanent signs; signs in proximity to utility lines; signs on public property or public rights-of-way; can (cabinet) style wall signs; painted wall signs; flat, unframed metal/wood/acrylic "panel" signs; roof mounted signs; vinyl awnings; obscene or offensive signs containing statements, words, or pictures of an obscene or indecent character which appeal to the prurient interest in sex, or which are patently offensive and do not have serious literary, artistic, political, or scientific value; signs advertising home occupations; signs erected in a manner that a portion of their surface or supports will interfere with the free use of a fire escape, exit or standpipe, or obstruct a required ventilator, door, stairway, or window above the first floor, or create other hazards; signs not in compliance with the provisions of this chapter.

- d. Lettering shall be individual letters, and all lettering shall have trim caps

- e. Specific design criteria for wall, plaque, undercanopy and suspended signs shall be as follows:

One sign space shall be allowed for each occupant. The occupants shall verify the sign location and size with the City prior to installation or fabrication

- f. No more than two rows of letters are permitted, provided their maximum total height does not exceed the height of the net sign area (overall height and width of the sign, including all trim or molding).
- g. Maximum sign area shall be one and one-half (1-1/2) square feet of sign area per one lineal foot of building frontage.

- h. Maximum sign width shall not exceed sixty percent (60%) of the building width.

5. Specific design criteria for address signs shall be as follows:

- a) Each occupant shall be allowed to place upon each primary entrance not more than one hundred forty-four square inches of gold leaf or decal application lettering not to exceed two inches in height indicating hours of business, emergency telephone, etc. Type face shall be subject to approval by the Community Development Director.
- b) Premise numbers shall be placed on a wall facing the street on which the number is assigned, and shall be permanent in character and of contrasting color so as to be easily readable.

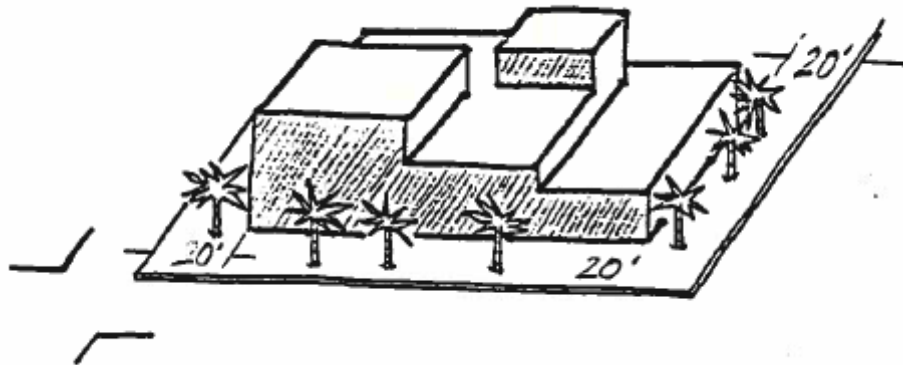
6. Specific design criteria for monument signs shall be as follows:

- a) Monument signs shall be allowed where the site area equals one-half acre or more, or on sites which have a minimum ten-foot landscaped setback.
- b) Monument signs shall be placed in a landscaped planter area which shall include a minimum of two hundred square feet
- c) One monument sign shall be allowed per one hundred fifty lineal feet of street frontage
- d) No more than two rows of letters are permitted, provided their maximum total height does not exceed the height of the net sign area (overall height times width of the signs, including all trim and molding)
- e) Monument signs shall display only the project title or name of the same of the major tenant
- f) Maximum sign area shall be one-half foot of sign area per lineal foot of street frontage, not to exceed 100 square feet of sign area

7. Development Standards

- a) Height. The height of buildings shall not exceed forty-five (45) feet

- b) Floor Area. The maximum permitted floor area contained in all buildings shall not exceed one and one-half (1-1/2) times the area of the lot
- c) Setbacks:
 - 1) Front Yard. Commercial buildings, walls or structures shall not be located closer than twenty (20) feet from the property line. Said setback shall be totally landscaped and shall not permit any off-street parking
 - 2) Side Yard. On corner lots and reverse corner lots, a minimum setback of ten (10) feet shall be provided. This area shall be totally landscaped. On interior lots, no side yard need be provided except as may be required by a variance, conditional use permit or unclassified use permit
 - 3) Rear Yard. There is no requirement for buildings in the rear of commercial parcels, except when such parcel borders a public street, in which case the setback shall be the same as front yard requirements



- d) Parking: Parking requirements shall be determined by use as follows:
 - 1) General and professional, medical, dental, and clinical – one space for every 300 square feet of gross floor area
 - 2) Banks: One space for every 200 square feet of gross floor area
 - 3) Hospitals: Two spaces for each bed

- e) Maximum sign area shall be one-half foot of sign area per lineal foot of street frontage, not to exceed one hundred square feet
- f) Landscaping
 - 1. Exclusive of driveways and walkways, all required setback areas shall be landscaped and improved in accordance with the provisions specified herein. Landscaping plans specifying the size, type, quantity, and location of all plant materials shall be submitted to the Director of Planning for approval. All required landscaping areas shall be subject to, but not limited to, the following minimum standards:
 - Irrigation: All landscaped areas shall be provided with a fixed and permanent watering system, consisting of piped water lines with sufficient sprinklers to insure complete coverage
 - Planters: All landscaping shall be planted in permanent planters surrounded by six-inch tall concrete curbing, except where a planter abuts a building or concrete block wall
 - Trees:
 - One 36-inch-box shade/canopy tree and three 24-inch-box shade/canopy trees shall be required for every fifty lineal feet of landscaping, adjacent to any public right-of-way.
 - All trees shall be a minimum twenty-four inch box size.
 - Turf: All setback areas shall be fully landscaped as a minimum requirement. Additional plant material, such as shrubs and groundcover, may be used to supplement turf areas.
 - Approval criteria for landscaping plans will consider, but not be limited to, the following items:
 - The adequacy of plant material in achieving a buffer along public streets.
 - The use of landscaping to enhance the aesthetic quality of property and buildings.

- The general suitability, relative to the placement and type, of plant material selected for screening purposes.

g) Refuse Storage Areas

All uses permitted in this category shall be provided with refuse storage facilities in the following manner.

- 1) There shall be provided and maintained within one hundred feet of each building an enclosure for the purpose of storing containers for garbage, waste, refuse and trash of all persons utilizing said parcel. Said enclosure shall have on each side thereof a solid reinforced masonry wall of not less than five feet in height. All openings shall be equipped with gates or doors which meet the height requirement of this subsection and the fence requirements for durability. Such gates or doors shall be equipped at all times with a fully operating, self-closing device. At least one opening, gate, or door shall be of sufficient width to provide reasonable and necessary access to the storage area and said opening door or gate shall at all times be located and maintained at such a place and in such fashion that access to the storage area for the deposit and removal of waste, trash, refuse and garbage is reasonably afforded. The City may approve substitution of a solid fence or other material when, in its opinion, such fence or other material will adequately comply with the provisions of this subsection.
- 2) All garbage stored within such enclosures shall be placed and maintained in a metal or plastic container which has an overlapping fly-tight lid. The lid shall be secured in-place at all times when the container is not being filled or emptied.
- 3) Waste, refuse, and trash (other than garbage) shall be placed, maintained, and stored in a container of substantial design and construction that will retain trash, refuse, and waste and may be readily emptied by trash collectors; which will not readily disintegrate, fall apart, blow, or scatter about the premises.

- 4) Garbage, waste, refuse, and trash may also be stored in metal bins equipped with wheels approved by the Community Development Director. All garbage, waste, refuse, and trash contained in such bins shall be maintained within the interior of the metal bins and shall be equipped with a lid which shall be completely closed at all times except when being filled or emptied.
- 5) All of said aforementioned containers shall be kept and maintained within the walls of said enclosure except when being emptied by a collector.

E. INDUSTRIAL DEVELOPMENT PROVISIONS

All improvements and operations shall conform to the industrial development provisions set forth herein.

1. Permitted Uses: The broad intent of the uses listed are to include light manufacturing, processing, packaging, treatment, fabrication of goods, and merchandise, as well as the creation of products or their distribution, research and technical processes. The following uses shall be permitted in this zone:
 - Medical-dental laboratories
 - Blueprinting and photostating
 - Glass edging, beveling and silvering in connection with the sale of mirrors and glass decorated furniture
 - Glass studios – stained, etc.
 - Laboratories
 - Printing establishments
 - Photo engraving
 - Bookbinding
 - Manufacturing of cosmetics
 - Garment manufacturing
 - Pharmaceutical – manufacturing, processing, packaging and storage
 - Research and electronic industries
 - Shoe manufacture
 - Other similar service establishments and industrial enterprises or businesses when interpreted by the Planning Commission as to the regulations and guidelines set forth in this section
2. Uses Subject to a Conditional Use Permit: The following uses may be permitted provided a Conditional Use Permit is obtained:

- Electric or neon sign manufacturing, service, and repairing
- Upholstery shops
- Cabinet or carpenter shops
- Manufacturing and assembly of electrical appliances
- Machine shop
- Manufacture, processing, or treatment of articles from previously prepared materials
- Rubber – fabrication of products made from finished rubber
- Textile manufacture, processing, or treatment
- New or expanded swap meet uses
- Restaurants
- Retail/Commercial
- Theaters
- Any establishment offering alcoholic beverages for sale for consumption on the premises
- Storage facility for recreational vehicles (RVs), boats, and commercial vehicles

3. Prohibited Uses: Any use which creates any of the following adverse effects shall be specifically prohibited:

- Any noise or vibrations other than that related to temporary construction work which is discernible without instruments at any lot line of the site
- Any electrical disturbance adversely affecting the operation of any equipment other than that of the creator of such disturbance
- The use or handling of radioactive materials shall not be permitted
- Any direct or reflected glare or heat which is perceptible at any point outside of any building
- The emission of odorous gases or matter in quantities such as to be perceptible at any lot line of the site
- No exterior storage of vehicles, materials, supplies, equipment, or machinery shall be permitted whether upon or in tanks, bins, or other container devices
- Automobile, truck, or tractor engine repair
- Automobile, truck, or tractor body and fender works, repair and painting
- Such retail or service establishments and industrial or business enterprises when interpreted by the Planning Commission to be in conflict with the performance standards as set forth in this section
- All uses shall be conducted within an entirely enclosed building except accessory parking

4. Development Standards:

- a. Minimum Lot Size – The minimum lot size for parcels in this zone shall be five acres with a minimum lot width of 200 feet.
- b. Building Coverage – Permissible building lot coverage shall be within the following limitations:
 - 1) Where the net area of the lot exceeds one acre, the allowable coverage may be increased by 1 percent for each acre in excess of the one acre. Said allowable coverage may be apportioned for fractional acres.
 - 2) When permanent landscaping is installed within the public parkway adjacent to streets, the area of such permanent landscaping may be added to the net area of the lot for the purpose of determining maximum building coverage.
 - 3) Where permanent landscaping in excess of that required by these standards is installed within the building site, the area of such permanent landscaping may be added to the net area of the lot for the purpose of determining maximum building coverage.
 - 4) In no case shall the building coverage exceed 60 percent of the net area of the property.
- c. Setbacks:
 - 1) Front Yard: Industrial building shall not be located any closer than 20 feet from the front property line of any lot. Said front yard shall be totally landscaped and shall not permit any off-street parking.
 - 2) Side Yard: Side yards adjacent to internal roadways shall be a minimum of 20 feet. Industrial buildings shall not be located closer than 10 feet from any side property line adjacent to a public right-of-way.
 - 3) Rear Yard: There is no setback requirement for buildings in the rear of industrial parcels except when such parcels border a public street, in which case the requirements shall be the same as front yard requirements, or where they abut areas of deed restrictions or easements.

