

City of Paramount

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF PARAMOUNT)

I, Lana Chikami, City Clerk of the City of Paramount, California, DO HEREBY CERTIFY that the City Council of the City of Paramount, at its June 4, 2013 meeting, held a public hearing and introduced Ordinance No. 1041, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARAMOUNT, CALIFORNIA, AMENDING CHAPTER 48 OF THE PARAMOUNT MUNICIPAL CODE TO EXPAND THE APPLICABILITY OF THE EXISTING URBAN STORM WATER MITIGATION PLAN PROVISIONS BY IMPOSING RAINWATER LOW IMPACT DEVELOPMENT (LID) STRATEGIES ON PROJECTS THAT REQUIRE BUILDING, GRADING AND ENCROACHMENT PERMITS. "

The motion to read by title only, waive further reading, introduce Ordinance No. 1041 and place it on the next regular agenda for adoption was passed by the following vote:

AYES: Councilmembers Hansen, Hofmeyer, Martinez
 Vice Mayor Daniels, Mayor Lemons

Ordinance No. 1041 will be placed on the July 2, 2013 City Council agenda for adoption.

Dated: June 17, 2013



Lana Chikami, City Clerk

(SEAL)

CITY OF PARAMOUNT
LOS ANGELES COUNTY, CALIFORNIA

ORDINANCE NO. 1041

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARAMOUNT, CALIFORNIA, AMENDING CHAPTER 48 OF THE PARAMOUNT MUNICIPAL CODE TO EXPAND THE APPLICABILITY OF THE EXISTING URBAN STORM WATER MITIGATION PLAN PROVISIONS BY IMPOSING RAINWATER LOW IMPACT DEVELOPMENT (LID) STRATEGIES ON PROJECTS THAT REQUIRE BUILDING, GRADING AND ENCROACHMENT PERMITS

WHEREAS, the City is authorized by Article XI, Section 5 and Section 7 of the State Constitution to exercise the police power of the State by adopting regulations to promote public health, public safety and general prosperity; and

WHEREAS, the federal Clean Water Act establishes Regional Water Quality Control Boards in order to prohibit the discharge of pollutants in stormwater runoff to waters of the United States; and

WHEREAS, the City is a permittee under the California Regional Water Quality Control Board, Los Angeles Region Order No. R4-2012-0175, issued on November 08, 2012 which establishes Waste Discharge Requirements for Municipal Separate Storm Sewer Systems (MS4) Discharges within the Coastal Watersheds of Los Angeles County, Except those Discharges Originating from the City of Long Beach MS4; and

WHEREAS, Order No. R4-2012-0175 contains requirements for municipalities to establish an LID Ordinance in order to participate in a Watershed Management Program and/or Enhanced Watershed Management Program; and

WHEREAS, the Regional Board has adopted Total Maximum Daily Loads (TMDLs) for pollutants which are numerical limits that must be achieved effectively through LID implementation; and

WHEREAS, the City has the authority under the California Water Code to adopt and enforce ordinances imposing conditions, restrictions and limitations with respect to any activity that might degrade waters of the State; and

WHEREAS, the City is committed to a stormwater management program that protects water quality and water supply by employing watershed-based approaches that balance environmental and economic considerations; and

WHEREAS, urbanization has led to increased impervious surface areas resulting in increased water runoff and less percolation to groundwater aquifers causing the transport of pollutants to downstream receiving waters; and

WHEREAS, is it the intent of the City to expand the applicability of the existing LID requirements by providing stormwater and rainwater LID strategies for all projects for Development and Redevelopment projects as defined under "Applicability."

THE CITY COUNCIL OF THE CITY OF PARAMOUNT, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Section 48-1 of the Paramount Municipal Code is hereby amended in its entirety as follows:

Sec. 48-1. Definitions.

The following words, phrases and terms as used in this chapter shall have the meanings ascribed to them in Part 1.

100,000 square foot commercial or development. Any commercial development that creates at least 100,000 square feet of impervious area, including parking areas. (Ord. No. 916)

Act. The Federal Water Pollution Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et seq. (Ord. No. 892)

Adverse impact. A detrimental effect upon water quality or beneficial uses caused by a discharge or loading of a pollutant or pollutants. (Ord. No. 892)

Area susceptible to runoff. Any surface exposed to precipitation or in the path of runoff caused by precipitation that leads directly to the street or storm drain. (Ord. No. 916)

Automotive repair shop. A facility that is categorized in any one of the following Standard Industrial Classifications (SIC); Codes 5013, 5014, 5541, 8532-7534, or 7536-7539. (Ord. No. 916)

Automotive service facility. A facility that is categorized in any one of the following Standard Industrial Classification (SIC) and North American Industry Classification System (NAICS) codes. For inspection purposes, Permittees need not inspect facilities with SIC codes 5013, 5014, 5511, 5541, 7532-7534, and 7536-7539 provided that these facilities have no outside activities or materials that may be exposed to stormwater.

