

CITY OF PARAMOUNT
LOS ANGELES COUNTY, CALIFORNIA

ORDINANCE NO. 1183

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARAMOUNT, APPROVING ZONING ORDINANCE TEXT AMENDMENT NO. 30, AMENDING SECTION 17.04.010 (DEFINITIONS) OF TITLE 17 OF THE PARAMOUNT MUNICIPAL CODE; AND AMENDING CHAPTER 17.104 OF TITLE 17 OF THE PARAMOUNT MUNICIPAL CODE IN ITS ENTIRETY, ESTABLISHING REVISED REGULATIONS FOR ACCESSORY DWELLING UNITS AND ADDING REGULATIONS FOR JUNIOR ACCESSORY DWELLING UNITS IN ALL RESIDENTIAL ZONES CITYWIDE IN 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. 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
- D. The Planning Commission held a duly noticed public hearing on December 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 23:019, recommending that the City Council adopt this Ordinance; and
- E. The City Council held a duly noticed public hearing on this Ordinance on February 27, 2024 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. Definitions. The following provisions of Section 17.04.010 (Definitions) of Title 17 of the Paramount Municipal Code shall be added or amended as follows to read as follows:

Accessory Dwelling Unit (ADU). An attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the primary dwelling is situated. An ADU also includes but is not limited to the following:

- 1. An efficiency unit, as defined by Section 17958.1 of the California Health and Safety Code, as may be amended; and
- 2. A manufactured home, as defined in California Health and Safety Code Section 18007.

3. An ADU may be constructed above an existing or new attached or detached private garage. An ADU also may result from a garage conversion.

Impact fee. A monetary exaction that is charged by the City to a homeowner in connection with approval of a development project for the purpose of defraying all or a portion of the cost of public facilities, public improvements, public services, and community amenities; this does not include fees for processing applications for governmental regulatory actions or approvals or any connection fee or capacity charge charged by a local agency, special district, or water corporation.

Objective standards. Standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal; the City's Objective Design Standards is or will be set out in Chapter 17 of the Paramount Municipal Code.

Permit fees. A monetary exaction charged in connection with an application for a permit for the reimbursement of expenses incurred during the processing and review of the application, but not fees otherwise classified as impact fees.

Permitting agency. Any entity that is involved in the review of a permit for an accessory dwelling unit (ADU) or junior accessory dwelling unit (JADU) and for which there is no substitute, including, but not limited to, applicable planning departments, building departments, fire departments, utilities, and special districts whether or not associated with the City. Notwithstanding, the City does not have authority over those permitting agencies which are not a part of the City.

Roof pitch or roof slope. The angle that a roof surface makes with the horizontal. It is expressed in units of vertical rise to 12 units of horizontal run.

SECTION 4. Chapter 17.104 (Accessory Dwelling Units) of the Paramount Municipal Code is hereby amended in full to read as follows:

17.104.010 Purpose.

The accessory dwelling unit (ADU) and junior accessory dwelling unit (JADU) regulations set forth are established to comply with the state standards and requirements set forth in Section 65852.2 and 65852.22 of the California Government Code. All provisions set forth in these Sections 65852.2 and 65852.22 shall be subject to the applicable preemptive limitations set forth in such California Government Code Sections 65852.2 and 65852.22, as those may be amended from time to time. It is the intent of the City that regulations set forth in this chapter shall have the effect of providing for the creation of compliant ADUs, and that provisions do not unreasonably restrict the ability of homeowners to create ADUs in zones in which they are authorized by local ordinance.

17.104.020 Effect of compliance. An ADU or JADU that conforms to all standards in this section will be:

- A. Deemed consistent with the Paramount General Plan and zoning designation for the lot on which the ADU or JADU is located.
- B. Deemed to not exceed the allowable density for the lot on which the ADU or JADU is located.

- C. Not required to correct a nonconforming zoning condition as defined in Section 17.104.030.
- D. Not denied a permit based on the presence of building code violations or unpermitted structures, as long as they do not present a threat to public health or safety, and are not affected by the construction of the ADU.

The effect of compliance does not prevent the City from enforcing compliance with applicable building standards in accordance with California Health and Safety Code Section 17980.12.

