

**CITY COUNCIL OF MONTEREY PARK
AND THE CITY COUNCIL ACTING ON BEHALF OF THE SUCCESSOR AGENCY OF THE FORMER
REDEVELOPMENT AGENCY
AGENDA**

**REGULAR MEETING
Monterey Park City Hall Council Chambers
320 W. Newmark Avenue, Monterey Park, CA 91754**

**Wednesday
November 20, 2019
7:00 p.m.**

**MISSION STATEMENT
The mission of the City of Monterey Park is to provide excellent services
to enhance the quality of life for our entire community.**

Documents related to an Agenda item are available to the public in the City Clerk's Office located at 320 West Newmark Avenue, Monterey Park, CA 91754, during normal business hours and the City's website at www.montereypark.ca.gov.

PUBLIC COMMENTS ON AGENDA ITEMS

You may speak up to 5 minutes on Agenda item. You may combine up to 2 minutes of time with another person's speaking. No person may speak more than a total of 10 minutes. The Mayor and City Council may change the amount of time allowed for speakers.

Per the Americans with Disabilities Act, if you need special assistance to participate in this meeting please call City Hall at (626) 307-1359 for reasonable accommodation at least 24 hours before a meeting. Council Chambers are wheelchair accessible.

This Agenda includes items considered by the City Council acting on behalf of the Successor Agency of the former Monterey Park Redevelopment Agency which dissolved February 1, 2012. Successor Agency matters will include the notation of "SA" next to the Agenda Item Number.

CALL TO ORDER **Mayor**

FLAG SALUTE **The Monterey Park Police Explorers**

ROLL CALL **Peter Chan, Mitchell Ing, Stephen Lam, Hans Liang, Teresa Real Sebastian**

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

PUBLIC COMMUNICATIONS. While all comments are welcome, the Brown Act does not allow the City Council to take action on any item not on the agenda. The Council may briefly respond to comments after Public Communications is closed. Persons may, in addition to any other matter within the City Council's subject-matter jurisdiction, comment on Agenda Items at this time. If you provide public comment on a specific Agenda item at this time, however, you cannot later provide comments at the time the Agenda Item is considered.

ORAL AND WRITTEN COMMUNICATIONS

[1.] PRESENTATION

1-A. SOUTHERN CALIFORNIA GAS CO. PRESENTATION ON RENEWABLE NATURAL GAS – BALANCED ENERGY

[2.] OLD BUSINESS

2-A. CONSIDERATION OF A DRAFT LAND USE ELEMENT (LUE) OF THE GENERAL PLAN, FINAL ENVIRONMENTAL IMPACT REPORT, AND FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS.

It is recommended that the City Council consider:

- (1) Adopting a Resolution adopting the Land Use Element (subject to voter approval); certifying the Final Environmental Impact Report; and adopting Mitigation Measures, Findings of Facts and Statement of Overriding Considerations for the Land Use Element; and
- (2) Take such additional, related, action that may be desirable.

2-B. CONSIDERATION AND DIRECTION REGARDING PLACING A PROPOSITION ON THE MARCH 3, 2020 BALLOT TO ADOPT THE LAND USE ELEMENT TO THE MONTEREY PARK GENERAL PLAN

It is recommended that the City Council:

- (1) Receive and file this report;
- (2) Provide direction to the City Manager regarding drafting a ballot proposition for consideration on the December 4, 2019 City Council meeting; and
- (3) Take such additional, related, action that may be desirable.

2-C. BALLOT PROPOSITION TO IMPOSE A ¾ CENT SALES TAX FOR GENERAL MUNICIPAL PURPOSES

It is recommended that the City Council consider the following:

- (1) Adopting a resolution placing a proposition on the March 3, 2020 ballot which, if adopted by a majority of voters, would impose a general sales tax;
- (2) If desirable, adopt a resolution placing an advisory proposition on the March 3, 2020 ballot which, if adopted by a majority of voters, would express the voters' preference regarding how new tax revenue should be spent. If adopted, this advisory measure would not be legally binding upon the City;
- (3) Determining whether to designate person(s) for filing an argument favoring the ballot proposition(s);
- (4) Adopting a resolution requesting that the City Attorney prepare an impartial analysis for the ballot measure(s);
- (5) Adopting a Resolution establishing regulations for ballot arguments; and
- (6) Take such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

This action is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 2100, *et seq.*, "CEQA") and CEQA regulations (14 California Code of Regulations §§ 15000, *et seq.*) because it establishes rules and procedures to implement government funding mechanisms; does not involve any commitment to a specific project which could result in a potentially significant physical impact on the environment; and constitutes an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. Accordingly, this Proposition does not constitute a "project" that requires environmental review (see specifically 14 CCR § 15378(b)(4-5)).

[3.] CONSENT CALENDAR ITEMS NOS. 3A-3F

3-A. WARRANT REGISTER FOR SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY OF NOVEMBER 20, 2019

It is recommended that the City Council:

- (1) Approve payment of warrants and adopt a Resolution of the Successor Agency to the former Monterey Park Redevelopment Agency allowing certain claims and demands per warrant register dated November 20, 2019 totaling \$21.22 and specifying the funds out of which the same are to be paid; and
- (2) Take such additional, related, action that may be desirable.

3-B. WARRANT REGISTER FOR THE CITY OF MONTEREY PARK OF NOVEMBER 20, 2019

It is recommended that the City Council:

- (1) Approve payment of warrants and adopt a Resolution allowing certain claims and demands per Warrant Register dated November 20, 2019 totaling \$1,061,085.94 specifying the funds out of which the same are to be paid; and
- (2) Take such additional, related, action that may be desirable.

3-C. MONTHLY INVESTMENT REPORT – OCTOBER 2019

It is recommended that the City Council:

- (1) Receive and file the monthly investment report; and
- (2) Take such additional, related, action that may be desirable.

3-D. MINUTES

It is recommended that the City Council and the City Council (acting on behalf of the Successor Agency):

- (1) Approve the minutes from the regular meetings of August 21, 2019, September 4, 2019, and September 18, 2019, and the special meeting of August 21, 2019; and
- (2) Take such additional, related, action that may be desirable.

3-E. APPROVE THE RECOMMENDED PERSONNEL BOARD APPLICANT TO THE PERSONNEL BOARD

It is recommended that the City Council:

- (1) Approve a recommendation to appoint Ms. Grace Yeh to the Personnel Board; and
- (2) Take such additional, related, action that may be desirable.

3-F. SECOND READING AND ADOPTION: AN ORDINANCE AMENDING TITLES 16 AND 17 OF THE MONTEREY PARK MUNICIPAL CODE BY ADOPTING THE 2019 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE AND THE MONTEREY PARK AMENDMENTS TO THE CALIFORNIA BUILDING STANDARDS CODE

It is recommended that the City Council consider:

- (1) Waiving further reading and adopting the proposed ordinance; and
- (2) Take such additional, related, action that may be desirable.

[4.] PUBLIC HEARING – None.

[5.] NEW BUSINESS – None.

[6.] COUNCIL COMMUNICATIONS AND MAYOR/COUNCIL AND AGENCY MATTERS

[7.] CLOSED SESSION (IF REQUIRED; CITY ATTORNEY TO ANNOUNCE)

ADJOURN



City Council Staff Report

DATE: November 20, 2019

AGENDA ITEM NO: Old Business
Agenda Item 2-A

TO: Honorable Mayor and Members of the City Council
FROM: Mark A. McAvoy, Director of Public Works/City Engineer/City Planner
SUBJECT: Consideration of a draft Land Use Element (LUE) of the General Plan, Final Environmental Impact Report, and Findings of Fact and Statement of Overriding Considerations.

RECOMMENDATION:

It is recommended that the City Council consider:

- (1) Adopting a Resolution adopting the Land Use Element (subject to voter approval); certifying the Final Environmental Impact Report; and adopting Mitigation Measures, Findings of Facts and Statement of Overriding Considerations for the Land Use Element; and
- (2) Taking such additional, related, action that may be desirable.

SUMMARY

On October 28, 2019, the City Council considered both the Draft Environmental Impact Report and the LUE. The staff report from that meeting is attached for reference. Following the public hearing, the City Council made the following changes to the draft LUE:

- Reduced the Housing Overlay to the portions of South Atlantic Boulevard, between Avenida Cesar Chavez and Brightwood Street (Figure LUE-3);
- Added a new Housing Overlay to portions of Corporate Center Drive (100 du/ac, 125 feet) (Figure LUE-3 and Table LUE-1); and
- Increased the Market Place height allowance to 80 feet (Figure LUE-4).

These changes were incorporated into the draft LUE for review and consideration. However, with regard to the new Corporate Center Drive Housing Overlay, the record is unclear as to the proposed limits of the Overlay zone in relation to Corporate Center Drive, e.g., whether the Overlay zone will be limited to the east side of Corporate Center Drive, or whether it will include both the east and west sides of Corporate Center Drive. Consequently, staff prepared two maps – Land Use Policy Map 1 (which limits the Overlay zone to the east side of Corporate Center Drive) and Land Use Policy Map 2 (which includes both the east and west sides of Corporate Center Drive into the

proposed Overlay zone) – and requests further clarification from Council as to which map accurately depicts Council's direction.

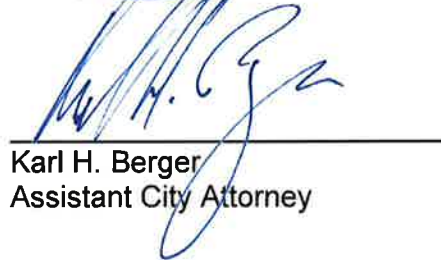
Respectfully Submitted by:

Prepared By:



Mark A. McAvoy
Director of Public Works/City
Engineer/City Planner

Samantha Tewasart
Senior Planner

Ron Bow
City Manager

Karl H. Berger
Assistant City Attorney

Attachments:

- Attachment 1: Draft Resolution
- Attachment 2: Findings of Fact and Statement of Overriding Considerations
- Attachment 3: Draft Monterey Park General Plan Land Use Element and
Focused Environmental Impact Report
- Attachment 4: City Council Staff Report dated October 28, 2019
- Attachment 5: Land Use Policy Map 1 and Land Use Policy Map 2

ATTACHMENT 1

Draft Resolution

RESOLUTION NO.

A RESOLUTION CERTIFYING A FINAL ENVIRONMENTAL IMPACT REPORT, ADOPTING FINDINGS AND A STATEMENT OF OVERRIDING CONSIDERATIONS, ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE MONTEREY PARK FOCUSED GENERAL PLAN UPDATE – MONTEREY PARK 2040, AND ADOPTING – SUBJECT TO VOTER RATIFICATION – AN UPDATED LAND USE ELEMENT TO THE MONTEREY PARK GENERAL PLAN.

The City Council of the City of Monterey Park does resolve as follows:

SECTION 1. The City Council finds and declares that:

- A. Government Code §§ 65300-65302 require the City to adopt and maintain a General Plan that contains certain elements, describes its long-term goals, and develops policies and programs to achieve those goals. By statute, a General Plan is required to be updated “periodically.” The last update to the Land Use Element of the General Plan (the “LUE”) occurred in 2001;
- B. The City is currently proposing a focused update to the LUE (the “Project”);
- C. The City reviewed the Project’s environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, “CEQA”) and the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, *et seq.*, the “CEQA Guidelines”);
- D. The City has prepared a draft environmental impact report (“DEIR”) for the Project which was filed as State Clearing House No. 2001-01-1074). The proposed Final EIR (“FEIR”) incorporates all comments and responses received by the City during the comment period;
- E. On September 24, 2019, the Planning Commission held a public hearing receive public testimony and other evidence regarding the proposed amendment, including information provided to the Planning Commission by City staff and public testimony;
- F. On September 24, 2019, the Planning Commission adopted Resolution No. 15-19 recommending that the City Council approve the proposed project;
- G. Notices of Public Hearings before the Planning Commission and the City Council were duly given and published in the time, form and manner as required by law; and
- H. On October 28, 2019 and November 20, 2019, the City Council held a public hearing regarding the Project. This Resolution, and its findings, is adopted based upon the evidence set forth in the entire record including, without limitation, documentary and testimonial evidence; the staff report; and such additional

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information set forth in the entire administrative record that is too voluminous to reference, but is on file with the City Clerk's office.

