

Chapter 17.72 PD-PS, PLANNED DEVELOPMENT-PERFORMANCE STANDARDS ZONE*

* CodeAlert: This topic has been affected by Ordinance No. [1150](#). To view amendments and newly added provisions, please refer to the [CodeAlert Amendment List](#).

17.72.010 Generally.

A specific plan, adopted by ordinance providing for the regulation of buildings, structures and uses of land in certain areas. The zoning regulations governing the area included in a planned development performance standards zone (PD-PS classification) are contained within the ordinance adopting the same in lieu of any differing regulation imposed by the zoning code for the zone within which the planned development-performance standards zone is located. (Prior code § 44-229)

17.72.020 Purpose.

The objective of a planned development with performance zoning standards is to insure a fuller realization of the general plan of the City than that which would result from the application of present zoning regulations. It is intended to be applied only to areas, under single or unified ownership or control, which are sufficiently large to allow for overall planning and design in detail so as to secure to the community, the future occupants and developer, values and amenities greater than those likely to be achieved by the relatively inflexible provisions necessary to regulate the successive development of individual lots by numerous different owners. It is the intent of this zone classification to encourage development of superior design and quality through creative application of the City's zoning criteria and through the creation of performance standards applied to specific development and recorded as conditions and covenants against the land. (Prior code § 44-230)

17.72.030 Limitations.

The planned development-performance standards zone (PD-PS zone) procedure shall not apply:

- A. To any site having a net area of less than one-half acre, being either in one ownership or the subject of a joint application filed by all the owners or agents of property thereof; or
- B. Unless the proposed development is reasonably related to the land use, open space, recreation and circulation elements of the general plan for the subject area. Where concurrent subdivision or subparceling into individual lots or the dedication of any streets is involved, conformity to related ordinances of the City is required, and the procedure shall be concurrent with and supplementary thereto. (Prior code § 44-231)

17.72.040 Pre-application conference.

There is hereby created a Planning Coordinating Committee composed of representatives of the City to be designated by the City Council. Before filing any application for a planned development with performance zoning standards, the prospective applicant shall submit to the Planning Coordinating Committee preliminary plans and sketches and basic site information for consideration and advice as to

the relation of the proposal to general developmental objectives to be attained in the area and as to the policies of the Commission and Council with reference thereto. (Prior code § 44-232)

17.72.050 Application.

Every application for a planned development with performance zoning standards shall be accompanied by the following:

- A. A legal description or boundary survey map of the property. (A tentative subdivision map may be substituted for this requirement if the applicant proposes to subdivide the property.)
- B. A general development plan with at least the following details shown to scale and dimensioned:
 1. The proposed land ownerships, the uses, dimensions and locations of all proposed structures and of areas reserved for vehicular and pedestrian circulation, open spaces, landscaping, recreation, or other public uses.
 2. Architectural drawings and sketches showing the design and character of the proposed uses and their relation to one another.
 3. Height and approximate location of all proposed walls and fences and a statement setting forth the method by which such walls and fences shall be preserved and maintained.
 4. Location and design of automobile parking areas and signs.
 5. Type of surfacing proposed for walks and driveways.
 6. Preliminary plans showing the proposed method for control and disposal of water flowing into, across or from the development.
 7. Tables showing the total number of acres and their distribution by use, and the percentage of the whole designated for dwellings of different types, non-residential uses, streets, off-street parking, public uses and open spaces.
 8. A time schedule for the proposed development with evidence of the intent and the ability of the applicant to carry out the plan.
 9. Such other pertinent information as the Planning Coordinating Committee may require to complete its evaluation of the intent and impact of the proposal. (Prior code § 44-233)

17.72.060 Mixed uses permitted.

The regulations of the planned development-performance standards zone are intended to permit a diversity of uses, relationships and heights of buildings and open spaces in planned building groups while insuring substantial compliance with the spirit, intent and provisions of this Code. (Prior code § 44-234)

17.72.070 "Performance standards" defined.