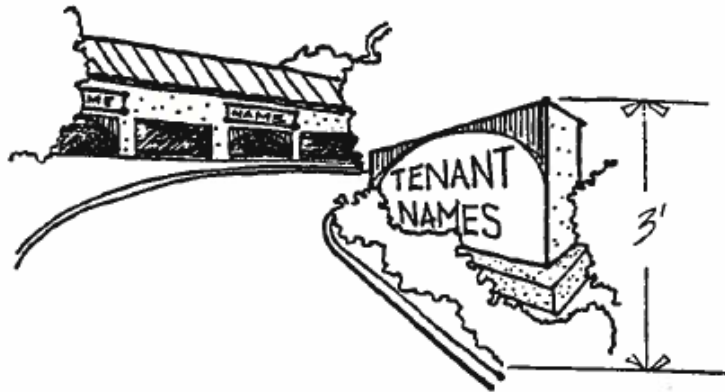
d. Parking: Parking requirements shall be determined by use as required by Paramount Municipal Code Section 44-130.

e. Sign Standards:

1) No freestanding signs shall be permitted. Industry identifications where desired shall be by attached signs consistent with the building architecture or with signs in planters or planter mounds not to exceed 3 feet in height measured from curb level.

2) A hierarchy of signs shall be established as follows:

- Special Entry/Corner Signs: Identifying overall developments
- Site/Major Tenant signs: Installed at key vehicular entrances to identify the tenants within the development
- Other signs: Directional, individual, tenant signs



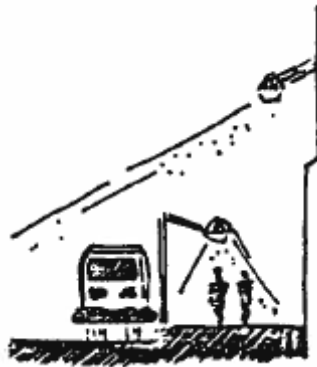
f. Industrial Development Guidelines – The following industrial guidelines are tailored specifically to this land use type. The intent and purpose of the district is to provide medium density industrial uses.

1) Architecture: Architectural consideration shall include, but not be limited to, the following provisions:

- Exterior walls shall be of concrete or masonry construction. Metal, plastic, and wood may be used for exterior finish only if used in a decorative manner as approved by the Community Development Department.
- All exterior walls shall be surfaced with decorative materials.

- Colors, materials, finishes, and build forms are to be coordinated in a consistent manner on all elevations.
- All overhead doors visible from public rights-of-way shall be recessed a minimum of 3 feet.
- Height of structures will not exceed 50 feet.

- 2) Lighting: Lighting shall be designed not only to afford safety and security, but shall serve to enhance the general appearance of the proposed development. Parking lot lighting fixtures are to have a minimum 16 feet height and a maximum 25 feet height and shall be shielded from the public right-of-way. Walkway lighting fixtures are to have a height no greater than 12 feet. Security lighting fixtures are to project above the parapet or roof line of the building and are to be shielded from streets and other properties. The shields shall be painted to match the surface to which attached. Security lighting fixtures are not to be substituted for parking lot or walkway lighting fixtures and are restricted to lighting of entrances, loading and storage areas, and similar service areas. Variances from these lighting standards may be approved by the Community Development Director.

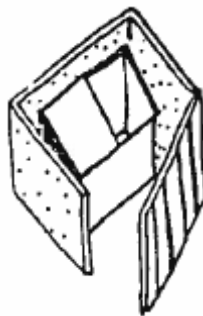


- 3) Mechanical Equipment and Ductwork:
- All roof mounted mechanical equipment and/or ductwork which projects above the roof parapet and is visible from any existing or proposed one or two-story structure in the vicinity shall be screened by an enclosure which is view-obscuring and consistent with the architecture of the building.

- Cyclone blowers shall be screened by walls or fences, and shall be located below the parapet of the building. They shall not be located on the front of a building and shall be painted to match the surface to which attached. Mechanical equipment shall not be exposed on any exterior wall surface of a building.
- Incinerators are prohibited.
- Gutters and downspouts are to be painted to match the surface to which attached unless used as a major design element, in which case the color is to be consistent with the color scheme of the building.
- Vents, louvers, exposed flashing, tanks, stacks, overhead doors, and service doors are to be painted consistent with the color scheme of the building.
- Metal enclosures, open craneways, and similar structures shall be limited to those portions of sites which will not be visible from adjoining streets.

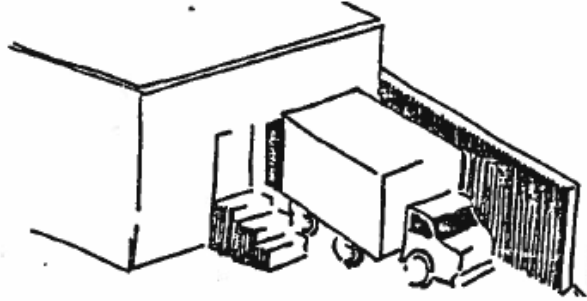
4) Storage and Screening:

- Storage: The outdoor storage of wares, merchandise, materials, equipment, crates, bottles, or similar items shall not be permitted within the Specific Plan area.
- Screening-Trash Receptacles: All outdoor trash and refuse storage areas located within public view shall be enclosed from view on all sides not adjacent to a building by a concrete block or masonry wall with solid wood or metal gate at least 6 feet high.



- Screening-Loading Areas: Loading areas or docks shall be located in a manner that prohibits a truck from backing into such an area from any street other than an industrial collector street. All

loading doors facing any local industrial collector street shall be a minimum of 70 feet from any property line adjacent to said street, unless otherwise approved by the Development Review Board.



- 5) Landscaping: A minimum of 7 percent of the total square footage of the site shall be landscaped. Exclusive of driveways and walkways, all required setback areas shall be totally landscaped and improved in accordance with the provisions specified herein. Landscaping plans specifying the size, type, quantity, and location of all plant material shall be submitted to the Community Development Director or designated agent for approval prior to the issuance of a building permit. All required landscaping areas shall be subject to but not limited to the following minimum standards:
- Irrigation: All landscaped areas shall be provided with a fixed and permanent watering system, consisting of piped water lines with sufficient sprinklers to ensure complete coverage.
 - Planters: All landscaping shall be planted in permanent planters surrounding by 6" X 6" tall concrete curbing except where a planer abuts a building or concrete block wall.
 - Trees: One 36-inch-box tree and three 24-inch-box trees shall be required for every 50 lineal feet of landscaping, adjacent to any public right-of-way. All trees shall be a minimum 24-inch-box size.
 - Turf: All setback areas shall be fully landscaped as a minimum requirement. Additional plant material such as shrubs and groundcover shall be used as supplements.

- Approval Criteria: Landscaping plans will consider, but not be limited to the following items: 1) The adequacy of plant material in achieving a buffer along public streets: 2) The use of landscaping to enhance the aesthetic quality of property and buildings: 3) The general suitability relative to the placement and type of plant material selected for screening purposes.

F. HOUSING DEVELOPMENT PROVISIONS

The intention of these provisions is to provide housing of superior design and quality with objective development standards. All improvements and operations shall conform to the following provisions:

1. Permitted Uses: The following uses are permitted in this zone:
 - Multiple family dwellings (rental and owner-occupied) at a minimum density of 20 units per acre and a maximum density of 22 units per acre
 - Mixed-use buildings with multiple family dwellings above a maximum of one floor of uses identified in the Commercial Development Provisions, Office/Professional Development, and Industrial Provisions sections of the Clearwater East Development Plan
 - Live/work units (rental and owner-occupied) at a minimum density of 20 units per acre and a maximum density of 22 units per acre with direct interior access between living and work spaces in which work spaces shall be limited to the first/ground floor with a direct pedestrian entrance to the work space separate from the residential entrance
 - Senior housing for senior citizens as defined in Section 51.3 of the California Civil Code, developed, substantially rehabilitated, or substantially renovated for habitation at a minimum density of 20 units per acre and a maximum density of 22 units per acre
 - Parking structures
2. Limitations and Conditions: All permitted uses shall be subject to the following conditions and limitations:
 - All non-housing uses that require a conditional use permit in the Commercial Development, Office/Professional Development, and Industrial Development provisions shall obtain a conditional use permit before operating in a mixed-use building

- All uses shall be conducted within an enclosed building (excluding parking lots or parking garages)
- Storage shall be limited to the accessory storage on the premises and shall be within an enclosed building
- All products made incidental to a permitted use which are manufactured, processed, or treated on the premises shall be sold on the premise and at retail only
- Residential uses shall occupy 50 percent or more of the total floor area of a mixed-use project
- Housing shall comply with the most recently adopted Paramount Housing Element, including the accommodation of the mixed-income allocation of the Regional Housing Needs Assessment (RHNA)

3. Specific design criteria for address signs shall be as follows:

- Each occupant shall be allowed to place upon each primary entrance not more than one hundred forty-four square inches of gold leaf or decal application lettering not to exceed two inches in height indicating hours of business, emergency telephone, etc. Type face shall be subject to approval by the Community Development Director.
- Premise numbers shall be placed on a wall facing the street on which the number is assigned, and shall be permanent in character and of contrasting color so as to be easily readable.

4. Specific design criteria for monument signs shall be as follows:

- Monument signs shall be allowed where the site area equals one-half acre or more, or on sites which have a minimum ten-foot landscaped setback.
- Monument signs shall be placed in a landscaped planter area which shall include a minimum of two hundred square feet
- One monument sign shall be allowed per one hundred fifty lineal feet of street frontage
- No more than two rows of letters are permitted, provided their maximum total height does not exceed the height of the net sign area (overall height times width of the signs, including all trim and molding)
- Monument signs shall display only the project title or name of the same of the major tenant
- Maximum sign area shall be one-half foot of sign area per lineal foot of street frontage, not to exceed 100 square feet of sign area

5. Development Standards

- Height. The height of buildings shall not exceed forty-five (45) feet
- Floor Area. The maximum permitted floor area contained in all buildings shall not exceed four (4) times the area of the lot
- Setbacks:
 - 1) Front Yard. Residential or mixed-use buildings, walls or structures shall not be located closer than ten (10) feet from the property line. Said setback shall be totally landscaped and shall not permit any off-street parking.
 - 2) Side Yard. On corner lots and reverse corner lots, a minimum setback of ten (10) feet shall be provided. This area shall be totally landscaped. On interior lots, no side yard need be provided except as may be required by a variance, conditional use permit or unclassified use permit.
 - 3) Rear Yard. There is no requirement for buildings in the rear of housing parcels, except when such parcel borders a public street, in which case the setback shall be the same as front yard requirements.
- Architectural, site, and design elements:
 - 1) Private, covered entries for each housing unit.
 - 2) Varying building setbacks of at least three feet.
 - 3) The maximum height of walls, fences, or gates between a building with housing and a public street is 42 inches. Walls, fences, and gates finish materials shall be reviewed and approved by the Director of Community Development.
 - 4) Ground floor (non-residential) tenant spaces located on the public street or sidewalk shall have their primary entrance located adjacent to the public street or sidewalk.
 - 5) Ground floor (non-residential) tenant spaces not located on the street or sidewalk shall have their primary entrance located adjacent to a pedestrian paseo, courtyard or plaza that is connected to a public street.

- 6) Stucco material shall be smooth texture.
- 7) Exterior trim, including but not limited to wood siding, brick, stone, slumpstone, or other decorative treatments.
- 8) Varied exterior building materials and textures, including details such as doors, windows, palladium windows, balconies, porches, arches, columns, hand rails, metal louvers, and other decorative treatments and architectural details.
- 9) Tarps made from materials including, but not limited to, canvas, fabric, plastic, rubber, nylon or acetate are prohibited from use as carports, patio covers, and shade covers in required front, rear, and side setback areas, and over driveways. Tarps are prohibited from use as covers for outside storage in front setbacks and side setbacks that abut a street or alley, and over driveways. Tarps may be used to drape common household items (e.g. bicycles, lawn maintenance equipment, firewood) in a required rear yard area or side yard area that does not abut a street or alley, provided that the tarp does not exceed the height of the rear or side yard fence, or exceed a height of six feet. Tarps shall be maintained in good condition. The criteria utilized in evaluating the condition of a tarp shall include, but not be limited to, torn, stained, dirty, and/or faded material. The provisions of this section do not apply to free standing fabric shade structures that are professionally manufactured, mechanically folding, “pop up” style shade structures located on residential uses. These structures may be placed within the required rear yard area, but are prohibited in front and side yards, and over driveways. Permitted fabric shade structures shall be maintained in good condition. The criteria utilized in evaluating the condition of a fabric shade structure shall include, but not be limited to, torn, stained, dirty, and/or faded material, and damaged support structures.
- 10) The installation of exterior window security bars is prohibited.
- 11) Along public streets, transparent wall openings, such as storefront windows and doors, shall comprise at least 50% of a building’s street level façade(s). Such

openings shall be located between two feet and eight feet from the finished floor level of the ground floor.

