

Article XVIII, PD-PS, Planned Development-Performance Standards Zone.

Sec. 44-229. Definition.

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. (Ord. No. 495)

Sec. 44-230. 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. (Ord. No. 495)

Sec. 44-231. 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 subparcelling 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. (Ord. No. 495)

Sec. 44-232. 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. (Ord. No. 495)

Sec. 44-233. 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. (Ord. No. 495)

Sec. 44-234. 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. (Ord. No. 495)

Sec. 44-235. "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. (Ord. No. 495)

Sec. 44-236. 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 article, 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. (Ord. No. 495)

Sec. 44-237. 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 Article XIV of this chapter. 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. (Ord. No. 495)

Sec. 44-238. 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. (Ord. No. 495)

Sec. 44-239. 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 (a) within twelve months after the date of adoption of the planned development-performance standards zone, or (b) 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. (Ord. No. 495)

Sec. 44-240. 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 his 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 three hundred 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. (Ord. No. 495)

Sec. 44-241. Permitted uses.

This Paramount Municipal Code 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.**

Sec. 44-242. Uses subject to a conditional use permit.

This Paramount Municipal Code 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, and as specifically provided and allowed by this article, provided that in each instance a conditional use permit is first obtained and continued in full force and effect as provided in Section 44-158 et seq.:

- (a) **Metal manufacturing and/or metal processing uses.**

- (b) Electrical appliances, manufacture and assembly of.
- (c) Machine shops.

Sec. 44-243. Prohibited uses, regardless of which PD-PS zone the use is located.

This Paramount Municipal Code 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.

Sec. 44-244. 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 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 maintain required applicable permits from the South Coast Air Quality Management District and all other relevant agencies and shall comply with the requirements of valid permits issued by the South Coast Air Quality Management District and all other relevant agencies with jurisdiction.
- (c) All feasible building resiliency and environmental sustainability provisions shall be incorporated into new construction and significant building rehabilitation.
- (d) At least one clearly visible exterior wall sign identifying the business shall be installed in public view following separate review and approval of the Community Development Department in compliance with approval criteria of the Paramount Municipal Code and the individual PD-PS zone. The sign area shall not exceed one and one-half feet of sign area per one lineal foot of building frontage. Maximum sign width shall not exceed sixty percent of the building width. The sign shall display only the established trade name or basic product name, or a combination thereof. Information such as telephone numbers, websites, and product lists is not permitted on the sign. Lettering shall be individually cut letters with trim caps and returns of an appropriate design. Raceways are not permitted. Panel signs and can/cabinet style signs are not permitted.
- (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 facility shall be reasonably accommodated at least once each year for the purpose of informing the public of business operations and practices. A comprehensive information session at an offsite facility is acceptable provided direct facility access prohibitively impedes public safety or compromises proprietary processes, as determined by the owner in consultation with the Director of Community Development.

- (g) All metal manufacturing operations shall comply with required housekeeping and best management practices of the South Coast Air Quality Management District and all other relevant government 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. 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 Director of Community Development 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 City of Paramount staff with the accompaniment of personnel from relevant regulatory agencies as needed to verify approved structures, operations, and equipment.

Section 44-245. Regulations for existing metal-related manufacturing and processing uses in the PD-PS zone, but which, by the adoption of Ordinance No. ____, require an Administrative Action.

The following provisions apply exclusively to any legally established metal manufacturing business operation that requires a permit to operate from the South Coast Air Quality Management District, and which was operating in the City prior to the Effective Date of Ordinance No. ____.

- (a) A legally established use which, by the adoption of Ordinance No. ____, requires an Administrative Action shall be permitted to continue pursuant to the rules and regulations applicable to such use prior to the effective date of Ordinance No. ____, until such time that the City approves an Administrative Action for such use.
- (b) Within one year of the effective date of Ordinance No. ____, the responsible party for any use subject to this Section 44-242 that is in compliance with applicable laws 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 Ordinance No. ____. 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 44-242 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 Director of Community Development determines an application requires a public hearing and discretionary review. If the applicant for an Administrative Action is concurrently proposing an expansion of existing operations, the Director of Community Development shall be permitted to transfer decision-making authority to the Planning Commission, in which case a public hearing shall be required.
- (c) The decision of the Director of Community Development to approve or deny an application for an Administrative Action shall be appealable to the Planning Commission, and the decision of the Planning Commission shall be appealable to the City Council. Any decision by the City Council on appeal shall be final.
- (d) An Administrative Action obtained by the responsible party pursuant to Section 44-242 (b), above, shall specify that such use was an existing use prior to the effective date of

Ordinance No.____, and shall be permitted to continue operating in the same manner as previously permitted prior to the adoption of Ordinance No. ____, subject to the following conditions, which conditions shall be included in the Administrative Action.

- (1) The operator shall maintain required applicable permits from the South Coast Air Quality Management District and all other relevant agencies and shall comply with the requirements of valid permits issued by the South Coast Air Quality Management District and all other relevant agencies.
 - (2) The use shall comply with required housekeeping and best management practices of the South Coast Air Quality Management District and all other relevant 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 heavy manufacturing activities shall be conducted within an enclosed structure. Notwithstanding the foregoing, ancillary activities including but not limited to maintenance, inspection, measuring, packing, loading, and unloading shall be permitted outdoors.
- (e) A legally established use which, by the adoption of Ordinance No. ____, requires an Administrative Action may be permitted to expand provided that all requirements of the Paramount Municipal Code, all Federal environmental regulations as set by the Federal Environmental Protection Agency, all California Environmental Quality Act regulations, and all South Coast Air Quality Management District regulations are met. 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) Revocation, suspension, and modification. The Director of Community Development ~~may~~, after a hearing to be conducted in a manner with formal rules of evidence within 10 business days following a written request for a hearing, may revoke, suspend, or modify on any one or more of the following grounds any Administrative Action previously issued:
- (1) That the approval was obtained by fraud.
 - (2) That the use for which such approval was granted is not being exercised.
 - (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, exercised contrary to the terms or conditions of such approval, or in violation of any statute, provision of this Code, ordinance, law or regulation.
 - (5) That the use for which the approval was granted was so exercised as to be detrimental to the public health or safety, or so as to constitute a nuisance.

A written decision noting the Paramount Municipal Code Section violated, evidence supporting the violation, and appeal information, shall be rendered within five (5) working days after the close of the hearing. Within ten (10) working days from a written decision of the Director of Community Development, a business representative may submit a written request to the Community Development Department with legal and factual basis for an

appeal before the Planning Commission. Appeals to the Planning Commission are subject to provisions of Article XII of the Paramount Municipal Code.

Section 44-246. Regulations for existing non-metal-related uses in the PD-PS zone, but which, by the adoption of Ordinance No. ____, have been rendered legal nonconforming.

The following provisions apply to any legally established non-metal manufacturing business operation that was rendered legal nonconforming by the adoption of Ordinance No. ____ .

(a) Expansion. A legally established non-metal-related use which, by the adoption of Ordinance No. ____, has been rendered legal nonconforming may be permitted to expand provided that a conditional use permit is obtained from the Planning Commission provided that:

- (1) All requirements of the Paramount Municipal Code, all Federal environmental regulations, as set by the Federal 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.

(Ord. No. 495)