

CITY OF PARAMOUNT
LOS ANGELES COUNTY, CALIFORNIA

ORDINANCE NO. 1200

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARAMOUNT APPROVING ZONING ORDINANCE TEXT AMENDMENT NO. 35, AMENDING SECTION 17.04.010 (DEFINITIONS), AND REPEALING AND REPLACING CHAPTER 17.112 OF TITLE 17 OF THE PARAMOUNT MUNICIPAL CODE IN ITS ENTIRETY TO ESTABLISH REVISED REGULATIONS FOR ART IN PUBLICLY ACCESSIBLE PLACES ON PRIVATE PROPERTY AND IN PUBLIC PLACES 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 ordinances and regulations not in conflict with general laws; 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, including resource management, 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 General Plan is comprised of elements, and the Resource Management Element includes *Resource Management Element Policy 18* which states, "The City of Paramount will continue with the development of the community art program."
- E. The City Council adopted the Public Art Master Plan on May 27, 2025 in support of the Resource Management Element of the General Plan.
- F. The Planning Commission held a duly noticed public hearing on May 7, 2025, 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 25:014, recommending that the City Council adopt this Ordinance; and
- G. The City Council held a duly noticed public hearing on this Ordinance on May 27, 2025, 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:

Artist. A practitioner of the creative arts, generally recognized as such by critics and peers, with a body of work that may include commissions, exhibitions, sales, publications, and collections. For the purposes of this Chapter, "artist" shall not include: (j) persons primarily working in the professional fields of architecture, engineering, design, or landscaping; (ii) an employee or relative of the development project architect, landscape architect, engineer, or project manager; (iii) any person with a business interest in a

development project or with respect to individuals or entities serving as project architects, landscape architects, engineers or project managers; or (iv) a relative of or anyone with a financial interest with respect to an individual or entity serving on an art selection panel for the development project.

Mural. A one-of-a-kind, hand-painted, hand-tiled, or digitally printed image on the exterior of a building with visibility from the public right-of-way that does not contain any commercial message that advertises a business conducted, services rendered, or goods produced or sold. A mural must be created by an Artist and is not intended as a commercial sign.

Nonprofit. A corporation organized under Internal Revenue Code Section 501(c)(3), in good standing with the California Department of Corporations and in compliance with all federal, state, and local licensing, reporting, and tax requirements.

Placemaking. A multi-faceted approach, generally including arts and cultural installations, performances, and activities, to the planning, design, and management of public spaces, that improves the quality of life and is documented by recordings, essays, articles, or a combination of media.

Private Development Project. Any commercial, industrial, and residential private sector development that requires the issuance of a building permit by the City of Paramount.

Public Art. Work created by an artist that is publicly accessible on private property, or on land or in or on a building owned by the City and encompasses a range of culture through the broadest possible expression, media, and materials and that may be permanent, fixed, temporary, or portable; and may be an integral part of a building, facility, structure, or landscape. These may include but are not limited to:

1. Media. Paintings, ceramics, light, sound, electronic, video, media-based, time-based, and web-based.
2. Style. Functional, realistic, abstract, community-based, and process-oriented; permanent and temporary. The public art can include artistic elements of the overall architecture or landscape design if created by an artist.
3. Genre. Fine art, craft, folk art, performance art. For reference, performance art is an art form in which a performance is presented within a fine art context, usually in collaboration with other interdisciplinary artists. The performance may be live or via media and the performer may be present or absent.

Public Art Advisory Committee. The City of Paramount committee that advises the City Council on public art policies, procedures, and expenditures from the Public Art Fund.

Publicly Accessible. Public art in a public place, accessible to the public for viewing, in its entirety and in a direct line of line of sight without hindrances or visual obstacles, during regular business hours consistent with the operation and use of the premises. Nothing in this definition is intended to require access by any member of the public to any area not otherwise accessible to the public pursuant to the normal operation and use of the premises.

Public Art Fund. A separate account into which all monies generated under this Ordinance shall be deposited.

Public Art Maintenance. The conservation, preservation, and basic day-to-day care of public art and, where applicable, of the lighting and surrounding landscaping, in good condition to the satisfaction of the City; and protection of the public art against physical defacement, mutilations, or alteration. Maintenance includes those activities required to conserve, repair, or preserve the integrity of the public art and setting within which the public art is located.