SECTION 2. *Factual Findings and Conclusions.* The City Council finds that the following facts exist and makes the following conclusions:

- A. In 2018 the City Council directed staff to begin comprehensive updates to the Monterey Park General Plan; the first element to be considered is the Land Use Element (LUE) – which was last updated in 2001.
- B. The City proactively engaged the public regarding the focused update to the General Plan including: (1) creating the General Plan Advisory Committee (GPAC); (2) conducting stakeholder interviews; (3) creating a public website for the Project; (4) circulating a community survey; (5) polling participants of the Cherry Blossom Festival regarding land use alternatives; (6) hosting a public meeting to present the General Plan's technical findings; and (7) holding an environmental scoping meeting.
- C. The proposed focused update to the General Plan contains a thorough and adequate treatment of land use, economic, environmental and development issues within the realm of the planning period.
- D. The proposed focused update to the General Plan is internally consistent and would not be a detriment to the public interest, health, safety, convenience, and welfare of the City.
- E. The proposed focused update to the General Plan encourages appropriate land uses, preservation of neighborhood character and natural resources, infill of vacant land area, new multi-family residential development, provision of urban services and utilities, pedestrian facilities and enhancement of the property tax base.

SECTION 3. *Environmental Assessment.* The City Council makes the following environmental findings:

- A. Because of the facts and conclusions identified in Section 2 of this Resolution and in accordance with CEQA Guidelines § 15082, the City filed a Notice of Preparation (NOP) of a Draft EIR (DEIR) with the State Clearinghouse (SCH) Office of Planning and Research (OPR); the NOP included a comment period from April 16 to May 16, 2019. The SCH OPR assigned SCH Number 2001-01-074 to the environmental documentation for the Project.
- B. A Scoping Meeting to solicit public input on the issues proposed for consideration in the DEIR was held on May 7, 2019 at 6:00 P.M. at the Monterey Park City Hall Council Chambers. A total of six written responses were received on the NOP.

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- C. In accordance with CEQA, a Notice of Completion (NOC) of the DEIR was filed with the SCH OPR on June 7, 2019.

SECTION 4. The public review period for the DEIR commenced on June 10, 2019 and ended on July 25, 2019. The DEIR was distributed to government agencies, neighboring cities and interested parties. The City's Notification Mailing List is available at the City of Monterey Park's Public Works Department – Planning Division. A total of three written responses were received regarding the DEIR.

- A. Comments received during the public review period for the DEIR were responded to in the Responses to Comments Report.
- B. A FEIR was prepared for the Project, comprised of the following components:
1. DEIR and Technical Appendices (June 2019).
 2. Comments received on the DEIR and responses to those comments documented in the Responses to Comments Report (June 2019).
 3. Clarifications and Revisions.
 4. Mitigation Monitoring and Reporting Program (MMRP).
- C. The FEIR (including documents and other materials that constitute the record of proceedings on which the City's findings and decisions are based) is located at City of Monterey Park, 320 W. Newmark Avenue, Monterey Park, CA 91754. The custodian for these documents is the Senior Planner. This information is provided in compliance with CEQA § 21081.6(a)(2) and CEQA Guidelines § 15091(e).
- D. The FEIR is incorporated into this Resolution by reference as if fully set forth. Pursuant to CEQA Guidelines § 15090, the FEIR reflects the City's independent judgment and analysis. The City Council has independently reviewed and analyzed the DEIR prepared for the proposed Project. The DEIR and FEIR are accurate and complete statements of the potential environmental impacts of the Project.
- E. Because of the facts identified in this Resolution, the DEIR showed that a Statement of Overriding Considerations would be required in order for the Project to be approved.
- F. The FEIR generally identifies, for each potentially significant impact of the project, one or more corresponding mitigation measures to reduce such impact to a level of insignificance, with the exception of Air Quality, Greenhouse Gas Emissions, Noise, and Transportation and Traffic. The City Council finds that

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many of the mitigation measures described in the FEIR may lessen or avoid impacts in impact categories other than the categories for which they are specifically proposed. Accordingly, the City Council finds that each potentially significant impact identified by the FEIR is mitigated by its corresponding mitigation measures to the extent set forth in the FEIR ("specific mitigation") and by other, non-corresponding, mitigation measures recommended for approval by the City Council that were already incorporated into the Project ("general mitigation"). These findings will be applicable wherever supported by the evidence in the record regardless of whether a specific finding or an instance of such general mitigation is made.

SECTION 5. Actions. The City Council takes the following actions:

- A. Adopts the LUE, subject to voter ratification on March 3, 2020, attached as Attachment 3, and incorporated into this Resolution by reference;
- B. Certifies the FEIR attached as Attachment 3, and incorporated by reference, subject to the mitigation monitoring and reporting program ("MMRP") required by CEQA § 21081.6 and CEQA Guidelines § 15097;
- C. Adopts the Findings of Fact and a Statement of Overriding Considerations in accordance with the requirements of CEQA § 21081 as set forth in attached Attachment 2, which is incorporated into this Resolution by reference; and
- D. Adopts the MMRP set forth in attached Attachment 3, which is incorporated into this Resolution by reference, in accordance with the requirements of CEQA §§ 21081(a) and 21081.6.

SECTION 6. Reliance on the Record. Each and all of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 7. Limitations. The City Council's analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the City Council's lack of knowledge of future events. In all instances, best efforts were made to form accurate assumptions. Somewhat related to this are the limitations on the City's ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

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SECTION 8. *Summaries of Information.* All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 9. If any part of this Resolution or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Resolutions are severable.

SECTION 10. The City Clerk is directed to mail a copy of this Resolution to any person requesting a copy.

SECTION 11. This Resolution becomes effective immediately upon adoption.

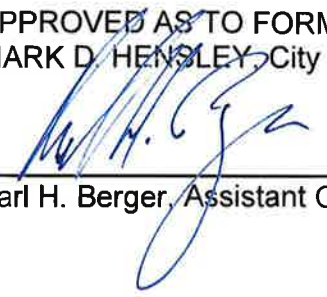
PASSED, APPROVED, AND ADOPTED this November 20, 2019.

Hans Liang, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:
MARK D. HENSLEY, City Attorney



Karl H. Berger, Assistant City Attorney

ATTACHMENT 2

Findings of Fact and Statement of Overriding Considerations

**PLANNING COMMISSION RESOLUTION NO.
EXHIBIT __**

**CITY COUNCIL RESOLUTION NO. _____
Exhibit __**

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS

After receiving, reviewing, and considering all the information in the entire administrative record for Environmental Impact Report (SCH #2001-01-1074) and the Monterey Park Focused General Plan Update – Monterey Park 2040 (the “Project”) including, without limitation, the factual information and conclusions set forth in this Resolution and its attachment, the City Council finds, determines, and declares as follows:

I. FINDINGS REQUIRED BY CEQA.

CEQA Guidelines § 15090 require the City to certify that:

1. The Final Environmental Impact Report (“FEIR”) has been completed in compliance with CEQA;
2. The FEIR was presented to the decision-making body of the lead agency and that that decision-making body reviewed and considered the information contained in the final EIR before approving the Project; and
3. The FEIR reflects the lead agency’s independent judgment and analysis.

II. FINDINGS REGARDING THE POTENTIAL ENVIRONMENTAL EFFECTS OF THE PROJECT.

A. Determination to Prepare an Environmental Impact Report (“EIR”).

CEQA Guidelines § 15060 provides that if the lead agency can determine that an EIR will be clearly required for a project, the agency may skip further initial review of the project and begin work directly on the EIR process described in commencing with CEQA Guidelines § 15080. In the absence of an initial study, the lead agency must still focus the EIR on the significant effects of the project and briefly indicate its reasons for determining that other effects would not be significant or potentially significant. The City of Monterey Park determined that preparation of a Draft EIR (“DEIR”) was required for the Project. No initial study was conducted nor were any of the CEQA Appendix G checklist topical areas eliminated from consideration of impacts. Therefore, in the absence of preparing an initial study, all 20 of these topical areas were analyzed in the DEIR before determining that any impact was insignificant or less than significant.

B. Impacts Found To Be Insignificant in the DEIR.

The analysis within the DEIR for the Project, dated June 2019, identified the following environmental effects as not potentially significant. Accordingly, the City Council finds that the DEIR, the FEIR, and the record of proceedings for the Project do not identify or contain substantial evidence identifying significant environmental effects of the Project with respect to the areas listed below.

1. Agriculture and Forestry Resources.

2. Biological Resources (Animal Migration and Conservation, and Habitat Conservation Plans).
3. Geology and Soils (Septic Tanks).
4. Hazards and Hazardous Materials (Airports).
5. Hydrology and Water Quality (Drainage – Impede or Redirect Flood Flows).
6. Mineral Resources.
7. Transportation and Traffic (Conflicts with CEQA).
8. Utilities and Service Systems (Solid Waste Regulations).

C. Impacts Identified as Less Than Significant in the DEIR.

The analysis within the DEIR identified the following environmental effects as less than significant. Accordingly, the City Council finds that the DEIR, the FEIR, and the record of proceedings for the Project do not identify or contain substantial evidence identifying significant environmental effects of the Project with respect to the areas listed below.

1. Aesthetics.
2. Air Quality (Exposure of Sensitive Receptors to Pollutants; and Objectionable Odors).
3. Biological Resources (Sensitive Natural Communities and Riparian Habitat; Wetland Conservation; and Local Biological Resource Policies).
4. Cultural Resources (Archaeological Resources; and Human Remains).
5. Energy
6. Geology and Soils (Faults, Liquefaction, and Seismic-Related Ground Failure; Soil Erosion; Slope Stability and Landsliding; Expansive Soils; Paleontological Resources).
7. Hazards and Hazardous Materials (Transport, Use, and Disposal Hazards; Hazardous Materials; Emit Hazardous Emissions; Hazardous Materials Sites; Adopted Response and/or Evacuation Plans; and Wildland Fires).
8. Hydrology and Water Quality (Water Quality Standards; Drainage; Flood Risk; and Water Quality).
9. Land Use and Planning.
10. Noise (Increase in Stationary and Other Sources of Noise; Groundborne Vibrations; and Excessive Noise Levels Within Airport Vicinity).
11. Population and Housing.

12. Public Services
13. Recreation.
14. Transportation and Traffic (Design Feature Hazards; and Emergency Access).
15. Tribal Cultural Resources.
16. Utilities and Service Systems (Relocation or New Utilities; Wastewater Capacity; and Solid Waste Capacity).
17. Wildfire.

D. Impacts Identified as Potentially Significant in the DEIR But Which Can Be Reduced to Less-Than-Significant Levels with Mitigation Measures.

The City Council finds that the following environmental effects were identified as Less Than Significant with Mitigation Incorporated in the DEIR, the FEIR, and implementation of the identified mitigation measures would avoid or lessen the potential environmental effects listed below to a less-than-significant level.

1. Biological Resources.

a) Facts/Effects:

(1) Special Status Species Protections. The Project could have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

The burrowing owl (*Athene cunicularia*), a California species of special concern, has low potential to occur in the Planning Area of the Project due to grasslands (including non-native that have been mowed or disked) and where suitable burrows are present (typically from presence of the California ground squirrel (*Otospermophilus beecheyi*) or other mammal burrows, as well as debris piles, and man-made culverts. Additionally, native trees, ornamental trees, and various other substrates within the Planning Area have to provide nesting habitat for protected bird species, where destruction of or disturbance to an active nest is prohibited. Project-related construction activities could have the potential to result in significant direct and/or indirect impacts. Implementation of Mitigation Measures BIO-1 through BIO-3 would lessen construction-related impacts by requiring pre-construction surveys and consultation to determine appropriate protocols that must be employed to reduce the impact of this environmental effect to a less than significant level.

