



**AGENDA**  
**CITY COUNCIL/SUCCESSOR AGENCY/STANTON HOUSING AUTHORITY**  
**JOINT REGULAR MEETING**  
**STANTON CITY HALL, 7800 KATELLA AVENUE, STANTON, CA**  
**TUESDAY, OCTOBER 25, 2016 - 6:30 P.M.**

***As a courtesy to those in attendance, the City of Stanton respectfully requests that all cell phones, pagers and/or electronic devices be turned off or placed on silent mode while the meeting is in session. Thank you for your cooperation.***

**IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, CONTACT THE CITY CLERK AT (714) 379-9222. NOTIFICATION BY 9:00 A.M. ON MONDAY, OCTOBER 24, 2016 WILL ENABLE THE CITY TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCESSIBILITY TO THIS MEETING.**

*Supporting, descriptive documentation for agenda items, including staff reports, is available for review in the City Clerk's Office and on the City web site at [www.ci.stanton.ca.us](http://www.ci.stanton.ca.us).*

- 1. CLOSED SESSION (5:45 PM)**
- 2. ROLL CALL**
  - Council Member Ethans
  - Council Member Ramirez
  - Council Member Shawver
  - Mayor Pro Tem Warren
  - Mayor Donahue
- 3. PUBLIC COMMENT ON CLOSED SESSION ITEMS**

*Closed Session* may convene to consider matters of purchase / sale of real property (G.C. §54956.8), pending litigation (G.C. §54956.9(a)), potential litigation (G.C. §54956.9(b)) or personnel items (G.C. §54957.6). Records not available for public inspection.

**4. CLOSED SESSION**

**4A. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION**  
**Significant exposure to litigation pursuant to Government Code Section 54956.9(d) (2)**

Number of Potential Cases: 3

**4B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**  
**Existing litigation pursuant to Government Code section 54956.9(d)(1)**  
**Number of cases: 1**

City of Stanton vs. Green Tree Remedy et al, Orange County Superior Court Case  
Number: 30-2015-00813225-CU-JR-CJC

**5. CALL TO ORDER / SUCCESSOR AGENCY / STANTON HOUSING AUTHORITY MEETING**

**6. ROLL CALL** Agency/Authority Member Ethans  
Agency/Authority Member Ramirez  
Agency/Authority Member Shawver  
Vice Chairperson Warren  
Mayor/Chairman Donahue

**7. PLEDGE OF ALLEGIANCE**

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Any writings or documents provided to a majority of the City Council/Successor Agency/Stanton Housing Authority regarding any item on this agenda will be made available for public inspection at the Public Counter at City Hall located at 7800 Katella Avenue, Stanton CA, during normal business hours and online at [www.ci.stanton.ca.us](http://www.ci.stanton.ca.us).

## **8. SPECIAL PRESENTATIONS AND AWARDS**

- 8A.** Presentation of Certificate of Recognition to Mrs. Marie Mangano, honoring Mr. Salvatore Mangano, WWII Veteran and long time Stanton resident.
- 8B.** Presentation of Certificate of Recognition honoring Orange County Fire Authority Station No. 46, the American Red Cross, West County CERT, and community volunteers for their time and efforts with the Smoke Alarm Outreach event, held at the Fernwood Mobile Home Park.
- 8C.** Presentation by Mr. Stephen M. Parker, Administrative Services Director, providing the City Council with information regarding Business License Specialist, Mr. Connor Duckworth's attendance at the California Municipal Revenue and Tax Association (CMRTA) conference.
- Mr. Parker will also provide information to the City Council regarding the City being awarded the Lighthouse Award for Excellence in Achievements by the CMRTA cities.

## **9. CONSENT CALENDAR**

All items on the Consent Calendar may be acted on simultaneously, unless a Council/Board Member requests separate discussion and/or action.

### **CONSENT CALENDAR**

- 9A. MOTION TO APPROVE THE READING BY TITLE OF ALL ORDINANCES AND RESOLUTIONS. SAID ORDINANCES AND RESOLUTIONS THAT APPEAR ON THE PUBLIC AGENDA SHALL BE READ BY TITLE ONLY AND FURTHER READING WAIVED**

#### **RECOMMENDED ACTION:**

City Council/Agency Board/Authority Board waive reading of Ordinances and Resolutions.

- 9B. APPROVAL OF WARRANTS**

City Council approve demand warrants dated October 6, 2016 and October 13, 2016, in the amount of \$304,329.04.

**9C. APPROVAL OF MINUTES**

City Council/Agency/Authority Board approve Minutes of Regular Joint Meeting – October 11, 2016.

**9D. SEPTEMBER 2016 INVESTMENT REPORT**

The Investment Report as of September 30, 2016 has been prepared in accordance with the City's Investment Policy and California Government Code Section 53646.

**RECOMMENDED ACTION:**

1. City Council find that this item is not subject to California Environmental Quality Act ("CEQA") pursuant to Sections 15378(b)(5) (Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment); and
2. Receive and file the Investment Report for the month of September 2016.

**9E. SEPTEMBER 2016 INVESTMENT REPORT (SUCCESSOR AGENCY)**

The Investment Report as of September 30, 2016 has been prepared in accordance with the City's Investment Policy and California Government Code Section 53646.

**RECOMMENDED ACTION:**

1. Successor Agency find that this item is not subject to California Environmental Quality Act ("CEQA") pursuant to Sections 15378(b)(5) (Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment); and
2. Receive and file the Investment Report for the month of September 2016.

**END OF CONSENT CALENDAR**

**10. PUBLIC HEARINGS      None.**

## **11. UNFINISHED BUSINESS**

### **11A. APPROVAL OF ORDINANCE NO. 1059**

This Ordinance was introduced at the regular City Council meeting of October 11, 2016.

#### **RECOMMENDED ACTION:**

1. City Clerk read the title of Ordinance No. 1059, entitled:

**“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, ADOPTING AN AMENDMENT TO THE STANTON PLAZA SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF”;** and

2. City Council find that the requirements of the California Environmental Quality Act have been satisfied in that the City Council approved and adopted an Initial Study, and an EIR Addendum, in Resolution No. 2016-40 on October 11, 2016; and
3. Adopt Ordinance No. 1059.

**ROLL CALL VOTE:** Council Member Ethans  
Council Member Ramirez  
Council Member Shawver  
Mayor Pro Tem Warren  
Mayor Donahue

## **11B. APPROVAL OF ORDINANCE NO. 1060**

This Ordinance was introduced at the regular City Council meeting of October 11, 2016.

### **RECOMMENDED ACTION:**

1. City Clerk read the title of Ordinance No. 1060, entitled:

**“AN ORDINANCE AMENDING TITLE 20 OF THE MUNICIPAL CODE TO REGULATE THE PERSONAL, MEDICAL, AND COMMERCIAL USE OF MARIJUANA AND TO REPEAL CHAPTER 9.38, WHICH PROHIBITS MEDICAL MARIJUANA DISPENSARIES”;** and

2. City Council declare that the project is not subject to CEQA in accordance with Section 15061(b)(3) as the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA; and
3. Adopt Ordinance No. 1060.

**ROLL CALL VOTE:** Council Member Ethans  
Council Member Ramirez  
Council Member Shawver  
Mayor Pro Tem Warren  
Mayor Donahue

## **12. NEW BUSINESS**

### **12A. CONSIDERATION OF AN ORDINANCE TO ADOPT THE 2016 CALIFORNIA BUILDING AND RELATED MODEL CODES**

California law mandates that the City of Stanton adopt the State approved ordinances and regulations that provide the uniform standards for the various aspects of new building and construction. The 2016 California codes have been prepared and will become effective January 1, 2017. This ordinance will adopt such California building and related model codes together with the amendments suggested by the Stanton Building Official and Fire Chief.

#### **RECOMMENDED ACTION:**

1. City Council declare that the project is not subject to CEQA in accordance with Section 15061 (b)(3) as the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA; and
2. Introduce Ordinance No. 1061, entitled:  
**“A ORDINANCE OF CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, REPEALING ORDINANCE NO. 1022 AND AMENDING DIVISION I OF TITLE 16 OF THE STANTON MUNICIPAL CODE PERTAINING TO THE 2016 EDITIONS OF THE CALIFORNIA CODES, WITH AMENDMENTS THERETO, AND MAKING FINDINGS IN SUPPORT THEREOF”;** and
3. Set said ordinance for adoption at the regular City Council meeting of November 8, 2016.

**ROLL CALL VOTE:** Council Member Ethans  
Council Member Ramirez  
Council Member Shawver  
Mayor Pro Tem Warren  
Mayor Donahue

### **13. ORAL COMMUNICATIONS - PUBLIC**

At this time members of the public may address the City Council/Successor Agency/Stanton Housing Authority regarding any items within the subject matter jurisdiction of the City Council/Successor Agency/Stanton Housing Authority, provided that NO action may be taken on non-agenda items.

- Members of the public wishing to address the Council/Agency/Authority during Oral Communications-Public or on a particular item are requested to fill out a REQUEST TO SPEAK form and submit it to the City Clerk. Request to speak forms must be turned in prior to Oral Communications-Public.
- When the Mayor/Chairman calls you to the microphone, please state your Name, slowly and clearly, for the record. A speaker's comments shall be limited to a three (3) minute aggregate time period on Oral Communications and Agenda Items. Speakers are then to return to their seats and no further comments will be permitted.
- Remarks from those seated or standing in the back of chambers will not be permitted. All those wishing to speak including Council/Agency/Authority and Staff need to be recognized by the Mayor/Chairman before speaking.

### **14. WRITTEN COMMUNICATIONS                      None.**

### **15. MAYOR/CHAIRMAN COUNCIL/AGENCY/AUTHORITY INITIATED BUSINESS**

#### **15A. COMMITTEE REPORTS/ COUNCIL/AGENCY/AUTHORITY ANNOUNCEMENTS**

At this time Council/Agency/Authority Members may report on items not specifically described on the agenda which are of interest to the community provided no discussion or action may be taken except to provide staff direction to report back or to place the item on a future agenda.

#### **15B. COUNCIL/AGENCY/AUTHORITY INITIATED ITEMS FOR A FUTURE MEETING**

At this time Council/Agency/Authority Members may place an item on a future agenda.



**15C. COUNCIL/AGENCY/AUTHORITY INITIATED ITEMS FOR A FUTURE STUDY SESSION**

At this time Council/Agency/Authority Members may place an item on a future study session agenda.

Currently Scheduled:       None.

**16. ITEMS FROM CITY ATTORNEY/AGENCY COUNSEL/AUTHORITY COUNSEL**

**17. ITEMS FROM CITY MANAGER/EXECUTIVE DIRECTOR**

**17A. ORANGE COUNTY FIRE AUTHORITY**

At this time the Orange County Fire Authority will provide the City Council with an update on their current operations.

**18. ADJOURNMENT**

I hereby certify under penalty of perjury under the laws of the State of California, the foregoing agenda was posted at the Post Office, Stanton Community Services Center and City Hall, not less than 72 hours prior to the meeting. Dated this 20<sup>th</sup> day of October, 2016.

s/ Patricia A. Vazquez, City Clerk/Secretary

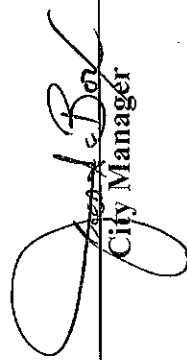
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**CITY OF STANTON  
ACCOUNTS PAYABLE REGISTER**

October 6, 2016	\$150,079.09
October 13, 2016	\$154,249.95

\$304,329.04
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Demands listed on the attached registers conform to the City of Stanton Annual Budget as approved by the City Council.

  
\_\_\_\_\_  
City Manager

Demands listed on the attached registers are accurate and funds are available for payment thereof.

  
\_\_\_\_\_  
Administrative Services Director

# DRAFT

## MINUTES OF THE CITY COUNCIL / SUCCESSOR AGENCY / HOUSING AUTHORITY OF THE CITY OF STANTON JOINT REGULAR MEETING OCTOBER 11, 2016

### 1. CALL TO ORDER / CLOSED SESSION

The City Council meeting was called to order at 6:00 p.m. by Mayor Donahue.

### 2. ROLL CALL

Present: Council Member Ethans, Council Member Shawver, Mayor Pro Tem Warren, and Mayor Donahue.

Absent: None.

Excused: Council Member Ramirez.

### 3. PUBLIC COMMENT ON CLOSED SESSION ITEMS None.

### 4. CLOSED SESSION

The members of the Stanton City Council of the City of Stanton proceeded to closed session at 6:01 p.m. for discussion regarding:

#### 4A. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Government Code Section 54956.9 (d) (2)

Number of Potential Cases: 1

### 5. CALL TO ORDER / SUCCESSOR AGENCY / STANTON HOUSING AUTHORITY MEETING

The meetings were called to order at 6:33 p.m. by Mayor/Chairman Donahue.

The City Attorney reported that the Stanton City Council met in closed session from 6:01 to 6:30 p.m.

The City Attorney reported that there was no reportable action.

## DRAFT

### 6. ROLL CALL

Present: Council/Agency/Authority Member Ethans, Council/Agency/Authority Member Shawver, Mayor Pro Tem/Vice Chairperson Warren, and Mayor/Chairman Donahue.

Absent: None.

Excused: Council/Agency/Authority Member Ramirez.

### 7. PLEDGE OF ALLEGIANCE

Led by Mayor Pro Tem Carol Warren.

### 8. SPECIAL PRESENTATIONS AND AWARDS

8A. The City Council presented a Certificate of Recognition honoring the Boys and Girls Club of Stanton as Volunteer Organization of the Month for the month of October 2016.

- The City Council expressed their gratitude to the Boys and Girls Club of Stanton for their dedicated and outstanding service to the residents of the City of Stanton and for their service/attendance at numerous City functions and events.

At staffs' request, Mayor Donahue pulled Special Presentation and Awards item 8B from the agenda for presentation at a future meeting.

~~8B. Presentation of Certificate of Recognition honoring Orange County Fire Authority Station No. 46, the American Red Cross, West County CERT, and community volunteers for their time and efforts with the Smoke Alarm Outreach event, held at the Fernwood Mobile Home Park.~~

### 9. CONSENT CALENDAR

Motion/Second: Ethans/Warren

Motion unanimously carried by the following vote:

AYES: 4 (Donahue, Ethans, Shawver, and Warren)

NOES: None

ABSTAIN: None

ABSENT: 1 (Ramirez)

The City Council/Agency Board/Authority Board approved the following Consent Calendar items:

# **DRAFT**

## **CONSENT CALENDAR**

**9A. MOTION TO APPROVE THE READING BY TITLE OF ALL ORDINANCES AND RESOLUTIONS. SAID ORDINANCES AND RESOLUTIONS THAT APPEAR ON THE PUBLIC AGENDA SHALL BE READ BY TITLE ONLY AND FURTHER READING WAIVED**

The City Council/Agency Board/Authority Board waived reading of Ordinances and Resolutions.

**9B. APPROVAL OF WARRANTS**

The City Council approved demand warrants dated September 20, 2016 and September 29, 2016, in the amount of \$1,135,582.86.

**9C. APPROVAL OF MINUTES**

The City Council/Agency/Authority Board approved Minutes of Regular Joint Meeting – September 27, 2016.

**9D. APPROVAL OF NON-CORPORATE RESOLUTION WITH MULTI-BANK SECURITIES**

Multi-Bank Securities (“MBS”) is an authorized provider of investment services for the City of Stanton. A non-corporate resolution form is required to be completed before investments may be purchased through MBS. Resolution 2016-41 authorizes the City Manager or designee to certify the MBS non-corporate resolution form.

1. The City Council finds that these items are not subject to the California Environmental Quality Act (“CEQA”) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378(b)(4) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly); and
2. Adopted Resolution No. 2016-41 authorizing the City Manager or designee to sign Section II. Certification of the MBS Non-Corporate Resolution Form, entitled:

**“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, APPROVING A NON-CORPORATE RESOLUTION FORM WITH MULTI-BANK SECURITIES, INC.”**

## **DRAFT**

### **9E. AWARD OF A CONSTRUCTION CONTRACT FOR RUBBERIZED PLAYGROUND SURFACE REHABILITATION AT HOLLENBECK PARK BY THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA**

The bids for the Rubberized Playground Surface Rehabilitation at Hollenbeck Park were due on October 3, 2016. Only one bid was received from Gotham Poured Rubber Corporation (Gotham) in the amount of \$68,340.79. Staff recommends the City Council award the contract for the proposed services to Gotham. Staff proposes allocating \$75,175 for the project which includes a 10-percent contingency.

1. The City Council declared this project to be categorically exempt under the California Environmental Quality Act, Class 1, Section 15301c; and
2. Awarded a construction contract for the Rubberized Playground Surface Rehabilitation at Hollenbeck Park Project to Gotham Poured Rubber Corporation, for the amount of \$68,340.79; and
3. Authorized the City Manager to bind the City of Stanton and Gotham Poured Rubber Corporation in a contract for the construction of the Rubberized Playground Surface Rehabilitation at Hollenbeck Park Project; and
4. Authorized the City Manager to approve contract changes, not to exceed 10-percent; and
5. Authorized Budget Adjustment #2017-06 to appropriate \$80,000 for a new rubberized surface at Hollenbeck Park by transferring budgeted funds for the City Hall Plaza Improvements.

### **9F. CONTRACT EXTENSION FOR CIVILSOURCE, INC.**

Request is the authorization to allow the City Manager to extend the professional services agreement with Civilsource, Inc. to continue providing contract engineering services for the Public Works Department.

1. The City Council declared that the project is exempt from the California Environmental Quality Act ("CEQA") under Section 15061(b)(3) as the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA; and
2. Approved the contract amendment for CivilSource, Inc.; and
3. Authorized the City Manager to bind the City of Stanton and CivilSource, Inc. in a contract to continue providing contract engineering services for the Public Works Department.

# DRAFT

## END OF CONSENT CALENDAR

### 10. PUBLIC HEARINGS

#### 10A. CONSIDERATION OF AN ORDINANCE AMENDING TITLE 20 OF THE MUNICIPAL CODE TO REGULATE THE PERSONAL, MEDICAL, AND COMMERCIAL USE OF MARIJUANA AND TO REPEAL CHAPTER 9.38, WHICH PROHIBITS MEDICAL MARIJUANA DISPENSARIES

In January 2016, the City adopted ordinances to ban marijuana dispensaries, cultivation, and delivery services, as permitted by the Medical Marijuana Regulation and Safety Act of 2015 ("MMRSA"). On June 28, 2016, the Secretary of State certified Proposition 64, the Control, Regulate, and Tax Adult Use of Marijuana Act ("AUMA") for the November 8, 2016 ballot.