Basin plan. The Water Quality Control Plan, Los Angeles Region, Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties, adopted by the Regional Water Board on June 13, 1994 and subsequent amendments. (Ord. No. 892)

Beneficial uses. Existing or potential uses of receiving waters as defined in a basin plan. (Ord. No. 892)

Best Management Practice (BMP). Practices or physical devices or systems designed to prevent or reduce pollutant loading from stormwater or non-stormwater discharges to receiving waters, or designed to reduce the volume of stormwater or non-stormwater discharged to the receiving water. (Ord No. 892)

Board. The City Council of the City of Paramount (Ord. No. 892)

Biofiltration. A LID BMP that reduces stormwater pollutant discharges by intercepting rainfall on vegetative canopy, and through incidental infiltration and/or evapotranspiration, and filtration. Incidental infiltration is an important factor in achieving the required pollutant load reduction. Therefore, the term "biofiltration" as used in this Ordinance is defined to include only systems designed to facilitate incidental infiltration or achieve the equivalent pollutant reduction as biofiltration BMPs with an underdrain (subject to approval by the Regional Board's Executive Officer). Biofiltration BMPs include bioretention systems with an under drain and bio-swales.

Bioretention. A LID BMP that reduces stormwater runoff by intercepting rainfall on vegetative canopy, and through evapotranspiration and infiltration. The bioretention system typically includes a minimum 2-foot top layer of a specified soil and compost mixture underlain by a gravel-filled temporary storage pit dug into the in-situ soil. As defined in this Ordinance, a bioretention BMP may be designed with an overflow drain, but may not include an underdrain. When a bioretention BMP is designed or constructed with an underdrain it is regulated by Order No. R4-2012-0175 as biofiltration.

Bio-swale. A LID BMP consisting of a shallow channel lined with grass or other dense, low-growing vegetation. Bioswales are designed to collect stormwater runoff and to achieve a uniform sheet flow through the dense vegetation for a period of several minutes.

City. The City of Paramount. (Ord. No. 892)

Clean Water Act (CWA). The Federal Water Pollution Control Act enacted in 1972, by Public Law 92-500, and amended by the Water Quality Act of 1987. The Clean Water Act prohibits the discharge of pollutants to Waters of the United States unless the discharge is in accordance with an NPDES permit.

Code of Federal Regulations (CFR). The codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the federal government of the United States. (Ord. No. 892)

Commercial activity. Any public or private activity not defined as an industrial activity in 40 CFR 122.26(b) (14), involved in the storage, transportation, distribution, exchange or sale of goods and/or commodities or providing professional and/or non-professional services. Commercial activity does not mean a dwelling as defined in Chapter 44 of the code. (Ord. No. 892)

Commercial development. Any development on private land that is not heavy industrial or residential. The category includes, but is not limited to: hospitals, laboratories and other medical facilities, educational institutions, recreational facilities, plant nurseries, car wash facilities; mini-malls and other business complexes, shopping malls, hotels, office buildings, public warehouses and other light industrial complexes. (Ord. No. 916)

Commercial malls. Any development on private land comprised of one or more buildings forming a complex of stores which sells various merchandise, with interconnecting walkways enabling visitors to easily walk from store to store, along with parking area(s). A commercial mall includes, but is not limited to: mini-malls, strip malls, other retail complexes, and enclosed shopping malls or shopping centers.

Construction activity. Any construction or demolition activity, clearing, grading, grubbing, or excavation or any other activity that results in land disturbance. Construction does not include emergency construction activities required to immediately protect public health and safety or routine maintenance activities required to maintain the integrity of structures by performing minor repair and restoration work, maintain the original line and grade, hydraulic capacity, or original purposes of the facility. See "Routine Maintenance" definition for further explanation. Where clearing, grading or excavating of underlying soil takes place during a repaving operation, State General Construction Permit coverage by the State of California General Permit for Storm Water Discharges Associated with Industrial Activities or for Stormwater Discharges Associated with Construction Activities is required if more than one acre is disturbed or the activities are part of a larger plan. (Ord. No. 892)

Control. To minimize, reduce or eliminate by technological, legal, contractual, or other means, the discharge of pollutants from an activity or activities.

County. The Department of Public Works of the County of Los Angeles. (Ord. No. 892)

Department. The Department of Public Works of the City of Paramount. (Ord. No. 892)

Development. Construction, rehabilitation, redevelopment or reconstruction of any public or private residential project (whether single-family, multi-unit or planned unit development); industrial, commercial, retail, and other non-residential projects, including public agency projects; or mass grading for future construction. It does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of facility, nor does it include emergency construction activities required to immediately protect public health and safety.