(2) Cumulative Impacts. The project could cause substantial adverse cumulative impacts with respect to biological resources.

The Planning Area is mostly developed and urbanized. All cumulative biological impacts associated with implementation of the Project would be less than significant with implementation of Mitigation Measures BIO-1 through BIO-3, which address any potential impacts to burrowing owls and nesting migratory birds. Therefore, no unavoidable, cumulative impacts to biological resources would result from the Project.

b) Mitigation:

Mitigation Measures BIO-1 through BIO-3, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to avoid or substantially lessen the significant biological resources environmental effects as identified in the FEIR.

2. Cultural Resources.

a) Facts/Effects:

(1) Historic Resources. The Project could cause a substantial adverse change in the significance of a historic resource pursuant to CEQA Guidelines §15064.5.

The City identified two historic built environments (Cascades Park and the Jardin del Encanto complex) as listed on the California Register of Historic Resources, and a City Point of Interest (Midwick View Estates) noted by the California office of Historic Preservation. There are no known California Landmarks, no listed buildings or structures on the National Register of Historic Places and the City has not conducted an historic resources survey. Therefore, the number of potential buildings or structures within the City are unknown. The City also does not have regulatory policies in place to protect historic resources. Therefore, an historic conservancy through mitigation is required to avoid or minimize impacts to historic built environments. Implementation of Mitigation Measure CUL-1 would reduce impacts from development on potential historic (buildings and structures) resources to a less than significant level.

(2) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to cultural resources.

The Planning Area is most developed and urbanized but lacks any comprehensive survey of historic structures and/or buildings. All cumulative cultural resource impacts associated with implementation of the Project would be less than significant with implementation of Mitigation Measure CUL-1, which address any potential impacts to an historic resource by requiring an "unique historic resource" evaluation before demolition or alteration of buildings or structures 45 years and

older. Therefore, no unavoidable, cumulative impacts to cultural resources would result from the Project.

b) Mitigation:

Mitigation Measure CUL-1, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to avoid or substantially lessen the significant cultural resources environmental effects as identified in the FEIR.

3. Hydrology and Water Quality.

a) Facts/Effects:

(1) Decrease in Groundwater Supplies. The Project could substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

Implementation of development allowed by the Project is anticipated to largely occur within designated focus areas that are currently developed areas of the City where new impervious surfaces would be minimal and are not expected to interfere with groundwater recharge. However, the City's primary water source is groundwater from seven active wells within the Main San Gabriel Groundwater Basin. Ample water supply is anticipated to serve the expected population as projected by the City of Monterey Park and CalWater planning documents through to 2040. The Project, however, anticipates an increased population, resulting in a possible increase in demand than was originally anticipated by the water purveyor. Implementation of Mitigation Measure UTS-1 would ensure that there is adequate water to serve the City and that the Project would not substantially decrease groundwater supplies.

(2) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to hydrology and water quality.

New development allowed by the Project will primarily result in redevelopment and intensification of properties that are already developed with urban uses and significant impervious surfaces and will have limited effect on drainage or runoff and compliance with standard regulatory requirements will contain impacts to site specific rather than cumulative types. New development would not be anticipated to cumulatively contribute to a groundwater recharge impact, and all hydrology and water quality cumulative impacts would be less than significant with implementation of Mitigation Measure UTS-1, which would ensure adequate water to serve the City without substantial decrease in groundwater supplies. Therefore, cumulative impacts to hydrology and water quality are less than significant.

b) Mitigation:

Mitigation Measure UTS-1, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to avoid or substantially lessen the significant Hydrology and Water Quality environmental effects as identified in the FEIR.

5. Noise.

a) Facts/Effects:

(1) Existing Noise Regulations. Project implementation could result in generation of a substantial temporary increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

The Project would result in the redevelopment or intensification of properties and this would likely involve construction that would result in temporary noise generation, primarily from the use of heavy-duty construction equipment. Since individual site-specific information is unknown, potential short-term (construction-related) noise impacts are anticipated based upon activities associated with residential, commercial and retail development. Potential temporary construction-related noise increases of more than 10 dBA above ambient conditions during permissible construction hours would be a potentially significant effect. Implementation of Mitigation Measure NOISE-1, which requires the use of feasible construction noise control measures when development occurs near noise-sensitive land uses, would reduce potential construction noise impacts to less than significant levels.

(2) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to noise or vibration.

New development allowed by the Project will primarily result in redevelopment and intensification of properties that are already developed with urban uses and with higher ambient noise levels. Construction noise from individual development activities would occur, but with implementation of Mitigation Measure NOISE-1, which would require construction noise control measures, are not considered cumulatively considerable. Therefore, cumulative impacts to Noise, specifically related to existing noise regulations, are less than significant.

b) Mitigation:

Mitigation Measure NOISE-1, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to avoid or substantially lessen the significant Noise (existing noise regulations) environmental effects as identified in the FEIR.

6. Transportation and Traffic.

a) Facts/Effects:

- (1) Existing Circulation System Plans, Ordinances and Policies. The Project could conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

Project-related traffic impacts were determined by comparing the intersection LOS without and with the Project. Significant adverse traffic impacts were identified based on the City's criteria. Under the Project, residential land use growth would be focused in areas designated by the current Housing Element update, and new commercial and office development would be focused in areas designated by the proposed Land Use Plan. The Project anticipates that there will be a reduction in single-family residential units and light industrial facilities throughout the Planning Area. Seven of 30 study intersections would be less than significantly impacted with the implementation of mitigation measures over multiple years as individual properties are developed or redeveloped as follows:

- Corporate Center Drive and I-710
- Fremont Avenue and Monterey Pass Road
- Atlantic Boulevard and Brightwood Street
- Atlantic Boulevard and SR-60 Eastbound Off-Ramp
- Garfield Avenue and Pomona Boulevard
- Markland Drive and Potrero Grande Drive/SR-60 Westbound Off-Ramp
- Saturn Street/Market Place Drive and Potrero Grande Drive

b) Mitigation:

Mitigation Measures as outlined in Table 4.17-14 (Summary of Mitigation Measures), as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to avoid or substantially lessen the significant Transportation and Traffic (relative to specific intersections) environmental effects as identified in the FEIR.

7. Utilities and Service Systems.

a) Facts/Effects:

(1) Water Supply. Implementation of the Project could result in insufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years.

Water districts that serve the Planning Area completed Urban Water Management Plans (“UWMPs”) that assessed water supply availability under various scenarios and determined that there is an ample supply of water. The Project forecasts population growth that exceeds those considered in the Monterey Park UWMP. It is possible that further conservation measures may be needed. Implementation of Mitigation Measure UTS-1 would ensure that there is adequate water to serve the City and the Project reducing the impacts to a less than significant level.

(2) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to utilities and service systems.

The Project forecasts a population increase of 11,693 residents and 2,730 employees through the year 2040. This growth would result in an overall increase in demand for utility services, likely requiring new or expanded facilities over the 20-year planning horizon. New or expanded facilities would be required to comply with CEQA. Further, the cumulative impacts associated with the discrepancies between the Project population and the water district UWMP is addressed through the implementation of Mitigation Measure UTS-1. Therefore, cumulative impacts to Utilities and Service Systems are less than significant.

b) Mitigation:

Mitigation Measure UTS-1, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to avoid or substantially lessen the significant Utilities and Service Systems environmental effects as identified in the FEIR.

E. Significant Unavoidable Effects that Cannot be Mitigated to a Level of Insignificance.

The City Council finds that the following environmental effects were identified as Significant and Unavoidable in the FEIR. Implementation of the identified mitigation measures would lessen the potential environmental effects to the extent feasible but not below a level of significance.

1. Air Quality.

a) Facts/Effects:

(1) Conflicts with Local Air Quality Plan. The Project could conflict with or obstruct implementation of the applicable air quality plan.

Since the growth that could occur under the Project's 2040 conditions would be inconsistent with the 2016 RTP/SCS growth forecasts, the Project could increase the frequency and/or severity of air quality violations in the Basin or otherwise impede attainment of air quality standards. Despite implementation of Mitigation Measures AQ-2A through AQ-2D, impacts in this regard would be significant and unavoidable.

(2) Net Increase of Non-Attainment Criteria Pollutants. The Project could result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard.

Construction emissions associated with a potential level of annual development that is consistent with the Project's 2040 growth projections could result in ROG emissions during architectural coating activities that exceed SCAQMD-recommended CEQA significance thresholds. Further, the modeled maximum daily operational emissions associated with potential 2040 growth under the Project would result in NOx emissions that exceed SCAQMD-recommended CEQA significance thresholds. Despite implementation of Mitigation Measures AQ-2A through AQ-2D impacts in this regard would be significant and unavoidable.

(3) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to air quality.

The Project's 2040 growth projections, and associated construction and operational emissions, are not consistent with SCAQMD planning assumptions and exceed SCAQMD-recommended emissions thresholds. Although implementation of Mitigation Measures AQ-2A through AQ-2D would reduce impacts, a significant and unavoidable impact would remain.

b) Mitigation:

Mitigation Measures AQ-2A through AQ-2D, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to substantially lessen the significant Air Quality environmental effects as identified in the FEIR; however, the conflicts with the local air quality plan, net increase in non-attainment criteria pollutants, and certain cumulative Air Quality impacts of the Project cannot be mitigated below the threshold of significance, and are significant and unavoidable.

2. Greenhouse Gas Emissions.

a) Facts/Effects:

(1) Greenhouse Gas Emissions. The Project could generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

The Project's 2040 growth projection could result in GHG emissions that exceed the adjusted SCAQMD derived plan-level efficiency metric and this would be a significant impact. Despite implementation of Mitigation Measures AQ-2B through AQ-2D, impacts in this regard would be significant and unavoidable.

(2) Conflicts with Adopted Plans. The Project could conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

As stated above, Project growth could result in GHG emissions that exceed the 2017 Climate Change Scoping Plan's recommended efficiency metrics. Additionally, the Project has the potential to result in growth that is not planned for in the City's CAP, which would be a significant impact. Despite implementation of Mitigation Measures AQ-2B through AQ-2D, impacts in this regard would be significant and unavoidable.

(3) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to greenhouse gas emissions.

The Project's 2040 growth projections, and associated GHG emissions, could exceed emissions thresholds and pose a conflict with the 2017 Climate Change Scoping Plan and the City's CAP. Although implementation of Mitigation Measures AQ-2B through AQ-2D would reduce impacts, a significant and unavoidable impact would remain.

b) Mitigation:

Mitigation Measures AQ-2B through AQ-2D, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to substantially lessen the significant Greenhouse Gas Emissions environmental effects as identified in the FEIR; however, the conflicts with the greenhouse gas emission thresholds and adopted plan, and certain cumulative Greenhouse Gas Emissions impacts of the Project cannot be mitigated below the threshold of significance, and are significant and unavoidable.

3. Noise.

a) Facts/Effects:

(1) Increases in Traffic Noise Levels. The Project could result in generation of a substantial permanent increase in ambient noise

levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies.

The increase in traffic noise levels along Atlantic Boulevard resulting in “clearly unacceptable” low density residential noise exposure levels is a significant impact. Despite implementation of Mitigation Measure NOISE-2, impacts in this regard would be significant and unavoidable

(2) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to noise or vibration.

The Project’s long-term increases in traffic in the Planning Area would result in a cumulatively considerable increase in noise exposure to “clearly unacceptable” levels along Atlantic Avenue between El Repetto Drive and Floral Drive, which is a significant impact. Although implementation of Mitigation Measure NOISE-2 would reduce impacts, a significant and unavoidable impact would remain.

b) Mitigation:

Mitigation Measure NOISE-2, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to substantially lessen the significant Noise environmental effects as identified in the FEIR; however, the increase in traffic noise levels and certain cumulative Noise impacts of the Project cannot be mitigated below the threshold of significance, and are significant and unavoidable.