AUMA would immediately legalize possession, transport, purchase, use, and transfer of recreational marijuana for individuals 21 years of age or older. Under AUMA, adults could possess up to 28.5 grams of marijuana; up to 8 grams of marijuana in the form of concentrated cannabis, which may be present in marijuana products such as edibles; and up to six living marijuana plants and any marijuana produced by those plants. AUMA would also legalize the cultivation of marijuana, marijuana delivery services, and recreational marijuana retail services. Some of AUMA's provisions would take effect on November 9, 2016 if it passes.

Like MMRSA, AUMA allows for local control of marijuana uses with one exception. While MMRSA allows cities to ban all indoor cultivation, AUMA would require that cities allow limited private residential indoor cultivation and storage.

The City Council is now asked to consider an Ordinance that amends the City's zoning ordinance, contingent on AUMA's passage, to rescind the ban on all private residential cultivation to comply with the new state law allowing individuals to have six living marijuana plants and the marijuana produced by those plants in their homes ("limited home cultivation"). The Ordinance prescribes a City permitting system to reasonably regulate the state-allowed limited home cultivation.

Staff report by Ms. Kelly Hart, Community Development Director.

The public hearing was opened.

- Mr. Greg Himes questioned the regulations on use of marijuana within the home.

No one else appearing to speak, the public hearing was closed.

## DRAFT

Motion/Second: Shawver/Warren

ROLL CALL VOTE:	Council Member Ethans	AYE
	Council Member Ramirez	EXCUSED
	Council Member Shawver	AYE
	Mayor Pro Tem Warren	AYE
	Mayor Donahue	AYE

Motion unanimously carried:

1. The City Council conducted a public hearing; and
2. Declared that the project is not subject to CEQA in accordance with Section 15061(b)(3) as the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA; and
3. Conducted the first reading of Ordinance No. 1060 entitled:  
  
**"AN ORDINANCE AMENDING TITLE 20 OF THE MUNICIPAL CODE TO REGULATE THE PERSONAL, MEDICAL, AND COMMERCIAL USE OF MARIJUANA AND TO REPEAL CHAPTER 9.38, WHICH PROHIBITS MEDICAL MARIJUANA DISPENSARIES"; and**
4. Set said ordinance for adoption at the regular City Council meeting of October 25, 2016 meeting.

### **10B. AMENDMENT TO THE STANTON PLAZA SPECIFIC PLAN**

Over the last decade, the City has worked to pursue the vision for Stanton Plaza as identified in the 2005 plan amendment. However, the market demand for this type of development at this site has never materialized. As a result, the Specific Plan is proposed to be amended to allow for a range of neighborhood- and corridor-serving commercial uses on the site. Before Council for consideration is an amendment to the Stanton Plaza Specific Plan, and an Addendum to the previously certified Environmental Impact Report.

Staff report by Ms. Kelly Hart, Community Development Director.

Presentation by Amanda Tropiano, PlaceWorks.

The public hearing was opened.

No one appearing to speak, the public hearing was closed.



## DRAFT

Motion/Second: Warren/Shawver

ROLL CALL VOTE:	Council Member Ethans	AYE
	Council Member Ramirez	EXCUSED
	Council Member Shawver	AYE
	Mayor Pro Tem Warren	AYE
	Mayor Donahue	AYE

Motion unanimously carried:

1. The City Council conducted a public hearing; and
2. Adopted Resolution No. 2016-40 – Certifying an Addendum to the Environmental Impact Report (SCH #2004071165) for an Amendment of the Stanton Plaza Specific Plan and Making Findings in Support Thereof, entitled:

**“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA ADOPTING AN EIR ADDENDUM FOR AN AMENDMENT TO THE STANTON PLAZA SPECIFIC PLAN”;** and

3. Conducted the first reading of Ordinance No. 1059 entitled:

**“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, ADOPTING AN AMENDMENT TO THE STANTON PLAZA SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF”;** and

4. Set said ordinance for adoption at the regular City Council meeting of October 25, 2016 meeting.

**11. UNFINISHED BUSINESS**                      None.

## **DRAFT**

### **12. NEW BUSINESS**

#### **12A. CONSIDERATION OF A RESOLUTION APPROVING THE AGREEMENT AFFECTING REAL PROPERTY WITH FRONTIER REAL ESTATE INVESTMENTS INC. FOR ELEVEN PROPERTIES LOCATED AT 11382, 11430 AND 11462 BEACH BOULEVARD**

The Successor Agency to the Stanton Redevelopment Agency ("Successor Agency") previously entered into a purchase and sale agreement ("PSA") to sell eleven properties located at 11382, 11430 and 11462 Beach Boulevard ("Properties") to Frontier Real Estate Investments Inc. ("Frontier") for \$2,100,000.00. As a condition to the close of escrow under the PSA, Frontier and the City have negotiated an Agreement Affecting Real Property ("Agreement") regarding the development of the Properties.

Staff report by Ms. Kelly Hart, Community Development Director.

Motion/Second: Shawver/Ethans

Motion unanimously carried by the following vote:

AYES: 4 (Donahue, Ethans, Shawver, and Warren)

NOES: None

ABSTAIN: None

ABSENT: 1 (Ramirez)

1. The City Council declared that the proposed development of the Properties pursuant to the Agreement is consistent with the adopted Project EIR approved for the Stanton Plaza Specific Plan and directed staff to file the notice of determination; and
2. Approved Resolution No. 2016-39 approving the Agreement Affecting Real Property for the development by Frontier Real Estate Investments, Inc. of the Properties identified by APN Nos. 131-691-49, 50, 51, 58, 59, 60, 61, 62, 63, 64, and 65, entitled:

**"A RESOLUTION OF CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, APPROVING AN AGREEMENT AFFECTING REAL PROPERTY WITH FRONTIER REAL ESTATE INVESTMENTS INC. FOR ELEVEN PROPERTIES LOCATED AT 11382, 11430 AND 11462 BEACH BOULEVARD"; and**

3. Authorized the City Manager to execute the necessary documents and take all actions reasonably necessary to ensure completion of the development of Properties in accordance with the Agreement.

**13. ORAL COMMUNICATIONS – PUBLIC**                      None.

**14. WRITTEN COMMUNICATIONS**                      None.

## **DRAFT**

### **15. MAYOR/CHAIRMAN/COUNCIL/AGENCY/AUTHORITY INITIATED BUSINESS**

#### **15A. COMMITTEE REPORTS/COUNCIL/AGENCY/AUTHORITY ANNOUNCEMENTS**

- Mayor Donahue reported on the upcoming Boys & Girls Club of Stanton's annual Casino Night @ the "Man Cave" fundraiser, which is scheduled to be held on October 15, 2016.
- Council Member Shawver reported on the upcoming "Homeland Security Begins at Home Townhall Meeting", which is scheduled to be held on October 13, 2016 at Stanton City Hall.

#### **15B. COUNCIL/AGENCY/AUTHORITY INITIATED ITEMS FOR A FUTURE COUNCIL MEETING**

- Mayor Pro Tem Warren requested to agendize discussion regarding reducing the City's Utility Users Tax, pending the outcome of the November 8, 2016 election season.
- Council Member Shawver requested that the City's Development Committee meet and present an update regarding the current operations of the Development Committee to the City Council at a future City Council meeting.

#### **15C. COUNCIL/AGENCY/AUTHORITY INITIATED ITEMS FOR A FUTURE STUDY SESSION**

None.

Mayor Donahue pulled Committee Reports/Council/Agency/Authority Announcements item 15D from the agenda for presentation at a future meeting.

#### ~~**15D. CITY COUNCIL INITIATED ITEM — DISCUSSION REGARDING THE POSSIBILITY OF CHARTER COMMUNICATIONS INSTALLING A WIFI HOTSPOT AT STANTON CENTRAL PARK**~~

~~At the September 27, 2016 City Council meeting, Mayor Donahue requested that this item be agendized for discussion.~~

#### ~~**RECOMMENDED ACTION:**~~

~~City Council provide direction to staff.~~

### **16. ITEMS FROM CITY ATTORNEY/AGENCY COUNSEL/AUTHORITY COUNSEL**

None.

## **DRAFT**

### **17. ITEMS FROM CITY MANAGER/EXECUTIVE DIRECTOR**

- City Manager James A. Box reported on the upcoming State of the City Luncheon, which is scheduled to be held on October 13, 2016.
- City Manager James A. Box reported on the upcoming Halloween Fun with Family and Friends event, which is scheduled to be held on October 29, 2016 at Stanton Central Park.
- City Manager James A. Box informed the Council that he would be out of the office from October 14 through October 16, and that Community Services Director Julie S. Roman will serve as Acting City Manager in his absence.

### **17A. ORANGE COUNTY SHERIFF'S DEPARTMENT**

At this time the Orange County Sheriff's Department will provide the City Council with an update on their current operations.

- Lieutenant Sean Howell provided the City Council with an update on their current operations.

### **18. ADJOURNMENT** Motion/Second: Donahue/ Motion carried at 7:19 p.m.

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MAYOR/CHAIRMAN

ATTEST:

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CITY CLERK/SECRETARY

# **CITY OF STANTON**

## **REPORT TO THE CITY COUNCIL**

**TO:** Honorable Mayor and City Council

**DATE:** October 25, 2016

**SUBJECT: SEPTEMBER 2016 INVESTMENT REPORT**

### **REPORT IN BRIEF:**

The Investment Report as of September 30, 2016 has been prepared in accordance with the City's Investment Policy and California Government Code Section 53646.

### **RECOMMENDED ACTION:**

1. City Council find that this item is not subject to California Environmental Quality Act ("CEQA") pursuant to Sections 15378(b)(5) (Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment); and
2. Receive and file the Investment Report for the month of September 2016.

### **BACKGROUND:**

The attached reports summarize the City investments and deposit balances as of September 2016. A summary of the City's investments and deposits is included as Attachment A. The details of the City's investments are shown in Attachment B. The City's cash and investment balances by fund type are presented in Attachment C.

### **ANALYSIS:**

The City's investment in the State Treasurer's Local Agency Investment Fund (LAIF) continues to be available on demand. The effective yield on LAIF for the month of September 2016 was 0.63%. The City's other investments are shown on Attachment B and have a weighted investment yield of 1.33%. Including LAIF, the Tina Pacific Depository account and the City's deposit in the Bank of the West money market account, the weighted investment yield of the portfolio is 0.66%, which exceeds the benchmark LAIF return of 0.63%.

The weighted average maturity of the City's investments at September 30, 2016 is 1,004 days. Including LAIF, the Tina Pacific depository account and a money market

account, it is 250 days. LAIF's average maturity at September 30, 2016 was approximately 179 days.

The City was able to exceed the LAIF benchmark return, through Chandler Asset Management's diversification of the portfolio and pushing the weighted average maturity to more than quintuple the LAIF average maturity.

**FISCAL IMPACT:**

All deposits and investments have been made in accordance with the City's 2016-17 Investment Policy. The portfolio will allow the City to meet its expenditure requirements for the next six months. Staff remains confident that the investment portfolio is currently positioned to remain secure and sufficiently liquid.

Chandler Asset Management controls the City's \$9.4 million investment portfolio. City staff continues to have control over investments in LAIF and the Bank of the West Money Market Account.

**ENVIRONMENTAL IMPACT:**

None

**LEGAL REVIEW:**

None.

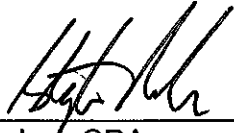
**PUBLIC NOTIFICATION:**

Through the agenda posting process.

**STRATEGIC PLAN OBJECTIVE ADDRESSED**

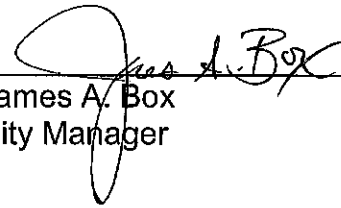
4. Ensure Fiscal Stability and Efficiency in Governance

Prepared by:



Stephen M. Parker, CPA  
Administrative Services Director/Treasurer

Approved:



James A. Box  
City Manager

**Attachments:**

- A. Investments and Deposits
- B. Investment Detail
- C. Cash and Investment Balances by Fund Type

**CITY OF STANTON, CA**  
**INVESTMENTS AND DEPOSITS**  
**September 30, 2016**

Investment Type	Issuer	Date of Maturity	Interest Rate	Par Value	Cost	% of Total	Market Value	Market Value Source
State Pool (LAIF) - City portion <sup>1</sup>	State of California	On Demand	0.63%	\$ 22,016,925	\$ 13,240,576	58.29%	\$ 13,248,802	LAIF
Investments <sup>2</sup>	Various	Various	Various	\$ 9,366,648	9,475,271	41.71%	9,444,321	US Bank
Subtotal - Investments					\$ 22,715,847	100.00%	\$ 22,693,123	
Demand Deposits/Main Checking - City portion	Bank of the West	On Demand	N/A	N/A	\$ (4,876,925)		\$ (4,876,925)	Bank of the West
Money Market Account	Bank of the West	On Demand	0.29%	\$ 9,976,691	9,976,691		9,976,691	Bank of the West
Imprest Accts & Petty Cash	Bank of the West	On Demand	N/A	N/A	66,553		66,553	Bank of the West
Tina Pacific Depository Agreement	US Bank	On Demand	0.02%	\$ 5,263,954	5,263,954		5,263,954	
Subtotal - Deposits					\$ 10,430,274		\$ 10,430,274	

Total Cash Investments and Deposits <sup>3</sup>

Weighted Average Maturity (days)	250	Weighted Average Yield	0.63%
----------------------------------	-----	------------------------	-------

\$ 33,146,121	\$ 33,123,397
---------------	---------------

<sup>1</sup> Par Value amount represents entire LAIF balance, including City and Successor Agency portions

<sup>2</sup> Cost amount includes \$68,785 adjustment made to City's books at 6/30/16 to adjust portfolio to market value, per GASB 31

<sup>3</sup> Weighted average maturity and yield calculations include LAIF, Investments and Money Market Account

## NOTES:

The City's portfolio is in compliance with the City's 2016-17 Investment Policy.

The portfolio will allow the City to meet its expenditure requirements for the next six months.



CITY OF STANTON  
INVESTMENTS  
September 2016

Attachment B

Investment Type/ Broker	Institution	CUSIP Number	Purchase Yield	Coupon Rate	Purchase Price	Date Purchased	Date of Maturity	Next Call Date (NC=noncallable)	Par Value	Purchase Amount	Current Market Value	Percent of Portfolio	Maximum Percent
<b>State Treasurer's Pool</b>	Local Agency Investment Fund (LAIF)		0.63%				10/1/2016	NC	22,016,925	13,240,576	13,248,802	34.95%	100%
<b>Cash Equivalents</b>													
Chandler Asset Management	First American Government Obligation	31846V203							98,066	98,066	98,066	0.26%	100%
<b>Negotiable Certificates of Deposit:</b>													
Time Value Investments	CD - GE Capital Bank	36160YSC0	1.35%	1.350%	100	10/19/12	10/19/16	NC	248,000	248,000	248,084		
First Empire Securities	CD - Goldman Sachs Bank	38143ARY3	1.85%	1.850%	100	05/09/12	05/09/17	NC	97,000	97,000	97,734		
First Empire Securities	CD - Discover Bank	254671A17	1.75%	1.750%	100	05/09/12	05/09/17	NC	100,000	100,000	100,758		
Multi-Bank Securities	CD - Sallie Mae Bank	795450PJ8	1.60%	1.600%	100	10/01/12	09/19/17	NC	100,000	100,000	100,968		
Multi-Bank Securities	CD - American Express	02587DL08	1.55%	1.550%	100	10/04/12	10/04/17	NC	248,000	248,000	250,306		
Time Value Investments	CD - HSBC	40431G3Q0	0.75%	Variable	100	10/26/12	10/26/17	NC	248,000	248,000	244,900		
First Empire Securities	CD - Everbank	29976DPY0	1.10%	1.100%	100	11/30/12	11/30/17	NC	248,000	248,000	248,900		
									1,289,000	1,289,000	1,291,649	3.40%	30%
<b>U.S. Government Agency Securities:</b>													
Chandler Asset Management	FHLB	3130A0JR2	1.65%	2.375%	103,068	11/23/15	12/13/19	NC	200,000	205,698	207,798		
Chandler Asset Management	FHLB	3133782M2	1.16%	1.500%	101,226	02/01/16	03/08/19	NC	185,000	186,930	187,418		
Chandler Asset Management	FHLB	3130A7CV5	1.48%	1.375%	99,789	02/17/16	02/18/21	NC	210,000	209,166	211,275		
Chandler Asset Management	FHLB	313382K89	1.53%	1.750%	101,716	03/23/16	03/12/21	NC	190,000	192,005	194,161		
Chandler Asset Management	FHLB	3130A8QS5	1.28%	1.125%	96,048	08/09/16	07/14/21	NC	190,000	188,596	188,604		
Chandler Asset Management	FHLB	3130A7PV1	1.33%	1.375%	98,798	04/12/16	04/05/21	NC	200,000	200,432	200,840		
Chandler Asset Management	FHLMC	3137EADK2	1.57%	1.250%	98.94	06/18/15	08/01/19	NC	180,000	177,745	181,307		
Chandler Asset Management	FHLMC	3137EAEK3	1.24%	1.125%	98.96	08/12/16	08/12/21	NC	200,000	198,898	198,196		
Chandler Asset Management	FHLMC	3137EADM8	1.25%	1.250%	99.15	08/31/15	10/02/19	NC	190,000	188,394	191,341		
Chandler Asset Management	FNMA	3135G0E58	1.20%	1.125%	100.42	9/30/2015	10/19/2018	NC	195,000	195,014	196,010		
Chandler Asset Management	FNMA	3135G0G72	1.17%	1.125%	99.39	10/30/2015	12/14/2018	NC	195,000	194,709	195,936		
Chandler Asset Management	FNMA	3135G0J20	1.31%	1.375%	100.01	4/12/2016	2/26/2021	NC	200,000	200,630	201,320		
Chandler Asset Management	FNMA	3135G0K89	1.23%	1.250%	99.75	8/15/2016	5/6/2021	NC	200,000	200,168	199,838		
Chandler Asset Management	FNMA	3135G0D75	1.27%	1.500%	100.90	2/24/2016	6/22/2020	NC	200,000	201,962	203,060		
Chandler Asset Management	FNMA	3130A3U05	1.49%	1.875%	102.18	2/1/2016	12/11/2020	NC	185,000	188,349	189,930		
Chandler Asset Management	FNMA	3135G0F73	1.50%	1.500%	100.36	1/20/2016	11/30/2020	NC	190,000	190,035	192,557		
Chandler Asset Management	FNMA	3135G0H55	1.50%	1.875%	102.11	1/20/2016	12/28/2020	NC	190,000	193,386	195,335		
									3,300,000	3,312,115	3,334,926	8.74%	100%
<b>US Treasury</b>													
Chandler Asset Management	US Treasury	912828A59	0.58%	0.625%	100.12	05/29/14	12/15/16	NC	165,000	165,200	165,117		
Chandler Asset Management	US Treasury	912828C73	0.71%	0.875%	100.47	05/29/14	04/15/17	NC	190,000	190,885	190,363		
Chandler Asset Management	US Treasury	912828VA5	1.28%	1.125%	99.86	02/01/16	04/30/20	NC	100,000	99,356	100,426		
Chandler Asset Management	US Treasury	912828N89	1.21%	1.375%	100.65	02/24/16	01/31/21	NC	200,000	201,555	202,188		
Chandler Asset Management	US Treasury	912828U00	1.66%	1.125%	97.75	12/22/15	03/31/20	NC	200,000	195,907	200,962		
Chandler Asset Management	US Treasury	912828VV9	1.76%	2.125%	101.61	12/22/15	08/31/20	NC	200,000	203,750	206,086		
Chandler Asset Management	US Treasury	912828W00	1.78%	1.750%	99.84	12/22/15	10/31/20	NC	200,000	200,282	205,258		
Chandler Asset Management	US Treasury	912828TH3	1.19%	0.875%	98.89	09/29/15	07/31/19	NC	190,000	187,789	190,044		
Chandler Asset Management	US Treasury	912828UB4	1.37%	1.000%	98.48	10/29/15	11/30/19	NC	110,000	108,402	110,219		
Chandler Asset Management	US Treasury	912828ST8	1.25%	1.250%	100.16	05/28/15	04/30/19	NC	160,000	160,007	161,643		
Chandler Asset Management	US Treasury	912828L65	1.36%	1.375%	100.84	03/23/16	09/30/20	NC	190,000	190,090	192,263		
									1,905,000	1,903,263	1,926,569	5.02%	100%