Directly connected to impervious areas. The area covered by a structure, impervious pavement, and other impervious surfaces, which drains directly into the storm drain without first flowing across pervious land area (i.e. lawns). (Ord. No. 916)

Directly adjacent. Situated within 200 feet of the contiguous zone required for the continued maintenance, function, and structural stability of the environmentally sensitive area.

Director. The Director of Public Works of the City of Paramount, or his/her authorized deputy, agent, representative, or inspector. (Ord. No. 892)

Discharge. Any release, spill, leak, pump, flow, escape, dumping, or disposal of any liquid, semi-solid, or solid substance. (Ord. No. 892)

Discharge exception. Shall mean the group activities not restricted or prohibited by this ordinance, including only:

Discharges composed entirely of storm water; discharges subject to regulation under current EPA or Regional Water Quality Control Board issued NPDES permits, State General Permits, or other waivers, permits or approvals granted by an appropriate governmental agency; discharges for which mitigation measures for construction activity have been permitted pursuant to Chapter 10 of this Code; discharges to the storm drain system from potable water line flushing, fire fighting activities, landscape irrigation systems, diverted stream flows, rising groundwater, and de minimis groundwater infiltration to the storm water drain system (from leaks in joints or connections or cracks in water drainage pipes or conveyance systems); discharges from potable water sources, passive foundation drains, air conditioning condensate and other building roof

runoff; water from crawl space pumps, passive footing drains, lawn watering, non-commercial vehicle washing unless otherwise prohibited by this ordinance; flows from riparian habitats and wetlands; dechlorinated swimming pool discharges; discharges of reclaimed water generated by a lawfully permitted water treatment facility, and street wash waters when related to cleaning and maintenance by, or on behalf of, the City. (Ord. No. 892)

Discretionary project. A project that requires the exercise of judgement or deliberation when the public agency or public body decides to approve or disapprove a particular activity, as distinguished from situations where the public agency or body has to determine whether there has been conformity with applicable statutes, ordinances, or regulations. (Ord. No. 916)

Disturbed area. An area that is altered as a result of clearing, grading, and/or excavation.

Flow-through treatment BMPs. A modular, vault type “high flow biotreatment” device contained within an impervious vault with an underdrain or designed with an impervious liner and an underdrain.

Full capture system. Any single device or series of devices, certified by the Executive Officer, that traps all particles retained by a 5 mm mesh screen and has a design treatment capacity of not less than the peak flow rate Q resulting from a one-year, one-hour storm in the sub-drainage area.

General Construction Activities Storm Water Permit (GCASP). The general NPDES permit adopted by the State Board which authorizes the discharge of stormwater from construction activities under certain conditions.

General Industrial Activities Storm Water Permit (GIASP). The general NPDES permit adopted by the State Board which authorizes the discharge of stormwater from certain industrial activities under certain conditions.

Green roof. A LID BMP using planter boxes and vegetation to intercept rainfall on the roof surface. Rainfall is intercepted by vegetation leaves and through evapotranspiration. Green roofs may be designed as either a bioretention BMP or as a biofiltration BMP. To receive credit as a bioretention BMP, the green roof system planting medium shall be of sufficient depth to provide capacity within the pore space volume to contain the design storm depth and may not be designed or constructed with an underdrain.

Good housekeeping practice. A best management practice related to the transfer, storage, use, or cleanup of materials performed in a regular manner that minimizes the discharge of pollutants to the storm drain system and/or receiving waters. (Ord. No. 892)

Hazardous material(s). Any material(s) defined as hazardous by Division 20, Chapter 6.95 of the California Health and Safety Code. (Ord. No. 892)

Hazardous waste. A hazardous material which is to be discharged, discarded, recycled, and/or reprocessed. (Ord. No. 892)

Illicit connection. Any human made conveyance that is connected to the storm drain system without a permit, excluding roof drains which convey only storm water. The term illicit connection shall not include a Legal Non-conforming Connection or connections to the storm drain system that are hereinafter authorized by the agency with jurisdiction over the system at the location at which the connection is made. (Ord. No. 892)

Illicit discharge. Any discharge to the storm drain system that is prohibited under local, state, federal statutes, ordinances, codes, or regulations. Illicit discharge includes all non-storm water discharges except discharges pursuant to a NPDES permit or discharges that are exempted or conditionally exempted by such permit. (Ord. No. 892)

Impervious surface. Any man-made or modified surface that prevents or significantly reduces the entry of water into the underlying soil, resulting in runoff from the surface in greater quantities and/or at an increased rate, when compared to natural conditions prior to development. Examples of places that commonly exhibit impervious surfaces include parking lots, driveways, roadways, storage areas, and rooftops. The imperviousness of these areas commonly results from paving, compacted gravel, compacted earth and oiled earth.