4. Transportation and Traffic.

a) Facts/Effects:

(1) Existing Circulation System Plans, Ordinances and Policies. The Project could conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

Project-related traffic impacts were determined by comparing the intersection LOS without and with the Project. Significant adverse traffic impacts were identified based on the City’s criteria. Under the Project, residential land use growth would be focused in areas designated by the current City Housing Element update, and new commercial and office development would be focused in areas designated by the proposed Land Use Plan. The Project anticipates that there will be a reduction in single-family residential units and light industrial facilities throughout the Planning Area. The Project identifies 27 of 30 study intersections as significantly impacted. Despite the implementation of mitigation measures outlined in Table 4.17-14 of the FEIR, the following Project

intersections would continue to have significant and unavoidable impacts:

- Atlantic Boulevard and Hellman Avenue
- Garfield Avenue and Hellman Avenue
- New Avenue and Hellman Avenue
- Atlantic Boulevard and Emerson Avenue
- Garfield Avenue and Emerson Avenue
- Atlantic Boulevard and Garvey Avenue
- Garfield Avenue and Garvey Avenue
- New Avenue and Garvey Avenue
- Corporate Center Drive and Ramona Boulevard
- Garfield Avenue and Newmark Avenue
- I-710 Northbound On-Ramp/Ford Boulevard and Floral Drive
- Corporate Center Drive/McDonnell Avenue and Floral Drive
- Monterey Pass Road/Mednik Avenue and Floral Drive
- Atlantic Boulevard and Floral Drive
- Collegian Avenue and Avenida Cesar Chavez
- Atlantic Boulevard and Avenida Cesar Chavez
- Atlantic Boulevard and 1st Street/SR-60 Westbound Off-Ramp
- Garfield Avenue and Riggin Street
- Garfield Avenue and Via Campo
- Wilcox Avenue and Pomona Boulevard

- (2) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to transportation and traffic.

Traffic conditions under Future 2040 with the Project would substantially impact 27 of 30 Project study intersections. Although implementation of Mitigation Measures outlined in Table 4.17-14 of the FEIR would reduce impacts, a significant and unavoidable impact would remain.

b) Mitigation:

Mitigation Measures as outlined in Table 4.17-14 (Summary of Mitigation Measures), as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to substantially lessen the significant Transportation and Traffic environmental effects as identified in the FEIR; however, the conflicts with the existing circulation plans, ordinances and policies, and certain cumulative Transportation and Traffic impacts of the Project cannot be mitigated below the threshold of significance, and are significant and unavoidable.

F. Growth Inducing Impacts.

Based upon the FEIR and the record of proceedings in this matter, the City Council finds that there are growth inducing impacts. Implementation of the Project would foster economic growth, resulting in population growth and the construction of additional housing units and nonresidential development within the Planning Area. That growth, however, is anticipated in the focused areas of the City that are already urbanized, allowing for the following net new development: 3,816 dwelling units; 619,932 square feet of new commercial uses; 883,902 square feet of new office space; and 607 hotel rooms.

Implementation of the Project could result in an estimated 11,693 new residents and 2,730 new employees within the Planning Area resulting in a 17 percent population increase over the next 20 years. While this population increase is more growth than the 2016-2040 RTP/SCS anticipates for the City of Monterey Park between 2020 and 2040 by 2,400 residents, this is not considered significant when compared to population and housing growth within the Los Angeles County region – an increase of approximately 1,188,600 residents and 452,900 households by 2040. Implementation of the Project could result in the addition of planned housing units, which would help to meet the anticipated regional housing demand.

G. Project Alternatives.

1. Alternatives Considered but Rejected.

In accordance with CEQA Guidelines § 15126.6(c), an EIR should identify any alternatives that were considered for analysis but rejected as infeasible and briefly explain the reasons for their rejection. According to the CEQA Guidelines, among the factors that may be used to eliminate alternatives from detailed consideration are the alternative's failures to meet most of the basic project objectives, the alternative's infeasibility, or the alternative's inability to avoid significant environmental impacts. There are no alternatives that were considered and rejected in the Project DEIR. Therefore, no finding is required to be made by the City Council relative to rejected alternatives in considering the FEIR.

2. No Project/Existing 2001 General Plan Alternative.

a) Description.

The No Project/Existing 2001 General Plan Alternative (No Project Alternative) assumes that development would occur within the Planning Area. The 2001 General Plan is 20 years old; the baseline data used for the original analysis is unavailable. For this alternative, it is assumed that only new residential development could occur; no new office, commercial, industrial, or hotel development would occur. Additionally, no new policies, goals, or development standards associated with the Focused General Plan Update would be implemented; the standards, goals, and policies associated with the 2001 General Plan would be applicable. Significant and unavoidable impacts identified for the Project related to Air Quality, Greenhouse Gas Emissions, Noise and Transportation would be reduced to less than significant levels with the No Project/Existing 2001 General Plan Alternative. Other environmental impacts that were identified for the Project as either no impact or less than significant impact would

remain similar or be slightly reduced with the No Project/Existing 2001 General Plan Alternative.

b) Finding.

The City Council finds that the No Project/Existing 2001 General Plan Alternative would not attain four of the five Project's basic objectives as it does not include commercial, office, or hotel development. The No Project/Existing 2001 General Plan Alternative would attain one of the five objectives but not to the same degree as the Project. Specifically, given the significant reduction in residential development associated with this alternative, the objective to "Create new housing opportunities for a full range of housing types and to increase housing affordability" would not be fully realized. The City Council finds on the basis of these considerations that the No Project/Existing 2001 General Plan Alternative, as identified in the FEIR, is infeasible.

3. Market Demand Alternative.

a) Description.

The Market Demand Alternative assumes a "market-adjusted" development scenario that evaluates the portion of the Project capacity that would likely be built by 2040, based on current and foreseeable market trends. The Market Demand Alternative reflects a reduced amount of residential, hotel and office development. This alternative would have a similar amount of total commercial space as the Project. This alternative assumes that policies, goals, or development standards associated with the Project would apply to this alternative. Development assumptions for this alternative include an overall correlating decrease in population when compared to the Project. Significant and unavoidable impacts identified for the Project related to Air Quality, Greenhouse Gas Emissions, Noise and Transportation would be reduced but would remain significant and unavoidable with the Market Demand Alternative. Other environmental impacts that were identified for the Project as either no impact or less than significant impact would remain similar or be slightly reduced with the Market Demand Alternative.

b) Finding.

The City Council finds that the Market Demand Alternative would attain the Project's basic objectives as it includes commercial, office, residential and hotel development. However, the Market Demand Alternative would not attain the five objectives to the same degree as the Project. Specifically, given the significant reduction in overall development associated with this alternative, the Project objectives providing optimal economic and housing benefits would not be fully realized. The City Council finds on the basis of these considerations that the Market Demand Alternative, as identified in the FEIR, is infeasible.

4. Reduced Density/Intensity Alternative.

a) Description.

The Reduced Density/Intensity Alternative assumes that the development in all land use categories associated with the Project would be reduced by approximately one third (33 percent). While the amount of development would be reduced, this alternative assumes that policies, goals, and development standards associated with the Project would also be applicable to development under this alternative. Development assumptions for this alternative include an overall correlating decrease in population when compared to the Project. Significant and unavoidable impacts identified for the Project related to Air Quality, Greenhouse Gas Emissions, Noise and Transportation would be reduced but would remain significant and unavoidable with the Reduced Density/Intensity Alternative. Other environmental impacts that were identified for the Project as either no impact or less than significant impact would remain similar or be slightly reduced with the Reduced Density/Intensity Alternative.

b) Finding.

The City Council finds that the Reduced Density/Intensity Alternative would attain the Project's basic objectives as it includes commercial, office, industrial, residential and hotel development. However, the Reduced Density/Intensity Alternative would not attain the five objectives to the same degree as the Project. Specifically, given the significant reduction in overall development associated with this alternative, the Project objectives providing optimal economic and housing benefits would not be fully realized. The City Council finds on the basis of these considerations that the Reduced Density/Intensity Alternative, as identified in the FEIR, is infeasible.

5. Environmentally Superior Alternative.

In compliance with Public Resources Code §15126.6(d), a matrix displaying the major characteristics and significant environmental effects of each alternative is included in the FEIR; see Table 5--2, Alternatives' Impacts Compared to Project Impacts. The purpose of this matrix is to summarize and compare how impacts associated with the implementation of the alternatives compare with the impacts associated with implementation of the Project.

Chapter 5 of the FEIR describes three alternatives to the Project including the CEQA-mandated "No Project" Alternative. Public Resources Code §15126.6 requires that one alternative be identified as the environmentally superior alternative. Furthermore, if the environmentally superior alternative is the "No Project" alternative, the FEIR must also identify the environmentally superior alternative from among the other alternatives.

Other than the No Project/Existing 2001 General Plan Alternative, the Reduced Density/Intensity Alternative would result in the least adverse environmental impacts and would therefore be the "environmentally superior alternative." This conclusion is based on the comparative impact conclusions in Table 5-2 and the analysis within Chapter 5. However, this alternative would not fully meet the objectives at the same level as the Project. The City Council finds on the basis of

these considerations that while the Reduced Density/Intensity Alternative, as identified in the FEIR, is the environmentally superior alternative, it is infeasible.

III. STATEMENT OF OVERRIDING CONSIDERATIONS.

The City Council finds on the basis of the FEIR and the entire administrative record for this matter that the unavoidable significant impacts of the Project as discussed in Section II.E. above are acceptable when balanced against the benefits of the Project. This determination is based on the following substantial economic, legal, social, technological factors, including region-wide benefits, as identified in the FEIR and the record of proceedings in the matter. Each Project objective/benefit set forth below constitutes an overriding consideration warranting approval of the Project as they outweigh the unavoidable adverse environmental effects.

- A. The Project parameters increasing density/intensity in focused areas of the City were the direct result of the analysis, findings and conclusions resulting from a Land Use Market Demand Analysis, prepared under the direction of the City in May 2019 as part of the General Plan Update to ensure the greatest economic benefit to the City and region on the whole was thoughtfully planned.
- B. The Project will help foster economic development in the City consistent with the community's vision by contributing to a strong business climate and economic growth, with positive outcomes such as business retention and attraction and employment creation balanced with new housing opportunities.
- C. The Project promotes sustainable development patterns and environmentally-friendly strategies that would minimize greenhouse gas emissions and sustain limited resources over the long term
- D. Increases the City's tax base by focusing commercial, office, industrial and hotel development and redevelopment in key urbanized areas of the City utilizing flexible approaches to land use planning and higher densities, affecting property and sales tax revenues, which in turn provides the City with resources to provide high-quality services to residents and the daytime population.
- E. The Project supports redevelopment of existing land uses with newer, more efficient development that would reduce energy consumption compared to existing conditions.
- F. The Project accommodates and encourages new businesses that promote innovation and advances in technology, high-quality service industries, and creative industries that would increase opportunities for high-skilled and knowledge workers
- G. The Project facilitates higher density, mixed use development that is effective in reducing vehicle miles traveled and fuel consumption as compared to other, more suburban types of development, improving the current balance of the City's jobs-housing ratio.
- H. The Project directs almost all planned growth into specific areas of the City to encourage infill developments that redevelop aging and underutilized properties, and stabilize the character of the City's founding neighborhoods.

- I. The use of energy resources in the Planning Area become more efficient over time with the changes in land uses envisioned by the Project and through the application of more stringent regulations that mandate energy efficiency.
- J. Implementation of the Project will result in the addition of housing units, which would help address the ever-increasing regional housing demand increasing housing affordability through flexible regulatory tools, greater range of housing types, higher densities, and expanded areas for housing as part of a mixed-use development.
- K. The Project focuses growth by increasing density/intensity of the land uses around the existing and potential transit stations along the Metro Gold Line light rail adjacent to the City's border.
- L. The Project incorporates urban design strategies that improves the physical appearance of the public realm, define the urbanized outdoor and recreation spaces, and guide the types of design appropriate for higher density, mixed-use developments including neighborhood connectivity and enhanced pedestrian experiences.
- M. The Project enhances the City's roadway network by incorporating mitigation measures that when implemented over time correlating with new development will improve the efficiency of some intersections, improving transportation and safety in the City.