CITY OF STANTON  
INVESTMENTS  
September 2016

Attachment B

Investment Type/ Broker	Institution	CUSIP Number	Purchase Yield	Coupon Rate	Purchase Price	Date Purchased	Date of Maturity	Next Call Date (NC=noncallable)	Par Value	Purchase Amount	Current Market Value	Percent of Portfolio	Maximum Percent
Medium-Term Corporate Notes:													
Chandler Asset Management	Intel Corp Note	458140AH3	0.85%	1.950%	102.93	01/14/14	10/01/16	NC	150,000	154,388	150,000		
Chandler Asset Management	John Deere Capital Corp Note	24422ZERL5	1.11%	2.000%	102.61	01/15/14	01/13/17	NC	150,000	153,909	150,368		
Chandler Asset Management	Wells Fargo Corp Note	94974BFD7	1.28%	2.100%	102.67	01/24/14	05/08/17	NC	150,000	154,005	150,648		
Chandler Asset Management	US Bancorp MTN	91159HHD5	1.16%	1.650%	101.58	02/03/14	05/15/17	4/15/2017	150,000	152,369	150,437		
Chandler Asset Management	Qualcomm Inc	747525AG8	1.45%	1.400%	99.87	05/28/15	05/18/18	NC	135,000	134,787	135,216		
Chandler Asset Management	Oracle Corp	68389XAX3	1.28%	2.250%	103.16	08/11/16	10/08/19	NC	125,000	128,744	128,090		
Chandler Asset Management	Apple Inc	037833BQ2	1.71%	1.010%	100.87	02/16/16	02/22/19	NC	116,303	114,980	116,303		
Chandler Asset Management	Berkshire Hathaway	084664CK5	1.33%	1.300%	99.96	08/08/16	08/15/19	NC	55,000	54,947	55,093		
Chandler Asset Management	Berkshire Hathaway	084670BQ0	1.54%	2.200%	102.76	08/16/16	03/15/21	2/15/2021	100,000	102,866	102,862		
Chandler Asset Management	Visa Inc	92826CAB8	1.49%	2.200%	102.56	09/01/16	12/14/20	NC	150,000	154,404	153,836		
Chandler Asset Management	Microsoft Corp	594918BP8	1.58%	1.550%	99.87	08/08/16	07/08/21	7/8/2021	85,000	84,899	84,652		
Chandler Asset Management	Paccar Financial Corp	69371RN44	1.68%	1.650%	99.59	08/11/16	08/11/21	NC	125,000	124,810	124,173		
Chandler Asset Management	Exxon Mobil Corp	30231GAV4	2.18%	2.222%	101.77	02/29/16	03/01/21	2/1/2021	125,000	126,465	127,729		
Chandler Asset Management	Chase CHAT	161571GC2	0.59%	1.010%	100.239	09/04/15	10/15/18	NC	125,000	125,107	125,011		
Chandler Asset Management	JP Morgan Note	48128EAA5	1.63%	2.000%	101.28	01/24/14	08/15/17	NC	150,000	150,858	151,925		
Chandler Asset Management	Bank of New York	06406HCU1	1.85%	2.200%	100.56	02/01/16	05/15/19	4/15/2019	115,000	116,290	117,084		
									2,005,000	2,034,923	2,022,355	5.37%	30%
Asset-Backed Securities:													
Chandler Asset Management	Toyota Auto Receivables 2015A	89236WAC2	1.44%	1.12%	99.99	03/04/15	02/15/19	NC	85,000	84,987	85,062		
Chandler Asset Management	Toyota Motor Credit Corp	89236TDE2	1.45%	1.40%	99.88	05/17/16	05/20/19	NC	125,000	124,825	125,158		
Chandler Asset Management	Nissan Auto Receivables	65478WAB1	1.08%	1.07%	99.89	08/02/16	05/19/21	NC	60,000	59,998	59,960		
Chandler Asset Management	State St Corp	85747TAV5	1.89%	1.95%	99.49	05/23/16	02/15/18	NC	125,000	124,784	125,954		
Chandler Asset Management	Toyota Auto Receivables Owner 2015-C	89231TAB6	0.93%	0.92%	99.99	08/26/15	02/15/18	NC	27,063	27,061	27,060		
Chandler Asset Management	Honda Auto Receivables	43813NAC0	1.05%	1.04%	100.01	05/13/15	02/21/19	NC	105,000	104,984	105,040		
Chandler Asset Management	Honda Auto Receivables	43814NAB1	1.02%	1.01%	99.88	02/16/16	06/18/18	NC	75,000	74,993	75,021		
Chandler Asset Management	Toyota Auto Receivables 2014A	89231MAC9	0.69%	0.67%	99.98	03/11/14	12/15/17	NC	20,152	20,149	20,141		
Chandler Asset Management	John Deere Owner Trust	47787VAC5	0.93%	0.92%	99.98	04/02/14	04/16/18	NC	42,607	42,601	42,583		
Chandler Asset Management	Honda Auto Receivables	43814HAC2	0.89%	0.88%	99.98	08/20/14	06/15/18	NC	41,955	41,947	41,943		
Chandler Asset Management	John Deere Owner Trust	47787TAD6	1.07%	99.98%	99.78	09/03/14	11/15/18	NC	62,804	62,791	62,831		
									769,582	768,118	770,753	2.03%	10%
Subtotal Investments													
Prior Year Adjustment GASB 31			1.33% Weighted Average Yield		1,004 days WAM								
Investments Held With US Bank													
LAIIF													
Total Investments													
Depository Acct			0.02%		10/1/2016								
Money Market Acct			0.29%		10/1/2016								
Total Money Market, LAIF Depository Account and Investments													
									46,624,219	37,887,708	37,933,769	100.00%	
												13.89%	100%
												26.33%	100%

**CITY OF STANTON**  
**CASH AND INVESTMENT BALANCES BY FUND TYPE**  
**September 30, 2016**

<b>Fund Type</b>	<b>Cash and Investments</b>	<b>Totals</b>
<b>General Fund:</b>		
Pooled	\$ (5,277,606)	
Other Accounts *	24,782,469	\$ 19,504,863
<b>Special Revenue, Capital Projects and Enterprise Funds:</b>		
Gas Tax	1,650,501	
Measure M	1,181,282	
Fire Emergency Services	(148,515)	
Lighting & Median Maint.	1,812,736	
Sewer Maintenance	3,117,776	
Other	4,111,271	11,725,051
<b>Internal Service Funds</b>		1,237,895
<b>Trust Funds</b>		678,312
<b>Total Cash and Investment Balances</b>		<b>\$ 33,146,121</b>

\* Money Market, Imprest Accounts, Petty Cash and Investments

# **CITY OF STANTON**

## **REPORT TO THE SUCCESSOR AGENCY TO THE STANTON REDEVELOPMENT AGENCY**

**TO:** Honorable Chair and Members of the Successor Agency

**DATE:** October 25, 2016

**SUBJECT: SEPTEMBER 2016 INVESTMENT REPORT (SUCCESSOR AGENCY)**

### **REPORT IN BRIEF:**

The Investment Report as of September 30, 2016 has been prepared in accordance with the City's Investment Policy and California Government Code Section 53646.

### **RECOMMENDED ACTION:**

1. Successor Agency find that this item is not subject to California Environmental Quality Act ("CEQA") pursuant to Sections 15378(b)(5) (Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment); and
2. Receive and file the Investment Report for the month of September 2016.

### **BACKGROUND:**

The attached reports summarize the Successor Agency investments and deposit balances as of September 2016. A summary of the Agency's investments and deposits is included as Attachment A. The Agency's cash balances by fund are presented in Attachment B.

### **ANALYSIS:**

The Agency's investment in the State Treasurer's Local Agency Investment Fund (LAIF) continues to be available on demand. The effective yield on LAIF for the month of September 2016 was 0.63%.

The Agency began making investments in reserve funds other than those held by bond trustees in October 2015 for the first time. The Agency's other investments are shown on Attachment A and have a weighted investment yield of 1.65%. Including LAIF and the Agency's portion of the Bank of the West checking and money market accounts, the weighted investment yield of the portfolio is 0.69%, which is more than the benchmark

LAIF return of 0.63%.

The weighted average maturity of the Agency's investments at September 30, 2016 is 1,108 days, or over three years, as there is no immediate need for funds held in the reserve account. Including LAIF, the checking and money market accounts, the weighted average maturity is 232 days. LAIF's average maturity at September 30, 2016 is approximately 179 days.

**FISCAL IMPACT:**

All deposits and investments have been made in accordance with the City's 2016-17 Investment Policy.

The portfolio will allow the Agency to meet its expenditure requirements for the next six months.

**ENVIRONMENTAL IMPACT:**

None

**LEGAL REVIEW:**

None.

**PUBLIC NOTIFICATION:**

Through the agenda posting process.

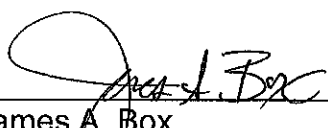
**STRATEGIC PLAN OBJECTIVE ADDRESSED:**

4. Ensure Fiscal Stability and Efficiency in Governance

Prepared by:

Approved by:

  
\_\_\_\_\_  
Stephen M. Parker, CPA  
Administrative Services Director/Treasurer

  
\_\_\_\_\_  
James A. Box  
Executive Director

**Attachments:**

- A. Investments and Deposits
- B. Cash Balances by Fund

**SUCCESSOR AGENCY TO THE STANTON REDEVELOPMENT AGENCY  
INVESTMENTS AND DEPOSITS  
September 30, 2016**

Investment Type	Institution	Issuer/ Broker	CUSIP Number	Date of Maturity	Interest Rate	Par Value	Cost	Market Value	MV Source
State Treasurer's Pool - SA portion	Local Agency Investment Fund (LAIF)	State of California		On Demand	0.63%	\$ 8,776,349	\$ 8,776,349	\$ 8,778,747	LAIF
Imprest Account - SA portion	Bank of the West	Bank of the West		On Demand	N/A	(3,232,608)	(3,232,608)	(3,232,608)	Bank of the West
Clawback - Demand Deposits/Money Market Account	Bank of the West Money Market	Bank of the West		On Demand	0.29%	9,138,692	9,138,692	9,138,692	Bank of the West

Total Cash Investments and Deposits

**\$ 14,682,433    \$ 14,684,830**

Bond Funds Held by Trustees:

Investment Type	Institution	Issuer/ Broker	CUSIP Number	Date of Maturity	Interest Rate	Par Value	Cost	Market Value	MV Source
<b>2010 Tax Allocation Bonds (Tax-Exempt)</b>									
Principal									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$3.84	\$3.84	\$3.84	US Bank
Interest									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$12.37	\$12.37	\$12.37	US Bank
Special Fund									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$11.54	\$11.54	\$11.54	US Bank
Reserve Account:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$18,074.14	\$18,074.14	\$18,074.14	US Bank
US Gov't Agency Security	Federal Home Loan Banks	Stern Agee	313380FB8	9/13/2019	1.38%	\$530,184.23	\$530,184.23	\$530,376.00	US Bank
US Gov't Agency Security	FNMA	Stern Agee	3135G0F73	11/30/2020	1.50%	\$530,000.00	\$532,368.90	\$537,133.80	US Bank
Negotiable Certificate of Deposit	Firstbank Puerto Rico	First Empire	33767ARS2	11/19/2018	1.50%	\$99,000.00	\$99,000.00	\$100,380.06	US Bank
Wells Fargo Bank Na	Wells Fargo Bank NA	MBS	9497482T3	11/19/2018	1.55%	\$249,000.00	\$249,000.00	\$252,468.57	US Bank
Goldman Sachs Bank USA	Goldman Sachs Bank USA	First Empire	38148JY6	11/26/2018	1.70%	\$150,000.00	\$150,000.00	\$152,088.00	US Bank
Redevelopment Fund:									
US Bank Money Market Fund	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$0.00	\$0.00	\$0.00	US Bank

Total 2010 Tax Allocation Bonds (Tax-Exempt)

\$1,578,655    \$1,590,548

Investment Type	Institution	Issuer/ Broker	CUSIP Number	Date of Maturity	Interest Rate	Par Value	Cost	Market Value	MV Source
<b>2011 Tax Allocation Bonds - Series A (Taxable)</b>									
Principal:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$1.07	\$1.07	\$1.07	US Bank
Interest Fund:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$13.43	\$13.43	\$13.43	US Bank
Reserve Fund:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$24,045.55	\$24,045.55	\$24,045.55	US Bank
US Gov't Agency Security	Federal Home Loan Banks	Stern Agee	313380FB8	9/13/2019	1.38%	\$490,000.00	\$494,694.01	\$495,017.60	US Bank
US Gov't Agency Security	Private Export Funding Corp	Stern Agee	742651DV1	9/15/2020	2.30%	\$470,000.00	\$483,304.30	\$487,996.30	US Bank
Negotiable Certificate of Deposit	Ally Bank	Stern Agee	02006LUX9	10/22/2018	1.60%	\$246,000.00	\$246,782.00	\$249,626.04	US Bank
Negotiable Certificate of Deposit	Comenity Capital Bank	Stern Agee	20033ANK8	11/2/2018	1.40%	\$244,000.00	\$243,085.00	\$247,633.16	US Bank
Project Account:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$232.63	\$232.63	\$232.63	US Bank
DS Fund									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$14.27	\$14.27	\$14.27	US Bank

Total 2011 Tax Allocation Bonds - Series A (Taxable)

\$1,492,172

\$1,504,580

Investment Type	Institution	Issuer/ Broker	CUSIP Number	Date of Maturity	Interest Rate	Par Value	Cost	Market Value	MV Source
<b>2011 Tax Allocation Bonds - Series B (Taxable)</b>									
Principal:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$0.00	\$1.10	\$1.10	US Bank
Interest Fund:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$12.24	\$12.24	\$12.24	US Bank
Special Fund:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$11.31	\$11.31	\$11.31	US Bank
Bond Reserve Fund:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$370,629.03	\$370,629.03	\$370,629.03	US Bank
US Gov't Agency Security	Federal Home Loan Banks	Stern Agee	313380FB8	9/13/2019	1.38%	\$455,000.00	\$459,358.30	\$459,659.20	US Bank
Negotiable Certificate of Deposit	Capital One Bank	Stern Agee	140420WJ5	10/9/2018	1.65%	\$218,000.00	\$219,120.00	\$221,187.16	US Bank
Negotiable Certificate of Deposit	Capital One NA	Stern Agee	14042RBJ9	10/29/2018	1.65%	\$213,000.00	\$212,811.00	\$216,150.27	US Bank
US Gov't Agency Security	Private Export Funding Corp	Stern Agee	742651DV1	9/15/2020	2.30%	\$430,000.00	\$442,171.70	\$446,464.70	US Bank
Redevelopment Account:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$709,882.03	\$709,882.03	\$709,882.03	US Bank

Total 2011 Tax Allocation Bonds - Series B (Taxable)

\$ 2,413,997

\$ 2,423,997

Investment Type	Institution	Issuer/ Broker	CUSIP Number	Date of Maturity	Interest Rate	Par Value	Cost	Market Value	MV Source
2016 Series A and B									
Debt Service Fund									
Cash Equivalents	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	760,845	\$ 760,845	760,844.87	US Bank
Interest Fund:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$11,748.81	\$11,748.81	\$11,748.81	US Bank

Total 2016 Series A and B

\$ 772,594 \$ 772,594

### Total Bond Fund Investments and Deposits (3)

\$6,257,418	\$6,291,719
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Notes:

- (1) - There have been no exceptions to the Investment Policy.
- (2) - The Successor Agency is able to meet its expenditure requirements for the next six months.
- (3) - Restricted Bond Funds are held by the fiscal agent.



