



PUBLIC PARTICIPATION NOTICE

Public Participation Accessibility for the Regular Meeting of the Paramount Planning Commission scheduled for **September 6, 2023**.

In-person Attendance:

The public may attend the Planning Commission meeting in-person.

Public Comments:

Members of the public wanting to address the Planning Commission, either during public comments or for a specific agenda item, or both, may do so by the following methods:

- **In-Person**

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 podium provided for the public.

- **E-mail: planning@paramountcity.com**

E-mail public comments must be received by **5:00 p.m. on Wednesday, September 6, 2023**. The e-mail must specify the following information: 1) Full Name; 2) City of Residence; 3) Phone Number; 4) Public Comment or Agenda Item Number; 5) Subject; 6) Written Comments.

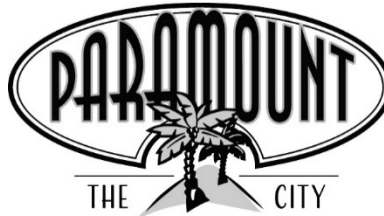
- **Teleconference: (562) 220-2036**

Participants wishing to address the Planning Commission by teleconference should call City Hall at **(562) 220-2036** by **5:00 p.m. on Wednesday, September 6, 2023** and provide the following information: 1) Full Name; 2) City of Residence; 3) Phone Number; 4) Public Comment or Agenda Item Number; 5) Subject. Teleconference participants will be called back during the Planning Commission meeting on speaker phone to provide their comments.

All public comments are limited to a maximum of three minutes unless an extension is granted. Please be mindful that the meeting will be recorded as any other person is recorded when appearing before the Planning Commission, and all other rules of procedure and decorum will apply when addressing the Planning Commission by teleconference.

AGENDA

Paramount Planning Commission
September 6, 2023



Safe, Healthy, and Attractive

Regular Meeting
City Hall Council Chambers
6:00 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 three (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) 220-2220 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 Planning Department 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 Planning Department office. The Planning Department office is located at City Hall, 16400 Colorado Avenue, Paramount.

Notes

CALL TO ORDER:	Chair Gordon Weisenburger
PLEDGE OF ALLEGIANCE:	Chair Gordon Weisenburger
ROLL CALL OF MEMBERS:	Commissioner Javier Gonzalez Commissioner David Moody Commissioner Linda Timmons Vice Chair Ernie Esparza Chair Gordon Weisenburger

MINUTES

1. <u>APPROVAL OF MINUTES</u>	August 2, 2023
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2. [APPROVAL OF MINUTES](#)

August 23, 2023

PUBLIC COMMENTS

OLD BUSINESS

PUBLIC HEARINGS

3. [CONDITIONAL USE PERMIT NO. 942](#)

A request by Rio Luna, Inc. dba Horchateria Rio Luna for the sales of beer and wine for onsite consumption at 15950 Paramount Boulevard in the PD-PS (Planned Development with Performance Standards) zone. This project is a Class 1 (existing facilities) Categorical Exemption pursuant to Article 19, Section 15301 of California Environmental Quality Act (CEQA) Guidelines.

NEW BUSINESS

PUBLIC HEARINGS

4. [RESOLUTION NO. PC 23:030/DEVELOPMENT AGREEMENT NO. 23-1](#)

A request by Daniel Freedman/Jeffer Mangels Butler & Mitchell, LLP for Sobeida Filippi for a development agreement with the City of Paramount for the construction, installation, and operation of a freeway-oriented digital billboard on vacant land north of Rosecrans Avenue, between the Los Angeles River and 710-Freeway [Assessor Parcel Number 6236-035-013] in the M-2 (Heavy Manufacturing) zone. This project is a Class 3 Categorical Exemption (new construction or conversion of small structures) pursuant to Article 19, Section 15303 of California Environmental Quality Act (CEQA) Guidelines. A mitigated negative declaration was adopted for a now-expired similar project in the same location.

5. [ZONING ORDINANCE
TEXT AMENDMENT NO.
32](#)

A recommendation for the City Council of the City of Paramount to approve an ordinance implementing the provisions of SB 9 for the City of Paramount. This project is exempt from CEQA pursuant to CEQA Guidelines Section 15305, minor alterations in land use limitations in areas with an average slope of less than 20% that do not result in any changes in land use or density and Section 15061(b)(3) which is the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment and CEQA does not apply where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment.

REPORTS

6. [ORAL REPORT](#)

City Council Actions

COMMENTS

7. [COMMENTS](#)

- City Attorney
- Commissioners
- Staff

ADJOURNMENT

To a meeting on October 4, 2023 at 6:00 p.m.

SEPTEMBER 6, 2023

APPROVAL OF MINUTES

PLANNING COMMISSION

MOTION IN ORDER:

APPROVE THE PLANNING COMMISSION MINUTES OF AUGUST 2, 2023.

MOTION:

MOVED BY: _____

SECONDED BY: _____

[] APPROVED

[] DENIED

ROLL CALL VOTE:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

PARAMOUNT PLANNING COMMISSION MINUTES AUGUST 2, 2023

City of Paramount, 16400 Colorado Avenue, Paramount, CA 90723

CALL TO ORDER: The meeting of the Planning Commission was called to order by Vice Chair Ernie Esparza at 6:00 p.m. at City Hall, Council Chambers, 16400 Colorado Avenue, Paramount, California.

ROLL CALL OF COMMISSIONERS: Present: Commissioner Javier Gonzalez
Commissioner David Moody
Commissioner Linda Timmons
Vice Chair Ernie Esparza

Absent: Chair Gordon Weisenburger

STAFF PRESENT: John Cavanaugh, City Attorney
John Carver, Planning Director
John King, Assistant Planning Director
Johnnie Rightmer, Building and Safety Manager
Sol Bejarano, Management Analyst
Ivan Reyes, Associate Planner
Leslie Corrales, Planning Intern
Valerie Zaragoza, Administrative Assistant

It was moved by Vice Chair Esparza, seconded by Commissioner Moody, to excuse Chair Weisenburger from the Planning Commission meeting.

The motion was passed by the following roll call vote:

AYES: Commissioners Gonzalez, Moody, and Timmons, Vice Chair Esparza

NOES: None

ABSENT: Chair Weisenburger

ABSTAIN: None

PUBLIC COMMENTS

There were none.

1. APPROVAL OF MINUTES

Vice Chair Esparza presented the Planning Commission minutes of July 5, 2023 for approval.

It was moved by Commissioner Timmons, seconded by Commissioner Gonzalez, to approve the minutes as presented. The motion was passed by the following roll call vote:

AYES: Commissioners Gonzalez, Moody, and Timmons, Vice Chair Esparza
NOES: None
ABSENT: Chair Weisenburger
ABSTAIN: None

OLD BUSINESS

PUBLIC HEARINGS

2. ZONE VARIANCE NO. 410
HUMBERTO CORONA /HC DESIGNS AND DRAFTING FOR LOS ALTOS BOOTS
14910 GARFIELD AVENUE

Vice Chair Esparza presented the item, a request by Humberto Corona/HC Designs and Drafting for Los Altos Boots for a variance to reduce the required number of parking spaces from 86 to 76 to allow the legalization of a 3,180 square foot unpermitted addition to the existing 39,500 square foot building at 14910 Garfield Avenue in the M-2 (Heavy Manufacturing) zone.

Planning Director John Carver stated that it is recommended that the Planning Commission remove the item from the calendar at the request of the applicant.

It was moved by Commissioner Gonzalez, seconded by Commissioner Moody, to remove Zone Variance No 410 from the calendar. The motion was passed by the following roll call vote:

AYES: Commissioners Gonzalez, Moody, and Timmons, Vice Chair Esparza
NOES: None
ABSENT: Chair Weisenburger
ABSTAIN: None

NEW BUSINESS

PUBLIC HEARINGS

3. CONDITIONAL USE PERMIT NO 942
RIO LUNA, INC. DBA HORCHATERIA RIO LUNA
15950 PARAMOUNT BOULEVARD

Vice Chair Esparza presented the item, a request by Rio Luna, Inc. dba Horchateria Rio Luna for the sales of beer and wine for onsite consumption at 15950 Paramount Boulevard in the PD-PS (Planned Development with Performance Standards) zone.

Planning Director John Carver stated that the application is still being reviewed, and staff's recommendation is that the Planning Commission open and continue the public hearing for Conditional Use Permit No. 942 to the September 6, 2023 Planning Commission meeting.

It was moved by Commissioner Gonzalez, seconded by Commissioner Timmons, to open and continue the public hearing for Conditional Use Permit No. 942 to the September 6, 2023 Planning Commission meeting. The motion was passed by the following roll call vote:

AYES: Commissioners Gonzalez, Moody, and
Timmons, Vice Chair Esparza
NOES: None
ABSENT: Chair Weisenburger
ABSTAIN: None

4. ZONING ORDINANCE
TEXT AMENDMENT
NO. 31

Vice Chair Esparza presented the item, a request recommending that the City Council approve revised regulations regarding development review application notifications citywide.

Planning Director John Carver introduced Associate Planner Ivan Reyes who presented an overview of the request.

Vice Chair Esparza opened the public hearing and asked if anyone wished to speak in favor of the request.

Seeing no one present wishing to speak in favor of the request, Vice Chair Esparza asked if there was anyone present wishing to speak in opposition to the request.

There being no one present wishing to speak in opposition to the request it was moved by Commissioner Gonzalez, seconded by Commissioner Moody, to close the public hearing. The motion was passed by the following roll call vote:

AYES: Commissioners Gonzalez, Moody, and
Timmons, Vice Chair Esparza
NOES: None
ABSENT: Chair Weisenburger
ABSTAIN: None

There was further discussion between the Planning Commission and staff regarding the request.

It was moved by Commissioner Gonzalez, seconded by Commissioner Moody, to read by title only and adopt Planning Commission Resolution No. PC 23:026, approving the request. The motion was passed by the following roll call vote:

AYES: Commissioners Gonzalez, Moody, and Timmons, Vice Chair Esparza
NOES: None
ABSENT: Chair Weisenburger
ABSTAIN: None

REPORTS

- | | |
|---|--|
| 5. ORAL REPORT | Planning Director John Carver presented a quarterly update on the World Energy Sound Wall along Façade Avenue.