IV. **RECIRCULATION.**

A. Facts.

The City received comments on the DEIR from members of the public and from public agencies in both written and oral form. The FEIR contains written responses to all comments ("Responses to Comments") received on the DEIR as of July 25, 2019. Some comments were incorporated into the FEIR as factual corrections and minor changes. The FEIR includes all factual corrections and minor changes to the DEIR. All comments and testimony received before and at the City Council's public hearing have been considered.

B. Finding.

Pursuant to CEQA Guidelines § 15088.5 and Public Resources Code § 21092.1, and based on the FEIR and the record of proceedings in for the Project, the City Council finds that:

1. Factual corrections and minor changes are set forth as additions and corrections to the DEIR; and
2. The factual corrections and minor changes to the DEIR are not substantial changes in the DEIR that would deprive the public of a meaningful opportunity to comment on a substantial adverse environmental effect of the Project, a feasible way to mitigate or avoid such an effect, or a feasible Project alternative; and
3. The factual corrections and minor changes to the DEIR will not result in new significant environmental effects or substantially increase the severity of the significant effects previously disclosed in the DEIR; and

4. The factual corrections and minor changes to the DEIR will not involve mitigation measures or alternatives which are considerably different from those analyzed in the DEIR that would substantially reduce one or more significant effects on the environment; and
5. The factual corrections and minor changes to the DEIR do not render the DEIR so fundamentally inadequate and conclusory in nature that meaningful public review and comment would be precluded.

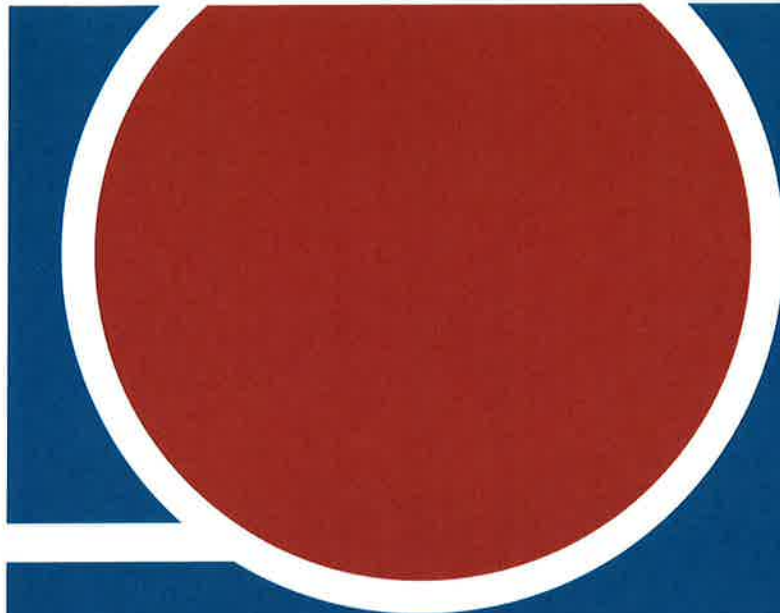
Accordingly, the City Council finds that none of the conditions set forth in CEQA Guideline § 15088.5 or Public Resources Code § 21092.1 requiring recirculation of a draft environmental impact report were met. The City Council further finds that incorporation of the factual corrections and minor changes to the DEIR into the FEIR does not require that the FEIR be recirculated for public comment.

V. SUBSTANTIAL EVIDENCE.

The City Council finds and declares that substantial evidence for each and every finding made herein is contained in the FEIR, which is incorporated herein by this reference, and in the record of proceedings in the matter.

ATTACHMENT 3

Draft Monterey Park General Plan Land Use Element and Focused Environmental Impact Report



MONTEREY PARK

Land Use and Urban Design Element

ADOPTED OCTOBER 28, 2019





MONTEREY PARK

Land Use and Urban Design Element

City of Monterey Park
320 West Newmark Avenue
Monterey Park, CA 91754

www.montereypark.ca.gov

Adopted
October 28, 2019

acknowledgements

The City would like to thank everyone involved including those who served in an official capacity as acknowledged below.

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Implementation Plan

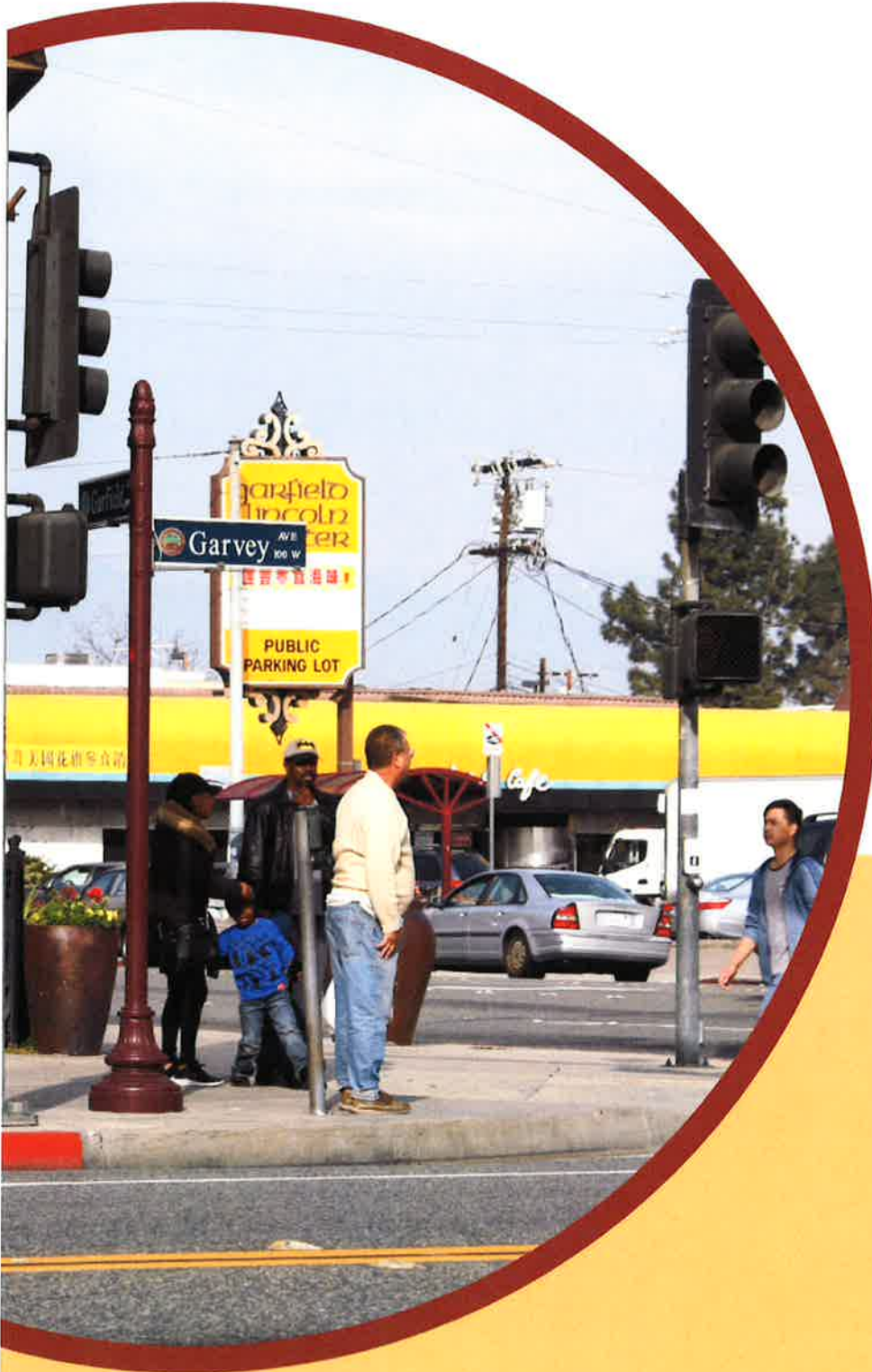
**“My Monterey Park will
continue to grow in its
vibrancy and diversity. I see
Monterey Park as a model
for neighboring cities and
as an introduction to the
San Gabriel Valley for our
Los Angeles friends to the
west. ”**

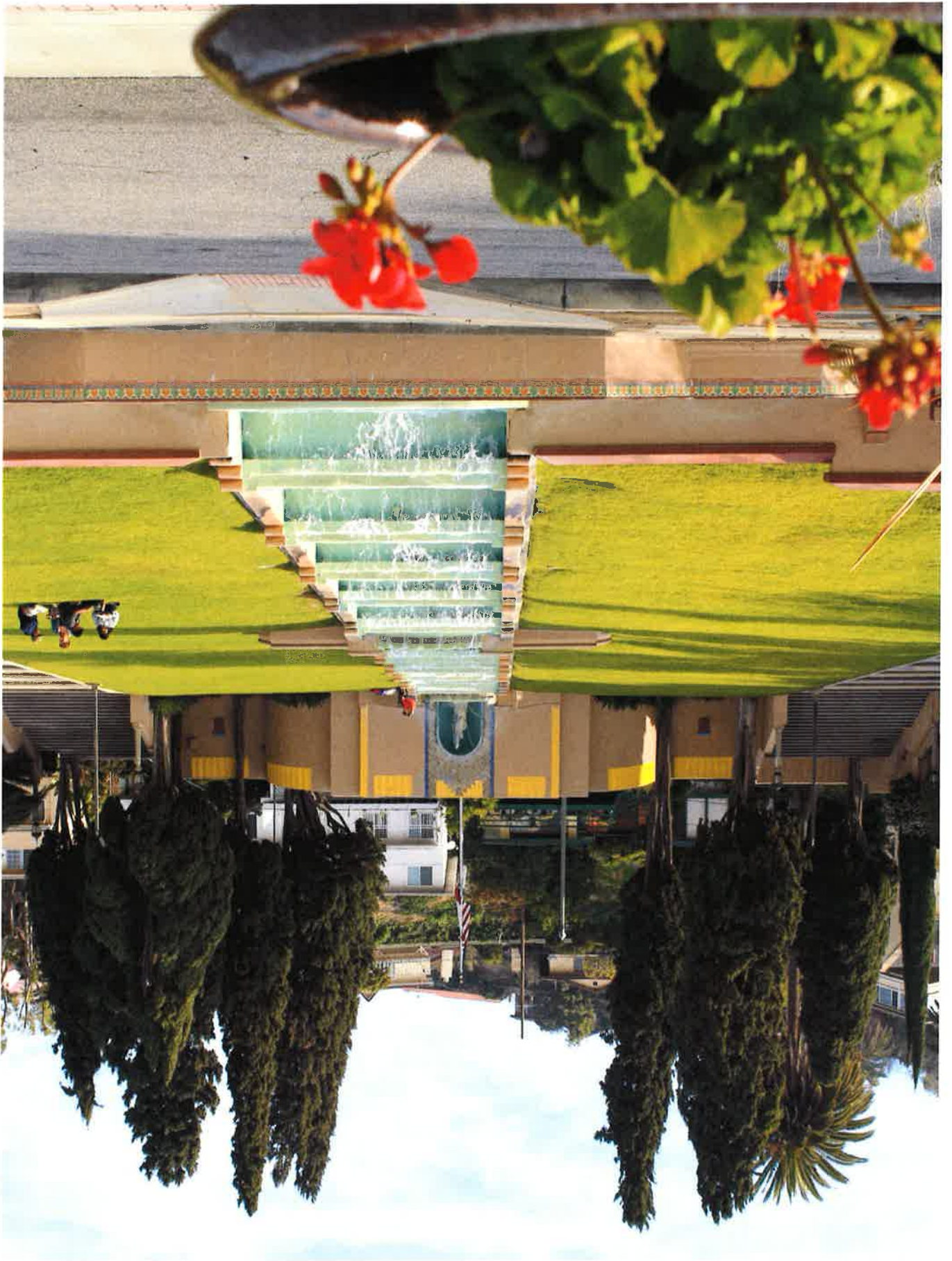
- Monterey Park resident



INTRODUCTION

1





01

INTRODUCTION

The types and physical distribution of land uses in Monterey Park—the residential neighborhoods, business district, parks, and community gathering places—affect the quality of life and local experiences for residents, people who work here, and visitors. By carefully crafting the interrelationship of uses and the urban form, we can create distinct places that encourage interaction, promote community pride, and support successful enterprises critical to economic development.