**SUCCESSOR AGENCY TO THE STANTON REDEVELOPMENT AGENCY****POOLED CASH BALANCES BY FUND TYPE**  
**September 30, 2016**

<b>Fund</b>	<b>Cash Balance</b>
710 Project 2000 Debt Service Fund	-
711 Redevelopment Debt Service Fund	-
712 Redevelopment Obligation Retirement Fund	5,601,655
720 Low and Moderate Income Housing Fund	-
721 Housing Successor Fund	-
730 Community Redevelopment Administration Fund	-
731 Successor Agency Admin Fund	(58,014)
740 Redevelopment Project Fund	-
741 Successor Agency Project Fund	100
741 Cash DDR Clawback	9,138,692

**TOTAL CASH BALANCE****\$ 14,682,433**

**ORDINANCE NO. 1059**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, ADOPTING AN AMENDMENT TO THE STANTON PLAZA SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF**

**WHEREAS**, on August 27, 2002, the City Council of the City of Stanton adopted Ordinance No. 866 to establish the Stanton Plaza Specific Plan ("SP-SP" -- described as a specific plan of zoning for the 14.56 acre property commonly referred to as the Stanton Plaza located immediately adjacent to, and east of, Beach Boulevard and Bounded to the north by the Orange County Flood Control Channel, to the south by Oranewood Avenue, and to the east by Court Street). The purpose of the SP-SP was to create a unified development plan providing flexible commercial and residential land uses with compatible site, circulation and design guidelines to provide the impetus for the quality upgrade of the SP-SP area; and,

**WHEREAS**, following the adoption of the SP-SP, a shift in market demands made clear a need to reevaluate the basis of the SP-SP. Accordingly, the City of Stanton prepared the first amendment to SP-SP. The first amendment was an updated policy and regulatory land use control that established both policy and concept plans which were to guide the development of the property encompassed by the SP-SP. The first amendment amended the SP-SP to allow greater flexibility in the redevelopment to the area of the SP-SP rather than focus on revitalizing existing structures and developments; and,

**WHEREAS**, the residential component of the SP-SP has been fully developed; and

**WHEREAS**, the redevelopment of the commercial component has been delayed due to the severe economic downturn, elimination of redevelopment agencies, and changes in market trends; and

**WHEREAS**, since the adoption of the first amendment to SP-SP in 2005, the commercial market trends in the City and regionally have changed; and

**WHEREAS**, the Stanton Successor Agency has partnered Frontier Real Estate Investments to complete the development of the commercial component on the corner of Beach Blvd. and Oranewood Ave.; and

**WHEREAS**, the developer has put in good faith effort to contract retail businesses consistent with the current SP-SP, however, has been unsuccessful due to the changes in market trends; and

**WHEREAS**, in order to develop the remaining portion of the SP-SP project area, the specific plan must be amended to be observant of the market trends; and

**WHEREAS**, the City of Stanton has prepared an amendment to SP-SP. The Amendment has updated the types of uses which may be permitted or conditionally permitted within the commercial component of the specific plan area, and modified the general design and development concepts to allow greater flexibility in the commercial area of the SP-SP; and

**WHEREAS**, an EIR was prepared and certified as part of the first SP-SP amendment. An Initial Study was prepared and completed in accordance with the requirements of the California Environmental Quality Act ("CEQA"), California Public Resources Code sections 21000 *et seq.*, the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, sections 15000 *et seq.*, and the determination was made that an EIR addendum be prepared for the SP-SP amendment to incorporate the new commercial development component; and

**WHEREAS**, on September 21, 2016, the Planning Commission of the City of Stanton conducted a duly noticed public hearing concerning a recommendation to the City Council regarding the proposed adoption of the SP-SP Amendment and the Addendum to the Environmental Impact Report. At the conclusion of the public hearing, the Planning Commission adopted Resolution No. 2416 recommending that the City Council approve the Addendum to the Environmental Impact Report for the SP-SP Amendment and adopted Resolution No. 2399 recommending that the City Council approve the SP-SP Amendment ; and,

**WHEREAS**, on October 11, 2016, the City Council of the City of Stanton, after giving notice thereof as required by law, conducted a public hearing concerning the SP-SP Amendment and related Addendum to the Environmental Impact Report prepared for the SP-SP Amendment; and,

**WHEREAS**, the Council has carefully considered all pertinent testimony and information contained in the Staff report prepared for the SP-SP Amendment as presented at the public hearing; and,

**WHEREAS**, all legal prerequisites have occurred prior to the adoption of this Ordinance.

**THE CITY COUNCIL OF THE CITY OF STANTON DOES ORDAIN AS FOLLOWS:**

**SECTION 1. Findings.** The City Council hereby finds that the fact, findings and conclusions set forth above are true and correct.

**SECTION 2. CEQA.** The requirements of the California Environmental Quality Act have been satisfied in that the City Council approved and adopted an Initial Study, and an EIR Addendum, in Resolution No. 2016-40.

**SECTION 3.** The City Council further finds as follows:

- A. The SP-SP Amendment is consistent with the Stanton General Plan. Specifically:

"Encourage infill and mixed-use development within feasible development sites" (Community Development Strategy LU – 3.1.2).

*The Stanton Plaza Specific Plan area used to be under-utilized blighted commercial development. The specific plan implemented a mixed-used vision for the redevelopment of the site. The residential development has been completed. The proposed amendment to the specific plan would allow for an expansion of commercial uses to be more consistent with market trend, to allow for the final infill development of the commercial component.*

"Encourage land uses which maximize economic development and enhance the quality of life" (Community Development Strategy LU – 1.1.1).

*The Stanton Plaza Specific Plan's fundamental outlook related to the development is a focus on quality, and the development of economic prosperity. The amendment to the specific plan would allow for a greater range of commercial uses, to be consistent with the market trend in order to obtain commercial users. The specific plan would still maintain the focus on high quality design, and pedestrian level improvements to improve the quality of life for the residents in and surrounding the specific plan area.*

"Create an economic and fiscal balance of residential, commercial and industrial uses" (Community Development Goal LU-1.1).

*The Stanton Plaza Specific Plan was designed to provide an opportunity to develop a mixed-use development. Approximately eight of the 14 acre specific plan area is developed for residential; with a three acre portion on the corner of Beach Blvd. and Orangewood Ave. designated for commercial use, along with three acres of the northern portion of the specific plan. By focusing the commercial component to be located at the major intersection, and along Beach Blvd., it provides the greatest opportunity for commercial vitality. The specific plan provides a balance of residential and commercial uses, and has situated each use in areas within the plan to be most sustainable.*

"Ensure the continued revitalization within the existing redevelopment project area" (Community Development Goal LU-4).

*The Stanton Plaza Specific Plan was adopted within the former redevelopment project area. With the amendment to allow for a greater opportunity for commercial uses, the remainder of the development would be able to be completed. The vacant, blighting portion of the specific plan area would be developed, and the majority of the specific plan area would be revitalized and built out.*

B. The SP-SP Amendment includes, by text and/or diagram, all the mandatory elements required by Section 65451 of the California Government Code.

**SECTION 4.** The Specific Plan Amendment is internally consistent with other applicable provisions of the specific plan and the Zoning Code.

**SECTION 5:** The documents and materials associated with this Ordinance that constitute the record of proceedings on which these findings are based are located at Stanton City Hall, 7800 Katella Ave., Stanton, California 90680. The Community Developer Department is the custodian of the record of proceedings.

**SECTION 6:** If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance for any reason is held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

**SECTION 7:** This Ordinance shall take effect and be in full force thirty (30) days from and after its passage. The City Clerk shall certify as to the adoption of this Ordinance and shall cause a summary thereof to be published within fifteen (15) days of the adoption and shall post a Certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

**SECTION 8.** This Ordinance is on file and has been available for public review for at least five days prior to the date of this Ordinance, in the City Clerk's office, at Stanton City Hall, 7800 Katella Ave., Stanton, California 90680.

**PASSED, APPROVED, AND ADOPTED** this 25<sup>th</sup> day of October, 2016.

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BRIAN DONAHUE, MAYOR

ATTEST:

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PATRICIA A. VAZQUEZ, CITY CLERK

**MATTHEW E. RICHARDSON, CITY ATTORNEY**

I, Patricia A. Vazquez, City Clerk of the City of Stanton, California, do hereby certify that the foregoing Ordinance No. 1059 was introduced at a regular meeting of the City Council of the City of Stanton, California, held on the 11<sup>th</sup> day of October, 2016 and was duly adopted at a regular meeting of the City Council held on the 25<sup>th</sup> day of October, 2016, by the following roll-call vote, to wit:

ABSTAIN: COUNCILMEMBERS: \_\_\_\_\_

PATRICIA A. VAZQUEZ, CITY CLERK

## ORDINANCE NO. 1060

### **AN ORDINANCE AMENDING TITLE 20 OF THE MUNICIPAL CODE TO REGULATE THE PERSONAL, MEDICAL, AND COMMERCIAL USE OF MARIJUANA AND TO REPEAL CHAPTER 9.38, WHICH PROHIBITS MEDICAL MARIJUANA DISPENSARIES**

**WHEREAS**, the City of Stanton, California (the "City") is a municipal corporation, duly organized under the constitution and laws of the State of California; and

**WHEREAS**, California Government Code section 65800 et seq. authorizes the adoption and administration of zoning laws, ordinances, rules and regulations by cities as a means of implementing the General Plan; and

**WHEREAS**, the City passed Ordinance Nos. 1046 and 1047 on January 12 and 26, 2016, respectively; and

**WHEREAS**, the City desires to continue to ban all marijuana dispensaries, cultivation, and delivery service land uses within City limits to the full extent allowed by California law, and this Ordinance effectuates that aim; and

**WHEREAS**, on June 28, 2016, the Secretary of State certified Proposition 64, the Control, Regulate, and Tax Adult Use of Marijuana Act ("AUMA"), for the November 8, 2016 ballot; and

**WHEREAS**, AUMA will become law if a majority of the electorate votes "Yes" on the proposition; and

**WHEREAS**, AUMA would regulate, among other items, the use of marijuana for personal and commercial purposes, including the recreational use of marijuana by adults over 21 years of age; and

**WHEREAS**, to regulate personal use of marijuana, AUMA would add Section 11362.1 to the Health and Safety Code, making it "lawful under state and local law" for persons 21 years of age or older to "possess, process, transport, purchase, obtain, or give away to persons 21 years of age or older without any compensation whatsoever" up to 28.5 grams of marijuana or up to eight grams of concentrated cannabis contained in marijuana products; and

**WHEREAS**, AUMA would make it lawful for those individuals to possess, plant, cultivate, harvest, dry, or process up to six living marijuana plants and to possess all the marijuana produced by the plants; and

**WHEREAS**, AUMA would make it lawful for those individuals to smoke or ingest marijuana or marijuana products; and

**WHEREAS**, should AUMA pass, many of its provisions would take effect on November 9, 2016; and

**WHEREAS**, to regulate commercial use of marijuana, AUMA would add Division 10 (Marijuana) to the Business & Professions Code, which grants state agencies "the exclusive authority to create, issue, renew, discipline, suspend, or revoke" licenses for businesses including the transportation, storage, distribution, sale, cultivation, manufacturing, and testing of marijuana; and

**WHEREAS**, AUMA provides that the above state agencies shall promulgate rules and regulations and shall begin issuing licenses under Division 10 by January 1, 2018; and

**WHEREAS**, AUMA states that a local jurisdiction shall not prevent transportation of marijuana or marijuana products on public roads by a licensee transporting marijuana or marijuana products in compliance with Division 10; and

**WHEREAS**, AUMA would authorize cities to "reasonably regulate" without completely prohibiting cultivation of marijuana inside a private residence or inside an "accessory structure to a private residence located upon the grounds of a private residence that is fully enclosed and secure"; and

**WHEREAS**, AUMA would authorize cities to completely prohibit outdoor cultivation on the grounds of a private residence, up to and until a "determination by the California Attorney General that nonmedical use of marijuana is lawful in the State of California under federal law"; and

**WHEREAS**, AUMA would authorize cities to completely prohibit the establishment or operation of any marijuana business licensed under Division 10 within its jurisdiction, including marijuana dispensaries, marijuana retailers, and marijuana delivery services; and

**WHEREAS**, absent appropriate local regulation authorized by AUMA, state regulations will control; and

**WHEREAS**, the "Medical Marijuana Regulation and Safety Act" ("MMRSA"), which took effect January 1, 2016, regulates use of marijuana for medical purposes; and

**WHEREAS**, the MMRSA contains a provision that provides that the State shall become the sole authority for regulation under certain parts of the Act unless local governments pass their own regulations; and

**WHEREAS**, in May 2013, the California Supreme Court held in *City of Riverside v. Inland Empire Patients Health and Wellness Center, Inc.*, 56 Cal. 4th 729 (2013) that cities have the authority to regulate or ban outright medical marijuana land uses; and

**WHEREAS**, the California Attorney General's August 2008 Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use recognizes that the cultivation or other concentration of marijuana in any location or premises



without adequate security increases the risk that nearby homes or businesses may be negatively impacted by nuisance activity such as loitering or crime; and

**WHEREAS**, under the Federal Controlled Substances Act, the use, possession, and cultivation of marijuana are unlawful and subject to federal prosecution without regard to a claimed medical need; and

**WHEREAS**, the indoor cultivation of marijuana has potential adverse effects on the health and safety of the occupants, including structural damage to the building due to increased moisture and excessive mold growth that can occur and an increased risk of fire and electrocution from the same, as well as chemical contamination within the structure from the use of pesticides and fertilizers; and

**WHEREAS**, based on the experiences of other cities, unless they are checked, these negative effects on the public health, safety, and welfare are likely to occur in the City due to the establishment and operation of marijuana cultivation, processing, and distribution uses; and

**WHEREAS**, adoption of this Ordinance is not subject to the California Environmental Quality Act ("CEQA") under CEQA Guidelines (14 Cal. Code Regs.) sections 15060(c)(2), 15060(c)(3), and 15061(b)(3). This activity is not subject to CEQA because it will not result in a direct or reasonably foreseeable indirect physical change in the environment; the activity is not a project as defined in Section 15378, and the activity is covered by the general rule that CEQA applies only to activities that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment, the activity is not subject to CEQA; and

**WHEREAS**, this Ordinance amends Title 20 and repeals Chapter 9.38 of the Municipal Code to clarify the substantive objectives of the Municipal Code regarding the City's regulation of marijuana and to preemptively address some proposed changes to California law if AUMA passes on November 8, 2016.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1.** Incorporation of Recitals.

The City Council hereby finds that all of the facts set forth in the foregoing recitals and the staff report presented herewith are true and correct and are hereby incorporated and adopted as findings of the City Council as if fully set forth herein.

**SECTION 2.** Zoning Amendment Findings.

The following findings are made regarding the amendments to the Zoning Ordinance:

- A. The proposed amendments are consistent with the General Plan, since they implement General Plan objectives and policies that promote the establishment and operation of land uses that maintain or enhance quality of life; that are compatible with surrounding uses; and that protect and maintain public health, safety, and welfare. The proposed amendments prohibit land uses that are contrary to such objectives and policies; and
- B. The proposed amendments will not adversely impact the public health, safety, and welfare, since they prohibit land uses to protect the public health, safety, and welfare from potentially negative impacts of marijuana cultivation, manufacturing, testing laboratories, delivery, and dispensaries. Several California cities have reported negative impacts of such land uses, including offensive odors, illegal sales and distribution of marijuana, trespassing, theft, violent robberies and robbery attempts, fire hazards, and problems associated with mold, fungus, and pests.

**SECTION 3.** New "Marijuana Uses" Section.

Title 20 "Zoning" is amended to add a new section 20.400.185 that reads as follows:

**20.400.185 Marijuana Uses.**

- A. **Purpose and Intent.** The purpose of this section is to regulate personal, medical, and commercial marijuana uses. Nothing in this section shall preempt or make inapplicable any provision of state or federal law.
- B. **Definitions.** For purposes of this section, the following definitions shall apply:
  - 1. "Accessory structure" means an "accessory structure" that is also an "enclosed structure" (both defined by section 20.710.910 of this Code) and that is fully enclosed and secured with a lock.
  - 2. "Commercial marijuana activity" includes the cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, labeling, transportation, distribution, delivery or sale of marijuana and marijuana products.

3. "Cultivation" means any activity involving the planting, growing, harvesting, drying, curing, grading, trimming, or processing of marijuana.
4. "Delivery" means the commercial transfer of marijuana or marijuana products to a customer. "Delivery" also includes the use by a retailer of any technology platform owned and controlled by the retailer, or independently licensed under California law, that enables customers to arrange for or facilitate the commercial transfer by a licensed retailer of marijuana or marijuana products.
5. "Distribution" means the procurement, sale, and transport of marijuana and marijuana products between entities for commercial use purposes.
6. "Licensee" means the holder of any state issued license related to marijuana activities, including but not limited to licenses issued under Division 10 of the Business & Professions Code.
7. "Limited home cultivation" means cultivation of up to six living marijuana plants, and possession of the marijuana produced by those plants, within the private residence of the person cultivating them or within an accessory structure to the person's private residence on the same grounds.
8. "Manufacture" means to compound, blend, extract, infuse, or otherwise make or prepare a marijuana product.
9. "Marijuana" means all parts of the plant *Cannabis sativa* L., whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include:
  - a. Industrial hemp, as defined in section 11018.5 of the California Health & Safety Code; or
  - b. The weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink, or other product.
10. "Marijuana accessories" means any equipment, products or materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing,

analyzing, packaging, repackaging, storing, smoking, vaporizing, or containing marijuana, or for ingesting, inhaling, or otherwise introducing marijuana or marijuana products into the human body.

11. "Marijuana products" means marijuana that has undergone a process whereby the plant material has been transformed into a concentrate, including, but not limited to, concentrated cannabis, or an edible or topical product containing marijuana or concentrated cannabis and other ingredients.
12. "Person" includes any individual, firm, co-partnership, joint venture, association, corporation, limited liability company, estate, trust, business trust, receiver, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular.
13. "Private residence" means a house, an apartment unit, a mobile home, or other similar dwelling that is a "residential dwelling unit," as defined by the California Building Code (24 Cal. Code Regs. § 202), that is fully enclosed and secured with a lock, and that is the primary residence of the person in possession.
14. "Sale" includes any transaction whereby, for any consideration, title to marijuana is transferred from one person to another, and includes the delivery of marijuana or marijuana products pursuant to an order placed for the purchase of the same and soliciting or receiving an order for the same, but does not include the return of marijuana or marijuana products by a licensee to the licensee from whom such marijuana or marijuana product was purchased.
15. Any term defined in this section also means the very term as defined in the California Business & Professions Code or the California Health & Safety Code, unless otherwise specified.