- 12) Each building with a residential component shall provide information concerning local transit services at a primary entry point to the site or building. The information shall be prominently displayed, updated quarterly, and shall include phone numbers, internet information, and brochures and maps for local bus and rail service.
- 13) To avoid blank walls that would detract from the experience and appearance of an active streetscape there shall be no blank walls (without doors or windows) longer than 50 feet along sidewalks on public streets. Walls with public art installations approved by the Director of Community Development shall be exempt.
- 14) No individual building shall have more than 200 feet of frontage along a public street.
- 15) A minimum of 40 square feet of private open space (decks, balconies, patio) shall be provided per housing unit. A minimum of 40 square feet of common open space (courtyards) shall be provided per housing unit.
- 16) All surface or ground mounted mechanical equipment, including transformers, terminal boxes, pull boxes, air conditioner condensers, gas meters and electric meter cabinets shall be screened from public view and treated to match the materials and colors of the building which they serve.
- 17) Paved areas, excluding parking and driveway areas, shall consist of enhanced paving materials such as stamped concrete, permeable paved surfaces, tile, and/or brick pavers.
 - Parking: Vehicular parking requirements shall be determined by use as follows:
 - 1) Efficiency/studio – 1.5 per unit for resident parking and 0.15 per unit for guest parking.
 - 2) One, two, or three bedroom units – 2 per unit for resident parking and 0.2 per unit for guest parking.

- 3) Senior housing – 0.8 per unit for resident parking and 0.3 per unit for guest parking.
 - 4) Live/work units – 2 per unit for resident parking and 0.15 per unit for guest parking.
 - 5) Commercial/Office/Professional/Industrial uses require parking at the rate specified in the respective sections of the Clearwater East Development Plan.
- Parking structures:
 - 1) No parking or loading areas shall be visible on the ground floor of any building facade that faces a public street, except the minimum ground-level frontage required for walkways and driveways required for access to parking and loading areas.
 - 2) All parking, loading, or circulation located above the ground floor shall be integrated into the design of the building facade so that it is not visible from the street. The parking levels may be screened with other materials, or lined with habitable floor area.
 - 3) Exhaust vents shall be located and directed away from residential uses.
 - 4) Surfaces of floors and ramps of parking structures within 200 feet of housing shall be textured to reduce tire squeal.
 - Electric vehicle infrastructure – the Community Development Director shall review and approve an electric vehicle charging station plan. A minimum of eight percent of automobile parking spaces provided in a project shall be capable of supporting electric vehicle (EV) supply equipment.
 - Bicycle facilities – the Community Development Director shall review and approve a bicycle parking plan.
 - Landscaping

- 1) Exclusive of driveways and walkways, all required setback areas shall be landscaped and improved in accordance with the provisions specified herein. Landscaping plans specifying the size, type, quantity, and location of all plant materials shall be submitted to the Community Development Director for approval. All required landscaping areas shall be subject to, but not limited to, the following minimum standards:
 - Irrigation: All landscaped areas shall be provided with a fixed and permanent watering system, consisting of piped water lines with sufficient sprinklers to ensure complete coverage
 - Planters: All landscaping shall be planted in permanent planters surrounded by six-inch tall concrete curbing, except where a planter abuts a building or concrete block wall
 - Trees:
 - One 36-inch-box shade/canopy tree and three 24-inch-box shade/canopy trees shall be required for every fifty lineal feet of landscaping, adjacent to any public right-of-way.
 - All trees shall be a minimum twenty-four-inch box size.
 - Accents: All setback areas shall be fully landscaped as a minimum requirement. Additional plant material, such as shrubs and groundcover, may be used to supplement landscaped areas.
 - Approval criteria for landscaping plans will consider, but not be limited to, the following items:
 - The adequacy of plant material in achieving a buffer along public streets.
 - The use of landscaping to enhance the aesthetic quality of property and buildings.
 - The general suitability, relative to the placement and type, of plant material selected for screening purposes.

- Refuse Storage Areas

All uses permitted in this category shall be provided with refuse storage facilities in the following manner.

- 1) There shall be provided and maintained within one hundred feet of each building an enclosure for the purpose of storing containers for garbage, waste, refuse and trash of all persons utilizing said parcel. Said enclosure shall have one each side thereof a solid reinforced masonry wall of not less than five feet in height. All openings shall be equipped with gates or doors which meet the height requirement of this subsection and the fence requirements for durability. Such gates or doors shall be equipped at all times with a fully operating, self-closing device. At least one opening, gate, or door shall be of sufficient width to provide reasonable and necessary access to the storage area and said opening door or gate shall at all times be located and maintained at such a place and in such fashion that access to the storage area for the deposit and removal of waste, trash, refuse and garbage is reasonably afforded. The City may approve substitution of a solid fence or other material when, in its opinion, such fence or other material will adequately comply with the provisions of this subsection.
- 2) All garbage stored within such enclosures shall be placed and maintained in a metal or plastic container which has an overlapping fly-tight lid. The lid shall be secured in-place at all times when the container is not being filled or emptied.
- 3) Waste, refuse, and trash (other than garage) shall be placed, maintained, and stored in a container of substantial design and construction that will retain trash, refuse, and waste and may be readily emptied by trash collectors; which will not

readily disintegrate, fall apart, blow, or scatter about the premises.

- 4) Garbage, waste, refuse, and trash may also be stored in metal bins equipped with wheels approved by the Community Development Director. All garbage, waste, refuse, and trash contained in such bins shall be maintained within the interior of the metal bins and shall be equipped with a lid which shall be completely closed at all times except when being filled or emptied.
- 5) All of said aforementioned containers shall be kept and maintained within the walls of said enclosure except when being emptied by a collector.

V. PLAN ADMINISTRATION

A. INTRODUCTION

This plan will be implemented through review by the Planning Commission and the Development Review Board to insure conformity with Specific Plan regulations and responsiveness to applicable guidelines. This section of the plan contains the rules for review of development projects.

B. GENERAL ADMINISTRATION

Three basic procedures are specified for the review of projects: 1) Development Review Board/Planning Commission approval; 2) Tract Map approval by the Planning Commission and City Council for any project requiring the creation of lots, including condominium projects; 3) Nondiscretionary approval for housing projects in compliance with the adopted and certified Paramount Housing Element.

1. Development Review Board approval shall be obtained in accordance with the provisions of Sections 44-210 et. seq. of the Paramount Municipal Code. The Board may approve, modify, conditionally approve, or deny said application.

The Development Review Board may require additional studies or development provisions at the time of site plan review for individual projects. Recommendations may include detailed noise, vibration and/or odor studies and incorporation of specific design features to ensure compatibility between different land use types. These may include, but not be limited to:

- Building orientation
 - Façade articulation
 - Bioswales/landscaping
 - Type of building materials used
 - Use of double paned windows
 - Additional buffering or setback standards
2. Prior to the creation of any lots, a tentative tract map shall be processed in accordance with the provisions of Chapter 39 of the Paramount Municipal Code. The Planning Commission may approve, modify, conditionally approve or deny said application.
 3. Nondiscretionary approval of housing projects is permitted for projects in compliance with the adopted and certified Paramount Housing Element. Such projects are subject to review by the Community Development Director for compliance with City of Paramount development standards as provided by the Clearwater East Specific Plan.
 4. Certificate of Occupancy for housing. No certificate of occupancy may be issued for a project required to provide affordable housing in accordance with the most recently adopted Paramount Housing Element unless a certificate of occupancy is concurrently, or has already been, issued for all restricted affordable units.
 5. Affordability Covenant. A covenant guaranteeing affordability criteria for 55 years from the issuance of a Certificate of Occupancy and acceptable to the City Attorney shall be recorded with the Los Angeles County Recorder.

C. AMENDMENTS

1. Requirement and Procedures

This plan may be amended at any time in the same manner and by the same process by which the plan was originally adopted. Said amendments(s) shall not require a concurrent General Plan Amendment unless, by determination of the Director of Community Development, the General Plan goals, objectives, policies, or programs would be substantially affected by the proposed change.

2. Administrative Actions

The addition of new information to the Specific Plan that does not change the effect of any concepts or regulations may be made administratively by the Director of Community Development, subject to appeal to the Planning Commission.

VI. APPENDICES

A. GENERAL PLAN CONSISTENCY

As described in the Objective and Policies section (II-b), this regulatory Specific Plan is consistent with the Paramount General Plan through implementation of the General Plan goals, objectives, policies and programs, as well as the Clearwater East Policy Level Specific Plan. The following policies are taken directly from the Polity Level Plan.

1. Development of office use and commercial use, in-lieu of industrial use, if market feasibility is demonstrated.
2. Site plan review in accordance with City design guide-lines will include, but not be limited to, architectural facades, material, color, texture, massing, bulk, scale, landscaping, signage, and street furniture.

Method of Implementation: Site plan review will be reviewed by any or all of the following: a) Development Review Board; and/or b) Planning Commission and City Council. These committees will ensure project conformity with regulations and applicable guidelines contained with the regulatory plan. Housing projects in compliance with the adopted and certified Paramount Housing Element are eligible for nondiscretionary review by the Community Development Director.

3. The City and/or Parking Authority may share in property acquisition and/or development costs of improvements, if cost effective.

B. GENERAL FINDINGS

1. The Clearwater East Specific Plan is consistent with the Paramount General Plan and other relevant City goals.
2. Reasonable alternatives to the plan and their implications have been considered.
3. The amount and arrangement of uses are appropriate to the project site and are compatible with existing and planned adjacent uses.
4. The plan contributes to a balance of land uses so that local residents may work and shop in the community in which they live.
5. The scope and depth of environmental, policy and fiscal analysis are commensurate with the level of detail contained in the plan and the specific land use entitlement its adoption authorizes.

6. The various components of the plan, as well as the plan in its entirety, are sensitive to environmental and public policy impacts.
7. Appropriate mitigation measures are incorporated in the plan to ensure that concerns identified at this level of planning are resolved as part of the more detailed development planning which must be completed before private development may proceed.
8. Administration of the plan is thoroughly integrated into the City's development processing system.
9. All subjects required in a Specific Plan by the California Government Code and applicable City ordinances are appropriately and adequately covered.
10. Adequate time and opportunities have been afforded interested organizations and members of the public to comment on or propose changes to the plan if they so desired.

C. DETAILED FINDINGS

1. Existing ownership parcelization that could potentially create piecemeal development can be reviewed, coordinated or controlled through Development Review Board review or acquisition by the Paramount City Council.
2. City water facilities can adequately supply proposed developments. Improvements that might be needed to the system will be incurred at the expense of developers.
3. In coordination with the Public Works Department, a project must identify and implement specific on- and off-site improvements needed to ensure that impacts related to water conveyance and demand/pressure requirements are addressed prior to issuance of a certificate of occupancy.
4. Extension/improvements to sewer lines will be handled by establishment of an Assessment District or be the responsibility of the developer.

MAY 21, 2019

INSTALLATION OF A DISABLED PARKING ZONE IN FRONT OF 15949
GEORGIA AVENUE

MOTION IN ORDER:

APPROVE A REQUEST FOR INSTALLATION OF A DISABLED PARKING
ZONE IN FRONT OF 15949 GEORGIA AVENUE.

MOTION:

MOVED BY: _____

SECONDED BY: _____

[] APPROVED

[] DENIED

ROLL CALL VOTE:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____



To: Honorable City Council
From: John Moreno, City Manager
By: Adriana Figueroa, Public Works Director
Sarah Ho, Assistant Public Works Director
Date: May 21, 2019

Subject: INSTALLATION OF A DISABLED PARKING ZONE IN FRONT OF 15949 GEORGIA AVENUE

We have received a request from Mr. John Selby for the installation of a disabled parking zone in front of his home at 15949 Georgia Avenue. The request is for Mr. Selby and his daughter who both have a valid disabled person placard. Mr. Selby is requesting that the disabled parking zone be installed in front of his home due to limited accessible parking options in the neighborhood.