This Land Use and Urban Design Element sets forth a resident-inspired vision to guide growth and development through the year 2040 by designating the future use and reuse of land within the City of Monterey Park and adjacent lands within the City's designated sphere of influence, the unincorporated community of South San Gabriel. This element establishes long-range goals for the physical development of the community, both in terms of land use type and intensity, as well as urban character and form. The element also provides the framework for all other General Plan elements, since the way land is used in Monterey Park affects:

- The design of the circulation system (Mobility Element);
- How the City pursues new business activity (Economic Development Element);
- Where new housing development occurs (Housing Element);
- How the City provides urban services to residents and businesses (Safety and Community Services Element);

- How open space and similar resources are allocated for many purposes: parks, environmental resource protection, and passive recreation, among others (Resources Element);
- The ability of the City to achieve its sustainability, resiliency, and healthy community goals (Sustainable Community and Healthy Community Elements).

Foremost, this element supports the community's desire to protect those features of Monterey Park that distinguish the city: its diverse residential neighborhoods, the cherished parks, and business districts that attract people from throughout the region and beyond to unique restaurants and shops. At the same time, the goals and policies look toward the need to ensure the City's long-term fiscal health, accommodate housing demands for all household income levels, and respond to the rapidly evolving ways in which people shop and spend leisure time.

California planning law requires that the Land Use Element designate "the proposed general distribution and general location and extent of the uses of the land" for a variety of purposes [Government Code Section 65302(a)]. Through maps and text, this element defines the distribution and intensity of development of residential neighborhoods, commercial and employment districts, mixed-use environments, parks and other open spaces, and governmental and institutional uses of property in Monterey Park. In particular, the Land Use Policy Map and Regulating Plan present graphical representations of land use policy.

**“In looking to the future,
Monterey Park will
have more mixed-use
development, improved
alternative transportation
options, and varied
entertainment amenities.
This city will become a
major jobs center.”**

- Monterey Park resident



CONTEXT



2



02

CONTEXT

REGIONAL

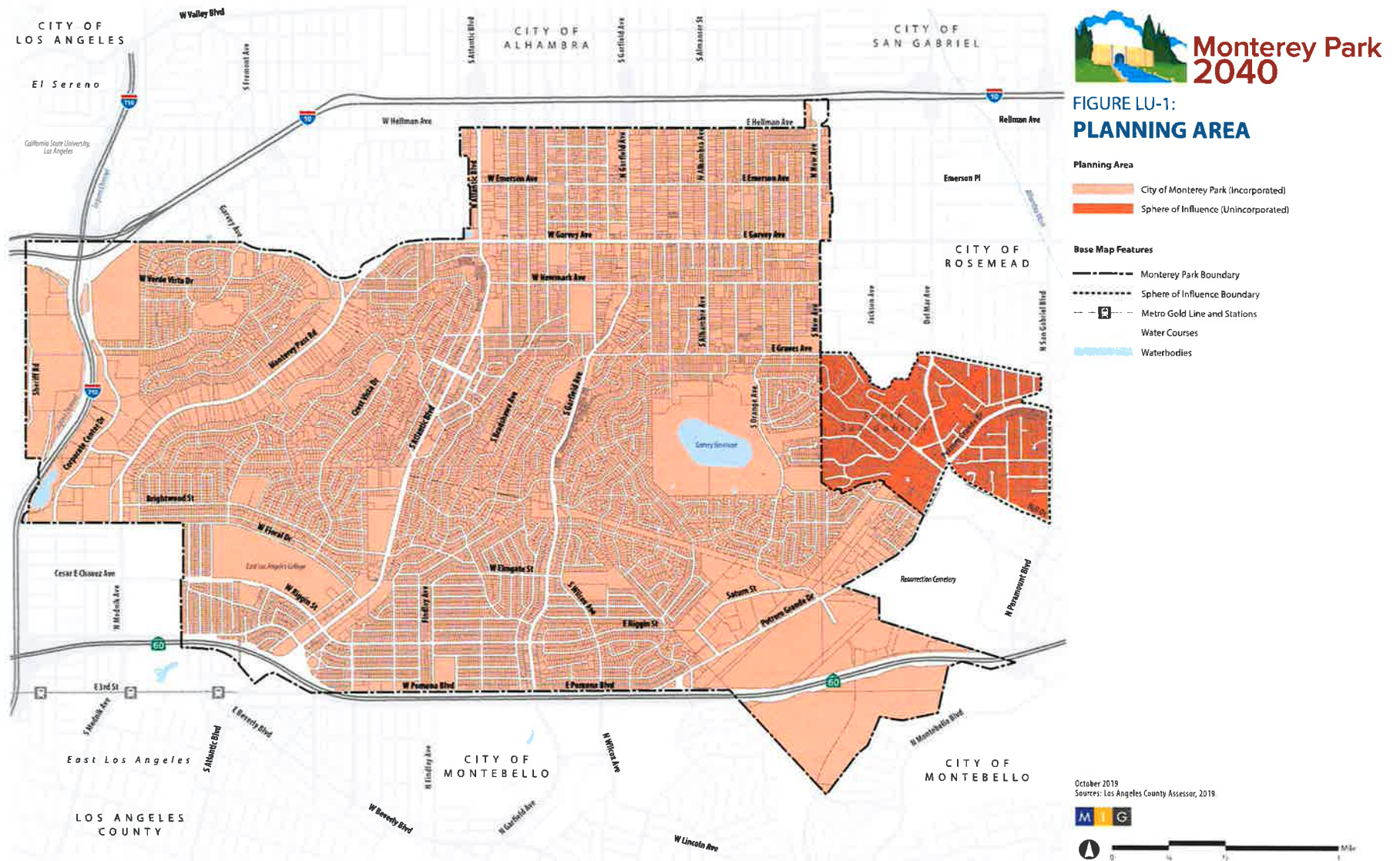
Monterey Park lies seven miles east of downtown Los Angeles, at the western edge of the San Gabriel Valley. Several freeways connect the City to downtown and destinations throughout Los Angeles County and beyond: the Pomona Freeway (SR-60) on the south, the San Bernardino Freeway (I-10) to the north, and the Long Beach Freeway (I-710) to the west. Regional arterial roads traversing the City include Garvey Avenue, Atlantic Boulevard, and Garfield Avenue. And for people who opt to use transit to get around, the Metro light rail system and bus lines serve Monterey Park directly, as does the Montebello bus lines.

The hilly terrain that distinguishes Monterey Park from its neighboring cities creates distinct neighborhoods and districts, including neighborhoods offering panoramic views of downtown and the San Gabriel Valley. These neighborhoods—and Monterey Park as a whole—are largely built out, with development opportunities limited to a few scattered vacant parcels and the redevelopment of aging or underperforming properties. To encourage new housing, new

businesses, and reinvestment, Monterey Park has increased allowable development intensities in its commercial districts and embraced mixed-use developments. This traditionally suburban community offer districts of urban-scale living and commerce amid the beloved neighborhoods of single-family homes. The region has transformed but continues to support diverse lifestyle choices for all.

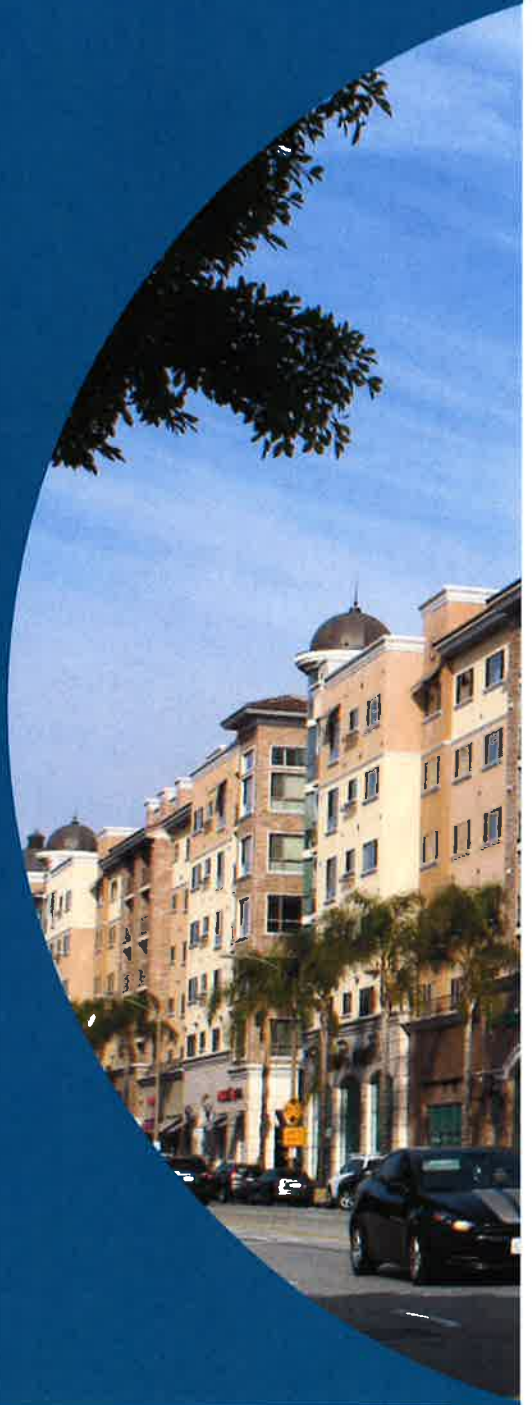
THE PLANNING AREA

The City of Monterey Park encompasses approximately eight square miles (3,980 acres), and the sphere of influence area covers 289 acres. California law defines a sphere of influence as the probable physical boundary and service area of a local agency, as determined by the Local Agency Formation Commission (LAFCO) (Gov't Code §56076). Together, these are the 4,270-acre Planning Area; see Figure LU-1 (Planning Area). While the City has no formal authority within the sphere of influence, it is empowered by the State to consider and proactively plan for areas that bear relation to the City's future.