**C. Personal Use.**

1. For purposes of this subsection, personal recreational use, possession, purchase, transport, or dissemination of marijuana shall be considered unlawful in all areas of the City to the fullest extent allowed by California law.
2. Outdoor Cultivation. A person may not cultivate marijuana outdoors in any zoning district of the City. "Outdoors" means not in a fully enclosed and secure building structure. It includes covered decks, carports, open-air garden courts,

and similar situations that are not fully enclosed and secured with a lock. No use permit, building permit, variance, or any other permit or entitlement, whether administrative or discretionary, shall be approved or issued for any such use or activity.

3. Indoor Cultivation. All indoor cultivation is prohibited except for limited home cultivation, as defined in subsection (B)(7). Limited home cultivation is only allowed if each of the following requirements is satisfied:
  - a. Not Visible. Neither the marijuana plants nor the marijuana that they produce may be visible by normal unaided vision from any public place.
  - b. Secure Permit. The person must first be issued an indoor cultivation permit by the Planning Division. To obtain the permit, he or she must affirm under penalty of perjury on the permit-application form that the person will comply with all applicable standards and agree to indemnify and defend the City against any claim resulting from or related to the person's cultivation activities. The Planning Division will issue application and processing guidelines for the indoor cultivation permit; no indoor cultivation permit shall be issued prior to the release of these guidelines; and no permit shall be issued if the applicant has not complied fully with the application and processing requirements.

**D. Medical Use.**

1. Cultivation of medical marijuana pursuant to section 11362.77 of the California Health & Safety Code is subject to the cultivation requirements laid out in subsection (C) of this section.
2. The establishment or operation of any medical marijuana collective, cooperative, dispensary, delivery service, operator, establishment, or provider shall be considered a prohibited use in all zoning districts of the City. No use permit, variance, building permit, or any other entitlement or permit, whether administrative or discretionary, shall be approved or issued for the establishment of any collective, cooperative, dispensary, delivery service, operator, establishment, or provider in any zoning district, and no

person shall otherwise establish such businesses or operations in any zoning district.

**E. Commercial Use.** The establishment or operation of any business of commercial marijuana activity is prohibited. No use permit, variance, building permit, or any other entitlement or permit, whether administrative or discretionary, shall be approved or issued for the establishment or operation of any such business or operation. Such prohibited businesses or operations may include, but are not limited to:

1. The transportation, delivery, storage, distribution, or sale of marijuana, marijuana products, or marijuana accessories;
2. The cultivation of marijuana;
3. The manufacturing or testing of marijuana, marijuana products, or marijuana accessories; or
4. Any other business licensed by the state or other government entity under Division 10 of the California Business & Professions Code, as it may be amended from time to time.

**F. Penalty for Violation.** No person, whether as principal, agent, employee or otherwise, shall violate, cause the violation of, or otherwise fail to comply with any of the requirements of this section. Every act prohibited or declared unlawful, and every failure to perform an act made mandatory by this section, shall be a misdemeanor or an infraction, at the discretion of the City Attorney or the District Attorney. In addition to the penalties provided in this section, any condition caused or permitted to exist in violation of any of the provisions of this section is declared a public nuisance and may be abated as provided by this Code and under state law.

#### **SECTION 4.** Repeal.

Chapter 9.38 "Medical Marijuana Dispensaries Prohibited" is repealed and the definition of "Medical Marijuana Dispensary" in section 20.710.130, which refers to Chapter 9.38, is deleted.

In subsection 20.205.040(A)(2)(c), the phrase "e.g., medical marijuana dispensaries (Municipal Code 9.38)" is replaced with "e.g., prohibited marijuana uses (Municipal Code section 20.400.185)."

In section 20.700.100, the phrase "medical marijuana dispensaries (Municipal Code Chapter 9.38, Medicinal Marijuana Dispensaries Prohibited)" in

the last paragraph of the definition of "Retail Sales (Land Use)" is replaced with the phrase "prohibited marijuana uses (Municipal Code section 20.400.185)."

#### **SECTION 5. CEQA.**

This Ordinance is not a project within the meaning of CEQA Guidelines section 15378 because it has no potential for resulting in physical change in the environment, directly or indirectly. The City Council further finds, under section 15061(b)(3), that this Ordinance is nonetheless exempt from the requirements of CEQA in that the activity is covered by the general rule that CEQA applies only to activities that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The City Council, therefore, directs that a Notice of Exemption be filed with the County Clerk of the County of Orange in accordance with CEQA Guidelines.

#### **SECTION 6. Custodian of Records.**

The documents and materials that constitute the record of proceedings on which this Ordinance is based are located at the City Clerk's office located at 7800 Katella Avenue, Stanton, California 90680. The custodian of these records is the City Clerk.

#### **SECTION 7. Severability.**

If any section, sentence, clause or phrase of this Ordinance or the application thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The City Council hereby declares that it would have adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

#### **SECTION 8. Effective Date.**

If AUMA is approved by voters on November 8, 2016, then this Ordinance takes effect on the later of (a) the following day, November 9, 2016, and (b) 30 days after adoption of this Ordinance by the City Council. If AUMA is not approved by the voters, then this Ordinance is void and has no effect.

#### **SECTION 9. Publication.**

The City Clerk shall certify to the adoption of this Ordinance and cause the same to be posted in the three (3) designated posting places within the City of Stanton within fifteen (15) days after its passage.

PASSED, APPROVED, and ADOPTED this 25th day of October, 2016.

\_\_\_\_\_  
BRIAN DONAHUE, MAYOR

ATTEST:

\_\_\_\_\_  
PATRICIA A. VAZQUEZ, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
MATTHEW E. RICHARDSON, CITY ATTORNEY

STATE OF CALIFORNIA    )  
COUNTY OF ORANGE    ) ss.  
CITY OF STANTON        )

I, Patricia A. Vazquez, City Clerk of the City of Stanton, California, do hereby certify that the foregoing Ordinance No. 1060 was introduced at a regular meeting of the City Council of the City of Stanton, California, held on the 11<sup>th</sup> day of October, 2016 and was duly adopted at a regular meeting of the City Council held on the 25<sup>th</sup> day of October, 2016, by the following roll-call vote, to wit:

AYES:           COUNCILMEMBERS: \_\_\_\_\_

\_\_\_\_\_

NOES:           COUNCILMEMBERS: \_\_\_\_\_

ABSENT:        COUNCILMEMBERS: \_\_\_\_\_

ABSTAIN:       COUNCILMEMBERS: \_\_\_\_\_

\_\_\_\_\_  
PATRICIA A. VAZQUEZ, CITY CLERK



# **CITY OF STANTON**

## **REPORT TO CITY COUNCIL**

**TO:** Honorable Mayor and Members of the City Council

**DATE:** October 25, 2016

**SUBJECT: CONSIDERATION OF AN ORDINANCE TO ADOPT THE 2016 CALIFORNIA BUILDING AND RELATED MODEL CODES**

### **REPORT IN BRIEF:**

California law mandates that the City of Stanton adopt the State approved ordinances and regulations that provide the uniform standards for the various aspects of new building and construction. The 2016 California codes have been prepared and will become effective January 1, 2017. This Ordinance will adopt such California building and related model codes together with the amendments suggested by the Stanton Building Official and Fire Chief.

### **RECOMMENDED ACTION:**

1. Declare that the project is not subject to CEQA in accordance with Section 15061(b)(3) as the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA; and
2. Introduce Ordinance No. 1061, entitled:

**“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA REPEALING ORDINANCE 1022 AND AMENDING DIVISION I OF TITLE 16 OF THE STANTON MUNICIPAL CODE PERTAINING TO THE 2016 EDITIONS OF THE CALIFORNIA CODES, WITH AMENDMENTS THERETO, AND MAKING FINDINGS IN SUPPORT THEREOF”**

3. Set Ordinance for adoption at the November 8, 2016 meeting.

### **BACKGROUND:**

The 2016 California building codes and related model codes have been prepared and will become effective and binding on the City of Stanton on January 1, 2017. California Health and Safety Code §18941.5 provides that the City of Stanton may establish more

restrictive building standards if they are reasonably necessary due to local climatic, geological or topographical conditions.

The Stanton Fire Chief and Building Official have recommended that changes and modifications be made to the 2016 Codes and have advised that certain of said changes and modifications to the California Building Code are reasonably necessary due to local conditions within the City of Stanton and have further advised that the remainder of the said changes and modifications are of an administrative or procedural nature or concern themselves with subjects not covered by the Codes or are reasonably necessary to safeguard life and property within the City of Stanton

**ANALYSIS/JUSTIFICATION:**

Based on the review of the California codes by the Stanton Fire Chief and Building Official, it is in the best interests of the health safety and welfare of the residents of the City of Stanton that all such amendments to the uniform codes be adopted as detailed in Ordinance No. 1061.

**FISCAL IMPACT:**

None.

**PUBLIC NOTIFICATION:**

Through the regular agenda process.

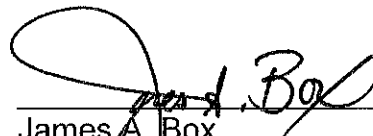
**STRATEGIC PLAN:**

- 1 – Provide a Safe Community
- 6 – Maintain and Promote a Responsive, High Quality and Transparent Government

Reviewed by:

  
\_\_\_\_\_  
Kelly Hart  
Community Development  
Director

Approved by:

  
\_\_\_\_\_  
James A. Box  
City Manager

**Attachments:**

- A. Ordinance No. 1061

## **ORDINANCE NO. 1061**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA REPEALING ORDINANCE NO. 1022 AND AMENDING DIVISION I OF TITLE 16 OF THE STANTON MUNICIPAL CODE PERTAINING TO THE 2016 EDITIONS OF THE CALIFORNIA CODES, WITH AMENDMENTS THERETO, AND MAKING FINDINGS IN SUPPORT THEREOF**

**WHEREAS**, California Health and Safety Code Section 17958 mandates that the City of Stanton ('City') adopt ordinances and regulations imposing the same requirements as are contained in the regulations adopted by the State pursuant to California Health and Safety Code Section 17922; and

**WHEREAS**, the City is mandated by Health and Safety Code Section 17922 to impose the same requirements as are contained in the most recent editions of the California Uniform Building Codes including the California Building Code, the California Green Building Standards Code, the California Residential Code, the California Plumbing Code, the California Mechanical Code, the California Electrical Code, The California Existing Building Code, The California Energy Standards, The International Solar Energy Code, International Swimming Pool and Spa Code, and the International Property Maintenance Code (hereinafter referred to collectively as "Codes"); and

**WHEREAS**, Health and Safety Code Section 17958.5(a) permits the City to make modifications or changes to the Codes, which are reasonably necessary because of local climatic, geologic, or topographic conditions; and

**WHEREAS**, Health and Safety Code Section 17958.7 requires that the City Council, before making any modifications or changes to the Codes, make an express finding that such changes or modifications are reasonably necessary because of local climatic, geologic, or topographic conditions; and

**WHEREAS**, The Stanton Fire Chief and Building Official have recommended that changes and modifications be made to the 2016 Codes, and have advised that certain of said changes and modifications to the Codes are reasonably necessary due to local conditions within the City of Stanton, and have further advised that the remainder of the said changes and modifications are of an administrative or procedural nature, or concern themselves with subjects not covered by the Codes, or are reasonably necessary to safeguard life and property within the City of Stanton; and,

**WHEREAS**, all legal prerequisites prior to the adoption of this Ordinance have occurred.

### **THE CITY COUNCIL OF THE CITY OF STANTON DOES ORDAIN AS FOLLOW:**

**SECTION 1:** The City Council finds that the above facts, findings and conclusions are true and correct and are made a material part of this Ordinance.

**SECTION 2:** Ordinance 1022 is hereby repealed in its entirety.

**SECTION 3:** General provisions applicable to all the Codes adopted by this Ordinance are as follows:

1. Violations – penalty.

For all sections of the Codes, any and all amendments included within this Ordinance, the following shall apply pertaining to violations and shall replace any sections of those Codes that pertain to violation.

It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy, or maintain any building or structure in the city, or cause same to be done, contrary to or in violation of any of the provisions of this Ordinance.

Any person, firm, or corporation violating any of the provisions of this ordinance, shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this ordinance is committed, continued, or permitted, and upon conviction of any such violation such persons shall be punishable according to the provisions of Section 1.10.010 of this code.

2. Board of Appeals

For all sections of the Codes, including any and all amendments included within this Ordinance, the following shall apply pertaining to board of appeals and shall replace any sections of those codes that pertain to board of appeals.

In order to determine the suitability of alternate materials and methods of construction and provisions of these codes, there shall be and there is hereby create a board of appeals, consisting of five members, composed of the mayor and the other members of the city council. Said members shall hold their respective membership on said board of appeals by reason of, and concurrently with their terms of service as council members and shall cease to be such members upon their ceasing to be such council members. The building official shall be the secretary of the board. The board may adopt reasonable rules and regulations for conducting its investigations and shall render all its decisions and findings on contested matters, in writing to the building official, with a duplicate copy thereof to any appellant or contestant affected by any such decision or finding, and may recommend to the city council such new legislation, if any, as is consistent therewith.

Three members of the board shall constitute a quorum. The mayor shall be the presiding officer of the board and in the mayor's absence the mayor pro-tem shall preside. Meetings shall be conducted in accordance with the Brown Act.

The board shall have the right, subject to such limits as the city council may prescribe by resolution, to employ at the cost and expense of the city, such qualified individuals as the board, in its discretion, may deem reasonably necessary in order to assist it in its investigations and making its findings and decisions.

3. Fees.

For all sections of the Codes, including any and all amendments included within this Ordinance, pertaining to fees are hereby amended to read as follows:

All fees shall be as set forth by resolution of the City Council.

4. Uniform Codes Available.

Copies of all of the Codes adopted by this Ordinance shall be maintained in the office of the Clerk of the City of Stanton.

**SECTION 4:** Section 16.02.010 of the Stanton Municipal Code is hereby amended to read as follows:

**"16.02.010 California Administrative Code adopted.**

There is hereby adopted by reference the California Administrative Code, 2016 Edition as published by the International Code Council.

**SECTION 5:** Section 16.04.010 of the Stanton Municipal Code is hereby amended to read as follows:

**"16.04.010 California building code adopted.**

There is hereby adopted by reference the California Building Code Volume 1 and 2, and appendices B, C, I and J, 2016 Edition, based on the 2015 International Building Code as published by the International Code Council. Such Code, and amendments thereto as set forth in this chapter, are incorporated, pursuant to California Government Code Section 50022.2 et seq. and Health and Safety Code section 18941.5, 18938, and 17958, as though fully set forth at length herein, for the purpose of prescribing regulations for the erecting, construction, enlargement, alteration, repair, improving, removal, conversion, demolition, occupancy, equipment use, height, and area of buildings and structures within the corporate limits of the City. From the date on which this section takes effect, the provisions of said code, together with amendments thereto, shall be controlling within the corporate limits of the City."

**SECTION 6:** Section 16.04.020 of the Stanton Municipal Code is hereby amended to read as follows:

**“16.04.020 California building code amended.**

Based upon the findings of the city council and upon the recommendations of the fire chief and building official, the city council hereby amends the California Building Code, 2016 Edition, applicable within the corporate limits of the city, as follows:

A. Section 104.8 of the California Building Code is hereby amended by adding a sentence to the end of the paragraph as follows:

**Section 104.8 Liability.** The provisions of this section shall apply if the Building Official or his/her authorized representative are employees of this jurisdiction and shall also apply if the Building Official or his/her authorized representative are acting under contract as agents of this jurisdiction.

B. **Section 202** of the California Building Code is hereby revised by adding “Spark Arrestor” as follows:

**SPARK ARRESTER.** A listed device constructed of noncombustible material specifically for the purpose of meeting one of the following conditions:

1. Removing and retaining carbon and other flammable particles/debris from the exhaust flow of an internal combustion engine in accordance with California Vehicle Code Section 38366.
2. Fireplaces that burn solid fuel in accordance with California Building Code Chapter 28.

C. **Section 701A.3 Application** is hereby revised to read as follows:

**701A.3 Application.** New buildings located in any Fire Hazard Severity Zone or any Wildland-Urban Interface Fire Area designated by the enforcing agency constructed after the application date, and additions to and remodel of buildings constructed before 2012 located in areas currently designated as such, shall comply with the provisions of this chapter. The provisions shall also apply to additions, remodels, and accessory structures located within 100 feet of a fuel modification zone, vegetation management area, or similar area containing hazardous combustible vegetation, regardless of whether the property is currently located in a designated Fire Hazard Severity Zone or Wildland-Urban Interface Fire Area, when materials and/or construction methods for exterior

wildfire exposure were previously required at the property by the Building or Fire Code Official.

**Exceptions:**

1. Buildings of an accessory character classified as a Group U occupancy and not exceeding 120 square feet in floor area, when located at least 30 feet from the applicable building.
2. Buildings of an accessory character classified as a Group U occupancy of any size located least 50 feet from an applicable building.
3. Buildings classified as a Group U Agricultural Building, as defined in Section 202 of this code (see also Appendix C – Group U Agricultural Buildings), when located at least 50 feet from an applicable building.

**Section 710A.3.2** is hereby revised to read as follows:

**710A.3.2** Detached accessory structures within 50 feet of an applicable building shall comply with the requirements of this section.

**Section 710A.4 Requirements** is hereby revised to read as follows:

**710A.4 Requirements.** Accessory structures shall be constructed of non-combustible or ignition-resistant materials.

D. **Section 903.2 Where required** is hereby amended as follows:

**[F] 903.2 Where required.** Approved automatic sprinkler systems in buildings and structures shall be provided in the following locations:

1. **New buildings:** Notwithstanding any applicable provisions of Sections 903.2.1 through 903.2.12, an automatic fire-extinguishing system shall also be installed in all occupancies when the total building area, as defined in Section 202, exceeds 5,000 square feet (465 m<sup>2</sup>), or more than two stories in height, regardless of fire areas or allowable area.