The term "performance standards," as here employed, refers to such conditions, effects or results which flow from the maintenance and operation of any use, including, but not limited to, the flow of sound measured in decibels; ambient level of sound; vibrations above and below the auditory range; odors, fumes; smoke or other emissions whether toxic or nontoxic; incidence of hazard, including explosion or contamination; the identification and classification in terms of chemical composition of the emissions from any type of use whether industrial, commercial or domestic; the traffic-generating capacity, both in terms of freight and passengers, the volume of either or both, and the time or times of daily cycle that represent peak flow or minimum flow; the consuming capacity of and need for electrical energy, natural gas, oil, water, sewage disposal, and transportation facilities including water, rail and air. (Prior code § 44-235)

17.72.080 Findings required for approval.

The Commission shall not recommend approval of the proposal unless it finds that the planned development-performance standards zone as applied for is or may be conditioned to be, in full conformance to the general purposes of this chapter, and in particular:

- A. That the location, design and proposed uses are compatible with the character of existing development in the vicinity.
- B. That the plan will produce internally an environment of stable and desirable character, and not tend to cause any traffic congestion on surrounding or access streets.
- C. That the standards of development applicable to the planned development-performance standards zone are subject to one of the following or any combination thereof:
 - 1. All of the standards of the appropriate zone which would permit the requested land uses.
 - 2. Such standards of development which are proposed are clearly designated on the general development plan as submitted and in supplementary text material.
- D. That the proposed development will be well integrated into its setting.
- E. That the provision is made for both public and private open spaces, at least equivalent to that required by the superseded zoning regulations.
- F. That suitable provision is made, where appropriate, for the protection and maintenance of private areas reserved for common use.
- G. That there is reasonable assurance that the applicant intends, and will be able to proceed with the execution of the project without undue delay.
- H. That there is substantial compliance with the spirit and intent of this Code. (Prior code § 44-236)

17.72.090 Commission and Council action.

Applications for a planned development with performance zoning standards shall be considered amendments to the Paramount Municipal Code and shall be processed according to applicable provisions of Chapter 17.56. Concurrently with the adoption of a planned development-performance standards zone, the Council shall require of the applicants such guarantees as may be appropriate to insure the accomplishment of any public improvements, such grant of easement and development rights, and such arrangements for maintenance of common spaces as are relevant in the case. (Prior code § 44-237)

17.72.100 Conformance required.

After adoption, and prior to the issuance of any building permit, a final development plan shall be prepared, and a final subdivision map or parcel map recorded, if either is involved. The final development plan shall conform to the ordinance adopting the planned development-performance standards zone and shall show to scale all buildings, off-street parking facilities, landscaping, finished grades and such other detail as will suffice to indicate conformance to all the features, conditions and characteristics upon which the approval was predicated. The final plan shall be recorded in the office of the County Recorder of Los Angeles County and a notation of reference thereto shall be made forthwith upon the zoning map. No permit shall thereafter be issued for any building, structure, or use except in full conformance to the said final plan. A violation of any part of the plan or of any condition of the approval shall constitute a violation of this chapter. The City Council may, however, by resolution extend any specified time limit for starting or completing the development upon the showing of good faith and effort to comply therewith. Prior to final approval by the City Council, the applicant shall submit to the City Attorney a

draft of Covenants, Conditions and Restrictions which shall apply to the subject development as required and shall be concurrently recorded with the County Recorder along with the conditions of approval and map of the subject development. (Prior code § 44-238)

17.72.110 Revocation.

The Planning Commission shall, upon its own motion, initiate proceedings to reclassify the area included in an adopted planned development performance standards zone to such zone as deemed appropriate by the Planning Commission if no development has occurred in pursuance of the adopted plan: (1) within 12 months after the date of adoption of the planned development-performance standards zone; or (2) upon expiration of any extension of the time for starting development granted by the City Council, whichever is the later date. Notice of hearings shall be the same as that used for adoption of said planned development-performance standards zone. (Prior code § 44-239)

17.72.120 Revision.

A. Any planned development-performance standards zone which has been adopted and made effective by the recordation of Covenants, Conditions and Restrictions as required, may be revised under the same procedure as required for the filing and approval of a new planned development performance standards zone as provided herein. No planned development-performance standards zone approval may be revised under the provisions of this section which would have the effect of changing the total land use concept or placement and type of buildings on the entire property from that which was approved originally, nor shall such procedure be used where provisions have been made for City staff approval of minor modifications. A revision to any planned development-performance standards zone may be applied for to permit a change in any of the conditions of approval, a change in the standards of development, and any partial change in the land use concept or placement and type of buildings.