Industrial activity. Any public or private activity which is in any of the 11 categories of activities defined in 40 CFR 122.26(b) (14) and which is required to obtain an NPDES permit. (Ord. No. 892)

Industrial/Commercial facility. Any facility involved and/or used in the production, manufacture, storage, transportation, distribution, exchange or sale of goods and/or commodities, and any facility involved and/or used in providing professional and non-professional services. This category of facilities includes, but is not limited to, any facility defined by either the Standard Industrial Classifications (SIC) or the North American Industry Classification System (NAICS). Facility ownership (federal, state, municipal, private) and profit motive of the facility are not factors in this definition. (Ord. No. 892)

Industrial park. Land development that is set aside for industrial development. Industrial parks are usually located close to transport facilities, especially where more than one transport modalities coincide: highways, railroads, airports, and navigable rivers. It includes office parks, which have offices and light industry.

Infiltration. The downward entry of water into the surface of the soil. (Ord. No. 916)

Infiltration BMP. A LID BMP that reduces stormwater runoff by capturing and infiltrating the runoff into in-situ soils or amended onsite soils. Examples of infiltration BMPs include infiltration basins, dry wells, and pervious pavement.

Legal non-conforming connection. Shall mean connections to the storm drain system existing as of the adoption of this ordinance that were in compliance with all federal, state and local rules, regulations, statutes and administrative requirements in effect at the time the connection was established. (Ord. No. 892)

Low Impact Development (LID). Consists of building and landscape features designed to retain or filter stormwater runoff.

Municipal separate storm sewer system (MS4). A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains):

- (a) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States;
- (b) Designed or used for collecting or conveying stormwater;
- (c) Which is not a combined sanitary sewer; and
- (d) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR Section 122.2.

(Ord. No. 916)

National Pollutant Discharge Elimination System (NPDES). The national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under CWA Section 307, 402, 318, and 405. The term includes an "approved program." (Ord. No. 892)

Natural drainage system. A drainage system that has not been improved (e.g., channelized or armored). The clearing or dredging of a natural drainage system does not cause the system to be classified as an improved drainage system.

New development. Land disturbing activities; structural development, including construction or installation of a building or structure, creation of impervious surfaces; and land subdivision.

Non-stormwater discharge. Any discharge to a municipal storm drain system that is not composed entirely of stormwater. (Ord. No. 892)

Outfall. A point source as defined by 40 CFR 122.2 at the point where a municipal separate storm sewer discharges to waters of the United States and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels or other conveyances with connect segments of the same stream or other waters of the United States and are used to convey waters of the United States. [40 CFR Section 122.26(b)(9)]

Parking lot. Land area or facility for the parking or storage of motor vehicles used for businesses, commerce, industry, or personal use, with a lot size of 5,000 square feet or more of surface area, or with 25 or more parking spaces. (Ord. No. 916)

Planning priority projects. Development projects subject to Permittee conditioning and approval for the design and implementation of post-construction controls to mitigate stormwater pollution, prior to completion of the project(s).

Pollutant. Any "pollutant" defined in Section 502(6) of the Federal Clean Water Act or incorporated into the California Water Code Section 13373 . (Ord. No. 892)

Post construction BMP. A structural or non-structural BMP incorporated into the design of a project to control or reduce the discharge of pollutants from the site after construction is complete for the life of the project. (Ord. No. 916)

Project. All development, redevelopment, and land disturbing activities. The term is not limited to "Project" as defined under CEQA (Pub. Resources Code Section 21065).

Rainfall harvest and use. A LID BMP system designed to capture runoff, typically from a roof but can also include runoff capture from elsewhere within the site, and to provide for temporary storage until the harvested water can be used for irrigation or non-potable uses. The harvested water may also be used for potable water uses if the system includes disinfection treatment and is approved for such use by the local building department.

Receiving water. "Water of the United States" into which waste and/or pollutants are or may be discharged. (Ord. No. 892)

Redevelopment. Land-disturbing activity that results in the creation, addition, or replacement of 5,000 square feet or more of impervious surface area on an already developed site. Redevelopment includes, but is not limited to: the expansion of a building footprint; addition or replacement of a structure; replacement of impervious surface area that is not part of routine maintenance activity; and land disturbing activity related to structural or impervious surfaces. It does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of facility, nor does it include emergency construction activities required to immediately protect public health and safety. (Ord. No 916)

Regional board. The California Regional Water Quality Control Board, Los Angeles Region. (Ord. No. 892)

Restaurant. A facility that sells prepared foods and drinks for consumption, including stationary lunch counters and refreshment stands selling prepared foods and drinks for immediate consumption (SIC Code 5812). (Ord. No. 916)

Retail gasoline outlet. Any facility engaged in selling gasoline and lubricating oils (Order No. R4-2012-0175). (Ord. No. 916)

Routine maintenance. Includes, but is not limited to projects conducted to:

- (a) Maintain the original line and grade, hydraulic capacity, or original purpose of the facility.
- (b) Perform as needed restoration work to preserve the original design grade, integrity and hydraulic capacity of flood control facilities.