Exception: Group R-3 occupancies. Group R-3 occupancies shall comply with California Residential Code Section R313.2.

2. **Existing buildings:** Notwithstanding any applicable provisions of this code, an automatic sprinkler system shall be provided in an existing building when an addition occurs and when one of the following conditions exists:
  - a. When the addition is 33% or more of the existing building area and the resulting building area, as defined in Section 202, exceeds

5000 square feet (465 m<sup>2</sup>); or

- b. When the addition exceeds 2000 square feet (185.81 m<sup>2</sup>) and the resulting building area, as defined in Section 202, exceeds 5000 square feet (465 m<sup>2</sup>); or

An additional story is added above the second floor regardless of fire areas or allowable area.

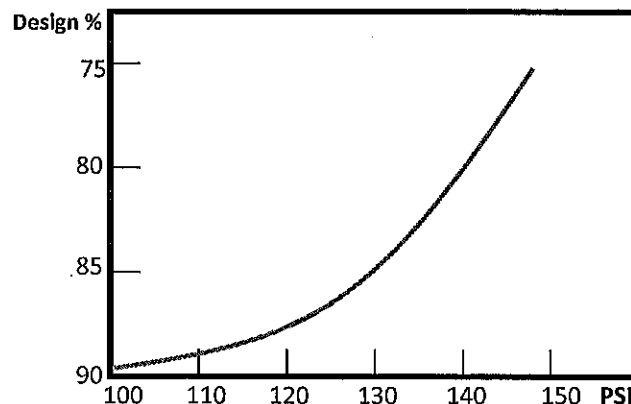
Table 1505.1 is amended, by the deletion of Table 1505.1 and the addition of a new Table 1505.1 thereto, to read as follows:

**Section 903.3.5.3 Hydraulically calculated systems** is hereby added as follows:

**903.3.5.3 Hydraulically calculated systems.** The design of hydraulically calculated fire sprinkler systems shall not exceed 90% of the water supply capacity.

**Exception:** When static pressure exceeds 100 psi, and when required by the fire code official, the fire sprinkler system shall not exceed the water supply capacity specified by Table 903.3.5.3.

**TABLE 903.3.5.3**  
**Hydraulically Calculated**



E. Table 1505.1 of the California Building Code is hereby amended, by the deletion of Table 1505.1 and the addition of a new Table 1505.1 thereto, to read as follows:

**TABLE 1505.1<sup>a</sup>**  
**MINIMUM ROOF COVERING CLASSIFICATIONS**  
**TYPES OF CONSTRUCTION**



IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
B	B	B	B	B	B	B	B	B

For SI: 1 foot = 304.8 mm, 1 square foot = 0.0929 m<sup>2</sup>.

a. Unless otherwise required in accordance with Chapter 7A.

F. Section 1505.1.3 of the California Building Code is hereby amended as follows:

**1505.1.3 Roof coverings within all other areas.** The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class B.

**Section 1505.5** is hereby amended, by the deletion of the entire section.

**Section 1505.7** is hereby amended, by the deletion of the entire section.

G. Chapter 35 of the California Building Code, Referenced Standards, is hereby amended as follows:

**Chapter 35 Referenced Standards** is adopted in its entirety with the following amendments:

**NFPA 13, 2016 Edition, Standard for the Installation of Sprinkler Systems** is hereby amended as follows:

**Section 6.7.3** is hereby revised to read as follows:

**6.7.3** Fire department connections (FDC) shall be of an approved type. The location shall be approved and be no more than 150 feet from a public hydrant. The FDC may be located within 150 feet of a private fire hydrant when approved by the fire code official. The size of piping and the number of 2½" inlets shall be approved by the fire code official. If acceptable to the water authority, it may be installed on the backflow assembly. Fire department inlet connections shall be painted OSHA safety red or as approved. When the fire sprinkler density design requires more than 500 gpm (including inside hose stream demand), or a standpipe system is included, four 2½" inlets shall be provided.

**Section 8.3.3.1** is hereby revised to read as follows:

**8.3.3.1** When fire sprinkler systems are installed in shell buildings of undetermined use (Spec Buildings) other than warehouses (S occupancies), fire sprinklers of the

quick-response type shall be used. Use is considered undetermined if a specific tenant/occupant is not identified at the time the fire sprinkler plan is submitted. Sprinklers in light hazard occupancies shall be one of the following:

1. Quick-response type as defined in 3.6.4.8
2. Residential sprinklers in accordance with the requirements of 8.4.5
3. Quick response CMSA sprinklers
4. ESFR sprinklers
5. Standard-response sprinklers used for modifications or additions to existing light hazard systems equipped with standard-response sprinklers
6. Standard-response sprinklers used where individual standard-response sprinklers are replaced in existing light hazard systems

**Section 11.1.1.1** is hereby added as follows:

**11.1.1.1** When fire sprinkler systems are required in buildings of undetermined use other than warehouses, they shall be designed and installed to have a fire sprinkler density of not less than that required for an Ordinary Hazard Group 2 use, with no reduction(s) in density or design area. Warehouse fire sprinkler systems shall be designed to Figure 16.2.1.3.2 (d) curve "G". Use is considered undetermined if a specific tenant/occupant is not identified at the time the sprinkler plan is submitted. Where a subsequent use or occupancy requires a system with greater capability, it shall be the responsibility of the occupant to upgrade the system to the required density for the new use or occupancy.

**Section 11.2.3.1.1.1** is hereby added as follows:

**11.2.3.1.1.1** The available water supply for fire sprinkler system design shall be determined by one of the following methods, as approved by the fire code official:

- 1) Subtract the project site elevation from the low water level for the appropriate pressure zone and multiply the result by 0.433;
- 2) Use a maximum of 40 psi, if available;
- 3) Utilize the OCFA water-flow test form/directions to document a flow test conducted by the local water agency or an approved third party licensed in the State of California.

**NFPA 13D 2016 Edition, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes** is hereby amended as follows:

**Section 7.1.2** is hereby revised to read as follows:

**7.1.2** The sprinkler system piping shall not have separate control valves installed unless supervised by a central station, proprietary, or remote station alarm service.

**NFPA 14, 2013 Edition, Installation of Standpipe and Hose Systems** is hereby amended as follows:

1. Section 7.3.1.1 is hereby revised to read as follows:

**7.3.1.1** Class I and III Standpipe hose connections shall be unobstructed and shall be located not less than 18 inches or more than 24 inches above the finished floor. Class II Standpipe hose connections shall be unobstructed and shall be located not less than 3 feet or more than 5 feet above the finished floor.

**NFPA 24, 2016 Edition, Standard for the Installation of Private Fire Service Mains and Their Appurtenances** is hereby amended as follows:

**Section 6.2.8.1** is hereby added as follows:

**6.2.8.1** All indicating valves controlling fire suppression water supplies shall be painted OSHA red.

Exceptions:

1. Brass or bronze valves on sprinkler risers mounted to the exterior of the building may be left unpainted.
2. Where OS&Y valves on the detector check assembly are the only control valves, at least one OS&Y valve shall be painted red.

**Section 6.2.9** is hereby revised to read as follows:

All connections to private fire service mains for fire protection systems shall be arranged in accordance with one of the following so that they can be isolated:

- (1) A post indicator valve installed not less than 40 ft (12 m) from the building
  - (a) For buildings less than 40 ft (12 m) in height, a post indicator valve shall be permitted to be installed closer than 40 ft (12 m) but at least as far from the building as the height of the wall facing the post indicator valve.
- (2) A wall post indicator valve
- (3) An indicating valve in a pit, installed in accordance with Section 6.4
- (4) A backflow preventer with at least one indicating valve not less than 40 ft (12 m) from the building
  - (a) For buildings less than 40 ft (12 m) in height, a backflow preventer with at least one indicating valve shall be permitted to be installed closer than 40 ft (12 m) but at least as far from the building as the height of the wall facing the backflow preventer.

- (5) Control valves installed in a fire-rated room accessible from the exterior
- (6) Control valves in a fire-rated stair enclosure accessible from the exterior

**Section 10.1.5** is hereby added as follows:

**10.1.5** All ferrous pipe and joints shall be polyethylene encased per AWWA C150, Method A, B, or C. All fittings shall be protected with a loose 8-mil polyethylene tube or sheet. The ends of the tube or sheet shall extend past the joint by a minimum of 12 inches and be sealed with 2 inch wide tape approved for underground use. Galvanizing does not meet the requirements of this section.

Exception: 304 or 316 Stainless Steel pipe and fittings

**Section 10.4.1.1** is hereby revised to read as follows:

**10.4.1.1** All bolted joint accessories shall be cleaned and thoroughly coated with asphalt or other corrosion-retarding material after installation.

Exception: Bolted joint accessories made from 304 or 316 stainless steel.

**Section 10.4.1.1.1** is hereby added as follows:

**10.4.1.1.1** All bolts used in pipe-joint assembly shall be 316 stainless steel.

**Section 10.4.3.2** is hereby revised to read as follows:

**10.4.3.2** Where fire service mains enter the building adjacent to the foundation, the pipe may run under a building to a maximum of 24 inches, as measured from the interior face of the exterior wall to the center of the vertical pipe. The pipe under the building or building foundation shall be 304 or 316 stainless steel and shall not contain mechanical joints or it shall comply with 10.4.3.2.1 through 10.4.3.2.4.

**SECTION 7:** Section 16.06.010 of the Stanton Municipal Code is hereby amended to read as follows:

**“16.06.010 California mechanical adopted.**

The California Mechanical Code, 2016 Edition based on the 2015 Uniform Mechanical Code as published by the International Association of Plumbing and Mechanical Officials, is hereby adopted and shall be and become the Mechanical Code of the City, regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance of heating, ventilating, cooling, refrigeration systems, incinerators and other miscellaneous heat producing appliances.”

**SECTION 7:** Section 16.10.010 of the Stanton Municipal Code is hereby amended to read as follows:

**“16.10.010 International Property Maintenance Code adopted.**

The International Property Maintenance Code, 2015 Edition as published by the International Code Council is hereby adopted as the Property Maintenance Code of the City of Stanton, regulating erection, construction, enlargement, alteration repair, maintenance, moving, improving, removal, conversion, demolition and occupancy of all buildings or portions thereof used, or designed or intended to be used for human habitation.

**SECTION 8:** Section 16.12.010 of the Stanton Municipal Code is hereby amended to read as follows:

**“16.12.010 California plumbing code adopted.**

The California Plumbing Code, 2016 Edition, based on the 2015 Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials, is hereby adopted and shall be and become the Plumbing Code of the City of Stanton, regulating erection, installation, alteration, repair, relocation, replacement, maintenance or use of plumbing systems within the City.”

**SECTION 9:** Section 16.18.010 of the Stanton Municipal Code is hereby amended to read as follows:

**“16.18.010 California Green Building Standards Code adopted.**

The California Green Building Standards Code, 2016 Edition, as published by the International Code Council, is hereby adopted and shall be and become the Green Building Standards Code of the City of Stanton.”

**16.18.020 Green building standards code amended.**

A. Section 202 of the Green Building Standards Code is amended to read as follows:

**Sustainability.** Consideration of present development and construction impacts on the community, the economy, and the environment without compromising the needs of the future.

**SECTION 10:** Section 16.20.010 of the Stanton Municipal Code is hereby amended to read as follows:

**“16.20.010 California electrical code adopted.**

Except as provided in this chapter, the California Electrical Code, 2016 Edition, based on the 2014 National Electrical Code as published by the National Fire Protection Association, is hereby adopted and shall be and become the Electrical Code of the City of Stanton, regulating all installation, arrangement, alteration, repair, use and other operation of electrical wiring, connections, fixtures and other electrical appliances on premises within the city.”

**SECTION 11:** Section 16.24.010 of the Stanton Municipal Code is hereby amended to read as follows:

**“16.20.010 International Swimming Pool and Spa Code adopted.**

There is hereby adopted the International Swimming Pool and Spa Code, 2015 Edition as published by the International Code Council.”

**SECTION 12:** Section 16.26.010 of the Stanton Municipal Code is hereby amended to read as follows:

**“16.18.010 Residential code adopted.**

There is hereby adopted the California Residential Code, 2016 Edition; with Appendix G and H, based on the 2015 International Residential Code as published by the International Code Council.”

**16.18.020 Residential code amended.**

**Section 202 Definitions** is hereby revised by adding “OCFA” and “Spark Arrester” as follows:

**OCFA:** Orange County Fire Authority, fire authority having jurisdiction.

**SPARK ARRESTER.** A listed device constructed of noncombustible material specifically for the purpose of meeting one of the following conditions:

1. Removing and retaining carbon and other flammable particles/debris from the exhaust flow of an internal combustion engine in accordance with California Vehicle Code Section 38366.
2. Fireplaces that burn solid fuel in accordance with California Building Code

## Chapter 28.

A. Table R301.2(1) of the California Residential Code is hereby amended as follows:

**TABLE R301.2(1)  
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

GROUND SNOW LOAD	WIND DESIGN		SEISMIC DESIGN CATEGORY	SUBJECT DAMAGE FROM		WINTER DESIGN TEMP °	ICE BARRIER UNDERLAYMENT REQUIRED <sup>h</sup>	FLOOD HAZARDS <sup>g</sup>	AIR FREEZING INDEX <sup>i</sup>	MEAN ANNUAL TEMP <sup>j</sup>		
	Speed <sup>d</sup> (mph)	Topographic effects <sup>k</sup>		Weathering <sup>a</sup>	Frost line Depth <sup>b</sup>							
Zero	85	No	D <sub>2</sub> or E	Negligible	12-24"	Very Heavy	43	No		See Exhibit B	0	60

For SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s.

- Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index (i.e., "negligible," "moderate" or "severe") for concrete as determined from the Weathering Probability Map [Figure R301.2(3)]. The grade of masonry units shall be determined from ASTM C 34, C 55, C 62, C 73, C 90, C 129, C 145, C 216 or C 652.
- The frost line depth may require deeper footings than indicated in Figure R403.1(1). The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.
  - The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.
  - The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(4)]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
  - The outdoor design dry-bulb temperature shall be selected from the columns of 97 1/2-percent values for winter from Appendix D of the *California Plumbing Code*. Deviations from the Appendix D temperatures shall be permitted to reflect local climates or local weather experience as determined by the building official.
  - The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1.
  - The City of Los Alamitos does not have any Flood Hazards Zones. (OR, if yes) See City's FIRM maps for Flood Hazard Locations.
  - In accordance with Sections R905.2.7.1, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall fill in this part of the table with "NO."
  - The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99%) value on the National Climatic Data Center data table "Air Freezing Index- USA Method (Base 32°)" at [www.ncdc.noaa.gov/fpsf.html](http://www.ncdc.noaa.gov/fpsf.html).
  - The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)" at [www.ncdc.noaa.gov/fpsf.html](http://www.ncdc.noaa.gov/fpsf.html).
  - In accordance with Section R301.2.1.5, where there is local historical data documenting structural damage to buildings due to topographic wind speed-up effects, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall indicate "NO" in this part of the table.
  - In accordance with Figure R301.2(4)A, where there is local historical data documenting unusual wind conditions, the jurisdiction shall fill in this part of the table with "YES" and identify any specific requirements. Otherwise, the jurisdiction shall indicate "NO" in this part of the table.

- m. In accordance with Section R301.2.1.2.1, the jurisdiction shall indicate the wind-borne debris wind zone(s). Otherwise, the jurisdiction shall indicate "NO" in this part of the table.

B. Section R309.6 of the California Residential Code is hereby amended as follows:

**Exception:** An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing carports and/or garages that do not have an automatic fire sprinkler system installed unless a sprinkler system is required in accordance with California Fire Code Section 903.2.8.

C. **Section R301.9 Fuel Modification Requirements for New Construction** is hereby added as follows:

**R301.9 Fuel Modification Requirements for New Construction.** All new structures and facilities adjoining land containing hazardous combustible vegetation shall be approved and in accordance with the requirements of OCFA Guideline C-05 "Vegetation Management Guideline – Technical Design for new Construction Fuel Modification Plans and Maintenance Program."

**Section R309.6 Fire sprinkler attached garages, and carports with habitable space above** is hereby amended by modifying the exception to read as follows:

**Exception:** An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing carports and/or garages that do not have an automatic fire sprinkler system installed unless a sprinkler system is required in accordance with California Fire Code Section 903.2.8.

**Section R313.1 Townhouse automatic fire sprinkler systems** is hereby amended by modifying the exception to read as follows:

**Exception:** An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing townhouses that do not have an automatic fire sprinkler system installed unless a sprinkler system is required in accordance with California Fire Code Section 903.2.8.

**Section R313.2 One- and two-family dwellings automatic fire sprinklers systems.** An automatic residential fire sprinkler system installed in one- and two-family dwellings as follows:

**New buildings:** An automatic sprinkler system shall be installed throughout all new buildings.



**Existing buildings:** An automatic sprinkler system shall be installed throughout when one of the following conditions exists:

1. When an addition is 33% or more of the existing building area, as defined in Section 502.1, and greater than 5,000 square feet (92.903m<sup>2</sup>) within a two-year period; or
2. An addition when the existing building is already provided with automatic sprinklers; or
3. When an existing Group R Occupancy is being substantially renovated, and where the scope of the renovation is such that the Building Code Official determines that the complexity of installing a sprinkler system would be similar as in a new building.

**Section R313.3.6.2.2 Calculation procedure** is hereby revised to read as follows:

**Section R313.3.6.2.2 Calculation procedure.** Determination of the required size for water distribution piping shall be in accordance with the following procedure and California Fire Code Section 903.3.5.3.

**(The remainder of the section is unchanged)**

**Section R319.1 Address identification** is hereby revised to read as follows:

**R319 Site Address.** New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 4 inches in height with a stroke width of not less than 0.5 inch. Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained.

**Section R337.1.3 Application** is hereby revised to read as follows:

**R337.1.3 Application.** New buildings located in any Fire Hazard Severity Zone or any Wildland-Urban Interface Fire Area designated by the enforcing agency constructed after the application date, and additions to and remodel of buildings constructed before 2012 located in areas currently designated as such, shall comply with the provisions of this chapter. The provisions shall also apply to additions, remodels, and accessory structures located within 100 feet of a fuel modification zone, vegetation management area, or similar area containing hazardous combustible vegetation, regardless of whether the property is

currently located in a designated Fire Hazard Severity Zone or Wildland-Urban Interface Area, when materials and/or construction methods for exterior wildfire exposure were previously required at the property by the Building or Fire Code Official.