B. The following procedure shall be used to revise a planned development-performance standards zone:

1. Any property owner whose property is subject to an existing planned development-performance standards zone or authorized representative may make an application for a planned development-performance standards zone revision. Where such an application would propose to revise a planned development-performance standards zone of which the applicant's property represents only a portion, all other property owners within the planned development-performance standards zone shall receive, prior to the public hearing, the legal notice, staff report, and any other documentation pertinent to the case. The consent of other property owners within the planned development-performance standards zone shall not be required for the filing of an application for revision.
2. Revisions shall retain the case number of the original planned development-performance standards zone followed by the number of the revision.
3. Required advertising and notification of the case shall be as provided by using the boundaries of the entire planned development-performance standards zone as originally approved in determining the required 300-foot radius.
4. Any planned development-performance standards zone case processed under this section shall require the adoption of an ordinance by the City Council and the recordation of a notice of revised planned development-performance standards zone regulations which shall include the legal description of the property affected by the revision as well as any conditions of approval made a part of said revision. In the case of a revision, recordation of the original

Covenants, Conditions and Restrictions shall not be required, only modifications made to the original Covenants, Conditions and Restrictions shall be recorded. (Prior code § 44-240)

17.72.130 Permitted uses.

This section shall supersede any permitting requirement of an individual PD-PS zone and applies only to uses permitted by an individual PD-PS zone. The following uses are permitted in the PD-PS zone:

- A. Manufacture, processing, or treatment of articles from previously prepared materials, excluding metal. (Prior code § 44-240.1)

17.72.140 Uses requiring a conditional use permit.

This section shall supersede any permitting requirement of an individual PD-PS zone and applies only to uses permitted by an individual PD-PS zone. The following uses are conditionally permitted in the PD-PS zone, and as specifically provided that a conditional use permit is first granted by the Planning Commission and continued in full force and effect as provided in Chapter 17.48:

- A. Metal manufacturing and/or metal processing uses.
- B. Electrical appliances, manufacture and assembly of.
- C. Machine shops. (Prior code § 44-240.2)

17.72.150 Prohibited uses, regardless of which PD-PS zone the use is located.

This section shall supersede any permitting requirement of an individual PD-PS zone and applies to all individual PD-PS zones. The following uses are prohibited in the PD-PS zone:

- A. Welding shops. (Prior code § 44-240.3)

17.72.160 Metal manufacturing performance standards.

Any metal manufacturing business operation that requires a permit to operate from the South Coast Air Quality Management District, with the exception of emergency electrical generator, and is permissible by the individual PD-PS zone, is subject to the following conditions:

- A. For new construction projects and material alterations to existing facilities, a public notice board shall be provided by the metal manufacturing business onsite during the period following the approval of the project and the completion of all project construction activities, including site improvements. The notice board shall maintain minimum dimensions of four feet in height and six feet in length, shall be installed in a location visible to the general public from the public right-of-way, and shall detail the nature of the project, including relevant site plan and elevations or renderings.
- B. The operator shall, at all times, maintain and comply with required applicable operating permits from the South Coast Air Quality Management District and all other applicable regulatory agencies.
- C. All feasible building resiliency and environmental sustainability provisions shall be incorporated into new construction and significant building rehabilitation.
- D. An exterior wall sign identifying the business shall be installed in public view in compliance with Section 17.36.030 of the Paramount Municipal Code.
- E. Certification is encouraged to be obtained from the International Standardization Organization (ISO) or equivalent international standard-setting body as relevant regarding environmentally sustainable practices and organization.

F. Public tours of a metal manufacturing business operation shall be reasonably accommodated at least once a year for the purpose of informing the public of business operations and practices. A comprehensive information session at an off-site location is acceptable provided direct facility access impedes public safety or compromises proprietary processes, as determined by the business owner in consultation with the Community Development Director.

G. All metal manufacturing business operations shall comply with required housekeeping practices of the South Coast Air Quality Management District and all other applicable regulatory agencies.