There was further discussion between the Planning Commission and staff regarding the update. |
| 6. CITY COUNCIL ACTIONS | There were no items pertaining to the Planning Commission. |
| 7. COMMENTS FROM CITY ATTORNEY, COMMISSIONERS AND STAFF | There were none. |

ADJOURNMENT

There being no further business to come before the Commission, the meeting was adjourned by Vice Chair Esparza at 6:15 p.m. to an adjourned meeting of the Planning Commission meeting to be held on Wednesday, August 23, 2023, at City Hall Council Chambers, 16400 Colorado Avenue, Paramount, California at 6:00 p.m.

Ernie Esparza, Vice Chair

ATTEST:

Valerie Zaragoza, Administrative Assistant

SEPTEMBER 6, 2023

APPROVAL OF MINUTES

PLANNING COMMISSION

MOTION IN ORDER:

APPROVE THE PLANNING COMMISSION MINUTES OF AUGUST 23, 2023.

MOTION:

MOVED BY: _____

SECONDED BY: _____

[] APPROVED

[] DENIED

ROLL CALL VOTE:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

PARAMOUNT PLANNING COMMISSION MINUTES AUGUST 23, 2023

City of Paramount, 16400 Colorado Avenue, Paramount, CA 90723

CALL TO ORDER: The meeting of the Planning Commission was called to order by Chair Gordon Weisenburger at 6:00 p.m. at City Hall, Council Chambers, 16400 Colorado Avenue, Paramount, California.

ROLL CALL OF COMMISSIONERS: Present: Commissioner David Moody
Commissioner Linda Timmons
Vice Chair Ernie Esparza
Chair Gordon Weisenburger

Absent: Commissioner Javier Gonzalez

STAFF PRESENT: John Cavanaugh, City Attorney
John King, Assistant Planning Director
Johnnie Rightmer, Building and Safety Manager
Sol Bejarano, Management Analyst
Leslie Corrales, Planning Intern
Valerie Zaragoza, Administrative Assistant

It was moved by Commissioner Timmons, seconded by Vice Chair Esparza, to excuse Commissioner Gonzalez from the Planning Commission meeting.

The motion was passed by the following roll call vote:

AYES: Commissioners Moody and Timmons, Vice Chair Esparza, Chair Weisenburger
NOES: None
ABSENT: Commissioner Gonzalez
ABSTAIN: None

PUBLIC COMMENTS

There were none.

NEW BUSINESS

PUBLIC HEARINGS

1. CONDITIONAL USE
PERMIT NO. 943
JOSE J. PEREZ/CASA
ADELITA
8063 ALONDRA
BOULEVARD

Chair Weisenburer presented the item, a request by Jose J. Perez/Casa Adelita to extend customer seating at an existing restaurant to an outdoor seating area at 8063 Alondra Boulevard in the C-3 (General Commercial) zone.

Assistant Planning Director John King stated that as the business before the Planning Commission coincides with the business of the Development Review Board, the presentations would include comprehensive information for both. Assistant Planning Director John King then presented an overview of the request.

Chair Weisenburger opened the public hearing and asked if anyone wished to speak in favor of the request.

Seeing no one present wishing to speak in favor of the request, Chair Weisenburger asked if there was anyone present wishing to speak in opposition to the request.

There being no one present wishing to speak in opposition to the request, it was moved by Commissioner Moody, seconded by Vice Chair Esparza, to close the public hearing. The motion was passed by the following roll call vote:

AYES: Commissioners Moody and Timmons, Vice
Chair Esparza, Chair Weisenburger
NOES: None
ABSENT: Commissioner Gonzalez
ABSTAIN: None

It was moved by Commissioner Timmons, seconded by Commissioner Moody, to read by title only and adopt Planning Commission Resolution No. PC 23:027, approving the request. The motion was passed by the following roll call vote:

AYES: Commissioners Moody and Timmons, Vice
Chair Esparza, Chair Weisenburger
NOES: None
ABSENT: Commissioner Gonzalez
ABSTAIN: None

2. CONDITIONAL USE
PERMIT NO 944
GLORIA M. GAMINO/
CASA GAMINO
FAMILY
RESTAURANT, INC.
8330 ALONDRA
BOULEVARD

Chair Weisenburer presented the item, a request by Gloria M. Gamino/Casa Gamino Family Restaurant, Inc., to extend customer seating at an existing restaurant to an outdoor seating area at 8330 Alondra Boulevard in the C-3 (General Commercial) zone.

Assistant Planning Director John King presented an overview of the request.

Chair Weisenburger opened the public hearing and asked if anyone wished to speak in favor of the request.

Seeing no one present wishing to speak in favor of the request, Chair Weisenburger asked if there was anyone present wishing to speak in opposition to the request.

There being no one present wishing to speak in opposition to the request, it was moved by Vice Chair Esparza, seconded by Commissioner Moody, to close the public hearing. The motion was passed by the following roll call vote:

AYES: Commissioners Moody and Timmons, Vice
Chair Esparza, Chair Weisenburger
NOES: None
ABSENT: Commissioner Gonzalez
ABSTAIN: None

It was moved by Commissioner Timmons, seconded by Vice Chair Esparza, to read by title only and adopt Planning Commission Resolution No. PC 23:028, approving the request. The motion was passed by the following roll call vote:

AYES: Commissioners Moody and Timmons, Vice
Chair Esparza, Chair Weisenburger
NOES: None
ABSENT: Commissioner Gonzalez
ABSTAIN: None

3. CONDITIONAL USE
PERMIT NO. 945
EL TAPATIO
RESTAURANT &
GRILL, LLC
7528 ROSECRANS
AVENUE, SUITE B

Chair Weisenburer presented the item, a request by El Tapatio Restaurant & Grill, LLC to modify an existing outdoor customer seating area at an existing restaurant at 7528 Rosecrans Avenue, Suite B in the PD-PS (Planned Development with Performance Standards) zone.

Assistant Planning Director John King presented an overview of the request.

Chair Weisenburger opened the public hearing and asked if anyone wished to speak in favor of the request.

Seeing no one present wishing to speak in favor of the request, Chair Weisenburger asked if there was anyone present wishing to speak in opposition to the request.

There being no one present wishing to speak in opposition to the request, it was moved by Commissioner Timmons, seconded by Vice Chair Esparza, to close the public hearing. The motion was passed by the following roll call vote:

AYES: Commissioners Moody and Timmons, Vice Chair Esparza, Chair Weisenburger
NOES: None
ABSENT: Commissioner Gonzalez
ABSTAIN: None

It was moved by Commissioner Timmons, seconded by Vice Chair Esparza, to read by title only and adopt Planning Commission Resolution No. PC 23:029, approving the request. The motion was passed by the following roll call vote:

AYES: Commissioners Moody and Timmons, Vice Chair Esparza, Chair Weisenburger
NOES: None
ABSENT: Commissioner Gonzalez
ABSTAIN: None

4. COMMENTS FROM
CITY ATTORNEY,
COMMISSIONERS
AND STAFF

Assistant Planning Director John King reminded the Commissioners of the Commissioners' BBQ that would be taking place on Monday, August 28, 2023. Assistant Planning Director King thanked the Planning Commission for their hard work related to the North Paramount Gateway Specific Plan that was heard by the Commission last month and informed them that the City Council approved each item as recommended by the Commission.

ADJOURNMENT

There being no further business to come before the Commission, the meeting was adjourned by Chair Weisenburger at 6:31 p.m. to the next Planning Commission meeting to be held on Wednesday, September 6, 2023, at City Hall Council Chambers, 16400 Colorado Avenue, Paramount, California at 6:00 p.m.

Gordon Weisenburger, Chair

ATTEST:

Valerie Zaragoza, Administrative Assistant

SEPTEMBER 6, 2023

PUBLIC HEARING

CONDITIONAL USE PERMIT NO. 942

A. MOTION IN ORDER:

B. CONTINUE THE PUBLIC HEARING TO OCTOBER 4, 2023.

MOTION:

MOVED BY: _____

SECONDED BY: _____

[] APPROVED

[] DENIED

ROLL CALL VOTE:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____



To: Honorable Planning Commission
From: John Carver, Planning Director
By:
Date: September 6, 2023

Subject: CONDITIONAL USE PERMIT NO. 942

This item is a request by Rio Luna, Inc. dba Horchateria Rio Luna to allow the sale of beer and wine for onsite consumption at 15950 Paramount Boulevard in the PD-PS (Planned Development with Performance Standards) zone. We are still working on this application with the applicant, and it is recommended that the Planning Commission continue the public hearing to the October 4, 2023 meeting.

RECOMMENDED ACTION

It is recommended that the Planning Commission continue the public hearing for Conditional Use Permit No. 942 to the October 4, 2023 Planning Commission meeting.

SEPTEMBER 6, 2023

PUBLIC HEARING

RESOLUTION NO. PC 23:030/DEVELOPMENT AGREEMENT NO. 23-1

- A. HEAR STAFF REPORT.
- B. OPEN THE PUBLIC HEARING.
- C. HEAR TESTIMONY IN THE FOLLOWING ORDER:
 - (1) THOSE IN FAVOR
 - (2) THOSE OPPOSED
 - (3) REBUTTAL BY THE APPLICANT
- D. MOTION TO CLOSE THE PUBLIC HEARING.

<u>MOTION:</u>	<u>ROLL CALL VOTE:</u>
MOVED BY: _____	AYES: _____
SECONDED BY: _____	NOES: _____
[] APPROVED	ABSENT: _____
[] DENIED	ABSTAIN: _____

- E. MOTION IN ORDER:

READ BY TITLE ONLY, WAIVE FURTHER READING AND ADOPT PLANNING COMMISSION RESOLUTION NO. PC 23:030, A REQUEST BY DANIEL FREDMAN/EFFER MANGELS BUTLER & MITCHELL, LLC FOR SOBEIDA FILIPPI FOR A DEVELOPMENT AGREEMENT WITH THE CITY OF PARAMOUNT FOR THE CONSTRUCTION, INSTALLATION, AND OPERATION OF A FREEWAY-ORIENTED DIGITAL BILLBOARD ON VACANT LAND NORTH OF ROSECRANS

CONTINUED... PLEASE TURN PAGE

AVENUE, BETWEEN THE LOS ANGELES RIVER AND 710-FREEWAY
[ASSESSOR PARCEL NUMBER 6236-035-013] IN THE M-2 (HEAVY
MANUFACTURING) ZONE.