- (c) Includes road shoulder work, re-grading dirt or gravel roadways and shoulders and performing ditch cleanouts.
- (d) Update existing lines* and facilities to comply with applicable codes, standards, and regulations regardless if such projects result in increased capacity.
- (e) Repair leaks.
Routine maintenance does not include construction of new** lines or facilities resulting from compliance with applicable codes, standards and regulations.

* Update existing lines includes replacing existing lines with new materials or pipes.

** New lines are those that are not associated with existing facilities and are not part of a project to update or replace existing lines.

Runoff. Any storm water or non-storm water discharge from any surface and/or drainage area that reaches the storm drain system and/or receiving waters. (Ord. No. 892)

Significant Ecological Areas (SEAs). An area that is determined to possess an example of biotic resources that cumulatively represent biological diversity, for the purposes of protecting biotic diversity, as part of the Los Angeles County General Plan. Areas are designated as SEAs, if they possess one or more of the following criteria:

- (a) The habitat of rare, endangered, and threatened plant and animal species.
- (b) Biotic communities, vegetative associations, and habitat of plant and animal species that are either one of a kind, or are restricted in distribution on a regional basis.
- (c) Biotic communities, vegetative associations, and habitat of plant and animal species that are either one of a kind or are restricted in distribution in Los Angeles County.
- (d) Habitat that at some point in the life cycle of a species or group of species, serves as a concentrated breeding, feeding, resting, migrating grounds and is limited in availability either regionally or within Los Angeles County.
- (e) Biotic resources that are of scientific interest because they are either an extreme in physical/geographical limitations, or represent an unusual variation in a population or community.
- (f) Areas important as game species habitat or as fisheries.
- (g) Areas that would provide for the preservation of relatively undisturbed examples of natural biotic communities in Los Angeles County.
- (h) Special areas.

Site. Land or water area where any “facility or activity” is physically located or conducted, including adjacent land used in connection with the facility or activity.

Standard Industrial Classification (SIC). A numbering system developed by the United States Government, Office of Budget, for the classification of businesses by the type of activity in which they are engaged. (Ord. No. 916)

State Board. The State Water Resources Control Board. (Ord. No. 892)

Storm drain system. Any facility or any parts of the facility, including streets, gutters, conduits, natural or artificial drains, channels and watercourse that are used for the purpose of collecting, storing, transporting or disposing of stormwater and are located within the City. (Ord. No. 892)

Storm event. A rainfall event that produces more than 0.10 of an inch of precipitation and that is separated from the previous rainfall event by at least 72 hours. (Ord. No. 916)

Storm water or stormwater. Runoff and drainage related to precipitation events (pursuant to 40 CFR Section 122.26(b)(13); 55 Fed. Reg. 47990, 47995 (Nov. 16, 1990)). (Ord. No. 892)

Storm Water Pollution Prevention Plan (SWPPP). A plan required by and for which the contents are specified in a NPDES permit. (Ord. No. 892)

Storm water runoff. Part of precipitation (rainfall or snowmelt) which travels across a surface to the storm drain system or receiving water. (Ord. No. 892)

Structural BMP. Any permanent facility constructed to control, treat, store, divert, neutralize, dispose of, and/or monitor runoff in order to reduce or measure pollutants. (Ord. No. 892)

Treatment. The application of engineering systems that use physical, chemical, or biological processes to remove pollutants. Such processes include, but are not limited to, filtration, gravity settling, media absorption, biodegradation, biological uptake, chemical oxidation and UV radiation. (Ord. No. 916)

Treatment control BMP. Any engineered system designed to remove pollutants by simple gravity settling of particulate pollutants, filtration, biological uptake, media absorption or any physical, biological or chemical process. (Ord. No. 916)

Uncontrolled discharge. Any discharge intentional or accidental, occurring in such a manner that the discharger is unable to determine or regulate the quantity, quality, or effects of the discharge. (Ord. No. 892)

Urban Storm Water Mitigation Plan (USWMP). A plan required as part of the previous Municipal NPDES permit Order No. 01-182, NPDES No. CAS004001 and required plans that designate best management practices (BMPs) that must be used in specific categories of development projects. (Ord. No. 916)

Urban runoff. Surface water flow produced by storm and non-storm events. Non-storm events include flow from residential, commercial or industrial activities involving the use of potable and non-potable water.