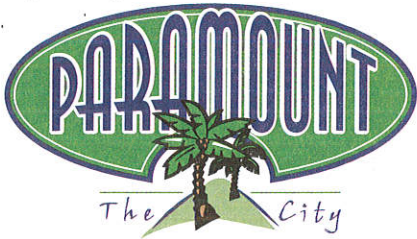
Staff has inspected the site and found that neighborhood on-street parking can be limited throughout the day and can cause a need to park some distance away. The applicant's residence does have some off-street parking via a driveway in the rear of the property; however, the driveway is not wide enough to provide American with Disability Act (ADA) accessibility to 2 vehicles.

Staff also verified that there were no other disabled parking zones on the street. If approved, approximately 15 feet of curb in front of 15949 Georgia Avenue would be marked for disabled parking only. Mr. Selby has been informed that the designated disabled parking zone, if approved, will be available for anyone that possesses a valid Disabled Person Placard to use.

At their May meeting, the Public Works Commission recommended to the City Council approval of the request for this disabled parking zone. A notice indicating that the City Council would hear this item was sent to all properties on Georgia Avenue from Monroe Street to Alondra Boulevard.

RECOMMENDED ACTION

It is recommended that the City Council approve a request for installation of a disabled parking zone in front of 15949 Georgia Avenue.



TOM HANSEN
Mayor

DARYL HOFMEYER
Vice Mayor

LAURIE GUILLEN
Councilmember

PEGGY LEMONS
Councilmember

DIANE J. MARTINEZ
Councilmember

May 7, 2019

Dear Resident:

Please be advised that the Public Works Commission at their meeting of May 2, 2019, recommended to the City Council the approval of the request to install a blue "Disabled Parking" zone in front of 15949 Georgia Avenue.

This is to inform you that the Paramount City Council will discuss this recommendation at their meeting on May 21, 2019. The meeting will begin at 5:00 P.M. and will be held in the Paramount City Hall Council Chambers, 16400 Colorado Avenue.

At this meeting, a decision will be made by the Paramount City Council to accept or deny the recommendation of the Public Works Commission to install a blue "Disabled Parking" zone in front of 15949 Georgia Avenue. If you have more information regarding this topic or would like to give further input, please attend this meeting.

Please note that should the City Council approve the installation of the disabled parking zone, the zone may be used by anyone with a valid disabled parking placard and is not solely dedicated to the applicant.

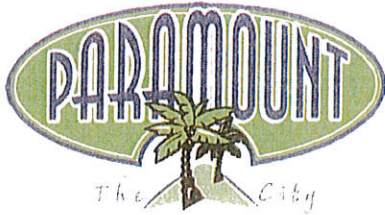
Should you have further questions regarding this meeting, please call me at (562) 220-2020.

Para información en español, favor de llamar al (562)220-2020.

CITY OF PARAMOUNT

Adriana Figueroa
Public Works Director

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TOM HANSEN
Mayor

DARYL HOFMEYER
Vice Mayor

LAURIE GUILLEN
Councilmember

PEGGY LEMONS
Councilmember

DIANE J. MARTINEZ
Councilmember

April 25, 2019

Dear Resident:

We have received a request to install a blue curb "Disabled Parking" zone in front of 15949 Georgia Avenue. The curb at 15949 Georgia Avenue is currently not colored, which means parking is allowed there at any time (except for street sweeping days/hours). This letter is to inform you that the Public Works Commission will discuss this request at their meeting of Thursday, May 2, 2019. The meeting will begin at 6:00 PM and will be held in the Paramount City Hall Council Chambers, 16400 Colorado Avenue.

At this meeting, a decision by the Public Works Commission will be made to deny or recommend to the Paramount City Council the request to install the blue curb "Disabled Parking" zone in front of 15949 Georgia Avenue. The Commission requests that all those having an interest in the installation of the disabled curb please attend this meeting.

Should you have further questions regarding this matter, please call me at (562) 220-2020.

Para información en español, favor de llamar al (562)220-2020.

CITY OF PARAMOUNT

Adriana Figueroa
Public Works Director

H:\Public Works\PWLETTER\COMMISH\Blu_15949 Georgia.docx



Public Works Department

15300 Downey Ave.

Paramount, CA 90723

Phone: 562-220-2020 Fax: 562-220-2105

Application for Traffic Safety Request

Select one: ☐ Disabled Parking Zone ☐ Limited-Time Parking Zone ☐ Speed Hump ☐ Stop Sign

Date: 3-11-2019

Last Name: SELBY First Name: JOHN R.

Street Address: 15949 GEORGIA AVE

City & Zip Code: PARAMOUNT CA 90723

Telephone #: XXX Cell #: XXX

Email: _____

Please explain why you are making the traffic safety request:

HANDY CAP DISABLED

(Continue on the back if needed)

Additional Questions:

Petition is attached (Speed Hump/Stop Sign Request Only)

Yes

☐

No

☐

My request meets all the installation criteria

(Disabled Parking Zone, Limited-Time Parking Zone, and Speed Hump Request Only)

*If the answer is no,
please explain below:

(Continue on the back if needed)

I hereby confirm that the above information is correct. I have read and understand the Guidelines for Traffic Safety Requests and, to the best of my knowledge, my residence meets ALL the installation criteria, requirements, and conditions presented. I understand that the details in this application that I have given will be checked to determine eligibility.

Signature

John R Selby

Date

3-11-2019

For office Use only:

☐ Document Received: _____ (Date) Staff Initials: _____

☒ \$100 Non Refundable Fee Received: 4/5/19 (Date) Staff Initials: CR

DEPARTMENT OF MOTOR VEHICLESPLACARD NUMBER: **XXX**

EXPIRES: 06/30/2019

DATE ISSUED: 03/10/2017

**DISABLED PERSON
PLACARD IDENTIFICATION
CARD/RECEIPT**

A Public Service Agency

This identification card or facsimile copy is to be carried by the placard owner. Present it to any peace officer upon demand. Immediately notify DMV by mail of any change of address. When parking, hang the placard from the rear view mirror, remove it from the mirror when driving.

**When your placard is properly displayed,
you may park in or on:**

- * Disabled person parking spaces (blue zones)
- * Street metered zones without paying.
- * Green zones without restrictions to time limits.
- * Streets where preferential parking privileges are given to residents and merchants.

You may not park in or on:

- * Red, Yellow, White or Tow Away Zones.
- * Crosshatch marked spaces next to disabled person parking spaces.

It is considered misuse to:

- * Display a placard unless the disabled owner is being transported.
- * Display a placard which has been cancelled or revoked.
- * Loan your placard to anyone, including family members.

Misuse is a misdemeanor (section 4461VC) and can result in cancellation or revocation of the placard, loss of parking privileges, and/or fines.

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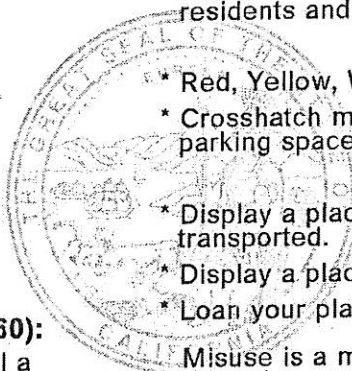
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CO: 19

DOB: 07/18/1962

ISSUED TOSELBY WANDA
15949 GEORGIA AVE

PARAMOUNT CA 90723

**Purchase of fuel
(Business & Professions Code 13660):**

State law requires service stations to refuel a disabled person's vehicle at self-service rates, except self-service facilities with only one cashier.

REMOVE FROM MIRROR BEFORE DRIVING VEHICLE

CALIFORNIA



"WARNING: The illegal use of a disabled parking placard could result in a maximum fine of \$4,200."

DISABLED PERSON



PARKING PLACARD

EXPIRES JUNE 30

2019

710701 J

PURCHASE OF FUEL (Business & Professions Code 13660)
State law requires service stations to refuel a disabled person's vehicle at self-service rates, except at service facilities with only one employee on duty.

REMOVE FROM MIRROR BEFORE DRIVING VEHICLE

CALIFORNIA



"WARNING: The illegal use of a disabled parking placard could result in a maximum fine of \$4,200."

DISABLED PERSON



PARKING PLACARD

EXPIRES JUNE 30

2019

711300 J

PURCHASE OF FUEL (Business & Professions Code 13660)
State law requires service stations to refuel a disabled person's vehicle at self-service rates, except at service facilities with only one employee on duty.

15949 GEORGIA AVENUE



Proposed
Disabled
Parking

MAY 21, 2019

APPLICATIONS FOR FIREWORKS PERMITS - 2019

MOTION IN ORDER:

APPROVE THE APPLICATIONS TO SELL FIREWORKS SUBMITTED BY
THE EIGHT ELIGIBLE COMMUNITY GROUPS.

MOTION:

MOVED BY: _____

SECONDED BY: _____

[] APPROVED

[] DENIED

ROLL CALL VOTE:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____



To: Honorable City Council
From: John Moreno, City Manager
By: Kevin M. Chun, Assistant City Manager/Community Development Director
Antulio Garcia, Building and Safety Manager
Date: May 21, 2019

Subject: APPLICATIONS FOR FIREWORKS PERMITS - 2019

Background

The eight non-profit organizations eligible to sell “safe and sane” fireworks within the City of Paramount have submitted applications to operate fireworks stands prior to the April 1, 2019 deadline. The fireworks stand locations are the same as last year. As required, these locations are one-quarter mile distance from the next closest fireworks stand. Per the Paramount Municipal Code, the sale of fireworks will be restricted to between 7:00 a.m. and 10:00 p.m., June 28 through July 4, 2019.

Provided below is a list of the eight non-profit groups and the proposed locations of their respective fireworks stands:

<u>Organization</u>	<u>Location</u>
Church of God of Prophecy 14743 S. Garfield Avenue	15101 Paramount Boulevard
Downey Avenue Foursquare Church 13376 Downey Avenue	13376 Downey Avenue
Elk's Club #1804 8108 Alondra Boulevard	S/W Corner Alondra Boulevard @ Orizaba Avenue
Emmanuel Reformed Church 15941 Virginia Avenue	15717 Downey Avenue
First Assembly of God Church 16215 Orizaba Avenue	7922 Rosecrans Avenue
Knights of Columbus 15339 Paramount Boulevard	Town Center West
Lions Club P.O. Box 1100	14501-51 Lakewood Boulevard
Praise Chapel Paramount 8043 Madison Street	13120 Downey Avenue

Conditions

Upon City Council approval, each of the organizations must meet the following conditions to open their fireworks stands:

1. Obtain the necessary approval and permits for a temporary fireworks stand from the Building and Safety division.
2. Comply with applicable sections of Chapter 20 of the Paramount Municipal Code.
3. Comply with the provisions of the State Fireworks Law and Rules and Regulations of the State Fire Marshal.

RECOMMENDED ACTION

It is recommended that the City Council approve the applications to sell fireworks submitted by the eight eligible community groups.

MAY 21, 2019

ORDINANCE NO. 1113

“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARAMOUNT REPEALING AND READOPTING IN ITS ENTIRETY CHAPTER 36 OF THE PARAMOUNT MUNICIPAL CODE ADOPTING A CITYWIDE SIDEWALK VENDING PROGRAM IN ORDER TO COMPLY WITH UPDATED PROVISIONS OF STATE LAW REGARDING SIDEWALK VENDORS”

MOTION IN ORDER:

READ BY TITLE ONLY, WAIVE FURTHER READING, INTRODUCE ORDINANCE NO. 1113, AND PLACE IT ON THE NEXT REGULAR AGENDA FOR ADOPTION.

MOTION:

MOVED BY: _____

SECONDED BY: _____

☐ APPROVED

☐ DENIED

ROLL CALL VOTE:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____



To: Honorable City Council
From: John Moreno, City Manager
By: John E. Cavanaugh, City Attorney
Date: May 21, 2019

**Subject: ORDINANCE NO. 1113
ADOPTING A CITYWIDE SIDEWALK VENDING PROGRAM IN ORDER
TO COMPLY WITH UPDATED PROVISIONS OF STATE LAW
REGARDING SIDEWALK VENDORS**

Background

Senate Bill No. 946 (The Safe Sidewalk Vending Act) was signed by Governor Jerry Brown on September 17, 2018. SB 946 prohibits a city from regulating “sidewalk vendors” except in accordance with the provisions of SB 946 (codified as Government Code Sections 51036-51039). SB 946 went into effect on January 1, 2019, after which a city will be prohibited from citing a sidewalk vendor for a violation of any rule or regulation that is inconsistent with SB 946. SB 946 defines a “sidewalk vendor” as “a person who sells food or merchandise from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized conveyance, or from one’s person, upon a public sidewalk or other pedestrian path.” SB 946 decriminalizes sidewalk vending.