MOTION:

MOVED BY: _____

SECONDED BY: _____

[] APPROVED

[] DENIED

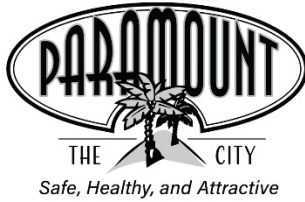
ROLL CALL VOTE:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____



CITY OF PARAMOUNT PLANNING DEPARTMENT STAFF REPORT SUMMARY

PROJECT NUMBER: Resolution No. PC 23:030/Development Agreement No. 23-1

REQUEST: Development agreement with the City of Paramount for the construction, installation, and operation of a freeway-oriented digital billboard

APPLICANT: Daniel Freedman/Jeffer Mangels Butler & Mitchell, LLC for Sobeida Filippi

MEETING DATE: September 6, 2023

LOCATION: Vacant land north of Rosecrans Avenue, between the Los Angeles River and 710-Freeway [Assessor Parcel Number 6236-035-013]

ZONE: M-2 (Heavy Manufacturing)

GENERAL PLAN: Industrial

PLANNER: Ivan Reyes

RECOMMENDATION: Approval



To: Honorable Planning Commission
From: John Carver, Planning Director
By: Ivan Reyes, Associate Planner
Date: September 6, 2023

**Subject: RESOLUTION NO. PC 23:030/DEVELOPMENT AGREEMENT NO. 23-1
DANIEL FREEDMAN/JEFFER MANGELS BUTLER & MITCHELL, LLC
FOR SOBEIDA FILIPPI**

Background

This application is a request by Daniel Freedman/Jeffer Mangels Butler & Mitchell, LLC for Sobeida Filippi for a development agreement with the City of Paramount for the construction, installation, and operation of a freeway-oriented digital billboard on vacant land north of Rosecrans Avenue, between the Los Angeles River and 710-Freeway [Assessor Parcel Number 6236-035-013] in the M-2 (Heavy Manufacturing) zone. The Development Review Board will review Development Review Application No. 23:013 to construct and install a freeway-oriented digital billboard on vacant land.

If the Planning Commission approves Resolution No. 23:030/Development Agreement No. 23-1, recommending that the City Council adopt an ordinance approving Resolution No. 23:030/Development Agreement No. 23-1, the Mayor will be authorized to sign the Development Agreement on behalf of the City. The Development Review Board will review the conceptual design of the proposed billboard with Development Review Application No. 23:013 later this evening.

ZOTA No. 13

In February 2020, the City Council adopted Ordinance No. 1122, approving Zoning Ordinance Text Amendment (ZOTA) No. 13. The ordinance allows freeway-oriented digital billboards (also known as electronic billboards) in a specific area along the Long Beach (I-710) Freeway. The location is a relatively nondescript ten-acre area to the north of Rosecrans Avenue and between the Los Angeles River and the 710 Freeway. Seven irregularly-shaped land parcels under ownership of four separate property owners comprise the area. Paramount Municipal Code Section 17.36.030(K) notes the following:

All use standards and mitigations, including but not limited to those that ensure digital billboard lighting will not negatively impact the surrounding neighborhoods, will be identified in a development agreement to be approved by the Planning Commission and City Council.

Billboard Description

The proposed use will be substantially similar or superior to the project that was approved under DRA No. 20:007 as a V-shaped, double-sided digital billboard with an overall height of 45 feet. The Development Review Board will review the conceptual design, including site improvements, lighting, message duration, and location of the digital billboard, this evening. A more precise design will be presented at a future Development Review Board meeting.

Below is a rendering of the conceptual design:



Photos

Below is a photo of the existing conditions of the site.



Development Agreement

The proposed development agreement addresses an array of construction and operational issues for the betterment of the Paramount community, including the following:

- Lighting. An automatic dimming system shall be installed to reduce the intensity of the light emitting from the Message Display Center during operations between sunset and sunrise. Visible light levels are measured by lumens. Daytime (sunrise to sunset) maximum lighting levels will not exceed 7,500 lumens per square meter. Nighttime (sunset to sunrise) lighting levels will not exceed 500 lumens per square meter.
- Maintenance. The applicant will maintain the billboard and site in good condition. Weeds will need to be removed and prevented. Graffiti and other forms of vandalism will need to be removed within 24 hours.
- Promotion of City Events. The agreement requires a guaranteed minimum rate of five percent and up to ten percent on a space-available basis of each minute for civic public service messages.
- Revenue share. The agreement provides for an annual payment from the applicant to the City beginning at \$112,000 with adjustments in future years based on the Consumer Price Index.
- Limitations. To avoid controversial messaging, content of a political, religious, or sexual nature will not be permitted. Messages will also not contain advertising for distilled spirits, tobacco products, cannabis-related products, gambling, or gambling services. However, gambling establishments may advertise non-gaming services such as music concerts or live comedy.

Environmental Assessment

This project is exempt from the provisions of the California Environmental Quality Act (CEQA) as a Section 15303, Class 3 (new construction or conversion of small structures) Categorical Exemption pursuant to Article 19, Section 15303 of California Environmental Quality Act (CEQA) Guidelines. A mitigated negative declaration was adopted for a now-expired similar project in the same location.

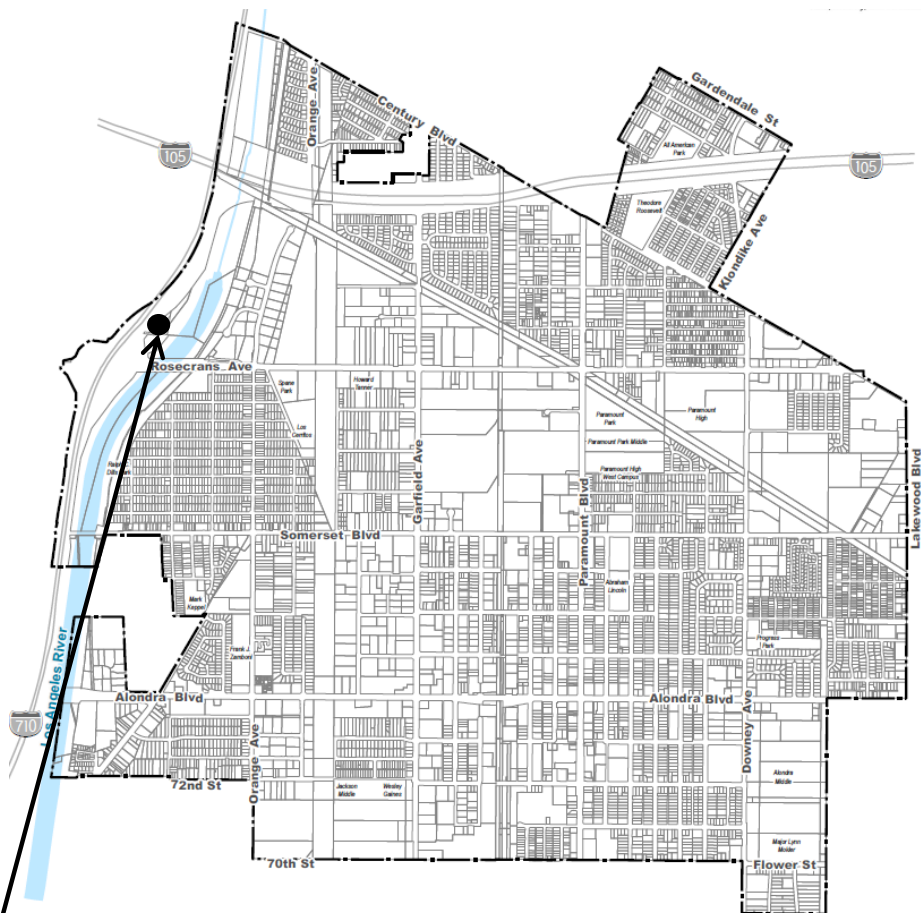
Conclusion

In summary, the proposed billboard sign will be directed to a freeway that is located on the western fringe of Paramount. The development agreement will ensure lighting will not be allowed to be a nuisance to surrounding neighborhoods. Additionally, a percentage of advertising time dedicated to the promotion of community events will benefit the City, as will a revenue sharing agreement with the applicant.

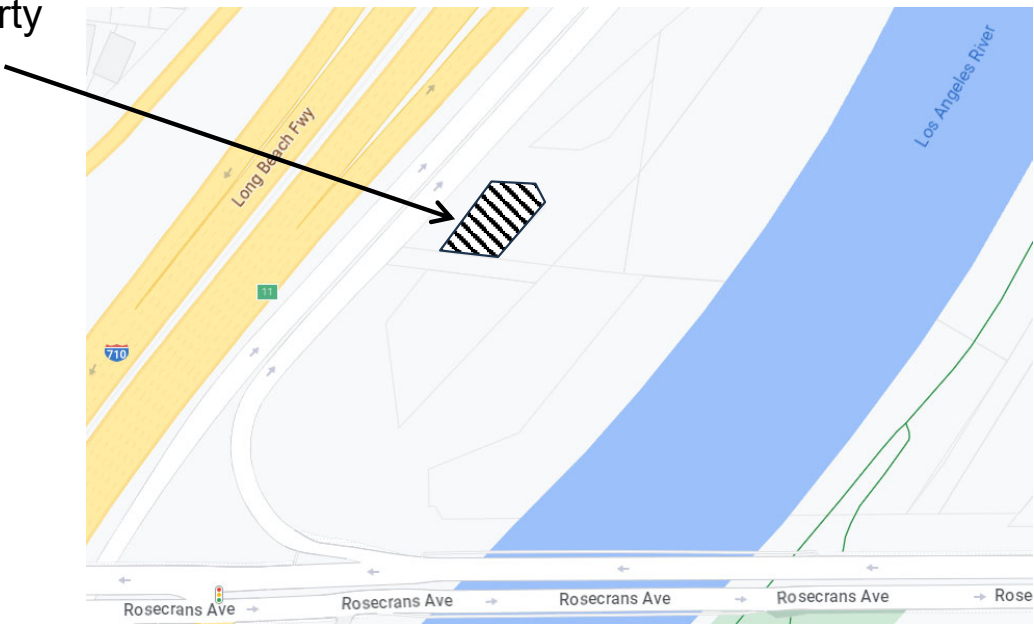
RECOMMENDED ACTION

It is recommended that the Planning Commission adopt Resolution PC 23:030, recommending that the City Council approve Development Agreement No. 23-1, for the construction, installation, and operation of a freeway-oriented digital billboard.

