



PEGGY LEMONS
Mayor

BRENDA OLMOS
Vice Mayor

ISABEL AGUAYO
Councilmember

ANNETTE C. DELGADILLO
Councilmember

VILMA CUELLAR STALLINGS
Councilmember

August 27, 2025

The Honorable Buffy Wicks
Chair, Assembly Committee on Appropriations
1021 O Street, Suite 8220
Sacramento, CA 95814

**RE: SB 364 (Strickland) Billboard Signs: Permitting.
Notice of OPPOSE UNLESS AMENDED (As amended 7/15/2025)**

Dear Chair Wicks:

The City of Paramount regrettably must take a position of oppose unless amended SB 364 (Strickland), to expand the definition of "customary maintenance" for outdoor advertising structures that would potentially compromise public safety and efforts to protect environmental resources, as well as undermining public oversight of commercial interests.

By expanding the definition of "customary maintenance" in Business and Profession § Code Section 5208.3 to include, "replacing structural members, posts, internal bracing, and using stronger materials, while keeping or reducing the number of posts," SB 364 would effectively grant billboard owners the exact exemption from basic building and safety standards that was successfully defended against in *Viacom v. City of Arcata*, 140 Cal.App.4th 230 (2006). The Court of Appeal's decision was predicated on the fundamental legal distinction between repair and reconstruction – that substantial structural work requires permits because it constitutes reconstruction, not repair or maintenance. Cal Cities filed an amicus brief in support of City of Arcata when the case was pending before the Court of Appeal in 2006.

From an environmental perspective, the scope of activities allowed under Section 5208.3 – including excavation, staging of heavy equipment, and new foundation work necessary for "replacing structural members" and "using stronger materials" – clearly constitutes reconstruction, not repair. These activities exceed what any reasonable interpretation of "repair" or "maintenance" would permit. When protected by Business and Profession § Section 5412's anti-limitation and removal clause, these reconstruction activities could proceed without triggering CEQA review, leading to erosion, habitat degradation, and impacts to sensitive ecosystems, including riparian corridors, coastal zones, and wetlands.

Additionally, SB 364 creates the potential for disturbances to cultural and archaeological resources, particularly those significant to local tribal nations. Business and Professions § Sections 5208.3 and 5412 could sidestep the review and consultation processes mandated by CEQA and other protective frameworks. Any local governmental attempt to require cultural resource surveys or consultation could be challenged as an impermissible "limitation" on maintenance under Section 5412.

The structural activities permitted under SB 364 – such as replacing posts, installing new foundations, and staging heavy equipment – could proceed without CEQA review, increasing the risk of noise, traffic disruptions, and safety hazards for nearby residents and pedestrians. Under SB 364, these areas could be disturbed without consultation or surveys, exposing the City to legal challenges for failing to protect archaeological resources. The bill also undermines our ability to enforce basic building safety standards, creating liability risks if billboard structures are reconstructed without permits. Paramount would be forced to choose between fulfilling its duty to protect public safety and cultural resources or facing costly litigation from billboard owners claiming exemption under the expanded definition of "customary maintenance."

As in other areas in urbanized Southern California where cities are located in close proximity to each other along freeway routes, Paramount residential neighborhoods are within view of freeway-oriented digital billboards that could be approved by other jurisdictions and ultimately Caltrans. This lack of local permitting oversight is compounded by the billboards approved by these other jurisdictions.

SB 364 is now in direct conflict with California case law, local government's authority and would expose local governments to unnecessary litigation. For these reasons, Cal Cities respectfully requests that the measure revert to its original scope related to Caltrans by removing the provision related to expanding the definition of "customary maintenance".

For these reasons, the City of Paramount strongly opposes SB 364 (Strickland). Please feel free to contact City Manager John Moreno at (562) 220-2225, if you have any questions. We appreciate your time and consideration.

CITY OF PARAMOUNT



Peggy Lemons
Mayor

CC: Honorable Congresswoman Nanette Barragan, 44th District
Honorable State Senator Lena Gonzalez, 33rd District
Honorable Assemblymember Jose Luis Solache, 62nd District
Nicholas Cabeza, Public Affairs Director, League of California Cities
Jorge Morales, Legislative and Governmental Affairs Consultant, California Contract Cities Association