U.S. EPA. The United States Environmental Protection Agency. (Ord. No. 892)

Section 2. Section 48-4.5 through Section 48-4.5.5 of the City of Paramount Municipal Code are hereby repealed.

Section 3. Section 48-4.5 of the City of Paramount Municipal Code is hereby added as follows:

Sec. 48-4.5. Low impact development measures for new development and/or redevelopment planning and construction activities.

- (a) Objective. The provisions of this Section establish requirements for construction activities and facility operations of Development and Redevelopment projects to comply with the current "Order No. R4-2012-0175," to lessen the water quality impacts of development by using smart growth practices, and integrate LID practices and standards for stormwater pollution mitigation through means of infiltration, evapotranspiration, biofiltration, and rainfall harvest and use. LID shall be inclusive of new development and/or redevelopment requirements.
- (b) Scope. This Section contains requirements for stormwater pollution control measures in Development and Redevelopment projects and authorizes the City to further define and adopt stormwater pollution control measures, and to develop LID principles and requirements, including but not limited to the objectives and specifications for integration of LID strategies, grant waivers from the LID requirements, and collect funds for projects that are granted waivers. Except as otherwise provided herein, the City shall administer, implement and enforce the provisions of this Section.

- (c) Applicability. Development projects subject to Permittee conditioning and approval for the design and implementation of post-construction controls to mitigate storm water pollution, prior to completion of the project(s), are:
- (1) All development projects equal to 1 acre or greater of disturbed area that adds more than 10,000 square feet of impervious surface area.
 - (2) Industrial parks 10,000 square feet or more of impervious surface area.
 - (3) Commercial malls 10,000 square feet or more of impervious surface area.
 - (4) Retail gasoline outlets with 5,000 square feet or more of impervious surface area.
 - (5) Restaurants (Standard Industrial Classification (SIC) of 5812) with 5,000 square feet or more of impervious surface area.
 - (6) Parking lots with 5,000 square feet or more of impervious surface area, or with 25 or more parking spaces.
 - (7) Streets and roads construction of 10,000 square feet or more of impervious surface area. Street and road construction applies to standalone streets, roads, highways, and freeway projects, and also applies to streets within larger projects.
 - (8) Automotive service facilities (Standard Industrial Classification (SIC) of 5013, 5014, 5511, 5541, 7532-7534 and 7536-7539) 5,000 square feet or more of impervious surface area.
 - (9) Redevelopment projects.
 - a. Land disturbing activity that results in the creation or addition or replacement of 5,000 square feet or more of impervious surface area on an already developed site of Planning Priority Project categories.
 - b. Where Redevelopment results in an alteration to more than fifty percent of impervious surfaces of a previously existing development, and the existing development was not subject to post-construction stormwater quality control requirements, the entire project must be mitigated.

- c. Where Redevelopment results in an alteration of less than fifty percent of impervious surfaces of a previously existing development, and the existing development was not subject to post-construction stormwater quality control requirements, only the alteration must be mitigated, and not the entire development.
 - d. Redevelopment does not include routine maintenance activities that are conducted to maintain original line and grade, hydraulic capacity, original purpose of facility or emergency redevelopment activity required to protect public health and safety. Impervious surface replacement, such as the reconstruction of parking lots and roadways which does not disturb additional area and maintains the original grade and alignment, is considered a routine maintenance activity. Redevelopment does not include the repaving of existing roads to maintain original line and grade.
 - e. Existing single-family dwelling and accessory structures are exempt from the Redevelopment requirements unless such projects create, add, or replace 10,000 square feet of impervious surface area.
- (d) Effective date. The Planning and Land Development requirements contained in Section 7 of Order No. R4-2012-0175 shall become effective 30 days from the adoption of the Order. This includes Planning Priority Projects that are discretionary permit projects or project phases that have not been deemed complete for processing, or discretionary permit projects without vesting tentative maps that have not requested and received an extension of previously granted approvals within 90 days of adoption of the Order. Projects that have been deemed complete within 90 days of adoption of the Order are not subject to the requirements Section 7.
- (e) Specific requirements. The Site for every Planning Priority Project shall be designed to control pollutants, pollutant loads, and runoff volume to the maximum extent feasible by minimizing impervious surface area and controlling runoff from impervious surfaces through infiltration, evapotranspiration, bioretention and/or rainfall harvest and use.
- (1) Street and road construction of 10,000 square feet or more of impervious surface shall follow USEPA guidance regarding Managing Wet Weather with Green Infrastructure: Green Streets (December 2008 EPA-833-F-08-009) to the maximum extent practicable.