17.104.030 Definitions applicable to ADUs.

Accessory dwelling unit (ADU). As set forth in Section 17.04.010, an "accessory dwelling unit," or "ADU" means an attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the primary dwelling is situated. It shall include a manufactured home, as defined in California Health and Safety Code Section 18007. A trailer, motor vehicle, or other recreational vehicle may not be used as an ADU or maintained as a habitable unit or living area on a residential lot.

Impact fee. A monetary exaction that is charged by the City to a homeowner in connection with approval of a development project for the purpose of defraying all or a portion of the cost of public facilities, public improvements, public services, and community amenities; this does not include fees for processing applications for governmental regulatory actions or approvals or any connection fee or capacity charge charged by a local agency, special district, or water corporation.

Objective standards. Standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal; the City's Objective Design Standards are or will be set out in Chapter 17 of the Paramount Municipal Code.

Nonconforming zoning condition. A physical improvement on a property that does not conform with current City zoning standards.

Passageway. A pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit (ADU).

Permit fees. A monetary exaction charged to a homeowner in connection with an application for a permit for the reimbursement of expenses incurred during the processing and review of the application, but not fees otherwise classified as impact fees.

Permitting agency. Any entity that is involved in the review of a permit for an accessory dwelling unit (ADU) or junior accessory dwelling unit (JADU) and for which there is no substitute, including, but not limited to, applicable planning departments, building departments, fire departments, utilities, and special districts. Notwithstanding, the City does not have authority over those permitting agencies which are not a part of the City.

Roof pitch or roof slope. The angle that a roof surface makes with the horizontal. It is expressed in units of vertical rise to 12 units of horizontal run.

17.104.040 Permitted locations and zones.

ADUs shall be permitted in all residential zones and all mixed-use zones that allow residential uses. JADUs are only permitted on lots with existing or proposed single-family dwellings. New ADUs are not permitted in commercial zones or manufacturing zones.

17.104.050 Applications.

- A. A permit application for an ADU or a JADU shall be considered and approved ministerially without discretionary review or a hearing. The City and any associated permitting agencies including, but not limited to, applicable planning departments, building departments, consultants or contractors working as agents of the City, utilities, and special districts, shall approve and issue a building permit or deny the application to create or serve an ADU or a JADU within 60 calendar days after receiving a completed application if there is an existing primary dwelling on the lot and if it meets the minimum ADU and JADU standards of Chapter 17.104 of the Paramount Municipal Code. If the City and any associated permitting agency has not approved or denied the completed application within 60 days, the application shall be deemed approved and a building permit issued for its construction.
- B. If the City denies an application for an ADU or JADU pursuant to paragraph A, the City shall, within the 60-day time period set out in (A) above, transmit to the applicant a list of items that are defective or deficient and a description of how the application can be remedied.
- C. If the permit application to create an ADU or a JADU is submitted with a permit application to create a new single-family or multifamily dwelling on the lot, the City may delay approving or denying the permit application for the ADU or JADU until the City approves or denies the permit application to create the new dwelling, but the application to create the ADU or JADU shall be considered at the same time without discretionary review or hearing.
- D. If the applicant requests a delay, the 60-day time period shall be paused for the period of the delay. If the permit application is returned to the applicant with a list of corrections requested to comply with applicable codes and regulations, the 60-day time period shall be paused for the period of time until the applicant resubmits a corrected application. If the applicant does not submit a corrected application within one year, the file shall be closed.
- E. A demolition permit for a detached garage that is to be replaced with an ADU shall be reviewed with the application for the ADU, and a building permit for the ADU shall be issued at the same time as the demolition permit. The applicant shall not be required to provide written notice or post a placard for the demolition of a detached garage that is to be replaced with an ADU.

17.104.060 Impact and permit fees.

- A. Impact fees, as defined in Section 17.04.010 and in accordance with California Government Code Section 66000, shall not be imposed during the development of an ADU that has a living area of less than 750 square feet, except for a developer impact fee levied by the Paramount Unified School District which is required for an ADU larger than 500 square feet in size. Any impact fee that is required for an ADU that is 750 square feet (500 square feet for the school district development impact fee) or larger in size shall be calculated proportionally in relation to the square footage of the primary unit.