**Exceptions:**

1. Buildings of an accessory character classified as a Group U occupancy and not exceeding 120 square feet in floor area, when located at least 30 feet from an applicable building.
2. Buildings of an accessory character classified as a Group U occupancy of any size located at least 50 feet from an applicable building.
3. Buildings classified as a Group U Agricultural Building, as defined in Section 202 of this code (see also Appendix C – Group U Agricultural Buildings), when located at least 50 feet from an applicable building.

**Section R337.1.6 Fuel Modification Requirements for New Construction** is hereby added as follows:

**R337.1.6 Fuel Modification Requirements for New Construction.** All new buildings to be built or installed in a Wildfire Risk Area shall comply with the following:

1. Preliminary fuel modification plans shall be submitted to and approved by the fire code official prior to or concurrently with the approval of any tentative map.
2. Final fuel modification plans shall be submitted to and approved by the fire code official prior to the issuance of a grading permit.
3. The fuel modification plans shall meet the criteria set forth in the Fuel Modification Section of OCFA Guideline C-05 "Vegetation Management Guideline – Technical Design for New Construction Fuel Modification Plans and Maintenance Program."
  - 3.1. The fuel modification plan shall include provisions for the maintenance of the fuel modification in perpetuity.
4. The fuel modification plan may be altered if conditions change. Any alterations to the fuel modification areas shall have prior approval from the fire code official.
5. All elements of the fuel modification plan shall be maintained in accordance with the approved plan and are subject to the enforcement process outlined in the Fire Code.

I. Section R902.1 of the California Residential Code is hereby amended as follows:

**R902.1 Roofing covering materials.** Roofs shall be covered with materials as set forth in Sections R904 and R905. A minimum Class A or

B roofing shall be installed in areas designated by this section. Classes A or B roofing required by this section to be listed shall be tested in accordance with UL 790 or ASTM E 108.

**Exceptions:**

1. Class A roof assemblies include those with coverings of brick, masonry and exposed concrete roof deck.
2. Class A roof assemblies also include ferrous or copper shingles or sheets, metal sheets and shingles, clay or concrete roof tile, or slate installed on noncombustible decks.

J. Section R902.1.3 of the California Residential Code is hereby amended as follows:

**R902.1.3 Roof coverings within all other areas.** The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class B.

K. Section R902.2, first paragraph, of the California Residential Code is hereby amended as follows:

**R902.2 Fire-retardant-treated shingles and shakes.** Fire-retardant-treated wood shakes and shingles are wood shakes and shingles complying with UBC Standard 15-3 or 15-4 which are impregnated by the full-cell vacuum-pressure process with fire-retardant chemicals, and which have been qualified by UBC Standard 15-2 for use on Class A or B roofs.

I. Section R1001.13 of the California Residential Code is hereby added as follows:

**Section R1001.13 Outdoor Fireplaces, Fire Pits, Fire Rings, or similar devices** is hereby added as follows:

**R1001.13 Chimney spark arresters.** All chimneys attached to any appliance or fireplace that burns solid fuel shall be equipped with an approved spark arrester. Chimneys serving outdoor appliances or fireplaces shall be equipped with a spark arrester. The spark arrester shall meet the requirements of Section 2113.9.2 of the California Building Code.

**R1001.14 Outdoor Fireplaces, Fire Pits, Fire Rings, or similar devices.** Outdoor fireplaces, fire pits, fire rings, or similar exterior devices shall comply with this section.

**Exception:** Barbeques, grills, and other portable devices intended solely for cooking

**Section R1001.13.1 Gas-fueled devices** is hereby added as follows:

**R1001.13.1 Gas-fueled devices.** Outdoor fireplaces, fire pits and similar devices fueled by natural gas or liquefied-petroleum gas are allowed when approved by the Building Department and the device is designed to only burn a gas flame and not wood or other solid fuel. At R-3 occupancies, combustible construction shall not be located within three feet of an atmospheric column that extends vertically from the perimeter of the device. Where a permanent Building Department approved hood and vent is installed, combustible construction may encroach upon this column between the bottom of the hood and the vent opening. Where chimneys or vents are installed, they shall have a spark arrester in accordance with Section R1003.9.2.

**Section R1001.13.2 Devices using wood or fuels other than natural gas or liquefied-petroleum gas** is hereby added as follows:

**R1001.13.2 Devices using wood or fuels other than natural gas or liquefied-petroleum gas.** Fireplaces burning wood or other solid fuel shall be constructed in accordance with Section R1001. Fires in a fireplace shall be contained within a firebox with an attached chimney. The opening in the face of the firebox shall have an installed and maintained method of arresting sparks. The burning of wood or other solid fuel in a device is not allowed within 15 feet of combustible structures, unless within a permanent or portable fireplace.

**Section R1001.13.3 Devices using wood or fuels other than natural gas or liquefied-petroleum gas** is hereby added as follows:

**R1001.13.3 Where prohibited.** The burning of wood and other solid fuels shall not be conducted within a fuel modification zone. Wood and other solid fuel burning fires in devices other than permanent fireplaces are not allowed within Wildfire Risk Areas (WRA) and adopted Fire Hazard Severity Zones (FHSZ) or in locations where conditions could cause the spread of fire to the WRA or FHSZ, unless determined by the Fire Code Official that the location or design of the device should reasonably prevent the start of a wildfire.

J. Chapter 44, Referenced Standards, of the California Residential Code is hereby amended as follows:

**NFPA 13, 2016 Edition, Standard for the Installation of Sprinkler Systems** is hereby amended as follows:

**Section 6.7.3** is hereby revised to read as follows:

**6.7.3** Fire department connections (FDC) shall be of an approved type. The location shall be approved and be no more than 150 feet from a public hydrant. The FDC may be located within 150 feet of a private fire hydrant when approved by the fire code official. The size of piping and the number of 2½" inlets shall be approved by the fire code official. If acceptable to the water authority, it may be installed on the backflow assembly. Fire department inlet connections shall be painted OSHA safety red or as approved. When the fire sprinkler density design requires more than 500 gpm (including inside hose stream demand), or a standpipe system is included, four 2½" inlets shall be provided.

**Section 8.3.3.1** is hereby revised to read as follows:

**8.3.3.1** When fire sprinkler systems are installed in shell buildings of undetermined use (Spec Buildings) other than warehouses (S occupancies), fire sprinklers of the quick-response type shall be used. Use is considered undetermined if a specific tenant/occupant is not identified at the time the fire sprinkler plan is submitted. Sprinklers in light hazard occupancies shall be one of the following:

7. Quick-response type as defined in 3.6.4.8
8. Residential sprinklers in accordance with the requirements of 8.4.5
9. Quick response CMSA sprinklers
10. ESFR sprinklers
11. Standard-response sprinklers used for modifications or additions to existing light hazard systems equipped with standard-response sprinklers
12. Standard-response sprinklers used where individual standard-response sprinklers are replaced in existing light hazard systems

**Section 11.1.1.1** is hereby added as follows:

**11.1.1.1** When fire sprinkler systems are required in buildings of undetermined use other than warehouses, they shall be designed and installed to have a fire sprinkler density of not less than that required for an Ordinary Hazard Group 2 use, with no reduction(s) in density or design area. Warehouse fire sprinkler systems shall be designed to Figure 16.2.1.3.2 (d) curve "G". Use is considered undetermined if a specific tenant/occupant is not identified at the time the sprinkler plan is submitted. Where a subsequent use or occupancy requires a system with greater capability, it shall be the responsibility of the occupant to upgrade the system to the required density for the new use or occupancy.

**Section 11.2.3.1.1.1** is hereby added as follows:

**11.2.3.1.1.1** The available water supply for fire sprinkler system design shall be determined by one of the following methods, as approved by the fire code official:

- 4) Subtract the project site elevation from the low water level for the appropriate pressure zone and multiply the result by 0.433;
- 5) Use a maximum of 40 psi, if available;
- 6) Utilize the OCFA water-flow test form/directions to document a flow test conducted by the local water agency or an approved third party licensed in the State of California.

**NFPA 13D 2016 Edition, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes** is hereby amended as follows:

**Section 7.1.2** is hereby revised to read as follows:

**7.1.2** The sprinkler system piping shall not have separate control valves installed unless supervised by a central station, proprietary, or remote station alarm service.

**SECTION AO103.3 Vehicular gates or other barriers across required fire apparatus access roads** is hereby added as follows:

**AO103.3 Vehicular gates or other barriers across required fire apparatus access roads.** The installation of gates or other barriers across a required fire apparatus access road shall be approved by the fire code official. Gates or barriers shall be in accordance with Orange County Fire Authority Guideline B-09 "Fire Master Plans for Commercial and Residential Development".

**SECTION 13:** Section 16.36.010 of the Stanton Municipal Code is hereby amended to read as follows:

**"16.18.010 California Existing Building Code adopted.**

The California Existing Building Code, 2016 Edition, as published by the International Code Council, is hereby adopted and shall be and become the Existing Building Code of the City of Stanton."

**SECTION 14:** Title 16 of the Stanton Municipal Code is hereby amended to add a new Chapter 16.50 to read as follows:

**"Chapter 16.50**

**CHAPTER 9  
POST-DISASTER RECOVERY AND RECONSTRUCTION**

## **SECTION 901 – POST-DISASTER SAFETY ASSESSMENT PLACARDS AND SECURITY**

**901.1 SCOPE.** This chapter establishes standard placards to be used to indicate the condition of a structure for continued occupancy after any natural or man-made disaster. It further authorizes the Building and Safety Department, as well as authorized representatives, to post appropriate placards at each entry point to a building or structure upon completion of a safety assessment.

**901.2 APPLICATION OF PROVISIONS.** The provisions of this chapter are applicable to all buildings and structures, of all occupancies, regulated by the City following each natural or man-made disaster.

### **901.3 DEFINITIONS.**

**901.3.1 BUILDING OFFICIAL** is defined in Section 16.04.020 of the Stanton Municipal Code.

**901.3.2 SAFETY ASSESSMENT** is a visual examination of a building or structure for the purpose of determining whether continued use or occupancy is appropriate following a natural or man-made disaster.

**901.4 PLACARDS.** The following official placards must be used to designate the condition of buildings or structures following a disaster.

**901.4.1 (GREEN) INSPECTED - LAWFUL OCCUPANCY PERMITTED.** Posted on any building or structure where no apparent hazard has been found. Placement of this placard does not mean that there is no damage to the building or structure.

**901.4.2 (YELLOW) RESTRICTED OR LIMITED ENTRY.** Posted on each damaged building or structure where damage has created a hazardous condition which justifies restricted occupancy. The Building Official who posts this placard will note in general terms the hazard created and will clearly and concisely note the restrictions on occupancy.

**901.4.3 (RED) UNSAFE – DO NOT ENTER OR OCCUPY.** Posted on each damaged building or structure such that continued occupancy poses a threat to life or health. Buildings or structures posted with this placard may be entered only after authorization in writing by the building official. Safety assessment teams are authorized to enter these buildings at any time. This placard may not be used or considered as a demolition order. The official who posts this placard must make a note in general terms of the damage encountered.

**901.4.4 SECURING OF UNSAFE BUILDINGS OR STRUCTURES.** Buildings or structures that have been determined by the Building Official to pose a threat to life safety or to be unsafe due to damage may be required by the Building Official to be secured from entry by fencing or other approved means until such time that the

damage or threat to life is removed by repair, reconstruction or demolition. The fencing or security measures may not be removed without authorization from the building official.

**901.4.5 REMOVAL OF PLACARDS.** Once the placard has been attached to a building or structure, it may not be removed, altered, or covered until authorized by the Building Official.

**901.5 VIOLATION.** Any violation of § 16.04.400 of this code is a misdemeanor and will be subject to punishment according to the provisions of § 16.04.310.

## **SECTION 902 – POST DISASTER ABATEMENT**

**902.1 INTENT.** This chapter establishes abatement criteria for all buildings and structures damaged as a result of a disaster for which a local emergency has been declared.

**902.2 APPLICATION OF PROVISIONS.** The provisions of this chapter are applicable to all buildings and structures regulated by the City.

**902.3 DEFINITIONS.** For the purpose of the chapter, the following definitions apply:

**902.3.1 EVENT** means any occurrence which results in the declaration of a disaster, including but not limited to, fires, landslides, wind storms, earthquakes, and floods.

**902.3.2 HISTORIC BUILDING OR STRUCTURE** means any building or structure registered with a federal, state, county, or city government, or the register of points of interest. Historic buildings and structures also include those buildings and structures within a recognized historic district.

**902.3.3 STATE HISTORIC PRESERVATION OFFICER (SHPO)** is the person appointed by the Governor, pursuant to Section 101(b)(1) of the National Historic Preservation Act of 1966, as amended, to administer the State Historic Preservation Program.

Office of Historic Preservation  
Department of Parks and Recreation  
P.O. BOX 942896  
Sacramento, CA 94296-0001  
Phone: (916) 653-6624  
FAX: (916) 653-9824

## **902.4 ABATEMENT CRITERIA**

**902.4.1 NOTICE OF DETERMINATION.** Except as provided in Section 902.4.2



below, the Building Official must serve a written Notice of Determination to each property owner as found on the latest available copy of the last equalized assessment roll. Such Notice of Determination must be delivered by hand-delivery, telephone, telegram, facsimile or other reasonable means, and must clearly indicate that the structure is an imminent hazard and dangerous and that, as such, it constitutes a public nuisance. The notice must set forth those factors which, in the opinion of the Building Official, make the structure an imminent hazard and dangerous, and must also include a directive from the Building Official of the specific action or actions to be taken by the property owner. The Notice must specify that within 48 hours from the time of issuance of the Notice of Determination, the owner or other party of record with an equitable or legal interest in the property must abate the nuisance in accordance with the directives written in the Notice of Determination by the Building Official.

**902.4.2 NOTICE OF DETERMINATION EXCEPTION.** No prior notice is required, when the building official, after considering all the facts, determines, in writing, that the structure is an imminent hazard and dangerous, and that it must be abated immediately and that time and circumstances do not permit the giving of prior notice to the owner. In those cases where time and circumstances do not permit the City to give the owner notice prior to abatement, the Building Official may cause the nuisance to be summarily abated.

**902.4.3 APPEAL OF NOTICE OF DETERMINATION.** A Notice of Determination delivered by the Building Official, that a building or structure is an imminent hazard and dangerous and therefore must be abated, may be appealed by the property owner or any other party of record with an equitable or legal interest in the property. Such appeal must be made to the Building Official within 48 hours of delivery of such Notice of Determination by the Building Official. Such appeal must be accompanied by a written Hazard Abatement Plan signed by a State of California licensed engineer or architect or by a written report by a State of California licensed engineer or architect stating why the engineer or architect feels the building or structure is not an imminent hazard or dangerous at this time. Such report must include a recommendation by the engineer or architect as to what should or should not be done at this time. If the Building Official accepts the proposed Hazard Abatement Plan in lieu of the Notice of Determination, the Hazard Abatement Plan must be implemented within 24 hours of acceptance by the Building Official. If the Building Official accepts an engineer's report and agrees there is no imminent hazard, the Building Official must rescind, in writing, the Notice of Determination.

Should the Building Official disagree with the Hazard Abatement Plan, or should the Building Official disagree with the engineer's or architect's report, a hearing must be conducted by the Board of Appeals, as soon as a quorum can be assembled.

**902.4.4 BOARD OF APPEALS HEARING.** At the hearing, the appellant has the right to call witnesses, to submit evidence, and to cross-examine the witnesses of the City. All witnesses must be sworn.

A record of the proceedings must be made by tape recording. Any relevant evidence may be submitted, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions in the courts of this State.

At the close of the hearing, the Board of Appeals must act to either uphold, overrule, or modify the determination and order of the Building Official. The determination and order of the Building Official will be upheld, unless the Board of Appeals finds, based upon the evidence in the record, that the Building Official erred in determining that the structure is an imminent hazard and dangerous. The decision of the Board of Appeals, with the reasons therefore, may be given orally on the record. If given orally, the decision must be memorialized in writing and served upon the applicant within 24 hours of the time the oral decision is rendered.

If the Board of Appeals upholds the decision of the Building Official, the property owners of record will be ordered to abate the public nuisance within the time set forth in the order. If the structure is determined not to be an imminent hazard and dangerous, the Building Official's determination and order will be vacated. The decision of the Board of Appeals will be final on the date it is rendered.

**902.4.5 HAZARD ABATEMENT PLAN.** If a Hazard Abatement Plan is approved by the Building Official, the owner or other interested party of record must execute such plan within 24 hours of obtaining approval of the plan from the Building Official. Within 24 hours of completion of the abatement work the owner or other interested party of record must provide the Building Official with a written certification that the public nuisance, as described in the Building Official's Notice of Determination, has been abated.

If the work performed pursuant to the Hazard Abatement Plan amounts to temporary abatement, the owner or other party of record, prior to proceeding with permanent repairs, must obtain required permits and file a damage assessment report with the Building Official. The damage assessment report must be reviewed and approved by the Building Official prior to proceeding with permanent repairs.

**902.4.6 FAILURE TO PERFORM.** In those instances where the property owner or other interested party of record either does not respond to the Building Official's Notice of Determination or approved Hazard Abatement Plan, responds untimely, or responds timely but fails to abate the public nuisance within the required time period, the imminent hazard and dangerous structure will be subject to immediate abatement by the Building Official.

**902.4.7 PUBLIC NUISANCE.** All structures or portions of such structures which, after inspection by the Building Official, are determined to be an imminent hazard and dangerous, either to the public, occupants of the subject structure, or to any adjacent structures, are hereby declared to be public nuisances and must be abated by the owner in accordance with the procedures specified in Sections 43.2.4.4 and 43.2.4.5.

**902.4.8 SUSPENSION OF ABATEMENT OF WORK.** Notwithstanding any code provisions to the contrary, the Building Official is authorized to suspend abatement work, and to allow the property owner or other party of legal interest to complete the abatement work.

**902.4.9 CHANGE OF STATUS.** When the conditions making a structure an imminent hazard and dangerous have been abated, the structure will no longer be considered an imminent hazard and dangerous. However, if the abatement work is temporary in nature, as determined by the Building Official, the structure will remain subject to the provisions of this section.