Public Art Policies and Guidelines. The documents adopted by the Public Art Advisory Committee that include standards and procedures for the implementation and administration of public art.

Public Art Program. The City program within the Planning Department that is responsible for the administration of public art, and cultural activities and events, including the acquisition, commission, design, installation, production, presentation, performance, and maintenance of public art for the cultural benefit of the City, its residents, and its visitors, celebrating and illustrating the broad range of cultural expression practiced in the Paramount community that is funded by the Public Art Fund.

Public Art Project. The administration, development, acquisition, and installation of public art in publicly accessible spaces or on public property that enrich the urban landscape and provide a means to express the City's cultural and social heritage by exposure to art, culture, and history in various forms.

Public Art Workplan. An annual workplan presented to the City Council that identifies new projects to be initiated within a fiscal year and provides a status report on current and completed projects. The annual workplan serves to inform City policymakers, staff, and the public about arts and cultural activities and opportunities available.

Public Place. An area on public property that is publicly accessible to and available for use by the public during normal hours of business operation consistent with the operation and use of the premises, including but not limited to lobbies, meeting spaces, sidewalks, and crosswalks.

SECTION 4. Chapter 17.112 (Art in Public Places) of the Paramount Municipal Code is hereby amended in full to read as follows:

17.112.010. Purpose.

The purpose of this chapter is to establish and maintain a public art requirement for private development in order to provide the following benefits to the community: (1) maintain Paramount's art and culture for generations; (2) recognize the vital importance of the arts to the City as a whole; and (3) make a lasting contribution to the intellectual, emotional, and creative life of the community at large, and create a more desirable community to live, work, and recreate. A policy is hereby established to require developers and/or owners of certain private developments to use a portion of building development costs for the acquisition and installation of freely accessible works of art. Additionally, requirements for public art not associated with new development are included.

17.112.020. Contribution requirements – public art associated with new private development.

A. Calculation.

1. Nonresidential Building Developments. Private nonresidential building developments involving a project valuation of \$100,000.00 or more shall devote an amount not less than one percent of building development costs for acquisition and installation of publicly accessible art on the development site or the adjacent right-of-way within one-fourth mile.

2. Residential Building Developments. Private residential building developments of five or more new dwelling units shall devote an amount not less than one percent of building development costs for acquisition and installation of publicly accessible art on the development site or the adjacent right-of-way within one-fourth mile.
- B. In Lieu Contribution.
1. At the discretion of the developer and/or owner, and in lieu of installing public art, an in-lieu contribution shall be placed into the Public Art Fund account for acquisition and placement of public art throughout the City.
 2. At the discretion of the City, in addition to the required art installation of publicly accessible art on the development site or the adjacent right-of-way within one-fourth mile, an in-lieu contribution may be required from the developer/or property owner when it has been determined that the value of the proposed public art installation is less than the required one percent. The combined total shall be equal to the required one percent of building development costs for acquisition and installation of publicly accessible art on the development site or the adjacent right-of-way within one-fourth mile.

17.112.030. Applicability.

- A. The provisions of this chapter shall be applicable to publicly accessible private property, public right-of-way, and City-owned property throughout Paramount.
- B. Publicly accessible public art within residentially developed properties shall be restricted to the following areas:
1. Within a common outdoor entry area to a commonly identified housing tract of five or more permitted housing units.
 2. Outside or upon a permitted residential or mixed-use with residential building of three or more stories in height.
 3. Upon walls, fences, and structures along rear property lines facing a public alley. (Ord. 1131 § 3, 2020)

17.112.040 Exceptions and waivers.

The requirements of this chapter shall not apply to the following activities:

- A. Americans with Disabilities Act (ADA)-compliance projects, not including projects where ADA compliance is a portion of a larger project.
- B. Road, path, and sidewalk repairs, including traffic signals and upgrades, curb and gutter repairs, sign reflectivity, road and parking signage, resurfacing of roads or other existing hardscape areas.
- C. Emergency repair projects.
- D. Cyclical replacement and repair of trails, outdoor furnishings, or fencing.
- E. Studies and plans.
- F. Roof replacement.
- G. Mechanical, security, audio-visual equipment, and information technology (IT) installations, upgrades, and repairs.