(e.g., the living area of the ADU is divided by the living area of the primary dwelling to produce a ratio that is multiplied by the typical fee amount charged for a new dwelling unit):

Impact fee for ADU = (ADU square footage/ primary dwelling square footage) x fee rate

- B. Permit fees, as defined in Section 17.04.010, shall be applied to any ADU application and any JADU application, regardless of living area, to reimburse the City for costs incurred during the review and approval process of the application.
- C. The property owner shall pay all applicable impact and permit fees that meet the conditions set forth in paragraphs A and B. All such applicable fees shall be paid before a building permit is issued.

17.104.070 Design.

The architectural design, exterior materials, and color of an ADU shall match the architectural design; exterior materials, including window style and materials; roof slopes; and color of the existing or proposed dwelling on the same lot in accordance with adopted residential Objective Design Standards.

17.104.080 Building codes.

City building code requirements set forth in Title 15 of the Paramount Municipal Code shall apply to ADUs and JADUs, except that the construction of an ADU shall not constitute a Group R occupancy change, unless the building official or enforcement agency makes a written finding based on substantial evidence in the record that the construction of the ADU could have a specific, adverse impact on public health and safety. Nothing in this section shall be interpreted to prevent the City from changing the occupancy code of a space that was uninhabitable space or that was only permitted for nonresidential use and was subsequently converted for residential use pursuant to this section.

17.104.090 Configuration.

- A. An ADU may be attached to the existing dwelling, located within the living area of the existing dwelling, or detached from the existing dwelling unit so long that it is located on the same lot as the existing dwelling. Notwithstanding, only one JADU is allowed on the same lot as an ADU.
- B. An attached ADU may have a separate entrance which may be facing the front, side, or rear yards.
- C. If a JADU is permitted without its own bathroom, it must have its own exterior entrance, and it must also include an interior entry to the primary dwelling where a bathroom is located.

17.104.100 Living area and unit size requirements for ADUs.

The living area of an ADU includes only the interior habitable space of the ADU (hereafter "living area" or "living space"). Garages, outdoor areas, and accessory structures are not considered living area and are not included within the living area subject to maximum ADU size limitations.

- A. If the living area of the existing or proposed dwelling is 1,600 square feet or less, the living area of a new construction attached or detached ADU may be up to 800 square feet. If the living area of the existing or proposed dwelling is 1,600 square feet or more, the living area of a new attached ADU may be 50% of the size of the existing dwelling, up to a maximum of 1,000 square feet.

- B. The maximum living area for a new construction studio or one-bedroom ADU is 850 square feet. The maximum living area for ADUs with two or more bedrooms is 1,000 square feet.
- C. ADUs created through the conversion of existing space in primary or accessory structures are exempt from size limitations.
- D. The minimum size for an ADU shall be of sufficient living area for an efficiency unit with efficiency kitchen. ADUs that meet the requirements of Section 17.104.090 shall be approved ministerially as set out in this Chapter.

17.104.110 Lot size.

ADUs shall be permitted on any residential or any mixed-use zone that includes a residential component, without regard to lot size.

17.104.120 Building height.

An attached or detached ADU shall not exceed two stories of livable space, subject to specific building height limitations, measured to the highest point of the structure.

- A. An ADU shall not exceed a building height limit of 18 feet for:
 - 1. Detached ADUs on a lot with an existing or proposed multifamily, multistory dwelling with a roof slope less than 3 units of vertical rise to 12 units of horizontal run (also expressed as slope less than 3:12).
 - 2. Detached ADUs on a lot with an existing or proposed single-family or multifamily dwelling unit that is within one-half of one mile walking distance of a major transit stop or high-quality transit corridor, as those terms are defined in Section 21155 of the California Public Resources Code. An additional two feet in building height to accommodate a roof slope on the ADU that is aligned with the roof slope of the primary dwelling unit is allowed.
- B. An ADU shall not exceed a building height limit of 25 feet for:
 - 1. ADUs that are attached to a primary dwelling.
 - 2. Detached ADUs located 25 feet to the rear of the front property line and on a lot with an existing or proposed multifamily, multistory dwelling with a roof slope of 3 units of vertical rise to 12 units of horizontal run or greater (also expressed as 3:12 slope or greater).