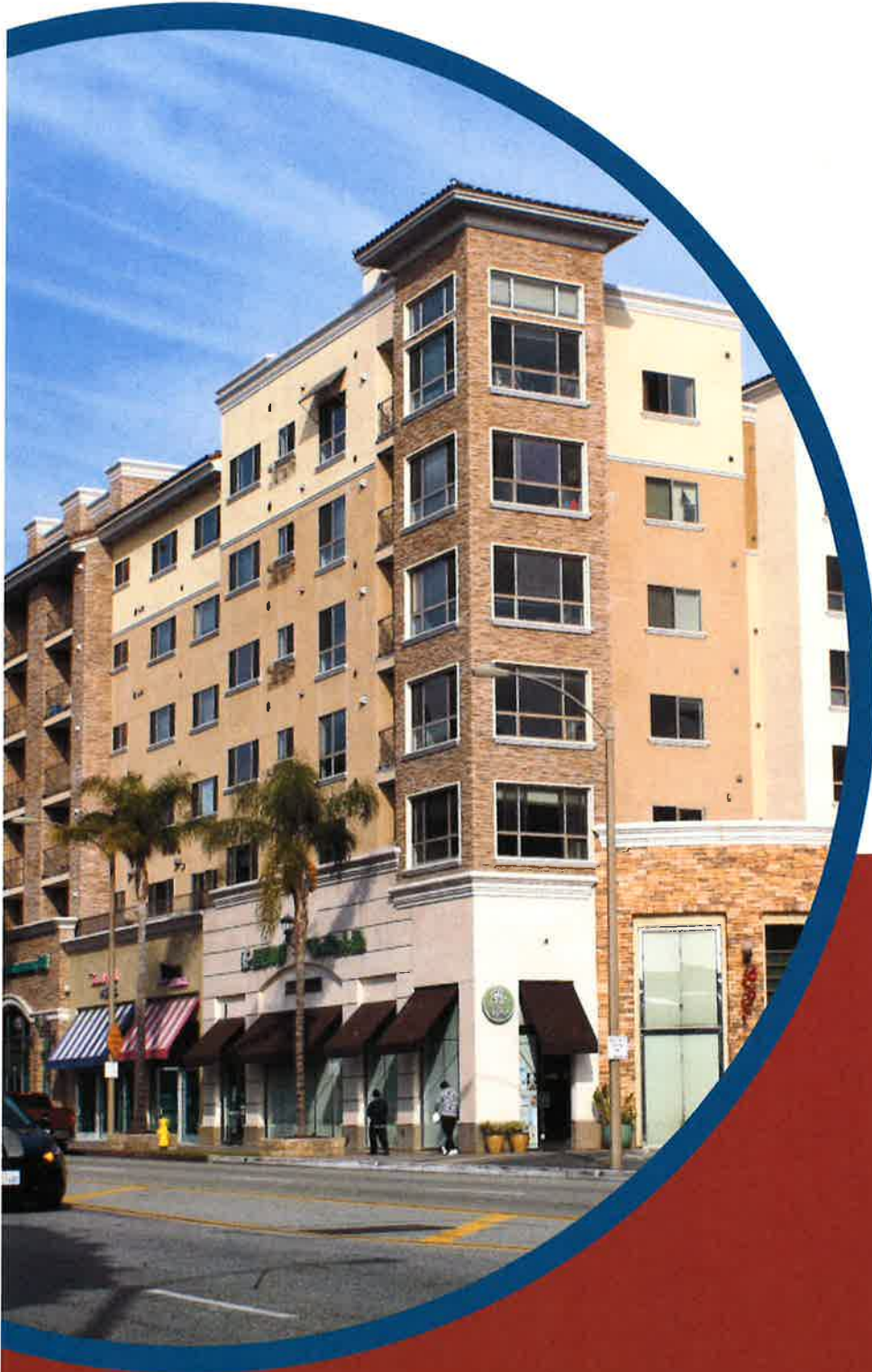


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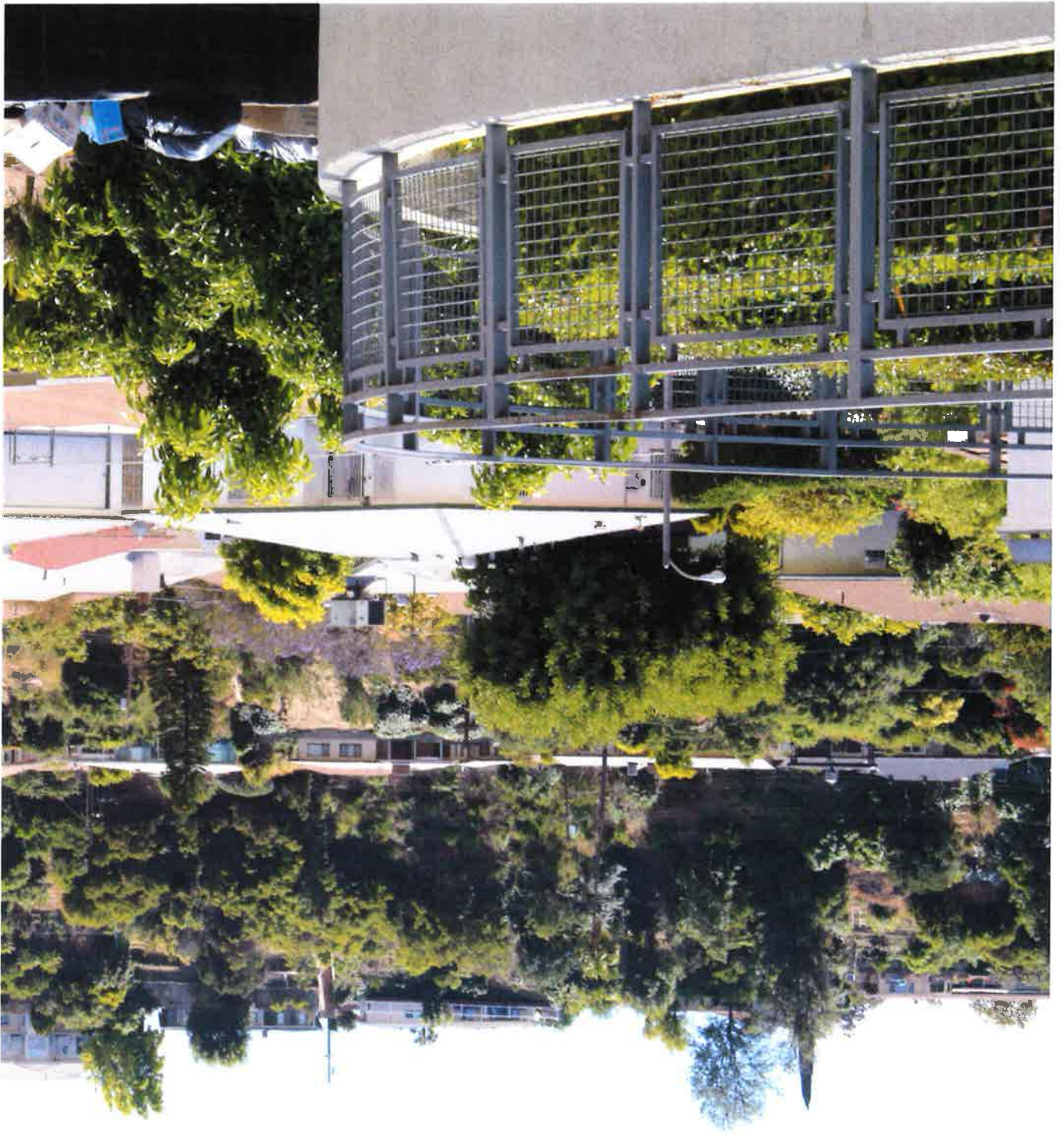
**“My favorite place in
Monterey Park?
My neighborhood.
My neighbors.”
- Monterey Park resident**



MONTEREY PARK 2040



3



03

MONTEREY PARK 2040

CHALLENGES

Through a comprehensive public engagement process, community members identified challenges.

Built Out and Inadequate Lots. Monterey Park has limited vacant land available for new development. Narrow and shallow lots and multiple property ownership along commercial corridors (i.e., Garvey Avenue and of Atlantic Boulevard) create hurdles for larger, cohesive development projects.

Unimproved Older Buildings. Older buildings with tired facades and outdated systems (plumbing, ventilation) are common along the commercial corridors. Many buildings have not been improved for quite some time and, therefore, do not encourage the highest and best use tenants. As the buildings age, the properties will continue to attract marginal tenants, resulting in reduced sales tax revenue.

Lackluster Streetscape. Streetscapes lack character and placemaking elements that create a sense of place and identity. Wayfinding signage is limited; gateways are poorly defined or absent. The paucity of street trees along some corridors creates a less desirable walking experience.

Lack of Commercial Diversity. Monterey Park is a regional draw for authentic Asian food; however,

restaurant diversity is lacking. As a result, residents seek restaurant alternatives elsewhere. Similarly, Monterey Park lacks general merchandise retail. Many residents leave Monterey Park to do basic shopping, thus increasing vehicles miles traveled and reducing sales tax revenue to fund community services and facilities.

Inadequate Parking. Some neighborhoods and commercial districts do not have enough off-street parking, which creates crowded street conditions. Commercial parking may spill over into surrounding neighborhoods. Parking unavailability can lead to increased congestion and vehicle exhaust as drivers circle local streets seeking available parking.

Cost and Shortage of Housing Options. The high cost of housing—and lack of land to build new housing—concerns many residents, particularly because their adult children cannot afford to purchase a home in the community. New and different housing types aimed at younger adults and families are desired.

Design Preference Toward Vehicles. Driving is the preferred transportation option. The large single-family neighborhoods, hillsides, and lack of street grid in some areas create an environment that makes walking difficult.

BIG IDEAS MOVING FORWARD

The Land Use and Urban Design Element proposes a number of big ideas for land use change over time that reflect community goals, address land use challenges, and move the City toward achieving its full potential.



Strategic Development Opportunity.

Allow for increased development opportunities along corridors and districts, where access to freeways and arterial roadways optimize economic development potential.

Attract Quality Employment Opportunities.

Pursue technology, professional, managerial, and tourism industries that can translate to higher-quality employment opportunities.



Protect Low-Density Residential Neighborhoods.

Create buffers between established low-density residential neighborhoods adjacent to higher-intensity development. Identify transition areas where potentially higher building heights will directly abut low-density residential neighborhoods. In the transition areas, integrate design approaches that step down building heights toward the homes, increase building setbacks, and incorporate landscaped buffers to address potential privacy, shade and shadow, noise, and other concerns.



Pedestrian-Friendly Environments and Outdoor Spaces.

Improve streetscape and building frontages—and specifically building store-front transparency—to create vibrant places for the pedestrian experience. Create unique urban public spaces that allow people to socially connect and gather in outdoors spaces. Outdoor dining spaces, comfortable outdoor “living rooms,” flexible courtyards and plazas, and innovative use of streets and sidewalks create exciting and unique destinations.



Environmentally Friendly Design. Promote sustainable building and site design approaches that minimize resource consumption and protect the environment. Approaches include using green building strategies, creating pedestrian-friendly environments to reduce vehicles trips, and integrating renewable energy approaches to minimize greenhouse gases and to sustain limited resources over the long term.



Build on Tourism and Hospitality.

Maximize hospitality uses—such as restaurants and hotels—in key areas of the city. Encourage restaurant and ancillary commercial uses along Corporate Drive to complement long-established professional office uses.



Flexible Zoning Options. Emphasize adjusting implementation tools to ensure that flexible zoning options allow for greater development opportunities for developing places that allow mixed-use development, housing, and emerging business types.

“My favorite places in Monterey Park are all the mom-and-pop eateries. Whether it’s going to my trusty usual places or trying new restaurants, our community of small businesses and our food scene make Monterey Park special. We stand out from other nearby cities because of this sort of small-town charm.”

- Monterey Park resident



UNDERSTANDING LAND USE TERMS



4



04

UNDERSTANDING LAND USE TERMS

The following terminology is used to describe planning strategies and design features applicable to public spaces and private development.

FLOOR AREA RATIO (FAR)

Floor Area Ratio (FAR) is a ratio of the gross floor area permitted on a site divided by the total net area of the site. Intensity is measured in FAR and typically describes nonresidential uses.