Specifically, under SB 946 a City may not prohibit or restrict the following:

- Prohibit sidewalk vending activities in the City.
- Require a sidewalk vendor to operate within specific parts of the right-of-way (ROW), except when that restriction is directly related to objective health, safety, or welfare concerns.
- Restrict the overall number of sidewalk vendors permitted to operate within the jurisdiction of the City, unless the restriction is directly related to objective health, safety, or welfare concerns.
- Restrict sidewalk vendors to operate only in a designated neighborhood or area, except when that restriction is directly related to objective health, safety, or welfare concerns.
- Impose criminal penalties for violations of sidewalk vending Ordinances and regulations—under SB 946 a city may **only** impose administrative fines for violations of sidewalk vending regulations.
- Ban vending in parks.
- Require vendors to ask permission from adjacent businesses to operate.

However, a city may adopt a local Ordinance regulating the time, place, and manner of sidewalk vending if those regulations are directly related to objective health, safety, or welfare concerns.

The City currently prohibits street vending through various provisions of the Paramount Municipal Code ("PMC"); however, these current regulations conflict with the requirements of SB 946.

Discussion

Left unregulated, sidewalk vending poses a likelihood of creating negative impacts on the health, safety and welfare of the community, including but not limited to: illegal sales; exposure to food-borne disease from unlicensed vendors; unsanitary conditions; public hazards from trash and debris; overcrowded sidewalks impeding the free flow of pedestrian movement; inconsistency with the federal American with Disabilities Act of 1990; and line-of-sight obstruction from vehicles and pedestrians traversing the public rights of way ("ROW").

Proposed Ordinance No. 1113

To address these concerns, staff respectfully submits the attached Ordinance No. 1113 for the City Council's consideration and approval. The key provisions of the Ordinance includes, but is not limited to the following components:

The proposed Ordinance would make it unlawful for any person to engage in sidewalk vending activities in the following locations:

- At any public property that is not a sidewalk or pathway;
- Within areas zoned for residential purposes—excluding roaming sidewalk vending;
- Within 500 feet of the following:
 - An area with a City issued temporary use special permit;
 - Civic Center, City Hall, sheriff's station, or fire station;
 - Any public or private school, or day-care between 6:00 a.m. and 6:00 p.m.;
 - Place of assembly or worship one hour before and one hour after an event;
 - A farmer's market or swap meet during operating hours; and
 - An area where sheriff's, firefighter, or emergency medical personnel is actively performing duties
- Within fifty (50) feet of any other sidewalk vendor in a City park;
- Within ten (10) feet of any area designed for parking, bus zones, stopping, or loading; or in any location where the sidewalk vending receptacle blocks manholes, utility access points, and/or vents;
- In or on the median of any street, road, or highway;
- In areas where sidewalk vending would result in violation of applicable law (including Americans with Disabilities Act); and
- Areas where sidewalk vending would or could result in reasonably foreseeable danger to the safety of persons or property.

The proposed Ordinance would also regulate vending in the City's parks as follows:

- Operate outside the hours of operation of the park.
- Operate more than six (6) feet from any walking or bicycling pathway in the park.
- Operate within 50 feet of any other sidewalk vendor in the park.
- Operate on, or within 25 feet of, any sports field or playground equipment area.
- Utilize any bench, table, barbeque pit, covered gathering area, or other publicly-owned structure or amenity in the park in any way as part of the sidewalk vending operation.
- Operate within 25 feet of any bench, table, barbeque pit, covered gathering area, or other publicly-owned structure or amenity in the park.
- Vending in a public park during any scheduled event, whether it is a City event or a private event for which a temporary use permit has been obtained.
- Operate at all in the event the City exercises its right to enter into an agreement with an exclusive concessionaire agreement for one or more park for any applicable period and may rotate such vendors.

Business License Requirements

The Ordinance would prohibit persons from engaging in sidewalk vending activities without first applying for, and being issued, and maintaining (1) a business license from the City; (2) Los Angeles County Health permit; and (3) a California Department of Tax and Fee Administration seller's permit.

A sidewalk vending business license shall not be transferable to any other entity or person and is valid only as to the original applicant for the term stated.

Issuance of Business License

Business licenses would be issued within thirty (30) calendar days of receipt so long as all applicant submits a complete application and meets all the requirements/conditions. The term of the business license is for 12 months from the date of issuance.

The Ordinance requires sidewalk vendors to, always, comply with the following requirements, among others detailed in the proposed Ordinance:

- Indemnify the City and maintain liability insurance.
- Vendors must have their business license and County Health Permit on display at all times.
- Vendors must operate in compliance with all applicable laws.
- Vendors may not leave their vending receptacles unattended at any time.
- Vending activities are prohibited between the hours of 10:00 p.m. and 7:00 a.m.
- A roaming sidewalk vendor may vend in residential areas on public sidewalks only during the hours of 8:00 a.m. to 5:00 p.m. daily from October through June, and 8:00 a.m. to 8:00 p.m. July through September. A resident who does not wish to be contacted by such vendors may post a statement or notice to the effect that vendors are not desired.

- Vendors must allow officials performing in such capacities to inspect their vending facilities.
- Vendors must ensure customer lines do not block the flow of pedestrian or vehicular traffic.
- Vendors must comply with noise, waste management, signage/advertisement.
- Vendors must maintain a minimum of thirty-six inches (36") of accessible path of travel, without obstruction, along the public sidewalk or public pathway.
- Vendors shall comply with PMC noise regulations.
- Vendors shall maintain a trash container in or on the sidewalk vending receptacle, and immediately clean up any food, waste, grease or other fluid or item related to sidewalk vending activities.
- Vendors shall not discharge any fluids, liquids, grease, or hazardous materials.
- Maximum size restrictions on the carts or receptacles used for sidewalk vending activities.
- No signs are allowed, except those approved in the application which identify the name of the product or the name of the vendor and the posting of prices on the cart.
- No selling alcohol, cannabis, tobacco, or adult oriented material.

Penalties and Violations

Violators would be subject to administrative citations as set forth in the Ordinance. SB 946 caps the administrative fines and penalties that may be levied at \$100, \$200, and \$500 for violations of the Ordinance. For vending without a street vending business license, violators are subject to fines of \$250, \$500, and \$1,000. Under specific provisions of the Ordinance, a vendor served with an administrative citation may request an ability-to-pay determination at any time while the citation remains unpaid.

Failure to pay an administrative fine assessed under the Ordinance shall not be punishable as an infraction or misdemeanor. Additional fines, fees, assessments, or any other financial conditions beyond those authorized in the Ordinance cannot be assessed. Vending carts cannot be seized for violations of the Ordinance.

Any violation of the Ordinance cannot be punishable as an infraction or misdemeanor, and any person alleged to have violated any provisions of the Ordinance shall be subject to arrest except when otherwise permitted under law.

Permit Denial, Revocation

A sidewalk vending business license would be subject to suspension or revocation on the grounds detailed in the Ordinance.

RECOMMENDED ACTION

It is recommended that the City Council read by title only, introduce Ordinance No. 1113, and place it on the next agenda for adoption.

CITY OF PARAMOUNT
LOS ANGELES COUNTY, CALIFORNIA

ORDINANCE NO. 1113

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
PARAMOUNT REPEALING AND READOPTING IN ITS ENTIRETY
CHAPTER 36 OF THE PARAMOUNT MUNICIPAL CODE ADOPTING A
CITYWIDE SIDEWALK VENDING PROGRAM IN ORDER TO COMPLY
WITH UPDATED PROVISIONS OF STATE LAW REGARDING
SIDEWALK VENDORS

RECITALS

WHEREAS, on September 17, 2018, Governor Brown signed SB 946 (Lara) ("SB 946") which establishes Statewide governance of vending in the public right-of-way and in parks and which is intended to decriminalize sidewalk vending; and

WHEREAS, pursuant to the police powers delegated to it by the California Constitution, the City of Paramount ("City") has the authority to enact laws which promote the public health, safety, and general welfare of its citizens, including sidewalk vending as long as requirements are consistent with newly enacted SB 946; and

WHEREAS, SB 946 authorizes the implementation of regulations that are directly related to objective health, safety, or welfare concerns, and that do not restrict sidewalk vendors to operate only in a designated neighborhood or area, except as specified; and

WHEREAS, the business license requirements proposed are consistent with SB 946, as they are reasonable, related to objective health, safety, and welfare concerns, and are based upon compliance with other generally applicable laws including the Americans with Disabilities Act; and

WHEREAS, the standards imposed on stationary sidewalk vendors requiring a minimum path of accessible travel are necessary to comply with the Americans with Disabilities Act and maintain minimum safe access along public sidewalks; and

WHEREAS, standards for maintaining access to building entrances, and not blocking driveways, fire hydrants, parking areas and building storefront windows are necessary to guard the health and safety of patrons, drivers, vendors and existing business owners and promote fire suppression and law enforcement practices that allow the City's safety personnel to observe activities within buildings and maintain access; and

WHEREAS, the City Council finds that public and private persons who maintain and/or install sidewalk vending facilities in the public way bear a responsibility to help preserve the public way and to contribute to the administrative and liability costs incurred by the community and caused by such sidewalk vending facilities; and

WHEREAS, the City Council finds that, unless properly regulated, sidewalk vending poses a unique risk to the health, safety, and welfare of the public, including, but not limited to, impacts to traffic, pedestrian safety, mobility, unsanitary conditions involving food preparation, risks to children, and consumer protection; and

WHEREAS, the inherent nature of sidewalk vending and the ability of such vendors to be located on private property and public streets and move quickly from place to place in the community, including near parks, schools, and other places frequented by children, warrants imposing certain regulatory measures, to protect the health, safety, and welfare of the community; and

WHEREAS, SB 946 continues to authorize cities to prohibit sidewalk vendors in areas located within the immediate vicinity of a permitted certified farmers' market and a permitted swap meet, as specified, and to restrict or prohibit sidewalk vendors within the immediate vicinity of an area designated for a business license issued by the City; and

WHEREAS, fraud or misrepresentation in the course of vending constitutes an objective harm to the health, safety, and welfare of the City's residents; and

WHEREAS, fraud or misrepresentation in the application for a business license constitutes an objective harm to health, safety, and welfare of the City's residents; and

WHEREAS, vending in a manner that creates a public nuisance or constitutes a danger to the public constitutes an objective harm to the health, safety, and welfare of the City's residents.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PARAMOUNT, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The Recitals set forth hereinabove are true and correct and incorporated herein by reference as if fully set forth herein.

SECTION 2. Chapter 36 of the Paramount Municipal Code is repealed in its entirety and readopted to read as follows:

SIDEWALK AND PARK VENDING PROGRAM.

Sec. 36-1. Findings, purpose and intent.

This Chapter is adopted to provide for the regulation of non-speech-related vending activities on public properties in the City of Paramount. There is a need to require licenses or permits to vend on sidewalks and parks for the health and safety of the public because it increases vendor accountability in following the City's rules and regulations by identifying vendors out of compliance with the City's vending program and protects vendors assigned to vend in certain locations.

The City Council finds and determines that:

- (a) The City Council hereby finds that, to promote the health, safety and welfare, restrictions on sidewalk vending are necessary to avoid negative impacts on the health, safety and welfare of the residents, including but not limited to the following:
 - (1) Proliferation of illegal sales.
 - (2) Potential public exposure to food-borne illnesses due to unlicensed vendors and unsanitary conditions.
 - (3) Increase in trash and debris in public rights-of-way.
 - (4) Overcrowded sidewalks impacting safe pedestrian movement.
 - (5) Interference to the performance of police, firefighter, and emergency medical personnel.
 - (6) Disruption to the flow of pedestrian and vehicular traffic including ingress or egress from any residence, public building, place of business, or from the street to the sidewalk by persons exiting or entering parked or standing vehicles.
 - (7) Provide reasonable access for the use and maintenance of sidewalks, pathways, poles, posts, traffic signs or signals, hydrants, restrooms, trash receptacles, firefighting apparatus, mailboxes, as well as access to locations used for public transportation services.
 - (8) Maximize public access to and along the right-of-way.
 - (9) Reduce exposure to legal liability to the City due to personal injury or claims for damage and litigation due to use of public property.
 - (10) Protect adult and minor residents from vendors with certain criminal history and background.