Refer to Diagram A for examples of roof slopes that would qualify such a detached ADU for the 25-foot height.



Diagram A

- C. All other detached ADUs on a lot with an existing or proposed single-family or multifamily dwelling unit shall not exceed a building height limit of 16 feet.

17.104.130 Minimum structure separation for a detached ADU.

A minimum six-foot separation must be maintained between any detached ADU and the existing single-family dwelling or any accessory structure on the same lot.

17.104.140 Setbacks.

- A. Detached ADUs must have rear and side setbacks of at least four feet.
- B. Attached ADUs must have rear and side setbacks of at least four feet, unless they are converted from an existing structure or a new structure constructed in the same location and to the same dimensions as an existing structure that has a side or rear setback of less than four feet.
- C. When an existing detached or attached garage or other detached accessory structure is proposed to be converted to an ADU, no additional setbacks shall be required subject to meeting the zoning requirements of the Paramount Municipal Code, including, but not limited to, life safety, emergency egress, and fire code requirements set forth therein. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU, the local agency shall not require that those off-street parking spaces be replaced.
- D. An ADU may be constructed within the front setback, provided it complies with a certain set of standards:
 - 1. ADUs in the front setback must be set back at least four feet from the front and side property lines, unless there is no alternative to placing an ADU within this area in order to allow an ADU of 800 square feet on a particular parcel.
 - 2. The development of ADUs in the front setback must provide for the maintenance of a safety vision clearance on each side of a driveway. This vision clearance requirement is for an area that shall be defined by a diagonal line beginning 10 feet back from the front property line, at the intersection with the edges of the driveway, and extending away from the driveway at an angle of 30 degrees to the edge of the driveway toward the street property line of the lot. Within this area, no tree shall be allowed, nor any fence, shrub, or other physical obstruction higher than 42 inches above the established grade shall be permitted.
 - 3. Windows on ADUs within 10 feet of the front property line must be tempered triple-pane glass windows with a Sound Transmission Class rating of 29 or more to reduce the penetration of street noise into the interior of the ADU.

17.104.150 Separate sale of ADUs.

- A. An ADU may be sold or conveyed separately from the primary residence to a qualified buyer, including persons and families of low or moderate income, as that term is defined in Section 50093 of the California Health and Safety Code, if all of the following apply:
 - 1. The ADU or the primary dwelling was built or developed by a qualified nonprofit corporation, one that is organized pursuant to Section 501(c)(3) of the Internal Revenue Code that has received a welfare exemption under Section 214.15 of the Revenue and Taxation Code for properties intended to be sold to low-income families who participate in a special no-interest loan program.

2. There is an enforceable restriction on the use of the land pursuant to a recorded contract between the qualified buyer and the qualified nonprofit corporation that satisfies all of the requirements specified in paragraph (10) of subdivision (a) of Section 402.1 of the Revenue and Taxation Code.
3. The property is held pursuant to a recorded tenancy in common agreement that includes all of the following:
 - a. The agreement allocates to each qualified buyer an undivided, unequal interest in the property based on the size of the dwelling that each qualified buyer occupies.
 - b. A repurchase option that requires the qualified buyer to first offer the qualified nonprofit corporation to buy the ADU or primary dwelling if the buyer desires to sell or convey the property.
 - c. A requirement that the qualified buyer occupy the ADU or primary dwelling as the buyer's principal residence.
 - d. Affordability restrictions on the sale and conveyance of the ADU or primary dwelling that ensure the ADU and primary dwelling will be preserved for low-income housing for 45 years for owner-occupied housing units and will be sold or resold to a qualified buyer.
 - e. The tenancy in common agreement shall include all of the following:
 - i. Delineation of all areas of the property that are for the exclusive use of a co-tenant. Each co-tenant shall agree not to claim a right of occupancy to an area delineated for the exclusive use of another co-tenant, provided that the latter co-tenant's obligations to each of the other co-tenants have been satisfied.
 - ii. Delineation of each co-tenant's responsibility for the costs of taxes, insurance, utilities, general maintenance and repair, improvements, and any other costs, obligations, or liabilities associated with the property. This delineation shall only be binding on the parties to the agreement, and shall not supersede or obviate the liability, whether joint and several or otherwise, of the parties for any cost, obligation, or liability associated with the property where such liability is otherwise established by law or by agreement with a third party.
 - iii. Procedures for dispute resolution among the parties before resorting to legal action.
4. A grant deed naming the grantor, grantee, and describing the property interests being transferred shall be recorded in the county in which the property is located. A Preliminary Change of Ownership Report shall be filed concurrently with this grant deed pursuant to Section 480.3 of the Revenue and Taxation Code.
5. Notwithstanding subparagraph (A) of paragraph (2) of subdivision (f) of Section 65852.2, if requested by a utility providing service to the primary residence, the ADU has a separate water, sewer, or electrical connection to that utility.