- H. Utilities projects unless there is building construction or reconstruction involved.
- I. Seismic upgrades and waterproofing.
- J. Projects where most of the cost is allocated to elements located underground.
- K. Projects where prohibited by federal law, including projects or portions of projects funded by grants from non-City sources that prohibit expenditure of funds for art.

17.112.050 Maintenance.

- A. All public art on private property shall become the property of the developer and/or owner and successor(s) in interest with the exception of public art owned by the City and placed on private property.
- B. The obligation to provide public art maintenance and security, as necessary to preserve the public art in good condition, shall remain with the developer and/or owner with the exception of public art owned by the City and placed on private property.

17.112.060 Use of Public Art Fund.

There is hereby created a public art fund to account for the public art fee and any and all other revenues appropriated or received for public art, including gifts, grants, and donations made to the City for purposes of this chapter. The public art fund shall be self-perpetuating from year to year.

- A. The revenues in such fund shall be used solely for:
 - 1. The acquisition, commission, design, installation, production, presentation, performance, and maintenance of public art identified by Section 17.04.010 (Definitions) of this chapter.
 - 2. No more than twenty percent (20%) of the annual Public Art Fund shall be used for all necessary and reasonable administrative costs incurred in connection with Public Art Program staff or consultant supervision of the Public Art Program and the expenditure of all funds appropriated for public art.
 - 3. Other expenses associated with the implementation and administration of the Public Art Program.
 - 4. Furthering the purpose of public art as defined in this chapter.
- B. All fees collected under this chapter shall be maintained, managed, and reviewed by the City Manager or designee. The City Manager shall present annually to the City Council for approval an Annual Public Art Workplan that recommends the use of Public Art Fund monies consistent with the purpose of this section including the administrative costs of the Public Art Program annually, staff support and related expenses; curatorial services; documentation; publicity, community education, and any other services or programs in accordance with the intent of this chapter.
- C. Included Appropriations and Expenditures. Included appropriations and expenditures for public art include:
 - 1. Acquisition of public art through direct purchase or through the design, fabrication, transportation, installation, and presentation of public art.

2. Temporary stages, arenas, and other devices for performance.
 3. Artist fees and expenses.
 4. Supplies and materials.
 5. Costs for insurance, identification plaques, project management by an independent public art consultant, and other reasonable expenses associated with the planning, development, and completion of public art.
 6. Other related expenses associated with the implementation and administration of the Public Art Program approved by the Public Art Advisory Committee.
- D. Excluded appropriations and expenditures for public art include:
1. Reproductions, by mechanical or other means of original artwork, except in cases of film, video, photography, printmaking, theater, or other media arts.
 2. Decorative, ornamental, architectural, or functional elements that are designed by the project architect or other design consultants engaged by the architect as opposed to an artist commissioned for this purpose.
 3. Landscape architecture, gardening, or materials generally considered to be components of the landscape designed by the project architect, landscape architect, or other design professional engaged by the architect as opposed to an artist commissioned for this purpose.
 4. Art objects that are mass produced (excluding artist-created, signed limited-edition works), ordered from a catalog, or of a standard design, such as playground, sculpture, or fountain.
 5. Directional or other functional elements such as signage, supergraphics, color coding, or maps that are designed by architect, landscape architect, or other design professional engaged by the primary designer.
 6. Utility costs and expenses related to the ongoing operation of the public art such as electrical, water, or mechanical service required to activate the work.

17.112.070 Public Art Advisory Committee

To promote, encourage, and advise on policies and programs that affect public access to a wide variety of arts and culture opportunities, a Public Art Advisory Committee (PAAC) appointed by the Mayor and approved by the City Council shall be established.

- A. The PAAC shall be comprised of a minimum of five (5) and up to seven (7) voting members appointed by the Mayor and approved by the City Council to advise on and advocate for public art.
- B. A minimum of two (2) voting members of the PAAC shall be arts professionals with considerable knowledge and experience in the arts. Qualifying arts professionals may include contemporary museum and gallery art curators, arts management professionals, arts educators, and design professionals such as licensed architects, landscape architects, and urban planners.