Sec. 36-2. Definitions.

For the purpose of this Chapter, the words, terms, and phrases shall be defined as set forth herein, unless the context clearly indicates a different meaning is intended. Words, terms, and phrases used in this Chapter that are not specifically defined shall be construed according to their context and the customary usage of the language.

“Certified farmers’ market” means a location operated in accordance with Chapter 10.5 (commencing with Section 47000) of Division 17 of the Food and Agriculture Code and any regulations adopted pursuant to that chapter.

“Citation” means an Administrative Citation issued pursuant to Chapter 1, Article II of this Paramount Municipal Code.

“City” means the City of Paramount.

“Civic Center” or “City Hall” means the buildings, facilities, and parking areas located at 16400 Colorado Avenue, Paramount, CA 90723, including the City Yard and parking areas at 15300 Downey Avenue, Paramount, CA 90723, and the Paramount Sheriff’s Station and the appurtenant parking lots located at 15001 Paramount Boulevard, Paramount, CA 90723.

“Director” means the Director of Finance or designee.

“Food” means any item provided in Health and Safety Code Section 113781, as the same may be amended from time to time.

“Goods” or “merchandise” means any item that is not food.

“Heating element” means any device used to create heat for food preparation.

“Person” or “persons” means one or more natural persons, individuals, groups, businesses, business trusts, companies, corporations, joint ventures, joint stock companies, partnership, entities, associations, clubs or organizations composed of two or more individuals (or the manager, lessee, agent, servant, officer or employee of any of them), whether engaged in business, nonprofit or any other activity.

“Public park” means the public parks owned, leased, and/or controlled by the City.

“Public property” means all property owned, leased, or controlled by the City, including but not limited to buildings, parks, pathways, parkways, sidewalks, roadways, streets, and parking lots.

“Roadway” means that portion of the street, which is improved, designed, or ordinarily used for vehicular travel.

“Roaming sidewalk vendor” means a sidewalk vendor who moves from place to place and stops to complete one or more transactions.

“Sidewalk” means that portion of the highway or street other than the roadway or parkway, set apart by curbs, barriers, markings, or other delineation which is used principally for pedestrian travel.

“Sidewalk vendor” or “vendor” means a person who sells food or merchandise from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized conveyance, or from one’s person, upon a public sidewalk or other pedestrian path, or such other meaning of such term as may be ascribed by Government Code Section 51036(a) from time to time.

“Stationary sidewalk vendor” means a sidewalk vendor who vends from a fixed location.

“Sidewalk vending facilities” or “sidewalk vendor facilities” means a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized conveyance used for sidewalk vending activities.

“Swap meet” means a location operated in accordance with Article 6 (commencing with Section 21660) of Chapter 9 of Division 8 of the Business and Professions Code, and any regulations adopted pursuant to that article.

Sec. 36-3. Business license required for vending.

- (a) All vendors must obtain and possess a business license as required by Chapter 26 of the Paramount Municipal Code and must comply with all applicable provisions of local, state and federal law and regulations prior to conducting any vending business with the City.
- (b) In addition to all information required for a City business license, all vendors shall be required to provide all the following information on a business license application to the City prior to commencing any vending within the City:
 - (1) The name, current address, and telephone number of the person applying to become a sidewalk vendor. If the vendor is an agent of an individual, company, partnership, or corporation, the name of the business address of the principal.
 - (2) The name, current address, and telephone number of the person who will be in charge of any roaming sidewalk vendors, sidewalk vending activity and/or be responsible for the person(s) working at the sidewalk vending facilities.
 - (3) The name, current address, and telephone number of all persons that will be employed as roaming sidewalk vendors or at a sidewalk vending facilities.
 - (4) The number of sidewalk vending facilities the sidewalk vendor will operate within the City under the permit.
 - (5) The location(s) in the City where the sidewalk vendor intends to operate.

- (6) The day(s) and hours of operation the sidewalk vendor intends to operate at such location(s).
- (7) Whether the vendor intends to operate as a stationary sidewalk vendor or a roaming sidewalk vendor and, if roaming, the intended path of travel.
- (8) If the vendor proposes to be a sidewalk vendor, a description or site plan map of the proposed location(s) where vending will take place, showing that the sidewalk location maintains a minimum of thirty-six inches (36") of accessible route area, in compliance with the American with Disabilities Act as well as the dimensions of the sidewalk vendor's sidewalk vending facilities, including a picture of each sidewalk vending facility operating under the business license and any signs that will be affixed thereto.
- (9) Whether the sidewalk vendor will be selling food, goods or merchandise, or both.
- (10) If the sidewalk vendor is selling food, a description of the type of food to be sold, whether such foods are prepared on site, whether such foods will require a heating element inside or on the sidewalk vending facility for food preparation, and the type of heating element, if any.
- (11) If the vendor is selling goods or merchandise, a description of the goods or merchandise to be sold.
- (12) A copy of the public health permit required for any sidewalk vendors selling food, as required by the Los Angeles County Environmental Health Department.
- (13) Proof the person possesses a valid California Department of Tax and Fee Administration seller's permit which notes the City as a location or sublocation, which shall be maintained for the duration of the sidewalk vendor's business license.
- (14) An acknowledgement that the sidewalk vendor will comply with all other generally applicable local, state, and federal laws.
- (15) A certification that, to their knowledge and belief, the information contained within the application is true.
- (16) An agreement by the sidewalk vendor to defend, indemnify, release and hold harmless the City, its City Council, commissions, officers, and employees from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgements, fines, penalties, liabilities, costs, and expenses (including without limitation, attorney's fees, disbursements, and court costs) of every kind and nature

whatsoever which may arise from or in any manner relate (directly or indirectly) to the permit or the vendor's sidewalk vending activities. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, or proceeding whether incurred by the licensee, City, and/or the parties initiating or bringing such proceeding.

- (17) An acknowledgement that use of public property is at the sidewalk vendor's own risk and that the City does not take any steps to ensure public property is safe or conducive to the sidewalk vending activities, and that the sidewalk vendor uses the public property at the vendor's own risk and assumes such risks.
- (18) Vendor shall cooperate with the Public Safety Director or designee and submit to a local and state summary criminal history information investigation and certify whether disqualifying criminal history has been discovered. Accordingly, pursuant to Penal Code Section 11105 and 13300, the City Council explicitly authorizes the Public Safety Director or designee to obtain such information as it relates to disqualifying convictions.
- (19) Proof of insurance policy issued by an insurance company licensed to do business in the State, protecting the vendor and the City from all claims for damages to property and bodily injury, including death, which may arise from operations under or in connection with issuance of the business license in the amount of \$500,000. Such insurance shall name as additional insured the City and its elected and appointed officials, officers and employees and shall provide that the policy shall not terminate or be canceled prior to the expiration date without 30 days advance written notice to the City.
- (20) Payment of any and all fees.
- (21) Any such identification number(s) or license(s) collected shall not be available to the public for inspection and shall remain confidential and not be disclosed except as required to administer the business license or comply with a state law or state or federal court order.

Sec. 36-4. Issuance of business license.

- (a) Upon acceptance of a properly completed and filed sidewalk vendor business license application, the Director or designee shall conduct a preliminary investigation in coordination with other relevant City departments to determine compliance with this Chapter and shall make such determination within no more

than thirty (30) days of acceptance to approve or deny the application. The Director or designee shall provide the applicant with written notice of her/his decision to the address indicated in the application.

- (b) The Director or designee may deny an application for a business license if an applicant fails to meet any of the requirements identified in Sec. 36-3, or if she/he makes any of the following findings:
 - (1) The applicant has failed to pay any fees or charges.
 - (2) The applicant has made one or more material misstatements or omissions in the application for a business license.
 - (3) The applicant does not have a valid California Driver's license or valid California Identification Card issued to the vendor; or valid individual taxpayer identification number issued to the vendor.
 - (4) The applicant does not provide a certificate of liability insurance.
 - (5) The applicant's vending operation, as described in the application, is inconsistent with the standards, conditions, and requirements of this Chapter.
 - (6) It is determined that the applicant does not possess all federal, state, and local permits and licenses necessary to engage in the activity in which he or she seeks to engage.
- (c) If the application is denied, the reasons for disapproval shall be noted on the application, and the applicant shall be notified that his or her application is denied and that no business license will be issued. Notice shall be mailed to the applicant at the address shown on the application form.

Sec. 36-5. Term and renewal.

- (a) All business licenses are valid for one year unless revoked or suspended prior to expiration. An application to renew a business license shall be made not later than 30 days before the expiration of the current business license.
- (b) Transferability. A sidewalk vending business license shall not be transferable to any other entity or person and is valid only as to the original applicant for the term stated.

Sec. 36-6. Exceptions.

A sidewalk vending business license shall not be required for the following activities:

- (a) Persons delivering goods, wares, merchandise, fruits, vegetables, or foodstuffs upon order of, or by agreement with, a customer from a store or other fixed place of business or distribution.
- (b) Vendors participating in farmers markets, swap meet, street fairs, or other special events as authorized by the City.
- (c) An event at a school facility or an assembly use facility, if the vendor is operating in partnership with the organization conducting the event and is located on the site of the event (i.e., not in the public right-of-way).
- (d) Vendors that only sell, display, distribute, solicit, or offer sale items that are inherently communicative and have nominal utility apart from its communication (e.g. newspapers, leaflets, pamphlets, buttons).

Sec. 36-7. Vending cart requirements.

No vending cart shall exceed four (4) feet in width, eight (8) feet in height, or eight (8) feet in length.

Sec. 36-8. Health & Safety requirements.

All sidewalk vendors that prepare or sell food shall comply with the following requirements:

- (a) All equipment installed in any part of the cart shall be secured in order to prevent movement during transit and to prevent detachment in the event of a collision or overturn.
- (b) All utensils shall be securely stored in order to prevent their being thrown from the cart or vehicle in the event of a sudden stop, collision or overturn. A safety knife holder shall be provided to avoid loose storage of knives.
- (c) Compressors, auxiliary engines, generators, batteries, battery chargers, gas-fueled water heaters, and similar equipment shall be installed to be hidden from view to the extent possible and be easily accessible.
- (d) All vendors selling food products must clearly identify how utensils and other equipment are to be washed and clean. Vendors are prohibited from using any public faucets and/or washing facilities or private faucets and/or washing facilities (not belonging to vendor) to wash and clean utensils and equipment.

- (e) All vendors must possess a valid permit issued by the Los Angeles County Health Department. If the sidewalk vendor intends to sell food or any other item requiring a County Health Department permit said permit must be presented to the City prior to issuance of any business license pursuant to Sec. 36-3.

Sec. 36-9. Display of business license and County health permit.

All business licenses and Los Angeles County health permits shall be displayed on a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack or other non-

motorized conveyance in a visible and conspicuous location always during the operation of the vending business.

Sec. 36-10. Sidewalk vending activities prohibited in designated areas.

Notwithstanding this Chapter and any provisions of the Paramount Municipal Code, it is unlawful for any person to engage in sidewalk vending activities within the following locations or areas within the City:

- (a) Any public property that does not meet the definition of a sidewalk or pathway, including but not limited to, any roadway, street, alley, or parking lot.
- (b) Within any area zoned for residential purposes, provided that roaming sidewalk vending activities operate in compliance with this Chapter shall not be prohibited.
- (c) Within 500 feet of the following:

- (1) An area designated for a City-sponsored event and/or where a temporary special permit issued by the City, provided that any notice, business interruption mitigation, or other rights provided to affected businesses or property owners under the City's temporary special permit are also provided to a sidewalk vendor permitted to operate in the area, if applicable.