- B. An ADU on a property in the R-1 zone may be conveyed separately from the primary unit using an urban lot split, subject to the provisions of Senate Bill 9 and Section 17.08.140 of the Paramount Municipal Code.
- C. Otherwise, nothing contained herein shall be construed to permit subdivisions of real property otherwise prohibited by the Paramount Municipal Code or State law.

17.104.160 Parking.

- A. The City will not require parking for an ADU in any of the following instances:
 - 1. Where the ADU is located within one-half mile walking distance of public transit.
 - 2. Where the ADU is located within an architecturally and historically significant historic district.
 - 3. Where the ADU is part of the proposed or existing primary residence or an accessory structure.
 - 4. When onstreet parking permits are required but not offered to the occupant of the ADU.
 - 5. When there is a car share vehicle located within one block of the ADU.
 - 6. When a permit application for an ADU is submitted with a permit application to create a new single-family dwelling or a new multifamily dwelling on the same lot, provided that the ADU or the parcel satisfies the criteria set out in this Chapter.
- B. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU, the local agency shall not require that those offstreet parking spaces be replaced.

17.104.170 Driveways.

Properties with ADUs must have only one driveway approach and driveway, unless the driveway is connected to an alley. After review and approval by the Public Works Department, which approval shall not be delayed or unreasonably withheld, driveway approaches facing a public street shall be closed if no longer needed.

17.104.180 Passageways.

A separate passageway shall not be required in conjunction with the construction of an ADU.

17.104.190 Fire sprinklers.

Fire sprinklers are required in an ADU only if sprinklers are required in the primary residence. The construction of an ADU shall not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.

17.104.200 Utility connections.

Converted attached ADUs and JADUs created under Section 17.104.210 or Section 17.104.240, are not required to have a new or separate utility connection directly between the ADU or JADU and the utility. A connection fee or capacity charge is not required, unless the ADU or JADU is constructed with a new single-family home.

17.104.210 Tenancy and restrictive covenant.

- A. An ADU or JADU may be rented separately from the primary residence, and may not be sold or otherwise conveyed separately from the primary residence, except as allowed for by Section 17.104.140.
- B. No ADU or JADU may be rented for a term that is less than 30 consecutive calendar days.
- C. Owner-occupancy is not required of the primary residence, or for any attached or detached ADU.
- D. Owner-occupancy in either the JADU or the single-family residence in which a JADU is permitted is required. Owner-occupancy shall not be required if the owner is another governmental agency, land trust, or housing organization. A deed restriction shall be recorded against the property and shall bind all future owners.
- E. Any covenant, restriction, or condition contained in any deed, contract, security instrument, or other instrument affecting the transfer or sale of any interest in a planned development, and any provision of a governing document, that either effectively prohibits or unreasonably restricts the construction or use of an ADU or JADU on a lot zoned for residential use that meets the requirements of Section 65852.2 or 65852.22 of the California Government Code, is void and unenforceable.

17.104.210 Ministerially approved ADUs and JADUs.

A local agency shall ministerially approve, with objective standard review, an application for a building permit within a residential or mixed-use zone to approve any of the following subject to the following requirements:

- A. Conversion – single-family dwelling or accessory structure. The ADU or JADU is within the proposed space of a legally permitted single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure (ADU only). An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.
 - 1. The unit has independent exterior access from the proposed existing single-family residence.
 - 2. If a JADU does not include a separate bathroom, the JADU shall include an interior entry to the primary dwelling in compliance with California Government Code Section 65852.22.
 - 3. The side and rear setbacks are sufficient for fire safety as dictated by applicable City fire and building codes.
 - 4. Objective Design Standards review is required.
 - 5. The applicant shall not be required to install a new or separate utility connection directly between the ADU and the utility, and shall not be charged a connection fee or capacity charge related to such requirement. The applicant may voluntarily install a new or separate utility connection, which are only subject to any applicable fees when constructed with a new single-family dwelling.