- C. A minimum of one (1) member of the PAAC shall be a community stakeholder.
- D. Two (2) members of the PAAC shall be City Councilmembers.
- E. Appropriate City staff may serve as non-voting advisors. Oversight of the PAAC is the responsibility of Public Art Program staff.
- F. The PAAC would convene on an as-needed basis and no less than two times each year. In general, the powers and duties of the PAAC shall be as follows:
 - 1. Establish and approve the Public Art Program mission and curatorial and programmatic goals, policies, and guidelines.
 - 2. Develop an Annual Public Art Workplan that charts current and future public art projects and arts and culture programming and determines resources and funding priorities.
 - 3. Make recommendations to the City Council on the expenditure of funds in the Public Art Fund.
 - 4. Make recommendations to the City Council and City Manager concerning the resources and needs of the community about the arts and opportunities for participation of artists.
 - 5. Review and make recommendations to the City Council concerning the removal, relocation, or alteration of existing public art or items of cultural significance in the possession of the City in accordance with the deaccession policy.
 - 6. Review and make recommendations to the City Council concerning gifts and loans of public art to the City in accordance with the gifts and donation of art policy.
 - 7. Explore methods of obtaining private, local, state, and federal funds to promote public art and public art programming within the city and make recommendations to the City Council on applying for such grants and funds.
 - 8. Encourage public and private partnerships to assure the survival of the arts and artists in the city.
 - 9. Serve as the key advocacy body for the Public Art Program and participate in community outreach activities and events.
 - 10. Adopt rules, regulations, and procedures for the PAAC chair and conduct of PAAC meetings.
 - 11. Advise and assist the City Council in connection with such other public art matters as may be referred to by City staff.
 - 12. Exercise such other and incidental powers not inconsistent with law, necessary to carry out its functions.

17.112.080 City Council role and responsibilities.

- A. Included and excluded roles and responsibilities of the City Council:
 - 1. Review, approve, and update the City of Paramount Public Art Master Plan as needed.

2. Approve the annual Public Art Workplan as part of the City's annual budget adoption process, which outlines the projects and expenses the Public Art Program will undertake each year.
 3. Consider annual Capital Improvement Program allocations for public art, as outlined in this chapter, as feasible.
 4. Approve annual operating allocations for the Public Art Program as part of the City's annual budget process.
 5. Make final determinations on PAAC recommendations regarding the commissioning and acquisition of public art on public property and publicly accessible private property in compliance with the City's purchasing policy.
 6. Make final determinations on PAAC recommendations regarding deaccession of public art, acceptance of public art gifts and loans, and proposals for memorials and murals on City property, in accordance with each respective policy.
- B. Excluded roles and responsibilities:
1. Oversight and/or approval of small-scale art projects identified by Neighborhood Preservation committee action items in need of immediate attention to preserve the health and safety of the community.

17.112.090 Public Art Policies and Guidelines.

- A. Policies and guidelines for the implementation and administration of public art shall be adopted by the PAAC. Any major changes to the Public Art Policies and Guidelines after adoption shall be submitted to the PAAC for review and approval.
- B. Implementation of adopted policies and guidelines is the responsibility of the designated Planning Department staff implementing the Public Art Program.

17.112.100 Processing public art associated with new private development or existing development.

- A. Public art associated with new private development or existing development shall be subject to review and recommended approval from the PAAC with final review and approval by the City Council pursuant to Section 17.112.070 of this Chapter.
 1. A completed public art application to supplement a development review application shall be submitted to the PAAC for public art associated with new development. An application associated with new development shall indicate whether the applicant has elected to acquire and install or make an in-lieu contribution to the Public Art Fund in accordance with California Government Code Section 66007.
 2. The Planning Department shall submit to the PAAC each application to acquire and install public art on new or existing development. The PAAC shall recommend approval, partial approval, or conditional approval, or deny the application based upon guidelines set forth providing their recommendation to City Council for final review and approval.

3. With public art in publicly accessible places associated with new development or existing development, when the project applicant elects to acquire and install public art, the art in public places application will be reviewed by the PAAC and a recommendation will be made to the City Council for final approval.
4. With art in publicly accessible places associated with new development, and the PAAC has recommended approval of the art in publicly accessible places application, the certificate of occupancy shall not be issued until the approved public art has been installed unless an in-lieu contribution is made as a deposit to secure the proper installation of the public art within a reasonable period of time as specified by the Planning Director or designee.
5. When the project applicant has elected to make an in-lieu contribution to the public art development fee, the contribution shall be paid in accordance with Section 66007 of the California Government Code.
6. If the applicant decides to install public art after making an in-lieu contribution, a bond, letter of credit, or other instrument acceptable to the Planning Director or designee will be necessary to ensure completion of the project before any refunds are issued to pay for public art.