H. To the extent that installation of emissions control equipment, including retrofit equipment, is required by an applicable South Coast Air Quality Management District rule or regulation, then such required emissions control equipment shall comply with best available control technology requirements at minimum. A facility shall install lowest achievable emission rate equipment if required by the South Coast Air Quality Management District.

I. With consideration of days and hours of operation, specific operations shall be mitigated to minimize impacts upon surrounding uses and infrastructure. In connection with the issuance of an administrative action or conditional use permit, the Community Development Director or Planning Commission shall have the authority to impose reasonable restrictions on the hours of operation for certain outdoor activities (e.g., deliveries) to the extent such restriction on hours is necessary to mitigate or minimize impacts directly relating to such activity on surrounding uses and infrastructure.

J. With consideration to enforcement and compliance of approved uses, specific operations shall be inspected annually by Community Development and Public Safety Department staff with the accompaniment of personnel from applicable regulatory agencies as needed to verify approved structures, operations and equipment. (Prior code § 44-240.4)

17.72.170 Regulations for existing metal-related manufacturing and/or processing uses in the PD-PS zone, but which require an administrative action.

The following provisions apply exclusively to any legally established metal-related manufacturing business operations, including forging companies, that requires a permit to operate from the South Coast Air Quality Management District, and which was operating in the City prior to October 4, 2018.

A. A legally established use which, by September 4, 2018, requires an administrative action shall be permitted to continue subject to the rules and regulations applicable to such use prior to October 4, 2018, until such time that the City approves an administrative action for such use.

B. Within one year of October 4, 2018, the business owner for any use subject to this section that is a legally established use shall apply for an administrative action. Such administrative action shall not be for the purpose of authorizing a particular use that would otherwise be a legal nonconforming use but for the requirement to obtain an administrative action pursuant to Section 17.72.210. Instead, the approval of the administrative action shall be for the purposes of: (1) cataloging equipment, materials, and uses; and (2) imposing those conditions set forth in this section on existing uses. As such, the approval of an administrative action pursuant to this section shall be considered a ministerial action not subject to a public hearing, unless the Community Development Director reasonably determines an application requires a public hearing and discretionary review before the Planning Commission.

C. The decision of the Community Development Director to approve or deny an application for an administrative action shall be appealable to the Planning Commission, and the decision of the Planning Commission may be appealable to the City Council. Any decision by the City Council on appeal shall be final. Appeals are subject to Chapter 17.48.

D. An administrative action obtained by the responsible party pursuant to subsection B, shall specify that such use was a legally established use prior to October 4, 2018, and shall be permitted to continue operating in the same manner as previously legally permitted prior to September 4, 2018, subject to the following conditions, which conditions shall be included in the administrative action:

1. The responsible party shall comply with and maintain required permits from the South Coast Air Quality Management District and all other applicable regulatory agencies.
2. The use shall comply with required housekeeping and best management practices of the South Coast Air Quality Management District and all applicable regulatory government agencies.
3. To the extent that installation of emissions control equipment, including retrofit equipment, is required by an applicable South Coast Air Quality Management District rule or regulation, then such required emissions control equipment shall comply with best available control technology requirements. A facility shall install lowest achievable emission rate equipment if required by the South Coast Air Quality Management District.
4. Core production and manufacturing activities shall be conducted within an enclosed structure. Notwithstanding the foregoing, ancillary activities including, but not limited to, maintenance; inspection; measuring; active packing, loading, and unloading of deliveries shall be permitted outdoors. Other ancillary activities shall be approved by the Community Development Director.

E. A legally established use which, by September 4, 2018, requires an administrative action may be permitted to expand provided that a conditional use permit is granted by the Planning Commission, and all requirements of: (1) the Paramount Municipal Code; (2) all Federal environmental regulations as set by the United States Environmental Protection Agency; (3) all California Environmental Quality Act regulations; and (4) all South Coast Air Quality Management District regulations kept. Additionally, the use of best available control technology is required at minimum. A facility shall install lowest achievable emission rate equipment if required by the South Coast Air Quality Management District.