Development Agreement No. 23-1



Subject
Property



Assessor's Parcel No.: 6236-035-013

CITY OF PARAMOUNT
LOS ANGELES COUNTY, CALIFORNIA

**PLANNING COMMISSION
RESOLUTION NO. PC 23:030**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PARAMOUNT SETTING FORTH ITS FINDING OF FACT, AND RECOMMENDING THAT THE CITY COUNCIL APPROVE AN ORDINANCE APPROVING DEVELOPMENT AGREEMENT NO. 23-1 WITH DANIEL FREEDMAN/JEFFER MANGELS BUTLER & MITCHELL, LLC FOR SOBEIDA FILIPPI FOR THE CONSTRUCTION, INSTALLATION, AND OPERATION OF A FREEWAY-ORIENTED DIGITAL BILLBOARD ON VACANT LAND NORTH OF ROSECRANS AVENUE, BETWEEN THE LOS ANGELES RIVER AND 710-FREEWAY [ASSESSOR PARCEL NUMBER 6236-035-013] IN THE M-2 (HEAVY MANUFACTURING) ZONE

WHEREAS, the Planning Commission of the City of Paramount has considered Development Agreement No. 23-1 with Daniel Freedman/Jeffer Mangels Butler & Mitchell, LLC for Sobeida Filippi for the construction, installation, and operation of a freeway-oriented digital billboard on vacant land north of Rosecrans Avenue, between the Los Angeles River and 710-Freeway [Assessor Parcel Number 6236-035-013] in the M-2 (Heavy Manufacturing) zone; and

WHEREAS, Ordinance No. 178, the Zoning Ordinance of the City of Paramount, requires the Planning Commission to announce its findings and decisions in zoning matters; and

WHEREAS, the Planning Commission of the City of Paramount adopted a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for this project, pursuant to the provisions of the California Environmental Quality Act (CEQA).

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

SECTION 1. The above recitations are true and correct.

SECTION 2. The Planning Commission finds that it has conducted all the public hearings necessary and in compliance with State Law and the Municipal Code of the City of Paramount.

SECTION 3. The Planning Commission finds that all requirements of notice have been complied with pursuant to State Law and the Municipal Code.

SECTION 4. The Planning Commission hereby finds that Development Agreement No. 23-1 is consistent with desirable land use trends.

SECTION 5. The Planning Commission determines that upon applying the principles and practices of land use planning, development agreement should be made to encourage activity that will produce a desirable pattern of growth, encourage the most appropriate use of land, enhance the value of property and promote the health, safety, and general welfare of the public in the best interests of the City.

SECTION 6. The Planning Commission hereby recommends that the City Council adopt an Ordinance approving Development Agreement No. 23-1 with Daniel Freedman/Jeffer Mangels Butler & Mitchell, LLC for Sobeida Filippi for the construction, installation, and operation of a freeway-oriented digital billboard on vacant land north of Rosecrans Avenue, between the Los Angeles River and 710-Freeway [Assessor Parcel Number 6236-035-013] in the M-2 (Heavy Manufacturing) zone.

SECTION 7. That pursuant to Resolution No. 82:043 of the City Council the time limit to seek judicial review pursuant to California Code of Civil Procedure is ninety (90) days from the date hereof.

SECTION 8. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED and ADOPTED by the Planning Commission of the City of Paramount this 6th day of September 2023.

Gordon Weisenburger, Chair

Attest:

Valerie Zaragoza, Administrative Assistant

EXHIBIT “A”
FREEWAY-ORIENTED DIGITAL BILLBOARD
DEVELOPMENT AGREEMENT NO. 23-1

THIS FREEWAY-ORIENTED DIGITAL BILLBOARD DEVELOPMENT AGREEMENT (“Agreement”) is entered into as of this ____ day of ____, the “Effective Date”), by and between the CITY OF PARAMOUNT, a California Municipal Corporation (“City”), and _____ (“Company”). Hereinafter City and Company are sometimes referred to as “Party” or collectively as “Parties.”

RECITALS

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, the California Outdoor Advertising Act, Business and Professions Code, Section 5200, et. seq. encourages local entities and display owners to enter into agreements which allow local entities to continue development in a planned manner without expenditure of public funds while allowing the continued maintenance of private investment and a medium of public communications; and

WHEREAS, the California Outdoor Advertising Act specifically empowers, and encourages, local agencies to enter into agreements on whatever terms are agreeable to the City and display owners and to adopt ordinances and resolutions providing for displays; and

WHEREAS, Chapter 17.36.030(K) of the Paramount Municipal Code implements the General Plan by allowing the development of Freeway-Oriented Digital Billboards, subject to approval of a Development Agreement by the City; and

WHEREAS, Company desires to construct one Freeway-Oriented Digital Billboard incorporating a changeable Message Display Center, consistent with the requirements of the Paramount Zoning Ordinance; and

WHEREAS, the City Council of the City of Paramount has found that this Agreement is in the public interest of the City and its residents. Adopting this Agreement constitutes a present exercise of the City's police power, and this Agreement is consistent with the City's General Plan and Zoning Ordinances; and

WHEREAS, City and Company now wish to enter into this Development Agreement ("Agreement") to memorialize the terms and conditions upon which Company will have the right to construct and maintain a new Freeway-Oriented Digital Billboard.

NOW, THEREFORE, in consideration of the foregoing Recitals, which Recitals are incorporated herein by reference, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and consideration of the mutual covenants set forth herein, the Parties hereby agree as follows:

OPERATIVE PROVISIONS

1. Term of Agreement. Unless terminated earlier as provided in this Agreement, this Agreement shall continue in full force and effect for so long as any obligation is owed by either Party pursuant to the terms of this Agreement.

2. Freeway-Oriented Digital Billboard. Company shall be entitled to design, use, construct, operate, service, repair, and maintain from time to time the Freeway-Oriented Digital Billboard with a two-panel changeable Message Display Center on that certain site identified in Attachment "A" attached hereto and incorporated herein by reference ("Site"). The Freeway-Oriented Digital Billboard, including the Message Display Center, shall be designed and constructed in accordance with design and plans per scale drawings, approved by the City and identified in Attachment "B" attached hereto and incorporated herein by reference. Said design and plans shall also include maximum height and size standards for the Freeway-Oriented Digital Billboard. Company further agrees to place the City Logo on the Freeway-Oriented Digital Billboard as shown in the scale drawings in Attachment "B". Such logo shall measure per scale drawings identified in Attachment "B" and shall always be sufficiently illuminated at all hours and maintained by Company as part of its customary maintenance of the Freeway-Oriented Digital Billboard.

3. Condition Precedent. This Agreement is conditioned upon Company, and/or its successor's or assigns, obtaining within a period of one (1) year from the date of this Agreement, on such terms and conditions as shall be approved by Company, from all governmental agencies and authorities (including but not limited to the City) all licenses, permits, approvals and consents to design, use, construct, operate, service and maintain the Freeway-Oriented Digital Billboard on the site. In the event Company fails to obtain the requisite approvals within the time frame under this Section 3, City may grant to Company a one-time extension of up to one (1) year to obtain said approvals.

City agrees, to the extent legally capable, at no expense or liability to City, to cooperate and aid Company in obtaining all necessary licenses, permits, approvals and consents to enable Company to design, construct, operate, use and maintain the Freeway-Oriented Digital Billboard. In this regard, if requested by Company, and to the extent legally capable by City, City agrees to join in and cooperate with Company in processing future applications to Caltrans and/or other governmental agencies to aid and facilitate obtaining said approvals and the necessary electrical installation.

4. Dimmers and Energy. Company shall purchase electrical power from 100% renewable sources as available from the local electricity provider. An automatic dimming system shall be installed to reduce the intensity of the light emitting from the Message Display Center during operations between sunset and sunrise. Maximum lighting levels shall be:

Daytime (Sunrise to Sunset): 7500 lumens per square meter
Nighttime (Sunset to Sunrise): 500 lumens per square meter

5. Maintenance of the Site and Advertising Structure. Company shall maintain the Site and the Freeway-Oriented Digital Billboard in good condition. Company shall allow no noxious weeds to go to seed and shall keep the Site free of weeds, grasses, debris and vermin. Any graffiti found on the Site or on the Freeway-Oriented Digital Billboard shall be removed within 24 hours of notification.

6. Promotion of City Events. As further consideration for City's Agreement to allow Company to develop the Freeway-Oriented Digital Billboard, City shall be entitled to place public service announcements on the Message Display Center, provided, however, that such public service announcements shall be limited to civic public service messages, including those sponsored by private organizations as approved by the City (hereinafter "Public Service Messages"). The term Public Service Message shall expressly exclude any message advertising any business, company or event where such message would have a direct and tangible economic benefit to a private, for-profit company. City shall be entitled to post Public Service Messages at a guaranteed minimum rate of five percent (5%) of each minute and up to ten percent (10%) on a space-available basis on the Message Display Center on a continuous basis. Notwithstanding the foregoing, should City not utilize its allotment of advertising space, Company shall be entitled to lease that time for other advertising purposes consistent with Section 9 below. For all Public Service Messages, City shall be responsible for providing Company with the advertising copy and artwork. Company shall not be responsible for producing or substantially modifying any advertising copy for a Public Service Message and shall display the Public Service Message no more than 48 hours after receipt and approval of advertising copy. Company's obligation to provide and display Public Service Messages

shall survive termination of this Agreement and shall remain in full force and effect until removal of the Freeway-Oriented Digital Billboard.