For purposes of this paragraph, a temporary special permit is a permit issued by the City for the temporary use of, or encroachment on, the sidewalk or other public area, including, but not limited to, an encroachment permit, special event permit, or temporary event permit, for purposes including, but not limited to, filming, parades, festivals, or outdoor concerts. A prohibition on sidewalk vendor activities pursuant to this paragraph shall only be effective for the duration of the temporary special permit.

- (2) Civic Center, City Hall, City Yard, Sheriff's Station, or a fire station.

- (3) Any public or private school, or a large or general child day-care facility, between the hours of 6:00 a.m. and 6:00 p.m.
- (4) Any place of assembly or worship, between one hour before and one hour after scheduled event or presentation times.
- (5) Any sheriff or law enforcement officer, firefighter, or emergency medical personnel who are actively performing their duties or providing services to the public.
- (d) In or on the median of any street, road, or highway.
- (e) Within ten (10) feet of any area designed for public parking, bus zones, stopping, or loading; or in any location where the sidewalk vending receptacle blocks manholes, utility access points, and/or vents.
- (f) In any location which the location of the sidewalk vending receptacle, or the operation of sidewalk vending activities, would result in or cause a violation of applicable law, including but not limited to the Americans with Disabilities Act.
- (g) Notwithstanding any specific prohibition in this Chapter, any location or area where the operation of sidewalk vending activities creates a reasonably foreseeable danger to the safety of persons or property.

Sec. 36-11. Vending in residential areas.

- (a) It shall be unlawful for any stationary sidewalk vendor to enter or go in or upon private premises within an area of the City zoned for residential purposes.
- (b) A roaming sidewalk vendor may vend in residential areas on public sidewalks only during the hours of 8:00 a.m. to 5:00 p.m. daily from October through June, and 8:00 a.m. to 8:00 p.m. July through September. A resident who does not wish to be contacted by such vendors may post a statement or notice to the effect that vendors are not desired.

Sec. 36-12. Vending in commercial zones.

- (a) Vendors shall not block access to or egress from such businesses and generally shall remain no less than eight (8) feet from any entrance or exist.
- (b) Vendors may not utilize private solid waste receptacles or those belonging to other businesses.
- (c) Vendors may not utilize private restrooms without the prior consent of the business.

Sec. 36-13. Stationary vending operational standards.

In addition to those regulations established in Sec. 36-10 and Sec. 36-12, it shall be prohibited for any stationary sidewalk vendor to operate under any of the following conditions:

- (a) Leave any stand unattended.
- (b) Vend between the hours of 10:00 p.m. to 7:00 a.m. daily unless in conjunction with a special event.
- (c) Store, park, or leave any stand overnight on any public street, sidewalk, or park.
- (d) Sidewalk vending facilities shall not be located on any public property when the facility is not being actively used for sidewalk vending activities.
- (e) Sell food or beverages for immediate consumption unless there is a litter receptacle available for patrons' use.
- (f) Leave any location without first disposing all trash or refuse remaining from sales conducted. Trash and refuse generated by the vending cart operations shall not be disposed of in public trash receptacles and shall be carried away by the vendor.
- (g) Discharge solids or liquids onto any public right of way, including the sidewalk, the street or a storm drain.
- (h) Allow any items relating to the operation of the vending business to be placed anywhere other than in, on, or under the stand.
- (i) Set up, maintain, or permit the use of any additional table, crate, carton, rack, or any other device to increase the selling or display capacity of his/her stand where such terms have not been described by his or her application.
- (j) Solicit or conduct business with persons in motor vehicles.
- (k) Sell anything other than that which he or she is permitted to vend.
- (l) Sound or permit the sounding of any device that produces a loud and raucous noise or any noise in violation of the City's noise ordinance, or use or operate any loud speaker, public address system, radio, sound amplifier, or similar device to attract the attention of the public.
- (m) Vend without the insurance coverage previously specified.

- (n) Operate within 50 feet of the outer edge of a driveway or vehicular entrance to public or private property in commercial, business park, mixed use, or industrial zones.
- (o) Vend from the exposed street or alley and/or traffic side of the vending cart.
- (p) Operate in a manner that does not maintain a minimum of thirty-six inches (36") of accessible path of travel, without obstruction, along the public sidewalk or public pathway.
- (q) Operate a stationary vending cart in exclusively residential zones.
- (r) Operate a sidewalk vending cart within 500 feet of the outer edge of a certified farmers' market or swap meet during the operating hours of that certified farmers' market or swap meet.
- (s) Operate a sidewalk vending cart within 500 feet of the outer edge of any public sidewalk, street, right-of-way, or other public property approved for a temporary event or festival.
- (t) Operate in violation of any other generally applicable law.
- (u) Display off-site signs. No signs are allowed, except those approved in the application which identify the name of the product or the name of the vendor and the posting of prices on the cart. Signs with intermittent, flashing, moving, or blinking light, or varying intensity of light or color, are not permitted.
- (v) Evidence of compliance with Health & Safety Code Section 114315(a). Such evidence may include, but is not limited to, written permission from a private business owner for use of the business's toilet and hand washing facility, a printed or electronic map showing the location of a compliant public toilet and hand washing facility, or similar documented evidence of compliance.
- (w) Vending of alcohol, tobacco, drugs or cannabis, firearms, weapons, spray cans, or pornography.
- (x) Obstruction or interference with the free flow of pedestrian or vehicular traffic, including but not limited to access to or from any parking lot, business, public building, or dwelling unit.
- (y) If a sidewalk vending facility requires more than one person to conduct the sidewalk vending activity, all such persons associated with the sidewalk vending facility shall be within five (5) feet thereof when conducting sidewalk vending activities.

- (z) Sidewalk vendors shall ensure that all customer queuing, waiting lines, or lines do not block, hinder, or interfere with the free flow of pedestrian or vehicular traffic along, over, or across public property, and otherwise always comply with location-related restrictions set forth in this Chapter relative to sidewalk vending activities.
- (aa) Sidewalk vendors shall allow a law enforcement officer, code enforcement officer, health inspector, or other government official charged with enforcing laws related to sidewalk vendor activities, at any time during the operation of such activities, to inspect the sidewalk vending facility for compliance with the requirements of this Chapter, the sidewalk vending business license, Los Angeles County Health Department and to ensure the safe operation thereof.

Sec. 36-14. Roaming vending operational standards.

In addition to those regulations established in Sec. 36-10, Sec. 36-11 and Sec. 36-12 it shall be prohibited for any roaming vendor to operate under any of the following conditions:

- (a) Vend between 10:00 p.m. to 7:00 a.m. daily, unless in conjunction with a special event and subject to those operating hours in residential zones pursuant to Sec. 36-11.
- (b) Leave any stand or motor vehicle unattended.
- (c) Store, park, or leave any stand overnight on any public street or sidewalk, or park any motor vehicle other than in a lawful parking place.
- (d) Sell food or beverages for immediate consumption unless there is a litter receptacle available for patrons' use.
- (e) Leave any location without first disposing all trash or refuse remaining from sales conducted. Trash and refuse generated by the vending cart operations shall not be disposed of in public trash receptacles and shall be carried away by vendor.
- (f) Discharge solids or liquids onto any public right of way, including a sidewalk, the street or a storm drain.
- (g) Allow any items relating to the operation of the vending business to be placed anywhere other than in, on, or under the stand or vehicle.
- (h) Set up, maintain, or permit the use of any additional table, crate, carton, rack, or any other device to increase the selling or display capacity of his/her stand where such terms have not been described by his or her application.
- (i) Solicit or conduct business with persons in motor vehicles.

- (j) Sell anything other than that which he or she is permitted to vend.
- (k) Sound or permit the sounding of any device that produces a loud and raucous noise, or any noise in violation of the City's noise ordinance or use or operate any loud speaker, public address system, radio, sound amplifier, or similar device to attract the attention of the public.
- (l) Vend without the insurance coverage previously specified.
- (m) Operate within 50 feet of a fire hydrant or 25 feet of a transit stop.
- (n) Operate within 25 feet of the outer edge of a driveway or vehicular entrance to public or private property in residential zones.
- (o) Operate within 50 feet of the outer edge of a driveway or vehicular entrance to public or private property in commercial, business park, mixed use, or industrial zones.
- (p) Vend from the exposed street or alley and/or traffic side of the vending cart or vehicle.
- (q) Vend while parked illegally.
- (r) Vend from any street parking space other than a space parallel to the curb.
- (s) Operate in a manner that does not maintain a minimum of thirty-six inches (36") of accessible path of travel, without obstruction, along the public sidewalk or public pathway.
- (t) Operate in any manner or location that blocks any citizen or service entry or exit from any business or residence.
- (u) Operate from any motor vehicle or other motorized conveyance.
- (v) Display off-site signs. No signs are allowed, except those approved in the application which identify the name of the product or the name of the vendor and the posting of prices on the cart. Signs with intermittent, flashing, moving, blinking light, or varying intensity of light or color, are not permitted.
- (w) Vending of alcohol, tobacco, drugs or cannabis, firearms, weapons, spray cans or pornography.
- (x) Obstruction or interference with the free flow of pedestrian or vehicular traffic, including but not limited to access to or from any parking lot, business, public building, or dwelling unit.

- (y) If a sidewalk vending facility requires more than one person to conduct the sidewalk vending activity, all such persons associated with the sidewalk vending facility shall be within five (5) feet thereof when conducting sidewalk vending activities.
- (z) Sidewalk vendors shall ensure that all customer queuing, waiting lines, or lines do not block, hinder, or interfere with the free flow of pedestrian or vehicular traffic along, over, or across public property, and otherwise always comply with location-related restrictions set forth in this Chapter relative to sidewalk vending activities.
- (aa) Sidewalk vendors shall allow a law enforcement officer, code enforcement officer, health inspector, or other government official charged with enforcing laws related to sidewalk vendor activities, at any time during the operation of such activities, to inspect the sidewalk vending facility for compliance with the requirements of this Chapter, the sidewalk vending business license, Los Angeles County Health Department and to ensure the safe operation thereof.

Sec. 36-15. Operational standards in public parks for all vendors.

In addition to the operational standards in Sec. 36-13 and Sec. 36-14, the following shall also be prohibited for any sidewalk vendor operating in any public park:

- (a) Operate outside the hours of operation of the park.
- (b) Operate more than six (6) feet from the outer edge of any walking or bicycling pathway in the park.
- (c) Operate within 50 feet of any other sidewalk vendor in the park.
- (d) Operate on, or within 100 feet of the outer edge of, any sports field or playground equipment area.
- (e) Utilize any bench, table, barbeque pit, covered gathering area, or other publicly-owned structure or amenity in the park in any way as part of the sidewalk vending operation.
- (f) Operate within 25 feet of the outer edge of any bench, table, barbeque pit, covered gathering area, or other publicly-owned structure or amenity in the park.
- (g) Vending in a public park during any scheduled event, whether it is a City event or a private event for which a temporary use permit has been obtained.
- (h) Operate at all in the event the City exercises its right to enter into an agreement with an exclusive concessionaire agreement for one or more park for any applicable period and may rotate such vendors.

Sec. 36-16. Suspension; revocation.

- (a) Any business license may be suspended or revoked for any of the following causes:
 - (1) Fraud or misrepresentation contained in the application for the business license.
 - (2) Failure to provide all information required under Sec. 36-3 of this Chapter.
 - (3) Fraud or misrepresentation made in the course of carrying on the business of vending.
 - (4) Conduct of the permitted business in such manner as to create a public nuisance, or constitute a danger to the public health, safety, or welfare.
 - (5) Upon a sidewalk vendor being issued a fourth or subsequent citation for violations of this Chapter.
- (b) Notice of the suspension or revocation of a business license shall be given in writing, setting forth specifically the grounds of complaint. Such notice shall be mailed, postage prepaid, to the licensee, at the last known address of the licensee.
- (c) No person whose street vending business license has been revoked pursuant to this Chapter shall be issued a street vending business license for a period of two (2) years from the date revocation becomes final.

Sec. 36-17. Appeals.