F. Modification, Suspension, and Revocation. While the Planning Commission has the authority to modify, suspend, or revoke a previously issued administrative action, the City will collaborate with the primary regulatory agency with jurisdiction over enforcement of a violation related to a specific rule, law, or regulation to establish sufficient grounds for modification, suspension, or revocation. The Planning Commission, after a public hearing to be conducted following a written request for a hearing, may revoke, suspend, or modify an administrative action on any one or more of the following grounds:

1. That the approval was obtained by fraud.
2. That the use for which such approval was granted is not currently being operated.
3. That the use for which such approval was granted has ceased to exist or has been suspended for one year or more.
4. That the administrative action is being, or recently has been, operated in violation contrary to the terms or conditions of such approval, or in violation of any statute, provision of the Paramount Municipal Code, ordinance, law, or regulation.
5. That the use for which the approval was granted is so operated as to be detrimental to the public health or safety, or so as to constitute a public nuisance.

A written decision noting the section violated, evidence supporting the violation, and appeal information, shall be submitted in writing to the business owner within five working days after the close of the hearing. Within 10 working days from a written decision of the Planning Commission, a business owner may submit a written request to the Community Development Department with legal and factual basis for an

appeal before the City Council. Appeals to the City Council are subject to the provisions of Chapter 17.48. (Prior code § 44-240.5)

17.72.180 Regulations for existing metal-related manufacturing and/or processing uses in the PD-PS zone, but which have been determined to be a legal nonconforming use.

The following provisions apply to any legally established metal-related business operation that was rendered legal nonconforming by September 4, 2018.

A. Expansion. A legally established metal-related use which, by September 4, 2018, has been rendered legal nonconforming may be permitted to expand provided that a conditional use permit is granted by the Planning Commission and provided that:

1. All requirements of the Paramount Municipal Code, all Federal environmental regulations as set by the United States Environmental Protection Agency, all California Environmental Quality Act regulations, and all South Coast Air Quality Management District regulations are met.
2. The use of best available control technology is required at minimum. A facility shall install lowest achievable emission rate equipment if required by the South Coast Air Quality Management District. (Prior code § 44-240.6)

17.72.190 Regulations for existing non-metal-related manufacturing and/or processing uses in the PD-PS zone, but which have been determined to be a legal nonconforming use.

The following provisions apply to any legally established non-metal-related business operation that was rendered legal nonconforming by September 4, 2018.

A. Expansion. A legally established non-metal-related use which, by September 4, 2018, has been rendered legal nonconforming may be permitted to expand provided that a conditional use permit is obtained from the Planning Commission and provided that:

1. All requirements of the Paramount Municipal Code, all Federal environmental regulations as set by the United States Environmental Protection Agency, all California Environmental Quality Act regulations, and all South Coast Air Quality Management District regulations are met.
2. The use of best available control technology is required at minimum. A facility shall install lowest achievable emission rate equipment if required by the South Coast Air Quality Management District. (Prior code § 44-240.7)

17.72.200 Health risk assessment.

A. A human health risk assessment (HRA) shall be prepared for all uses for which an environmental impact report (EIR) is required to be prepared pursuant to the requirements of the California Environmental Quality Act (CEQA). Such HRA is required when the environmental factor category of Air Quality is considered a potentially significant impact.

B. A human health risk assessment (HRA) shall be prepared for all uses for which an environmental impact report (EIR) will be prepared pursuant to the requirements of the California Environmental Quality Act (CEQA). Such HRA is required when the environmental factor category of Hazards and Hazardous Material is considered a potentially significant impact.

C. The human health risk assessment (HRA) shall be prepared at minimum in accordance with current health risk assessment requirements of the office of Environmental Health Hazard Assessment for issues of Air Quality and the Department of Toxic Substances Control for Hazards and Hazardous Materials. (Prior code § 44-240.8)

17.72.210 Enforcement.

In addition to all other remedies available from applicable Federal and State agencies, the provisions of this title shall be enforced in accordance with Sections 1.04.150, 17.04.120 and 17.04.130 of this Code, which establishes violations of the Code as misdemeanors, and sets out penalties therefor. In addition to the remedies stated herein, the City is also authorized to issue administrative citations in accordance with Chapter 1.08 of this Code. (Prior code § 44-240.9)