- B. New construction – attached, single-family dwelling. One attached, new construction ADU on a lot with a proposed or existing single-family dwelling shall be ministerially approved (in addition to any JADU that might otherwise be established under JADU regulations), if the attached ADU satisfies the objective standards for an ADU.
- C. New construction – detached, single-family dwelling. One detached, new construction ADU that does not exceed four-foot side and rear yard setbacks for a lot with a proposed or existing single-family dwelling. The ADU may be combined with a JADU described in Section 17.104.210 above. The City may impose the following conditions on that ADU:
1. A total floor area of not more than 800 square feet.
 2. A height limitation as provided in this Chapter.
- D. Conversion – multifamily dwellings. Multiple ADUs within the portions of existing multifamily dwelling structures that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, shall be ministerially approved with objective standards review if each converted ADU complies with State building standards for dwellings. At least one converted ADU is allowed within an existing multifamily dwelling, or up to 25 percent of the existing multifamily dwelling units may each have a converted ADU under this section.
- E. New construction – detached, multifamily dwellings. Not more than two ADUs that are located on a lot that has an existing or proposed multifamily dwelling, but are detached from that multifamily dwelling and are subject to a height limitation set out in this Chapter, and rear yard and side setbacks of no more than four feet. If the existing multifamily dwelling has a rear or side setback of less than four feet, the local agency shall not require any modification of the existing multifamily dwelling as a condition of approving the application to construct an ADU until that satisfies the requirements of this Section.
- F. Above garage. An ADU may be constructed above an existing or new garage.

17.104.220-260 – Reserved.

17.104.270 Existing units.

- A. Existing ADUs that have not been approved by the City are required to obtain approval in order to be considered a lawful use. An application for an unpermitted ADU that was constructed before January 1, 2018 shall not be denied due to violations of building standards in Title 15 of the Paramount Municipal Code, or if the unpermitted ADU does not comply with Chapter 17.104 of the Paramount Municipal Code, unless it is found that correcting the violation is necessary to protect the health and safety of the public or occupants of the structure pursuant to Section 17920.3 of the California Health and Safety Code. An application for an unpermitted ADU for which a building permit does not exist shall be approved based the version of the applicable Building Code in effect when the residential unit was determined to be constructed for the purposes of issuing a building permit. The Building Official or designee may make a determination of the date of construction, and issue a retroactive building permit for that construction.
- B. The City shall delay enforcement of building standards that are not a matter of public health and safety for existing ADUs upon request of the ADU owner, as follows:

1. ADUs built prior to January 1, 2020 are eligible, or ADUs built on or after January 1, 2020 at a time that the City had a noncompliant ADU ordinance.
2. Until January 1, 2030, the City shall issue a written statement along with a notice to correct a violation of any provision of any building standard relating to an ADU that substantially provides as follows:

"You have been issued an order to correct violations or abate nuisances relating to your accessory dwelling unit. If you believe that this correction or abatement is not necessary to protect the public health and safety, you may file an appeal with the Planning Department within 10 calendar days of receipt of the order. If the City determines that enforcement is not required to protect public health and safety, enforcement shall be delayed for a period of five years from the date of the original notice."

17.104.280 Failure to comply.

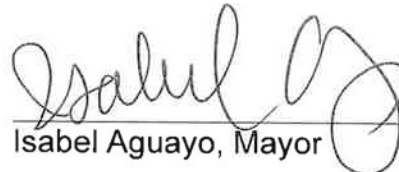
Any individual, entity, company, or corporation who fails at any time to comply with, or violates the provisions of this chapter and/or any requirements imposed as a condition of being granted a land use entitlement, shall be subject to the enforcement provisions as enumerated in the Paramount Municipal Code.

SECTION 5. 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 6. 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 7. 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 12th day of March 2024.


Isabel Aguayo, Mayor

ATTEST



Heidi Luce, City Clerk