7. Revenue Share. Company, as further consideration for the City's Agreement to allow Company to develop the Freeway-Oriented Digital Billboard, and as an express condition precedent to City granting final approval of the project, hereby agrees to pay City an initial \$56,000 payment representing one-half of the ("year one payment") no later than six (6) months after the date the City gives written notice to Company of the City's final Paramount Building and Safety Division inspection approval of the completed Freeway-Oriented Digital Billboard project ("anniversary date"). Thereafter, Company hereby agrees to pay City a \$56,000 payment representing the balance of the year one payment no later than twelve (12) months after the anniversary date. The amount of the \$112,000 payment from Company to City represents the anniversary payment. Thereafter, and beginning in year two, Company shall pay a fixed six percent (6%) adjusted increase to the anniversary payment for each of the following three (3) anniversary payments on the anniversary date. For purposes of illustration, beginning in year two of the anniversary date, Company shall pay City the anniversary payment of \$118,720.00 (representing the 6% adjusted increase). Beginning in year three of the anniversary date, Company shall pay City the anniversary payment of \$125,843.20. Beginning in year four of the anniversary date, Company shall pay City the anniversary payment of \$133,393.80. Beginning on the fifth anniversary date, the anniversary payment shall then be adjusted annually on the same anniversary date each year according to the changes in the regional Consumer Price Index, All Items for all Urban Consumers (CPI-U) for the previous 12 months. At no time shall the anniversary payment decrease in the amount from a previous year. If there is a first and last partial calendar year during the term of the Agreement, the amount payable shall be prorated on the basis of a 365-day year. The commencement and schedule of payment for the Revenue Share to the City shall be memorialized in a letter to be exchanged by the Parties.

8. Indemnity. Company, as material part of the consideration to be rendered to City under this Agreement, shall indemnify the City, and its respective elected and appointed officers, agents and employees, and any successors or assigns to the City's rights under this Agreement (collectively "City Parties") free and harmless from any and all actions, suits, claims, damages to persons or property, losses, costs, penalties, obligations, errors, omissions or liabilities, (hereinafter "Indemnified Claims and Liabilities") that may be asserted or claimed by any person, firm or entity arising out of or in connection with construction, use and maintenance of the Freeway-Oriented Digital Billboard by Company, its officers, agents and employees (collectively "Company Parties"), but only to the extent any such Indemnified Claims and Liabilities arise from (a) the failure of the Company to keep the Freeway-Oriented Digital Billboard in good condition and repair, (b) the negligent acts or omissions of the Company hereunder, or

(c) the Company's negligent performance of or failure to perform any term or covenant of this Agreement, and in connection with the foregoing indemnity:

a. Company shall defend any action or actions filed in connection with any of said Indemnified Claims and Liabilities and will pay all costs and expenses, including legal costs and attorneys' fees incurred in connection therewith; and

b. Company shall promptly pay any judgment rendered against the City and the City Parties for any such Indemnified Claims and Liabilities; and Company shall save and hold the City and the City Parties harmless therefrom; and

c. In the event the City Parties are made a party to any action or proceeding filed or prosecuted against the Company Parties for such Indemnified Claims and Liabilities, Company shall pay to the City any and all costs and expenses incurred by the City Parties in such action or proceeding, including but not limited to, legal costs and attorneys' fees, and

d. Should the City or the Company become aware and/or receive from a third party a claim or demand (a "Third Party Claim") that would give rise to a request for indemnification pursuant to this paragraph 8, said Party shall promptly notify the other in writing thereof and furnish to said Party with reasonable specificity written details of the nature of any potential Third Party Claim. No delay in notifying the other Party shall relieve the indemnifying Party from any obligation to indemnify unless (and then solely to the extent) the indemnifying Party is thereby prejudiced.

Notwithstanding any other provision of the Agreement, Company's indemnification obligations as set forth in this Agreement shall survive the termination of this Agreement and shall continue for a period of five (5) years from the termination thereof. Company and City further acknowledge that Company shall not indemnify the City Parties for any Indemnified Claims and Liabilities caused by or arising out of the gross negligence or willful misconduct of the City Parties.

9. Advertising Limitation. Company voluntarily covenants and agrees for itself, its successors and assigns that any advertising displayed on the Message Display Center shall not contain text the subject of which is political, religious, or sexual in nature, or which promotes any product or activity which is prohibited by the laws of the United States, the State of California, or the City of Paramount. For the purposes of this Agreement, text will be deemed (a) "political" if the text espouses any position associated with or having to do with activities or affairs of a government (local, state, federal, international), politician, or political party; or (b) "religious" if the text espouses any position on any integrated belief system; or (c) "sexual" if the text or pictures advertise, promote or otherwise exhibits anything (i) pertaining to, affecting or characteristic of sex,

the sexes, sex organs or their functions, or (ii) implying or symbolizing erotic desires or sexual activity.

Further, Company voluntarily covenants and agrees for itself, its successors and assigns that any advertising displayed on Message Display Center shall not contain any advertising for: (1) distilled spirits or tobacco products of any type, (2) all commercial cannabis activities, including commercial and non-commercial cultivation and medical cannabis, and (3) gambling or gambling related services. Notwithstanding the foregoing, gambling establishments may advertise non-gaming/gambling services. City further reserves the right to object to any other advertising that may be considered detrimental to the image of the City. In such cases only, City shall inform Company in writing of the offensive advertising and request that it be removed. Company shall endeavor to cooperate with the City in assuring the removal of such advertising when such removal does not breach any existing contract or lease agreement held by Company.

10. Default Remedies. Failure of the Company to perform any action or covenant required by this Agreement within the time periods provided herein following notice and failure to cure as described hereafter constitutes "Default" under this Agreement. City shall provide written notice of Default to the Company specifying the Default complaint of. The City shall not institute any proceeding against the Company, and the Company shall not be in Default if within thirty (30) days from receipt of such notice, the Company cures or corrects the Default to the reasonable satisfaction of City.

11. Institution of Legal Actions. In the event that the Company fails to cure or correct any Default, the City may (i) terminate this Agreement (ii) institute an action at law or equity against the Company to seek specific performance of the terms of this Agreement, or to cure, correct, or remedy any Default, to recover damages for any Default, to recover the specified amounts due for failure to comply with the terms of this Agreement, or to obtain any other remedy consistent with the purpose of this Agreement.

12. General Provisions.

a. Assignment. Company may only assign or otherwise transfer this Agreement to any other person, firm, or entity, upon presentation to the City of an assignment and assumption agreement in a form reasonable and acceptable to the City Attorney and receipt of the City's written approval of such assignment or transfer by the City Manager; provided, however, that Company may, from time to time and one or more times, assign this Agreement to one or more persons or entities without City approval, but with written notice to the City, as long as Company, or entities owned or controlled by it have and maintain at least a twenty-five percent (25%) ownership interest in such entities who are the assignees or transferees. After a transfer or assignment as permitted by this

Section, the City shall look solely to such assignee or transferee for compliance with the provisions of this Agreement which have been assigned or transferred.

b. Waiver. The waiver by any Party of any breach of any term, covenant, or condition herein contained shall not be deemed to be a waiver of any other term, covenant, or condition herein contained, or of any subsequent breach of the same term, covenant, or condition.

c. Notices. All notices and other communications required or permitted to be given hereunder shall be in writing and shall be sent by: (a) certified or registered mail, postage pre-paid, return receipt requested, (b) personal delivery, or (c) a recognized overnight carrier that provides proof of delivery, and shall be addressed as follows:

If to Company:

If to City:

City of Paramount
Attn: Planning Director
16400 Colorado Avenue
Paramount, CA 90723

With a Copy to:

City Attorney, City of Paramount
16400 Colorado Avenue
Paramount, CA 90723

Notices shall be deemed effective upon receipt or rejection only.

d. Authority to Enter Agreement. All Parties have the requisite power and authority to execute, deliver and perform the Agreement. All Parties warrant that the individuals who have signed the Agreement have the legal power, right, and authority to make this Agreement and bind each respective Party.

e. Amendment/Modification. No supplement, modification, or amendment of this Agreement shall be binding unless executed in writing and signed by all Parties.

f. Attorneys' Fees. In the event of litigation between the Parties arising out of this Agreement, the prevailing Party shall be entitled to recover its reasonable attorneys' fees and other costs and expenses incurred, including attorneys' fees on appeal, and all other reasonable costs and expenses for investigation of such action, including the conducting of discovery, in addition to whatever other relief to which it may be entitled.

g. Time of the Essence. Time is of the essence of each provision of this Agreement.

h. Miscellaneous. This Agreement embodies the entire Agreement between the Parties and supersedes any prior or contemporaneous understandings between the Parties related to the Agreement. In the event of a dispute between the Parties hereto, the prevailing Party shall be entitled to recover its attorney's fees and other costs and expenses incurred in connection therewith, whether or not suit is filed or is pursued to judgment and including any such fees or costs incurred in connection with any appeal, or any bankruptcy proceeding. If any provision of this Agreement is held to be invalid, the balance shall remain binding upon the Parties. This Agreement shall be interpreted in accordance with its plain meaning, and not in favor of or against either Party. This Agreement shall be construed according to the laws of the State of California.

i. Counterparts. This Agreement may be signed in counterparts, each of which shall constitute an original.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed on the date set forth below.