In the event that any applicant or licensee desires to appeal from any denial, suspension, revocation, or other ruling made under the provisions of this Chapter, such applicant or any other person aggrieved shall have the right to appeal such action within ten (10) days after the receipt by the applicant or any other person aggrieved, by filing with the Secretary an appeal in writing to the Public Safety Commission from such action. The filing of such appeal within the stated time shall stay the effective date of the decision until such time as the Public Safety Commission has acted on the appeal. The hearing on the appeal by the Public Safety Commission shall be a hearing de novo. In the absence of such appeal, the action to deny, suspend or revoke shall be final.

Within not to exceed forty-five (45) days following receipt of the written appeal, the Public Safety Commission shall conduct a public meeting. The action by the Public Safety Commission on the appeal shall be by a majority vote of the voting members of the Public Safety Commission and shall be final and conclusive.

Sec. 36-18. Penalties.

- (a) A violation of the provisions of this Chapter, other than failure to possess a valid business license as required under Sec. 36-3, is punishable only by administrative citations as follows:
 - (1) An administrative fine of one hundred dollars (\$100) for a first violation.
 - (2) An administrative fine of two hundred dollars (\$200) for a second violation within one year of the first violation.
 - (3) An administrative fine of five hundred dollars (\$500) for each additional violation within one year of the first violation.
 - (4) Appeal of an administrative citation under this Sec. 36-19 shall be in accordance with the appeal procedures in Sec. 1-32, et. seq. of the Paramount Municipal Code.
- (b) Vending without a business license issued by the City of Paramount is punishable only by administrative citations as follows:
 - (1) An administrative fine of two hundred fifty dollars (\$250) for a first violation.
 - (2) An administrative fine of five hundred dollars (\$500) for a second violation within one year of the first violation.
 - (3) An administrative fine of one thousand dollars (\$1,000) for each additional violation within one year of the first violation.
 - (4) Upon proof of a valid business license issued by the City of Paramount, any administrative fines imposed under this subsection for vending without possessing a copy of the permit shall be reduced to the administrative fines set forth in subsection A. respectively.
 - (5) Appeal of an administrative citation under this Sec. 36-19 shall be in accordance with the appeal procedures in Sec. 1-32, et. seq. of the Paramount Municipal Code.
- (c) The proceeds of any administrative fines assessed pursuant to this Chapter shall be deposited in the treasury of the City.
- (d) Failure to pay an administrative fine assessed under this Chapter shall not be punishable as an infraction or misdemeanor. Additional fines, fees, assessments, or any other financial conditions beyond those authorized in this Chapter shall not be assessed.

- (e) Any violation of this Chapter shall not be punishable as an infraction or misdemeanor, and any person alleged to have violated any provisions of this Chapter shall not be subject to arrest except when otherwise permitted under law.

Sec. 36-19. Administrative fine reduction.

- (a) At the time of service of an administrative citation pursuant to Section 36-18, the City shall provide the vendor with notice of the right to request an ability-to-pay determination and shall provide instructions for how to do so.
- (b) Notwithstanding the time frames set out in Chapter 1, Article II of the Paramount Municipal Code regarding administrative citations, any vendor served with a citation under Sec. 36-18 may request an ability-to-pay determination at any time while the citation remains unpaid.
- (c) The City will accept 20% of the administrative fine as full payment when the vendor applying for the ability-to-pay determination meets any of the following criteria as a recipient of public benefits or poverty guidelines:
 - (1) Supplemental Security Income (SSI) and State Supplementary Payment (SSP) (Article 5 (commencing with Section 12200) of Chapter 3 of Part 3 of Division 9 of the Welfare and Institutions Code).
 - (2) California Work Opportunity and Responsibility to Kids Act (CalWORKs) (Chapter 2 (commencing with Section 11200) of Part 3 of Division 9 of the Welfare and Institutions Code) or a federal Tribal Temporary Assistance for Needy Families (Tribal TANF) grant program (Section 10553.25 of the Welfare and Institutions Code).
 - (3) Supplemental Nutrition Assistance Program (Chapter 51 (commencing with Section 2011) of Title 7 of the United States Code) or the California Food Assistance Program (Chapter 10.1 (commencing with Section 18930) of Part 6 of Division 9 of the Welfare and Institutions Code).
 - (4) County Relief, General Relief (GR), or General Assistance (GA) (Part 5 (commencing with Section 17000) of Division 9 of the Welfare and Institutions Code).
 - (5) Cash Assistance Program for Aged, Blind, and Disabled Legal Immigrants (CAPI) (Chapter 10.3 (commencing with Section 18937) of Part 6 of Division 9 of the Welfare and Institutions Code).
 - (6) In-Home Supportive Services (IHSS) (Article 7 (commencing with Section 12300) of Chapter 3 of Part 3 of Division 9 of the Welfare and Institutions Code).

- (7) Medi-Cal (Chapter 7 (commencing with Section 14000) of Part 3 of Division 9 of the Welfare and Institutions Code).
- (d) An applicant whose monthly income is 125 percent or less of the current poverty guidelines updated periodically in the Federal Register by the United States Department of Health and Human Services under the authority of paragraph (2) of Section 9902 of Title 42 of the United States Code.
- (e) The City also may allow the person to complete community service in lieu of paying the fine, may waive the fine in whole or in part, or may offer an alternative settlement and disposition.

SECTION 3. The City Council finds the approval of this ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Alternatively, the City Council finds the approval of this ordinance is not a project under CEQA Regulation Section 15061(b)(3) because it has no potential for causing a significant effect on the environment.

SECTION 4. Severability. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one (1) or more sections, subsections, sentences, clauses or phrases be declared, invalid or unconstitutional.

SECTION 5. Effective Date. This Ordinance shall take effect thirty days after the date of its adoption. This Ordinance shall be certified as to its adoption by the City Clerk and shall be published once in the Paramount Journal within 15 days after its adoption together with the names and members of the City Council voting for and against the Ordinance.

PASSED AND ADOPTED by the City Council of the City of Paramount this 4th day of June 2019.

Tom Hansen, Mayor

ATTEST:

Lana Chikami, City Clerk

MAY 21, 2019

RESOLUTION NO. 19:019

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARAMOUNT
IN SUPPORT OF THE FORMATION OF AND INCLUSION IN THE LOWER
LOS ANGELES RIVER RECREATION AND PARKS DISTRICT”

MOTION IN ORDER:

READ BY TITLE ONLY AND ADOPT RESOLUTION NO. 19:019.

MOTION:

MOVED BY: _____

SECONDED BY: _____

[] APPROVED

[] DENIED

ROLL CALL VOTE:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____



To: Honorable City Council
From: John Moreno, City Manager
By: David Johnson, Recreation Director
Date: May 21, 2019

**Subject: RESOLUTION NO. 19:019
SUPPORTING THE FORMATION OF AND INCLUSION IN THE LOWER
LOS ANGELES RIVER RECREATION AND PARKS DISTRICT**

In September of 2016, California Senate Bill 1374, sponsored by Senator Ricardo Lara, was approved and signed and became part of the Public Resources Code establishing, by law, the "Lower Los Angeles River Recreation and Parks District." This District would be responsible for coordination of park developments and activities along the Los Angeles River that exceed the boundaries of the individual cities.

For the District to actually take shape, it needs to go through a process with the Local Area Formation Commission (LAFCO), the agency that oversees incorporations, annexations and other actions which impact the boundaries of cities and of any special districts that may exist. The City of South Gate will be serving as the primary applicant for this process and has been tasked with the processing of the application of formation. There are fourteen total cities that are affected by the legislation to be part of the District. Each city will be considering the adoption of a resolution in support of the City of South Gate's application for the formation of the Lower Los Angeles River Recreation and Parks District.

Below are important details regarding the District:

- The current proposed boundaries of the District extend one mile from the river on both sides and extend from Vernon south to Long Beach. This may be subject to change as it is not specified in the legislation.
- The Board of Directors for the Lower Los Angeles River Parks District will consist of two appointees by the County of Los Angeles, one appointee of the ten cities that are adjacent to the Los Angeles River and one appointee selected by the four cities that extend into the District but are not adjacent to the Los Angeles River:
 1. Cities that border the Los Angeles River: Bell, Bell Gardens, Compton, Cudahy, Long Beach, Lynwood, Maywood, Paramount, South Gate, and Vernon
 2. The four jointly appointed cities are: Commerce, Downey, Montebello, and Pico Rivera

- The District is tasked with the following:
 1. Promote the development of open space and parks along the Lower Los Angeles River.
 2. Identify funding and resources to promote the revitalization of the Lower Los Angeles River and open spaces along the river for the benefit and enjoyment of local communities.
 3. Acquire, construct, improve, maintain, and operate parks and open space along the Lower Los Angeles River.
- The District will not require contributions from participating cities and will not seek to divert any property tax dollars from cities that share its boundaries. There is an existing tax increment that is managed by Los Angeles County which is designated for funding such districts. The District will also be receiving support from the Rivers and Mountains Conservancy.

A Lower Los Angeles River Recreation and Parks District, working in collaboration with the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy (RMC), will help to promote the development of open space and parks for the benefit of communities along the Lower Los Angeles River, will assist in coordinating development and activities on a more regional level and will assist local agencies in meeting the growing demand for recreation along the river.

RECOMMENDED ACTION

It is recommended that the City Council read by title only and adopt Resolution No. 19:019.

CITY OF PARAMOUNT
LOS ANGELES COUNTY, CALIFORNIA

RESOLUTION NO. 19:019

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARAMOUNT
SUPPORTING THE FORMATION OF AND INCLUSION IN THE LOWER
LOS ANGELES RIVER RECREATION AND PARKS DISTRICT

WHEREAS, in September of 2016, California Senate Bill 1374, sponsored by Senator Ricardo Lara, was signed into law authorizing the formation of the Lower Los Angeles River Recreation and Parks District (District); and

WHEREAS, the Lower Los Angeles River flows through many disadvantaged communities, where residents are disproportionately impacted by poor air quality from local heavy industry and congested transportation corridors, and suffer from a severe lack of access to recreational opportunities and outdoor park space; and

WHEREAS, parks have many beneficial impacts on communities; encouraging physical activity, improving health and fitness, reducing urban heating effects and air pollution, reducing greenhouse gas emissions through trees and greenery, and providing important economic benefits; and

WHEREAS, many communities along the Lower Los Angeles River represent low income communities which are some of the most park-poor areas in Los Angeles County, lacking the resources to fund, develop, maintain and operate the parks and recreational opportunities that their residents need; and

WHEREAS, with numerous recent developments, including the creation of a Lower Los Angeles River Working Group to develop a revitalization plan, the City of Los Angeles' River Revitalization Master Plan, and multiple conversations about a new vision for the river, there is a growing local interest in transformation of the river; and

WHEREAS, development and maintenance of a safe, attractive and vibrant recreation zone along the Lower Los Angeles River will require coordination of activities, maintenance, public safety and planning across multiple jurisdictions and is beyond the capabilities of any one city; and

WHEREAS, the City of Paramount, has significant interest in the continued development of recreational opportunities for all residents, including facilities and activities which utilize and enhance this important resource which improves access to the Lower Los Angeles River for everyone; and

WHEREAS, the proposed annexation is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 20, as a

change in the organization of local agencies, and the Categorical Exemption was adopted by the City of South Gate, as lead agency, on March 26, 2019; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PARAMOUNT AS FOLLOWS:

SECTION 1. The above recitations are true and correct.

SECTION 2. This Resolution is hereby adopted and approved by the City of Paramount in support of the City of South Gate's application for formation of the Lower Los Angeles River Recreation and Parks District as authorized and in the manner provided by the Cortese-Know-Hertzberg Local Government Reorganization Act of 2000.

SECTION 3. The City of Paramount will cooperate with the formation of the District and is requesting to be included within the District as outlined in Senate Bill and as indicated on the finalized District Boundary Map.

SECTION 4. The Clerk of the City of Paramount is hereby authorized and directed to file a certified copy of this Resolution with the Executive Officer of the Local Agency Formation Commission for the County of Los Angeles.

SECTION 5. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED, and ADOPTED by the City Council of the City of Paramount this 21st day of May 2019.

Tom Hansen, Mayor

ATTEST:

Lana Chikami, City Clerk

MAY 21, 2019

ORAL REPORT

CODE ENFORCEMENT UPDATE

MAY 21, 2019

ORAL REPORT

HERITAGE FESTIVAL UPDATE 2019