**902.4.10 DEMOLITION PERMIT.** If the owner of any building or structure has decided to demolish rather than repair, the owner, or the owner's representative, must obtain a demolition permit.

## **902.5 HAZARD ABATEMENT OF HISTORIC BUILDINGS OR STRUCTURES.**

**902.5.1 NOTIFICATION OF IMMINENT HAZARD.** Within ten days after the event, the Building Official must notify the State Historic Preservation Officer that one of the following actions will be taken regarding any historic building or structure determined by the Building Official to represent an imminent hazard to the health or safety of the public, or to pose an imminent threat to the public right of way:

**902.5.1.1 BRACING OR SHORING.** Whenever possible, as determined by the Building Official, the building or structure may be braced or shored in such a manner as to mitigate the hazard to public health or safety or the hazard to the public right-of-way.

**902.5.1.2 CONDEMNATION.** Whenever bracing or shoring is determined to be an unreasonable alternative, the Building Official may cause the building or structure to be condemned and immediately demolished. Such condemnation and demolition may be performed in the interest of public health or safety without a condemnation hearing as required by the Uniform Code for the Abatement of Dangerous Buildings.

**902.5.2 CONDEMNATION PROCEEDINGS.** If, ten days after the event and less than thirty (30) days after the event, an historic building or structure is determined by the Building Official to represent a hazard to the health or safety of the public or to pose a threat to the public right of way, the Building Official may initiate condemnation proceedings in accordance with the Uniform Code for the Abatement of Dangerous Buildings. The Building Official may also notify the Federal Emergency Management Agency (FEMA), in accordance with the National Historic Preservation Act of 1966, as amended, of its intent to hold a condemnation hearing.

**902.5.3 REQUEST TO DEMOLISH.** If the Building Official and the owner of any historic building or structure agree that such a building or structure should be demolished, the Building Official must submit a request to demolish to the Federal Emergency Management Agency, in accordance with the National Historic

Preservation Act of 1986, as amended. Such request must include all substantiating data.

## **SECTION 903 – DISASTER REPAIR AND RECONSTRUCTION**

**903.1 INTENT.** This section establishes standards and regulations for the expeditious repair and reconstruction of structures damaged as a result of a disaster for which a local emergency has been declared.

### **903.2 APPLICATION OF PROVISIONS.**

**903.2.1 DECLARATION OF EMERGENCY.** The provisions of this chapter are applicable to all buildings and structures regulated by the City following each disaster after a local emergency has been declared.

**903.2.2 WAIVER FOR ENGINEERING EVALUATION.** The requirements of this chapter may be waived by the Building Official subject to an Engineering Evaluation as defined in Section 903.3.3.4.

**903.3 DEFINITIONS.** For the purpose of this section, the following definitions apply:

**903.3.1 ARCHITECT** is a person licensed by the State of California to practice architecture, as prescribed by the State of California Business and Professions Code.

**903.3.2 CIVIL ENGINEER** is a person registered by the State of California to practice Civil Engineering, as prescribed by the State of California Business and Professions Code.

**903.3.3 CURRENT CODE** means those codes adopted by the City pursuant to California Health and Safety Code § 18941.5.

**903.3.4 ENGINEERING EVALUATION** is an evaluation of a damaged building or structure, or suspected damaged building or structure, performed under the direction of a structural engineer, civil engineer, or architect retained by the owner of the building or structure. Engineering evaluations must, at a minimum, contain recommendations for repair and an appropriate opinion of the construction cost for those repairs. All engineering evaluations must include the engineer's or architect's stamp, wet-signature, and license expiration date.

**903.3.5 ESSENTIAL SERVICE FACILITY** means those buildings or structures designated by the City to house facilities necessary for emergency operations subsequent to a disaster.

**903.3.6 REPLACEMENT VALUE** is the dollar value, as determined by the building official, for replacing a damaged structure with a new structure of the same size, same type of construction, and same occupancy, and located on the same site.

**903.3.7 STRUCTURAL ENGINEER** is a person registered by the State of California to practice civil engineering and to use the title, Structural Engineer, as defined in Section 5537.1 of the State of California Business and Professions Code.

**903.3.8 VALUE OF REPAIR** is the dollar value, as determined by the Building Official, for making necessary repairs to the damaged structure.

#### **903.4 REPAIR CRITERIA**

**903.4.1 GENERAL.** Buildings and structures of all occupancies which have been damaged as the result of a disaster, except as otherwise noted, must be repaired in accordance with the following criteria:

**903.4.2 UP TO TEN PERCENT REPAIR VALUE.** When the estimated value of repair does not exceed ten percent of the replacement value of the structure, the damaged portion may be restored to the pre-disaster condition; except that when the damaged elements include suspended ceiling systems, the ceiling system must be repaired with all bracing required by current code.

**903.4.3 UP TO FIFTY PERCENT REPAIR VALUE.** When the estimated value of repair is greater than ten percent but less than fifty percent of the replacement value of the structure, the damaged elements must be repaired and brought into conformance with the structural requirements of the current code.

**903.4.4 MORE THAN FIFTY PERCENT REPAIR VALUE.** When the estimated value of repair is fifty percent or more of the replacement value of the structure, the entire structure must be brought into conformance with the fire and life safety and structural requirements of the current code.

**903.4.5 CHIMNEY VALUE EXCLUSION.** In Group R, Division 3, occupancies, the repair value of damaged chimneys may be excluded from the computation of percentage of replacement value. Damaged chimneys must be repaired in accordance with Section 903.5.

#### **903.5 REPAIR CRITERIA FOR FIREPLACES AND CHIMNEYS.**

**903.5.1 GENERAL.** All damaged chimneys must be repaired or reconstructed to comply with the requirements of Chapter 21 of the CBC. Damaged portions of chimneys must be removed in accordance with the following criteria.

**903.5.2 DAMAGE ABOVE THE ROOF LINE.** When the damaged portion of the chimney is located between the roof line and the top of the chimney, the damaged portion may be removed to the roof line provided the roof and ceiling anchorage are in sound condition. The reconstruction portion of the chimney must be braced to the roof structure using an approved method.

**903.5.3 SINGLE-STORY STRUCTURE DAMAGE BELOW THE ROOF LINE.** For a single-story structure in which the damaged portion of the chimney is below the

roof line, or the damaged portion extends from above the roof line to below the roof line, the chimney must be removed to the top of the firebox.

**903.5.4 MULTI-STORY STRUCTURE DAMAGE BELOW THE ROOF LINE.** For a multi-story structure, the damaged portion of the chimney must be removed from the top to a floor line where anchorage is found.

**903.5.5 FIREBOX DAMAGE.** In any structure where the firebox has been damaged, the entire chimney and firebox must be removed to the foundation. If the foundation is in sound condition, the firebox and chimney may be reconstructed using the existing foundation. If the foundation has been damaged, the foundation must be removed and replaced. Such reconstruction and replacement must be in accordance with Chapter 21 of the CBC Code.

**903.5.6 ENGINEERED ALTERNATE SOLUTIONS.** Where existing conditions preclude the installation of all anchorage required by Chapter 21 of the CBC, alternate systems may be used in accordance with the alternate methods and materials provisions of the CBC when approved by the Building Official.

**903.5.7 BRACING.** Where the portion of the chimney extending above the roof line exceeds two times the least dimension of the chimney, that portion above the roof line must be braced to the roof structure using an approved method.

#### **903.6 REPAIR CRITERIA FOR HISTORIC BUILDINGS OR STRUCTURES.**

**903.6.1 ENGINEERING EVALUATION REQUIRED.** Buildings or structures which are included on a national, state, or local register for historic places or which are qualifying structures within a recognized historic district, which have been damaged as a result of a disaster, must have an engineering evaluation performed.

**903.6.2 MINIMUM REPAIR CRITERIA.** The minimum criteria for repair are included in Section 903.4, Repair Criteria, with due consideration given to the historical rating and nature of the structures. Additional standards and criteria, as noted in Part 8, Title 24, California Code of Regulations, also apply.

#### **903.7 REPAIR CRITERIA FOR UNREINFORCED MASONRY BUILDINGS AND STRUCTURES.**

**903.7.1 GENERAL.** All damaged buildings determined to be bearing wall buildings constructed of unreinforced masonry must be repaired and strengthened to fully comply with the requirements of § 16.04.375."

**SECTION 15:** The City Council hereby finds, determines and declares as follows:

The amendments to the Codes, as set forth in this Ordinance, are reasonably necessary because of the following local climatic, topographical and geological conditions.

I. Climatic Conditions

- A. The jurisdiction of Stanton is located in a semi-arid Mediterranean type climate. It annually experiences extended periods of high temperatures with little or no precipitation. Hot, dry (Santa Ana) winds, which may reach speeds of 70 M.P.H. or greater, are also common to the area. These climatic conditions cause extreme drying of vegetation and common building materials. Frequent periods of drought and low humidity add to the fire danger. This predisposes the area to large destructive fires (conflagration). In addition to directly damaging or destroying buildings, these fires are also prone to disrupt utility services throughout the County. Obstacles generated by a strong wind, such as fallen trees, street lights and utility poles, and the requirement to climb 75 feet vertically up flights of stairs will greatly impact the response time to reach an incident scene. Additionally, there is a significant increase in the amount of wind force at 60 feet above the ground. Use of aerial type fire fighting apparatus above this height would place rescue personnel at increased risk of injury.
- B. The climate alternates between extended periods of drought and brief flooding conditions. Flood conditions may affect the Orange County fire Authority's ability to respond to a fire or emergency condition. Floods also disrupt utility services to buildings and facilities within the County.
- C. Water demand in this densely populated area far exceeds the quantity supplied by natural precipitation; and although the population continues to grow, the already-taxed water supply does not. California is projected to increase in population by nearly 10 million over the next quarter of a century with 50 percent of that growth centered in Southern California. Due to storage capacities and consumption, and a limited amount of rainfall future water allocation is not fully dependable. This necessitates the need for additional and on-site fire protection features. It would also leave tall buildings vulnerable to uncontrolled fires due to a lack of available water and an inability to pump sufficient quantities of available water to floors in a fire.
- D. These dry climatic conditions and winds contribute to the rapid spread of even small fires originating in high-density housing or vegetation. These fires spread very quickly and create a need for increased levels of fire protection. The added protection of fire sprinkler systems and other fire protection features will supplement normal fire department response by providing immediate protection for the building occupants and by containing and controlling the fire spread to the area of origin. Fire sprinkler systems will also reduce the use of water for firefighting by as much as 50 to 75 percent.

- E. Untreated wood roofs cause or contribute to serious fire hazard and to the rapid spread of fires when such fires are accompanied by high winds. Pieces of burning wooden roofs become flying brands and are carried by the wind to other locations and thereby spread fire quickly. Recent Grand Jury Report findings support this concern.

## II. Topographical conditions

- A. Natural; slopes of 15 percent or greater generally occur throughout the foothills of Orange County. The elevation change cause by the hills creates the geological foundation on which communities with Orange County is built and will continue to build. With much of the populated flatlands already built upon, future growth will occur steeper slopes and greater constraints in terrain.
- B. Traffic and circulation congestion is an artificially created, obstructive topographical condition, which is common throughout Orange County.
- C. These topographical conditions combine to create a situation, which places fire department response time to fire occurrences at risk, and makes it necessary to provide automatic on-site fire-extinguishing systems and other protection measures to protect occupants and property.

## III. Geological Conditions

The Orange County region is a densely populated area that has buildings constructed over and near a vast and complex network of faults that are believed to be capable of producing future earthquakes similar or greater in size that the 1994 Northridge and the 1971 Sylmar earthquakes. Earthquake faults run along the northeast and southwest boundaries of Orange County. The Newport-Inglewood Fault, located within Orange County was the source of the destructive 1933 Long Beach earthquake (6.3 magnitude) which took 120 lives and damaged buildings in an area from Laguna Beach to Marina Del Rey to Whittier. In December 1989, another earthquake occurred in the jurisdiction of Irvine at an unknown fault line. Regional planning for reoccurrence of earthquakes is recommended by the state of California, Department of Conservation.

- A. Previous earthquakes have been accompanied by disruption of traffic flow and fires. A severe seismic event has the potential to negatively impact any rescue or fire suppression activities because it is likely to create obstacles similar to those indicated under the high wind section above. With the probability of strong aftershocks there exists a need to provide increased protection for anyone on upper floors of buildings. The October 17, 1989, Santa Cruz earthquake resulted in one major fire in the Marina District (San Francisco). When combined with the 34 other fires locally and over 500 responses, the department was taxed to its fullest



capabilities. The Marina fire was difficult to contain because mains supplying water to the district burst during the earthquake. This situation creates the need for both additional fire protection and automatic on-site fire protection for building occupants. State Department of Conservation noted in their 1988 report (Planning Scenario on a Major Earthquake on the Newport-Inglewood Fault Zone, page 59), "unfortunately, barely meeting the minimum earthquake standards of building codes places a building on the verge of being legally unsafe."

- B. Road circulation features located throughout the County also make amendments reasonably necessary. Located through the County are major roadways, highways and flood control channels that create barriers and slow response times. Hills, slopes, street and storm drain design accompanies with occasional heavy rainfall, causes roadway flooding and landslides and at times may make an emergency access route impassable. There are areas in Orange County that naturally have extended emergency response times that exceed the 5 minute goal.
- C. Soils throughout the County possess corrosive properties that reduce the expected usable life of water services when metallic pipes in contact with soils are utilized.
- D. Portions so of the County contain active or former oil production fields. These areas contain a variety of naturally occurring gasses, liquids and vapors. These compounds present toxicity or flammability hazards to building occupants. Evaluation of these hazards and the risks they pose to development is necessary implement appropriate mitigation.

Due to the topographical conditions of sprawling development separated by waterways and narrow and congested streets and the expected infrastructure damage inherent in seismic zone described above, it is prudent to rely on automatic fire sprinkler systems to mitigate extended fire department response time and keep fires manageable with reduced fire flow (water) requirements for a given structures. Additional fire protection is also justified to match the current resources of firefighting equipment and personnel within the Orange County Fire Authority.

#### C. Specific Code Amendment Findings

Amendments to the 2013 Edition of the California Building Code (CBC), California Residential Code (CRC) and California Green Building Standards Code (CGBSC) are found reasonably necessary based on the climatic and/or geologic conditions cited above or administrative and are listed as follows:

<b>CODE SECTION</b>	<b>TITLE (Clarification)</b>	<b>FINDINGS I,II,III</b>
<b>CBC</b>		
202	General definitions (High-rise, EHLF)	Admin
403.1	High-rise buildings Applicability	II & III-A
412.7.6 thru 412.7.6.13	Emergency Helicopter Landing Facility	II & III-A
903.2	Where required (Sprinklers)	II & III-B
903.2.8	Group R (Sprinklers)	II-B & III-B
903.3.5.3	Hydraulically calculated systems	I & II
903.4	Sprinkler system supervision and alarms (of valves)	III-A
905.4	Location of Class I standpipe hose connections	III-A
907.2.13	High-rise buildings (Alarm Systems)	Admin
907.3.1	Duct smoke detectors	III-A
907.5.2.2	Emergency voice/alarm communication system	II & III-A
907.6.3.2	High Rise	I
907.6.5	Monitoring	I
Table 1505.1, 1505.1.3	Roof Coverings	I
Chapter 35	Reference Standards	
	2010 NFPA 13 (Sprinkler Systems)	Admin, II & III
	2010 NFPA 13-R (Multi-Family Sprinkler Systems)	II & III
	2010 NFPA 13-D (Single Family Sprinkler Systems)	II & III
	2007 NFPA 14 (Standpipe Systems)	II & III
	2010 NFPA 24 (Underground Water Supply Systems)	II & III
<b>CRC</b>		
Table R301.2(1)	Design Criteria	Admin
R309.6	Fire sprinkler attached garages, carports with habitable space above	III
R313.1	Townhouse automatic fire sprinkler systems	III
R313.2	One- and two-family dwellings automatic fire sprinkler system	III
R313.3.6.2.2	Calculation procedures	III
R319	Site Address	II
R403.1.3,	Seismic Design	III

R405.1		
R902.1, R902.1.3, R902.2	Roof Coverings	I
R1001.13	Spark arrestors	I & II
Chapter 44	Reference Standards	
	2010 NFPA 13 (Sprinkler Systems)	Admin II & III
	2010 NFPA 13-R (Multi-Family Sprinkler Systems)	II & III
	2010 NFPA 13-D (Single Family Sprinkler Systems)	II & III
	2007 NFPA 14 (Standpipe Systems)	II & III
	2010 NFPA 24 (Underground Water Supply Systems)	II & III
	<b>CGBSC</b>	
202	Sustainability	Admin

**SECTION 16:** CEQA. This Ordinance is not a project within the meaning of CEQA Guidelines section 15378 because it has no potential for resulting in physical change in the environment, directly or indirectly. The City Council further finds, under section 15061(b)(3), that this Ordinance is nonetheless exempt from the requirements of CEQA in that the activity is covered by the general rule that CEQA applies only to activities that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The City Council, therefore, directs that a Notice of Exemption be filed with the County Clerk of the County of Orange in accordance with CEQA Guidelines.

**SECTION 17:** If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

**SECTION 18:** The City Clerk shall certify to the adoption of this Ordinance and cause same to be posted in the three (3) designated posting places within the City of Stanton within fifteen (15) days after its passage.

**PASSED, APPROVED, AND ADOPTED.**

\_\_\_\_\_  
BRIAN DONAHUE, MAYOR

ATTEST:

\_\_\_\_\_  
PATRICIA A. VAZQUEZ, CITY CLERK

APPROVED AS TO FORM

\_\_\_\_\_  
MATTHEW E. RICHARDSON, CITY ATTORNEY

STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) ss.  
CITY OF STANTON )

I, Patricia A. Vazquez, City Clerk of the City of Stanton, California, do hereby certify that the foregoing Ordinance No. 1061 was introduced at a regular meeting of the City Council of the City of Stanton, California, held on the 25<sup>th</sup> day of October, 2016 and was duly adopted at a regular meeting of the City Council held on the 8th day of November, 2016, by the following roll-call vote, to wit:

AYES: COUNCILMEMBERS: \_\_\_\_\_

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS: \_\_\_\_\_

ABSTAIN: COUNCILMEMBERS: \_\_\_\_\_

CITY CLERK, CITY OF STANTON