“CITY”
CITY OF PARAMOUNT

ATTEST:

By: _____
Isabel Aguayo, Mayor

By: _____
Heidi Luce, City Clerk

APPROVED AS TO FORM:

By: _____
John C. Cavanaugh, City Attorney

“COMPANY”

By: _____
Its: _____

ATTACHMENT "A"
SITE
(Legal Description)

For APN/Parcel ID(s): 6236-035-013

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF PARAMOUNT, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

ALL THOSE PORTIONS OF LOTS 16 AND 17, IN BLOCK "E" OF TRACT NO. 11342, IN THE CITY OF PARAMOUNT, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 203, PAGES 38 AND 39 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, LYING SOUTHEASTERLY OF THE LAND CONDEMNED TO THE STATE OF CALIFORNIA BY FINAL ORDER OF CONDEMNATION RECORDED SEPTEMBER 6, 1996, AS INSTRUMENT NO. 96-1474376, OFFICIAL RECORDS.

EXCEPT THEREFROM THE MINERALS, OIL, GAS, AND OTHER HYDROCARBON SUBSTANCES LYING BELOW THE SURFACE OF SAID LAND.

ATTACHMENT "B"
DESIGN AND PLANS
PER SCALE DRAWINGS

SEPTEMBER 6, 2023

PUBLIC HEARING

ZONING ORDINANCE TEXT AMENDMENT NO. 32

- A. HEAR STAFF REPORT.
- B. OPEN THE PUBLIC HEARING.
- C. HEAR TESTIMONY IN THE FOLLOWING ORDER:
 - (1) THOSE IN FAVOR
 - (2) THOSE OPPOSED
- D. MOTION TO CLOSE THE PUBLIC HEARING.

<u>MOTION:</u>	<u>ROLL CALL VOTE:</u>
MOVED BY: _____	AYES: _____
SECONDED BY: _____	NOES: _____
[] APPROVED	ABSENT: _____
[] DENIED	ABSTAIN: _____

- E. MOTION IN ORDER:
READ BY TITLE ONLY AND ADOPT PLANNING COMMISSION
RESOLUTION NO. PC 23:031, RECOMMENDING THAT THE CITY
COUNCIL APPROVE ZONING ORDINANCE TEXT AMENDMENT NO.
32.

<u>MOTION:</u>	<u>ROLL CALL VOTE:</u>
MOVED BY: _____	AYES: _____
SECONDED BY: _____	NOES: _____
[] APPROVED	ABSENT: _____

REVISED
09/05/23



CITY OF PARAMOUNT PLANNING DEPARTMENT STAFF REPORT SUMMARY

PROJECT NUMBER:	Zoning Ordinance Text Amendment No. 32
REQUEST:	Implement the provisions of Senate Bill 9
APPLICANT:	City of Paramount
MEETING DATE:	September 6, 2023
LOCATION:	Citywide
ZONE:	Citywide
GENERAL PLAN:	Multiple
PLANNER:	John King
RECOMMENDATION:	Approval



To: Honorable Planning Commission
From: John Carver, Planning Director
By: John King, AICP, Assistant Planning Director
Date: September 6, 2023

**Subject: ZONING ORDINANCE TEXT AMENDMENT NO. 32
IMPLEMENTING THE PROVISIONS OF SENATE BILL 9**

BACKGROUND

This item is a request for the Planning Commission to recommend to the City Council to approve Zoning Ordinance Text Amendment (ZOTA) No. 32, implementing the provisions of Senate Bill (SB) 9.

On September 16, 2021, Governor Newsom signed SB 9 into law. SB 9, which took effect January 1, 2022, requires cities to approve urban lot splits and two-unit residential developments on property zoned single-family in an urbanized (not rural) area when all related requirements are met. SB 9 took effect January 1, 2022. In Paramount, SB 9 is applicable to properties in the R-1 (Single-Family Residential) zone.

The City Council adopted Interim Urgency Ordinance No. 1157 on December 14, 2021 in order to immediately protect the public health, safety, and welfare of residents within the City of Paramount while complying with State law.

On January 18, 2022, the City Council approved the extension of Interim Urgency Ordinance No. 1157 up to 10 months and 15 days to allow time to fully develop regulations for SB 9-related applications.

DISCUSSION

The following are proposed provisions of the draft ordinance. The City Attorney has reviewed and approved the proposed changes reflected in this ordinance.

- Definitions. Definitions related to urban lot splits and two-unit residential development will be incorporated into Section 17.08.020(I) of the Municipal Code.
- Zone. Language restricting urban lot splits and ministerial two-unit residential developments to the R-1 zone is in Section 17.08.140(C)(1).
- Short-term rentals. Short-term rentals are prohibited.
- Impact fees. Any applicable development fees adopted by the City Council shall be paid before issuance of a building permit.

- Objective standards. Design standards are included for roof, doors, exterior materials, garage doors, tarps, roof-mounted equipment, balconies, water heaters, building height, driveways, fire sprinklers, landscaping, and utility connections.
- Accessory dwelling units (ADUs). No ADU or Junior ADU shall be allowed on or within any unit or lot for which the Urban Lot Split process and the Two-Unit Residential Development process is employed.

Environmental Assessment

This ordinance is exempt from CEQA pursuant to CEQA Guidelines Section 15305, minor alterations in land use limitations in areas with an average slope of less than 20% that do not result in any changes in land use or density and Section 15061(b)(3) which is the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment and CEQA does not apply where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment.

FISCAL IMPACT

None.

VISION, MISSION, VALUES, AND STRATEGIC OUTCOMES

The City's Vision, Mission, and Values set the standard for the organization; establish priorities, uniformity, and guidelines; and provide the framework for policy decisionmaking. The Strategic Outcomes were implemented to provide a pathway to achieving the Vision of a city that is safe, healthy, and attractive. This item aligns with Strategic Outcome No. 6: Efficient, Effective, and Fiscally Responsible Government.

RECOMMENDED ACTION

It is recommended that the Planning Commission adopt Resolution No. PC 23:031, recommending that the City Council approve Zoning Ordinance Text Amendment No. 32.

CITY OF PARAMOUNT
LOS ANGELES COUNTY, CALIFORNIA

**PLANNING COMMISSION
RESOLUTION NO. PC 23:031**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PARAMOUNT SETTING FORTH ITS FINDING OF FACT, AND RECOMMENDING THAT THE CITY COUNCIL APPROVE ZONING ORDINANCE TEXT AMENDMENT NO. 32, AMENDING SECTION 17.04.010 (DEFINITIONS), ADDING SECTION 17.08.020(I), AND ADDING SECTION 17.08.140 TO TITLE 17 (ZONING) OF THE PARAMOUNT MUNICIPAL CODE, IMPLEMENTING THE PROVISIONS OF SENATE BILL 9 FOR THE CITY OF PARAMOUNT

WHEREAS, the Planning Commission of the City of Paramount setting forth its finding of fact, and recommending that the City Council approve Zoning Ordinance Text Amendment No. 32, amending Section 17.04.010 (Definitions), adding Section 17.08.020(I), and adding Section 17.08.140 to Title 17 (Zoning) of the Paramount Municipal Code, implementing the provisions of Senate Bill 9 for the City of Paramount; and

WHEREAS, the Planning Commission of the City of Paramount finds that this zoning ordinance text amendment is exempt from CEQA pursuant to CEQA Guidelines Section 15305, minor alterations in land use limitations in areas with an average slope of less than 20% that do not result in any changes in land use or density and Section 15061(b)(3) which is the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment and CEQA does not apply where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment.

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

SECTION 1. The above recitations are true and correct.

SECTION 2. The Planning Commission finds that it has conducted all the public hearings necessary and in compliance with State Law and the Municipal Code of the City of Paramount.

SECTION 3. The Planning Commission finds that all requirements of notice have been complied with pursuant to State Law and the Municipal Code.

SECTION 4. The Planning Commission hereby finds that the Zoning Ordinance Text Amendment is consistent with desirable land use trends.

SECTION 5. The Planning Commission determines that upon applying the principles and practices of land use planning, the amendment to the Code should be made to encourage activity that will produce a desirable pattern of growth, encourage the most appropriate use of land, enhance the value of property, and promote the health, safety, and general welfare of the public in the best interests of the City.

SECTION 6. The Planning Commission hereby recommends that the City Council approve Zoning Ordinance Text Amendment No. 32, amending Section 17.04.010 (Definitions), adding Section 17.08.020(I), and adding Section 17.08.140 to Title 17 (Zoning) of the Paramount Municipal Code, implementing the provisions of Senate Bill 9 for the City of Paramount.

SECTION 7. That pursuant to Resolution No. 82:043 of the City Council, the time limit to seek judicial review pursuant to California Code of Civil Procedure is ninety (90) days from the date hereof.

SECTION 8. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED and ADOPTED by the Planning Commission of the City of Paramount this 6th day of September 2023.

Gordon Weisenburger, Chair

Attest:

Valerie Zaragoza, Administrative Assistant

CITY OF PARAMOUNT
LOS ANGELES COUNTY, CALIFORNIA

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARAMOUNT, **REPEALING INTERIM URGENCY ORDINANCE NO. 1157**, APPROVING ZONING ORDINANCE TEXT AMENDMENT NO. 31, AMENDING SECTION 17.04.010 (DEFINITIONS), ADDING SECTION 17.08.020(I), AND ADDING SECTION 17.08.140 TO TITLE 17 (ZONING) OF THE PARAMOUNT MUNICIPAL CODE, IMPLEMENTING THE PROVISIONS OF SENATE BILL 9 FOR THE CITY OF PARAMOUNT

THE CITY COUNCIL OF THE CITY OF PARAMOUNT DOES HEREBY ORDAIN
AS FOLLOWS:

SECTION 1. Purpose and Findings. The City Council finds and declares as follows:

- A. California Constitution Article XI, Section 7, enables the City of Paramount (“the City”) to enact local planning and land use regulations; and
- B. 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
- C. On September 16, 2021, Senate Bill 9 (Chapter 162, Statutes of 2021) was approved by the Governor of the State of California and filed with the Secretary of State, amending Section 66452.6 of the California Government Code and adding to the Government Code Sections 65852.21 and 66411.7, allowing additional housing units on properties within single-family zones and providing for parcel map approval of an Urban Lot Split; and
- D. The purpose of these sections is to provide objective zoning standards for Two-Unit Developments and Urban Lot Splits within single-family residential zones, to implement the provisions of State law as reflected in Government Code Section 65852.21 et seq. and Section 66411.7 et seq., and to facilitate the development of new residential housing units consistent with the Paramount General Plan and ensure sound standards of public health and safety; and
- E. The City Council enacts this ordinance under the authority granted to cities by Article XI, Section 7 of the California Constitution and Government Code Sections 65852.21 et seq. and 66411.7 et seq.; and

- F. The City desires to ensure that development occurs in a prudently effective manner, consistent with **State law and 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
- G. The Planning Commission held a duly noticed public hearing on September 6, 2023 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 23:031, recommending that the City Council adopt this Ordinance; and
- H. The City Council held a duly noticed public hearing on this Ordinance on _____, at which time it considered all evidence presented, both written and oral.