(2) The remainder of Planning Priority Projects shall prepare a LID Plan to comply with the following:

a. Retain stormwater runoff onsite for the Stormwater Quality Design Volume (SWQDv) defined as the runoff from:

1. The 85th percentile 24-hour runoff event as determined from the Los Angeles County 85th percentile precipitation isohyetal map; or
2. The volume of runoff produced from a 0.75 inch, 24-hour rain event, whichever is greater.
3. $SWQDv = (2,722.5 \text{ ft}^3/\text{acre}) * [(A_I)(0.9) + (A_P + A_U)(C_U)] * (I_{85\%} / I_{0.75})$

i. A_I = Area of impervious coverage in acres

ii. A_P = Area of Pervious coverage in acres

iii. A_U = Area of Undeveloped area in acres

iv. C_U = Undeveloped runoff coefficient

v. $I_{85\%}$ = Intensity of the storm for the 85th Percentile 24 hour storm

vi. $I_{0.75}$ = Intensity of the storm for the 0.75 inch, 24-hour rain event

b. To demonstrate technical infeasibility, the project applicant must demonstrate that the project cannot reliably retain 100 percent of the SWQDv on-site, even with the maximum application of green roofs and rainwater harvest and use, and that compliance with the applicable post-construction requirements would be technically infeasible by submitting a site-specific hydrologic and/or design analysis conducted and endorsed by a registered professional engineer, geologist, architect, and/or landscape architect. Technical infeasibility may result from conditions including the following:

1. The infiltration rate of saturated in-situ soils is less than 0.3 inch per hour and it is not technically feasible to amend the in-situ soils to attain an infiltration rate necessary to achieve reliable performance of infiltration or bioretention BMPs in retaining the SWQDv onsite.
2. Locations where seasonal high groundwater is within five to ten feet of surface grade;

3. Locations within 100 feet of a groundwater well used for drinking water;
 4. Brownfield development sites or other locations where pollutant mobilization is a documented concern;
 5. Smart growth and infill or redevelopment locations where the density and/ or nature of the project would create significant difficulty for compliance with the onsite volume retention requirement.
- c. If partial or complete onsite retention is technically infeasible, the project Site may biofiltrate 1.5 times the portion of the remaining SWQDv that is not reliably retained onsite. Biofiltration BMPs must adhere to the design specifications provided in Attachment H of Order No. R4-2012-0175.
1. Additional alternative compliance options such as offsite infiltration and groundwater replenishment projects may be available to the project site. The project site should contact the City of Paramount to determine eligibility.
- d. The remaining SWQDv that cannot be retained or bioretained onsite must be treated onsite to reduce pollutant loading. BMPs must be selected and designed to meet pollutant-specific benchmarks as required per Table 11 of Order No. R4-2012-0175. Flow-through BMPs may be used to treat the remaining SWQDv and must be sized based on a rainfall intensity of:
1. 0.2 inches per hour, or
 2. The one year, one-hour rainfall intensity as determined from the most recent Los Angeles County isohyetal map, whichever is greater.
- (f) Content of the LID Plan. The LID plan required by this section shall be prepared by a registered Civil Engineer, Licensed Architect, Landscape Architect or any other professional knowledgeable about Storm Water Quality Issues and shall document in detail the requirements established above. The plan shall identify the treatment BMPs that are required to reduce the pollutant load from the discharges of the SWQDv that cannot

be infiltrated, bio-retained or captured and used on the development and redevelopment site and the BMPs that are proposed to treat the discharge from the property above the SWQDv. The LID plan shall also identify the following:

- (1) Provide storm drain system stenciling and signage. All Storm Drain inlets from a project shall be clearly labeled to indicate that "No Dumping, Drains to Ocean" Label shall be maintained at least annually as needed.
 - (2) Proper design of trash storage areas. Trash enclosure areas shall not be designed in the path of drainage nor shall roof drainage downspouts discharge to the trash enclosure.
 - (3) Vehicle/equipment wash areas. If a project is designed with a vehicle/equipment wash area the design shall include a roof to prevent rainwater from entering the area along with a berm to prevent site drainage from entering the area. The wash area shall be connected to the Sanitary Sewer.
 - (4) Proof of ongoing maintenance. The plan shall incorporate record keeping standards to document maintenance of structural BMPs to assure ongoing operation of the system. Records shall be kept for three (3) years. The records shall be made available for inspection upon the request of the City Engineer, the Regional Water Quality Control Board or the USEPA or their designated agent during normal business hours.
- (g) Project specific issues to be addressed by the LID Plan. In addition to the items identified above the LID Plan shall also consider issues unique to the occupancy:
- (1) Automotive repair shops.
 - a. Proper design of fueling areas. If provided at an Automotive repair shop Fueling facilities shall be designed as required for Retail Gasoline outlets below.
 - b. Proper design of outside material storage areas. Areas used for storage of vehicles under repair or for storage of spare parts or the storage of used oil products shall be designed to minimize the exposure of stored cars, parts or fluids to rain fall.
 - c. Proper design of maintenance bays. Repair/Maintenance bays shall be within a building or under a roof to eliminate

the exposure of vehicles being repaired to rain fall. The bays shall also be designed to allow for the collection of all fluid spills and floor wash down runoff. Fluid spills and floor wash down runoff shall either be collected and discharged to the Sanitary sewer or shall be collected by other means and disposed of as required by State Law or USEPA regulations. Automotive fluids and greases shall not be discharged to areas exposed to rain fall.