17.112.110 Processing public art on public property.

- A. Public art on public property shall be subject to review and approval from the PAAC, pursuant to Section 17.114.070 of this Code. A single application for multiple works of public art to be installed simultaneously at one or more locations as part of a group, team, or programmatic event is permitted.
- B. A completed art public art application shall be submitted to the Planning Department for public art proposals. A single application for multiple works of public art to be installed simultaneously at one or more locations as part of a group, team, or programmatic event is permitted.
- C. The Planning Department shall submit to the PAAC each application to acquire and install public art. The PAAC shall recommend approval, partial approval, or conditional approval, or deny the application based upon guidelines set forth with the City Council having the final decision.

17.112.120. Items are not to be considered as public art.

- A. Art objects that are mass produced from a standard design. However, limited productions may be considered with specific restrictions.
- B. Reproductions of original artworks.
- C. Decorative, ornamental, or functional elements that are designed by the building architects opposed to an artist commissioned for the purpose of creating the public art.
- D. Landscape architecture and landscape gardening except where these elements are designed or approved by the artist and are an integral part of the public art by the artist.
- E. Any artwork that directly promotes a business or service.
- F. Expressions of obvious bad taste, obscenity, indecency, hate speech, or profanity, which would likely be offensive to the general public are unacceptable.

17.112.130. Appeal procedure.

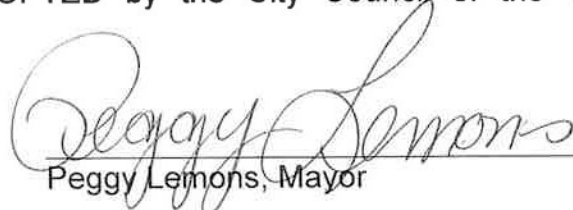
- A. Within 10 calendar days after the date of a recommendation by the Planning Department to the City Council that includes a condition of approval imposing a public art requirement for private development, an appeal from said decision must be filed by the applicant or any other interested party. The appeal shall be submitted to the Planning Department. In the event the last date of appeal falls on a weekend or holiday when the City offices are closed, the next date such offices are open for business shall be the last date of appeal. Such an appeal shall be made on a form prescribed by the Planning Department and shall be filed with the Planning Department to the attention of the Planning Director, along with any appropriate fees required. The appeal application must be complete and shall state specifically wherein it is claimed there was an error or abuse of discretion by the PAAC or wherein the PAAC's decision is not supported by the evidence in the record. The appeal itself must raise each and every issue that is contested, including any and all constitutional claims, along with all the arguments and evidence in the record which supports the basis of the appeal; failure to do so will preclude the appellant from raising such issues during the appeal and/or in court.
- B. If proposed public art or art project is denied by the PAAC, an appeal process may be initiated by an applicant only based on a process stated in this chapter or in the guidelines and policies adopted not having been followed. Within 10 calendar days after the date of denial of proposed public art or an art project by the PAAC, an appeal from said decision must be filed by the applicant or any other interested party. The appeal shall be submitted to the Planning Department. In the event the last date of appeal falls on a weekend or holiday when City offices are closed, the next date such offices are open for business shall be the last day of appeal. Such an appeal shall be made on a form prescribed by the Planning Department and shall be filed with the Planning Department and submitted to the Planning Director, along with any appropriate fees required. The appeal application must be complete and shall state specifically wherein it is claimed there was an error or abuse of discretion by the PAAC or wherein the PAACs decision is not supported by the evidence in the record. The appeal itself must raise each and every guideline and/or policy that is contested, including all constitutional claims, along with all the arguments and evidence in the record, which supports the basis of the appeal; failure to do so will preclude the appellant from raising such issues during the appeal and/or in court.

SECTION 5. California Environmental Quality Act (CEQA). This ordinance is exempt from CEQA pursuant to CEQA Guidelines 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 10th day of June 2025.



Peggy Lemons, Mayor

ATTEST:



Heidi Luce, City Clerk