SECTION 2. The Recitals set forth hereinabove are true and correct and incorporated herein by reference as if fully set forth herein.

SECTION 3. Section 17.04.010 (Definitions) of the Paramount Municipal Code is hereby amended to also include the following definitions:

Acting in concert with the owner. As used with Urban Lot Splits, a person that has common ownership or control of the subject parcel with the owner of the adjacent parcel, a person acting on behalf of, acting for the predominant benefit of, acting on the instructions of, or actively cooperating with, the owner of the parcel being subdivided.

Adjacent parcel. Any parcel of land that is (1) touching the parcel at any point; (2) separated from the parcel at any point only by a public right-of-way, private street or way, or public or private utility, service, or access easement; or (3) separated from another parcel only by other real property which is in common ownership or control of the applicant.

Car share vehicle. A motor vehicle that is operated as part of a regional fleet by a public or private care sharing company or organization and provides hourly or daily service.

Two-unit residential development. A development with no more than two new residential units or a proposed development wherein there is one existing residential unit and no more than one new residential unit will be added, as set forth in California Government Code Sections 65852.21 and 66411.7.

Two-unit residential development permit. An administrative permit issued by the City for the construction of a Two-Unit Residential Development.

Urban Lot Split. The subdivision of a single-family residential parcel into no more than two new and separate parcels that meets all the criteria and standards set forth in this chapter, as set forth in California Government Code Sections 65852.21 and 66411.7.

Urban Lot Split Permit. The administrative permit issued by the City for the completion of an Urban Lot Split.

SECTION 4. Section 17.08.020(I) is hereby added to the Paramount Municipal Code to read as follows:

- I. Two-Unit Residential Developments and Urban Lot Splits, per Chapter 17.116.

SECTION 5. Section 17.08.140 Is hereby added to the Paramount Municipal Code to read as follows:

17.08.140 Two-Unit Residential Developments and Urban Lot Splits.

- A. Purpose and Intent. The purpose of this section is to increase the supply of dwelling units by allowing for the development of two units on lots that are zoned for single-family residential use and to establish the criteria for urban lot splits, consistent with Senate Bill 9, which added Sections 65852.21 and 66411.7 to the California Government Code and amended California Government Code Section 66452.6. The provisions of this Section supersede those of the remainder of this Title and Title 16 (Subdivisions and Other Divisions of Land) unless otherwise provided.
- B. Permitting Procedure Generally. Except as otherwise provided in this Section 17.08.140, applications for a Two-Unit Residential Development Permit and applications for an Urban Lot Split Permit shall be approved ministerially without discretionary review or public hearing if the requirements set forth in Section 17.08.140(C) and the requirements set forth in Sections 17.08.140(D) and (E) as may be applicable are satisfied. Notwithstanding the foregoing, applications may be denied if the Building Official makes a written finding, based on a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact (as defined and determined by California Government Code Section 65589.5), upon public health and safety or the physical environment, and that there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.
- C. Requirements Generally. Two-Unit Residential Developments and Urban Lot Splits shall satisfy all conditions set forth in California Government Code Section 66411.7 as further specified below:

1. Single-Family Zoning. Two-Unit Residential Developments and Urban Lot Splits shall only be permitted in the R-1 zone.
2. Urban. Two-Unit Residential Developments and Urban Lot Splits shall only be permitted on parcels that include some portion of either an urbanized area or urban cluster area, as designated by the United States Census Bureau.
3. Historic Landmark and Districts Prohibited. Two-Unit Developments and Urban Lot Splits shall be prohibited within a historic district or property included on the State Historic Resources Inventory, as defined in Public Resources Code Section 5020.1, within a site that is designated or listed as a City landmark or historic property or historic district pursuant to a City ordinance.
4. Previous Urban Lot Split. The parcel being subdivided shall not be permitted if the parcel was created by an Urban Lot Split as provided in this section.
5. Sensitive Areas Prohibited. Two-Unit Residential Developments and Urban Lot Splits shall not be permitted if located within those areas identified in California Government Code Section 65913.4(a)(6)(B)-(K), as follows:
 - a. Prime farmland or farmland of statewide importance, as determined by the United States Department of Agriculture and California Department of Conservation, or land zoned or designated for agricultural protection or preservation by a local ballot measure;
 - b. Wetlands, as defined by the United States Fish and Wildlife Service Manual;
 - c. High or very high fire hazard severity zones, as determined by the California Department of Forestry and Fire Protection, California Government Code Section 51178, and California Public Resources Code Section 4202;
 - d. Hazardous waste sites, defined pursuant to California Government Code Section 65962.5, or as otherwise designated by the California Department of Toxic Substance Control, pursuant to California Health and Safety Code Section 25356, unless the California Department of Public Health, Water Resources Control Board, or California

Department of Toxic Substances has cleared the site for residential use or residential mixed-use;

- e. Earthquake fault zones, as determined by the State Geologist or Building Official, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission;
- f. Flood hazard areas subject to one percent annual chance flood, as determined by the Federal Emergency Management Agency (FEMA), unless the site has been subject to a map revision prepared by FEMA or otherwise meets the minimum flood plan management criteria of the National Flood Insurance Program or FEMA;
- g. Regulatory floodway as determined by FEMA, unless the development receives a no-rise certification;
- h. Lands identified for conservation in an adopted natural community conservation plan, habitat conservation plan, or other adopted natural resources protection plan;
- i. Lands with a habitat for protected species identified as candidate, sensitive, or species of special status by state and federal agencies, fully-protected species, or species protected by the federal Endangered Species Act, California Endangered Species Act, or Native Plant Protection Act; or
- j. Land under conservation easement.

- 6. Separate Conveyance. The structures proposed for a Two-Unit Residential Development or Urban Lot Split shall meet building code safety standards of Title 15 (Buildings and Construction) of the Paramount Municipal Code and shall be sufficient to allow separate conveyance; provided, however, that an application shall not be denied solely because it proposes adjacent or connected structures.

- D. Two-Unit Residential Development – Additional Requirements. In addition to Section 17.08.140(C), Two-Unit Residential Developments shall satisfy the following requirements:

- 1. Demolition of Existing Housing Units. Notwithstanding any provision of this section or any **Paramount Municipal Code provision**, the proposed Two-Unit Development would not require the demolition or alteration of any of the following types of housing:

- a. Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate-, low-, or very low-income as those income levels are defined in Health & Safety Code Sections 50093, 50079.5 Or 50105 respectively.
 - b. Housing that is subject to any form of rent or price control through the City's valid exercise of its police power.
 - c. Housing that has been occupied by a tenant in the last three years.
2. Demolition of Existing Exterior Structural Walls. Two-Unit Residential Developments shall not involve the demolition of more than 25% of the existing structural walls unless the existing unit(s) have not been occupied by a tenant in the last three years or such demolition is otherwise allowed by another provision of the Paramount Municipal Code.
3. Yard Requirements.
 - a. Rear and Side Yards. Notwithstanding Section 17.08.060, Two-Unit Residential Developments shall have a minimum rear yard and side yard setback of four feet except that in no case shall setbacks be required for an existing structure or a structure constructed in the same location and to the same dimensions as an existing structure.
 - b. Other yard requirements. With respect to all other yard requirements, Section 17.08.060 shall control so long as the application of the requirements therein does not physically preclude either of the two units from being at least 800 square feet in floor area or physically precludes the construction of two units on the parcels created. The Planning Director shall waive or modify any standard if the standard would have the effect of physically precluding the construction of two units on either of the resulting parcels created pursuant to this chapter or would result in a unit size of less than 800 square feet. Any modifications of development standards shall be the minimum modification necessary to avoid physically precluding two units of 800 square feet each on each parcel.

4. Number of Units. No more than two primary dwelling units only may be located on any lot created through an Urban Lot Split that utilized the Two-Unit Development provision. Accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) are not permitted on these lots.
 5. Adjacent or Connected Units. Proposed adjacent or connected dwelling units shall be permitted if they meet building code safety standards of Title 15 (Buildings and Construction) of the Paramount Municipal Code and are designed sufficient to allow separate conveyance. The proposed Two-Unit Development shall provide a separate gas, electric, and water utility connection directly between each dwelling unit and the utility.
 6. Parking. Two-Unit Residential Developments shall provide off-street parking of one space per unit unless the parcel is located within one-half mile walking distance of a high-quality transit corridor as defined in California Public Resources Code Section 21155, or a major transit stop as defined in California Public Resources Code Section 21064.3, or within one block of a car share vehicle.
 7. Owner-Occupancy Covenant. All applicants for Two-Unit Residential Developments shall record a deed restriction **in a form approved by the City Attorney** which shall require that the owner of the lot be the occupant of one of the housing units and that the owner occupy that unit as the owner's principal residence. This provision shall not apply to community land trusts, as defined in Section 402.1 of the California Revenue and Taxation Code, or qualified nonprofit corporations, as described in Section 214.15 of the California Revenue and Taxation Code.
- E. Urban Lot Splits – Additional Requirements. In addition to Section 17.08.140(C), Urban Lot Splits shall be subject to the following additional conditions:
1. Lot Size. Urban Lot Splits shall subdivide an existing parcel to create no more than two new parcels of approximately equal lot area provided that one parcel shall not be smaller than 40% of the lot area of the original parcel proposed for subdivision. In no event shall the newly created parcels be smaller than 1,200 square feet **each**.
 2. Demolition of Existing Housing Units. The proposed Urban Lot Split would not require demolition or alteration of any of the following types of housing:

- a. Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low- or very low-income.
 - b. Housing that is subject to any form of rent or price control through the City's valid exercise of its police power.
 - c. A parcel or parcels on which an owner of residential real property has exercised the owner's rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 of the Government Code to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application.
 - d. Housing that has been occupied by a tenant in the last three years.
3. Number of Units. No more than two dwelling units may be located on any lot created through an Urban Lot Split, including primary dwelling units, accessory dwelling units (ADUs), junior accessory dwelling units (JADUs), density bonus units, and units created as a two-unit development.
4. Conformance with Subdivision Map Act. The Urban Lot Split shall conform to all applicable objective requirements of the Subdivision Map Act (commencing with California Government Code Section 66410), except as otherwise expressly provided in California Government Code Section 66411.7. Notwithstanding California Government Code Section 66411.1, no dedications of rights-of-way or the construction of offsite improvements may be required as a condition of approval for an Urban Lot Split, although easements may be required for the provision of public services and facilities.
5. No Further Subdivision. Parcels previously established through subdivision pursuant to this Section 17.08.080 shall not be eligible for an Urban Lot Split.
6. Owner's Subdivision. No property owner may subdivide a property pursuant to this Section 17.08.140 if that owner previously subdivided a parcel adjacent to the property proposed for subdivision. For purposes of this section, "owner" shall also include any person acting in concert with the owner, where there is any degree of coordination on any aspect of a subdivision or proposed subdivision under this Section.

7. No Dedications/Improvements. Urban Lot Splits shall not be required to dedicate rights-of-way or to construct off-site improvements as a condition to the issuing of a parcel map.
8. Utility Easements Access. Easements for the provision of public services may be required of Urban Lot Splits.
9. Rights of Way Access. Urban Lot Split parcels shall be required to have access to, provide access to, and to adjoin the public right-of-way.
10. Nonconforming Zoning Conditions. The correction of nonconforming zoning conditions shall not be required for an Urban Lot Split.
11. **Declaration**. All applicants for Urban Lot Splits shall submit a signed **declaration**, in the form approved by the City Attorney, stating that the applicant intends to occupy one of the housing units as their principal residence for a minimum of three (3) years from the date of the approval of the Urban Lot Split. This provision shall not apply to community land trusts, as defined in Section 402.1 of the California Revenue and Taxation Code, or qualified nonprofit corporations, as described in Section 214.15 of the California Revenue and Taxation Code.
12. Additional **Declaration**. If any existing housing is proposed to be altered or demolished, the owner of the property proposed for an Urban Lot Split shall sign **a declaration**, in the form approved by the City Attorney, stating that none of the conditions listed in Section 17.08.140(E)(2) above exist and shall provide a comprehensive history of the occupancy of the units to be altered or demolished for the past three years (five years if an existing unit is to be demolished) on a form prescribed by the City Attorney. The owner and applicant shall also sign **a declaration** stating that neither the owner nor applicant, nor any person acting in concert with the owner or applicant, has previously subdivided an adjacent parcel using an Urban Lot Split.
13. Recorded Covenant. Prior to the approval and recordation of the parcel map, the applicant shall record a restrictive covenant and agreement in the form prescribed by the City Attorney. The restrictive covenant and agreement shall run with the land and provide for the following:
 - a. A prohibition against further subdivision of the parcel using the Urban Lot Split procedures as provided for in this section;

- b. A limitation restricting the property to residential uses only; and
 - c. A requirement that any dwelling units on the property may be rented or leased only for a period longer than thirty (30) days.
- F. Use. All lots created pursuant to this Section shall be limited to residential use only.
- G. Short-Term Rentals Prohibited. No units created pursuant to this Section shall be rented for a term shorter than thirty (30) **calendar** days.
- H. Accessory Dwelling Units and Junior Accessory Dwelling Units Prohibited. No Accessory Dwelling Unit (ADU) or Junior Accessory Dwelling Unit (JADU) shall be allowed on or within any unit or lot for which both the Urban Lot Split process and the Two-Unit Residential Development process was employed.
- I. Development Conditions. Unless otherwise stated herein, all Two-Unit Residential Developments and Urban Lot Splits shall be subject to all objective zoning standards, objective subdivision standards, and objective design review standards set forth in the Paramount Municipal Code, including but not limited to the following:
 - 1. Impact fees. Any applicable development fees adopted by the City Council shall be paid before issuance of a building permit.
 - 2. Design – Architectural and Design Standards.
 - a. The slope of the roof shall match the predominant roof slope of any existing dwelling unit.
 - b. Front doors shall be solid, with peepholes or vision glass that provides equivalent view of the front exterior. Front doors shall include metal door jambs.
 - c. The design of the second unit shall meet the same standards and specifications as the existing unit, including exterior building materials, roofing material, exterior color and texture, windows, doors, light fixtures, hardware, railings, and type of exterior accent/trim. Exterior accent/trim material shall be wood siding, brick, stone, or slump stone. The type of window and window trim shall be the same as that of the existing unit as to the type of exterior building materials.

- d. Tarps. 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 freestanding 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.
- e. For properties with no existing unit, the provisions of Chapter 17.08 (R-1, Single-Family Residential Classification) of the Paramount Municipal Code shall apply to the maximum extent.
- f. All roof-mounted equipment shall be hidden from public view from the public right of way.
- g. With the exception of an accessory dwelling units (ADU) which may be permitted and constructed to the maximum height as allowed under ADU law or ordinance, the maximum height of a dwelling shall be limited to 16 feet.
- h. Lighting. At least one wall-mounted light fixture shall be installed and maintained adjacent to each exterior door for the purpose of providing safe and efficient access to a dwelling unit. Pedestrian pathways more than 100 feet in length shall provide lighting at intervals not to exceed 50 feet.
- i. Each new water heater shall be tankless.

- j. No window security bars shall be installed on the exterior of any window. All exterior doors must be able to open without special knowledge or tools.
 - k. Stairs to a second floor shall only be located inside a dwelling unit.
- 3. Configuration. Each unit must be placed on its lot in such a manner that there is a separate entrance. That entrance may face either the side or the rear yard. Each unit must be placed on a lot in such a way that each has access to the street.
- 4. Minimum structure separation. There shall be at least 10 linear feet between each primary dwelling unit to primary dwelling unit. There must be at least six linear feet between the primary dwelling unit and any accessory structure, including but not limited to an accessory dwelling unit or junior accessory dwelling unit where allowed.
- 5. Driveways. All driveways shall be concrete or solid pavers. Driveways shall be 12 feet wide at minimum. There must be a 24-foot turning radius for vehicles. A driveway may be shared by the units. Where feasible for existing site constraints, driveways adjacent to onsite buildings must be separated from building walls by a planting area with a minimum inside width of three feet. The same buffer, or a fence or hedge, shall be provided where parking areas, turnarounds, or driveways abut an adjacent residential property.
- 6. Pedestrian access. Pedestrian access to a public street or alley shall be provided with an exterior pedestrian pathway from the primary entrances of each unit to the adjoining sidewalk, street, or alley. The pedestrian pathway shall be unobstructed, clear to the sky, and meet the following standards:
 - a. Minimum width. Pedestrian pathways shall be a minimum width of three feet.
 - b. Maximum length. Pedestrian pathways shall not be more than 200 feet in length.
 - c. Materials. Minimum four-inch-thick concrete, or concrete or brick pavers placed hand-tight or mortared, on compacted subgrade or aggregate base, or other techniques or materials providing equivalent service shall be provided. Gravel, mulch, dirt, stepping stones, or other similar loose materials that do not create a continuous passage are prohibited.

7. Fire sprinklers. Units created through Two-Unit Developments shall be fire-sprinklered.
 8. Landscaping. Landscaping shall be drought tolerant, and at least one 24-inch box shade/canopy tree per housing unit shall be planted in compliance with Chapter 17.96 (Water-Efficient Landscape Provisions) of the Paramount Municipal Code.
 9. Addressing. All addresses for residential lots using a shared driveway or pedestrian pathway must be displayed at their closest point of access to a public street for emergency responders.
 10. Utility connections. Each unit must have a separate connection for utilities. As used here, "utilities" means water, sewer, electricity, cable, gas and solid waste removal provided pursuant to Chapter 13 of the Paramount Municipal Code and the requirements of any third-party provider.
- J. Enforcement. Any individual, entity, company, or corporation who fails at any time to comply with, or violates the provisions of this Chapter and/or any requirements imposed as a condition of being granted a land use entitlement, shall be subject to the enforcement provisions as enumerated in the Paramount Municipal Code Sections 1.04.210 (as a public nuisance), 1.08 (administrative citations) or pursuant to any other City legal authority.

SECTION 6. California Environmental Quality Act (CEQA). This ordinance is exempt from CEQA pursuant to CEQA Guidelines Section 15305, minor alterations in land use limitations in areas with an average slope of less than 20% that do not result in any changes in land use or density and Section 15061(b)(3) which is the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment and CEQA does not apply where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment.

SECTION 7. Severability. If any section, subsection, sentence, clause or phrase in this ordinance or the application thereof to any person or circumstance is for any reason held invalid, the validity of the remainder of the ordinance or the application of such provision to other persons or circumstances shall be adopted thereby. The City Council hereby declares it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses, or phrases or the application thereof to any person or circumstance be held invalid.

SECTION 8. Effective Date. This Ordinance shall take effect thirty days after its adoption, shall be certified as to its adoption by the City Clerk, and shall be published as required by law, together with the names and members of the City Council voting for and against the Ordinance.

PASSED, APPROVED and ADOPTED by the City Council of the City of Paramount this __ day of ____ 2023.

Isabel Aguayo, Mayor

ATTEST

Heidi Luce, City Clerk

SEPTEMBER 6, 2023

ORAL REPORT

CITY COUNCIL ACTIONS

SEPTEMBER 6, 2023

PLANNING COMMISSION

COMMENTS FROM CITY ATTORNEY, COMMISSIONERS, AND STAFF