- d. Spill prevention and cleanup. Spill prevention and cleanup materials shall be maintained on site and staff shall be trained in its proper use.

(2) Industrial/commercial developments with more than 10,000 sq. ft. of impervious area.

- a. Proper design of outside material storage areas. Areas used for storage of storage of raw materials, finished products or merchandise shall be designed to minimize the exposure of stored materials to rain fall.
- b. Proper design of maintenance bays. Repair/Maintenance bays shall be within a building or under a roof to eliminate the maintenance of vehicles from rain fall. The bays shall also be designed to allow for the collection of all fluid spills and floor wash down runoff. Fluid spills and floor wash down runoff shall either be collected and discharged to the Sanitary sewer or shall be collected by other means and disposed of as required by State Law or USEPA regulations. Automotive fluids and greases shall not be discharged to areas exposed to rain fall.
- c. Proper design of loading and unloading areas. Loading and Unloading areas shall be roof where practical to limit the exposure of materials to rain fall. Spill prevention and cleanup materials shall be maintained on site and staff shall be trained in its proper use.

(3) Restaurants.

- a. Properly designed equipment/accessory wash areas. Projects in this classification shall be designed with an area for the washing of floor mats and other large equipment that is connected to the sanitary sewer system. The area shall be roofed to prevent the entrance of rainwater or shall be designed to activate a valve to transfer the discharge from the storm drain to the sanitary sewer when mats or

equipment are being washed. The operator may, upon submission of substantial proof, eliminate the wash area if no floor mats or equipment will be washed outside.

- b. Proper design of outside storage areas. Projects shall be designed to limit the exposure to rain fall or rainwater runoff for materials stored outside. This provision shall apply to, but not be limited to, the storage of fryer fat stored for recycling, cardboard or paper storage intended for recycling, and waste food products stored for recycling or disposal. The storage of these materials shall be under a roof whenever possible.

(4) Retail gasoline outlets.

- a. Properly design fueling areas. Fueling facilities for a new Retail Gasoline outlet project shall be constructed in compliance with the Service Station Managers Association guidelines.
- b. Proper design of outside material storage areas. Areas used for storage of vehicles under repair or for storage of spare parts or the storage of used oil products shall be designed to minimize the exposure of stored cars, parts or fluids to rain fall.
- c. Proper design of maintenance bays. Repair/Maintenance bays shall be within a building or under a roof to eliminate the exposure of vehicles being repaired to rain fall. The bays shall also be designed to allow for the collection of all fluid spills and floor wash down runoff. Fluid spills and floor wash down runoff shall either be collected and discharged to the Sanitary sewer or shall be collected by other means and disposed of as required by State Law or USEPA regulations. Automotive fluids and greases shall not be discharged to areas exposed to rain fall.

(5) Parking lots.

- a. As required above the SWQDv shall be retained on site for infiltration.
- b. Sweep lot regularly to limit the accumulation of trash and debris. Also inspect the lot once per month for the accumulation of oil on the parking lot pavement. The inspection shall be documented with an inspection report

and any accumulated oil or grease shall be removed to limit the exposure of oil and grease to rain fall.

- (h) Review of the LID Plan by the City. The City shall review the LID Plan to assure that all elements of the plan have been addressed and that the applicant has identified the areas to be set aside for the infiltration of the SWQDv and for the BMPs necessary to protect the storm drain system. If the plan is found to comply with the provisions of this section the grading and building permits may be issued for the project. If during construction, the plan is found to be deficient by the City or any other interested party the applicant shall amend the plan to address the deficiencies.
- (i) Filing of LID Plan with the County Recorder. Upon acceptance of the LID plan by the City the applicant shall file a signed original of the plan with the County Recorder. The document shall be binding on the applicant and all successors in interest to the property. The form shall be provided by the City and shall only be amended or deleted from title with the consent of the City.
- (j) Other agencies of the City of Paramount. All Paramount departments, offices, entities and agencies, shall establish administrative procedures necessary to implement the provisions of this Article on the Development and Redevelopment projects and report their activities to the Public Works Department
- (k) Validity. If any provision of this Ordinance is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect remaining provisions of this Ordinance are declared to be severable.

PASSED, APPROVED, and ADOPTED by the City Council of the City of Paramount this 2nd day of July 2013.

Gene Daniels, Mayor

ATTEST:

Lana Chikami, City Clerk

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