DWELLING UNITS PER ACRE (DU/AC)

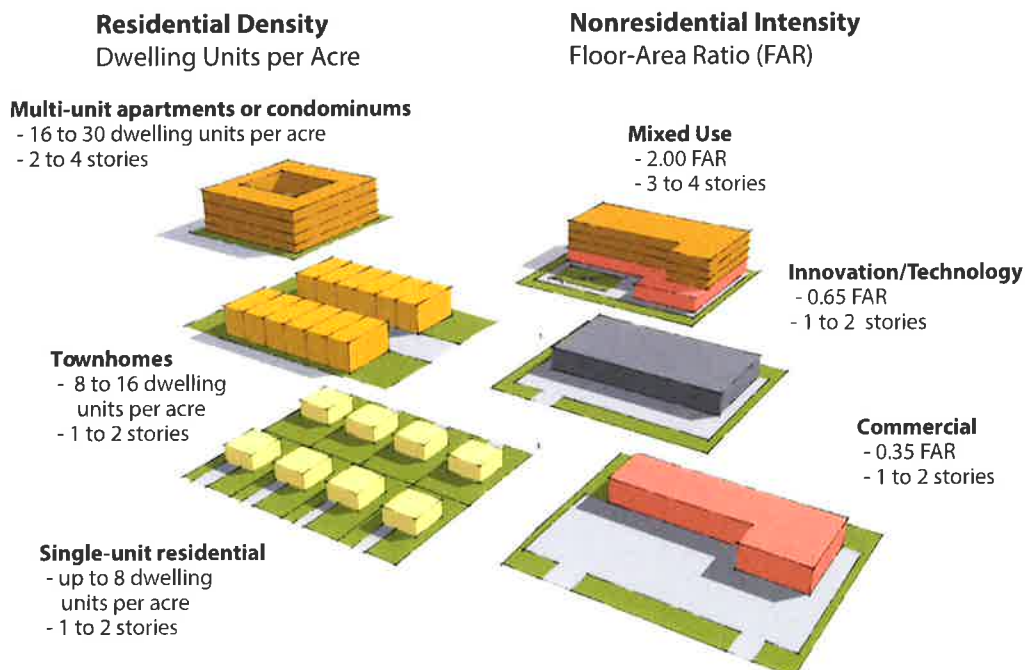
Dwelling units per acre (du/ac) refers to the maximum number of dwelling units allowed per acre of developable land. Density is measured in du/ac and only applies to residential uses.

DENSITY AND INTENSITY

Density and intensity are quantitative measures used to describe the degree to which land can be used and developed, see Figure LU-2 (Density and Intensity).

FIGURE LU-2

DENSITY AND INTENSITY





HEIGHT

The maximum allowable height (measured in feet) of a building.

This element establishes maximum building heights rather than maximum number of stories. Using building heights provides design flexibility — particularly for a building’s architectural detail — while maintaining consistent urban form. For example, a mixed-use building with a maximum FAR of 1.5 and maximum height of 50 feet might be built as either a three- or four-story building, depending upon how the architect designs each story. A building’s massing, placement, and orientation dictate its relationship to a street to a greater extent than the number of building stories.

PUBLIC REALM

The public realm comprises the streets, squares, parks, green spaces, and other outdoor places which are available, without charge, for everyone to use.

URBAN FORM

Urban form refers to the configuration of a place’s physical components (buildings and structures, street and infrastructure patterns and networks).

URBAN DESIGN

Urban design focuses on spatial relations within the public realm and how the built environment affects social interaction and communication. This includes site design (block size, building placement, massing, and orientation), street design (sidewalk widths, building frontages, and pedestrian amenities such as benches, street trees, and lighting), and building design (architectural character).

DEVELOPMENT POTENTIAL

Development potential is influenced by factors such as parcel size, building-to-land value ratio, environmental constraints, land use, and how extensive a property is developed.



GOALS AND POLICIES

Consistent with the overall City vision, this Element's goals and policies aim to preserve long-established residential neighborhoods and community assets. Either applied citywide or to a specific land use designation or focus area, the goals and policies integrate land use with urban design strategies to achieve consistent and predictable development patterns, high-quality design, and long-term viable growth.

- **A GOAL** sets general direction or vision. It is an ideal future end related to the public health, safety, and general welfare of people living in, working in, and visiting Monterey Park. A goal is a general expression of community values and may, therefore, be abstract in nature. Thus, a goal is generally not quantifiable or time dependent.
- **A POLICY** is a specific statement that guides decision-making and is carried out by implementation measures. A policy indicates the City's commitment to a course of action. A policy is based on and helps implement the goals and the larger vision.

LAND USE DESIGNATION

A land use designation describes the type of activity allowed to occur on a parcel of land, which in turn dictates how a parcel and/or building will be occupied.

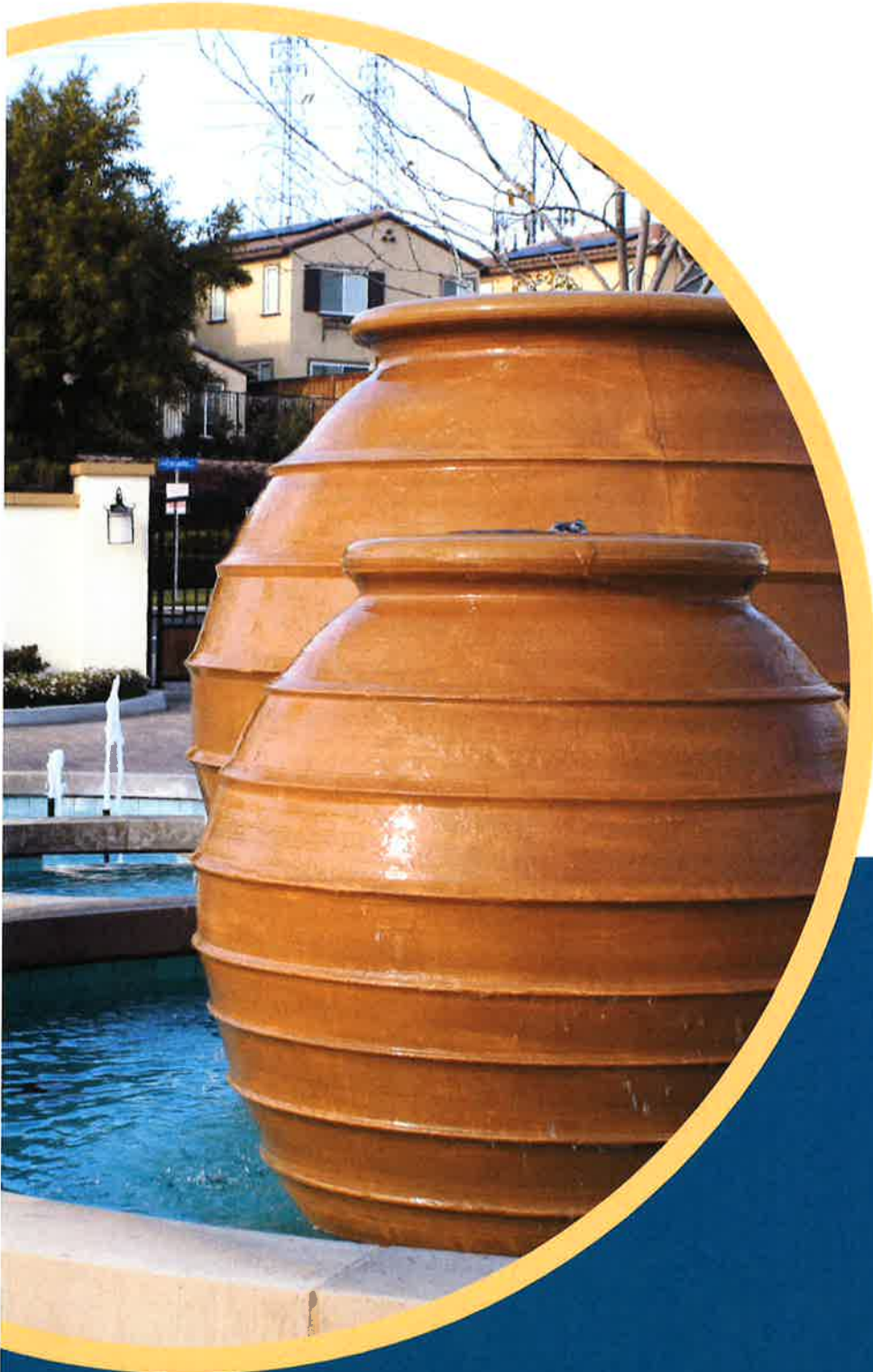
FOCUS AREA(S)

Monterey Park's land use patterns are well established. Residential neighborhoods are the predominant land use, with single-family homes representing approximately three-quarters of the residences. Given the overarching goal of preserving the integrity of these neighborhoods, this element identifies Focus Areas in which development activity will occur to create new business opportunities and provide housing in mixed-use projects and districts.

**"My vision for Monterey
Park? A family-oriented
community with great
schools, parks, multi-
cultural activities, shops,
and restaurants."
- Monterey Park resident**



LAND USE PLAN



5

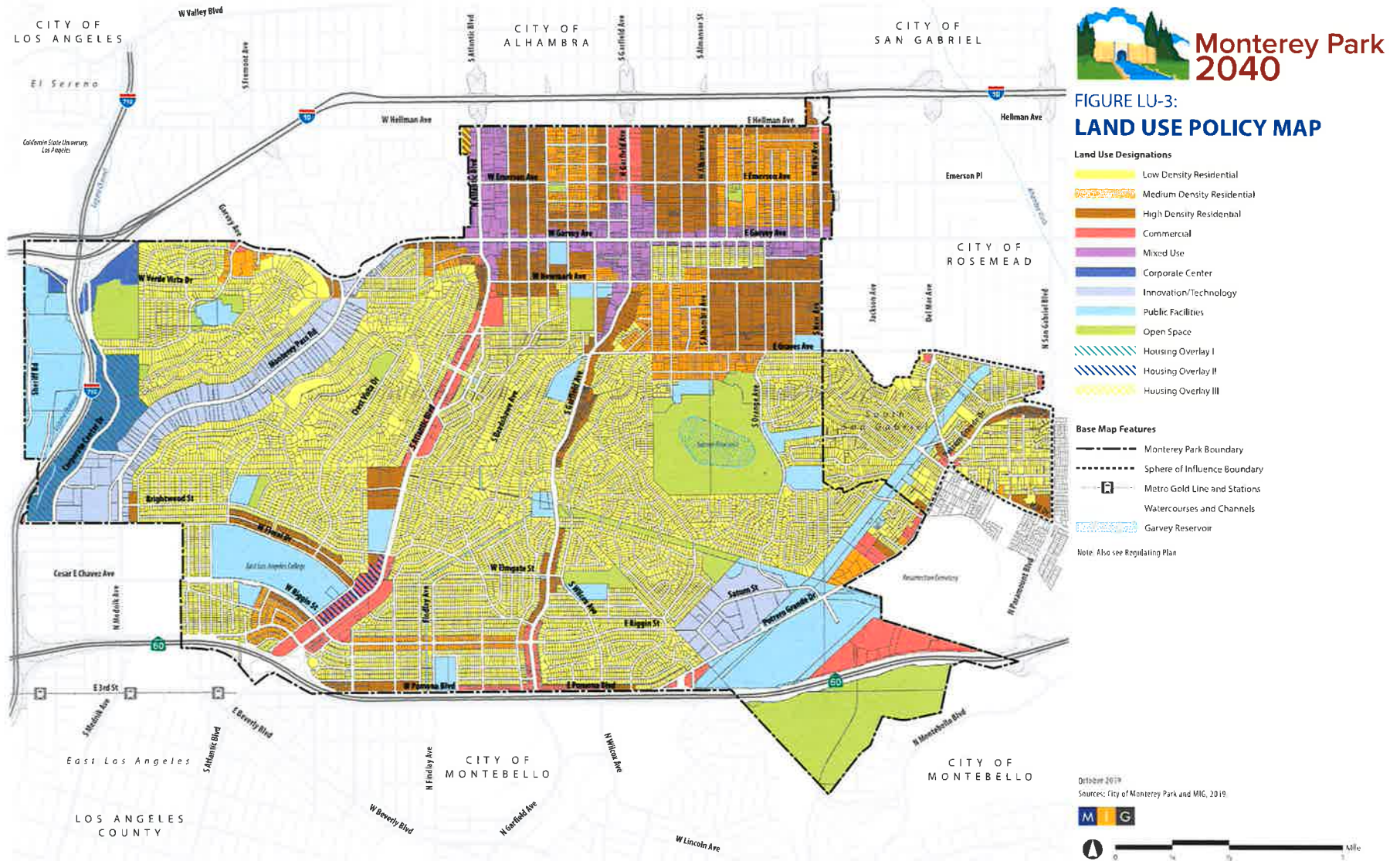


05

LAND USE PLAN

To achieve the desired balance of uses, thus achieving community goals regarding housing, economic development, parks, and education, the City will make land use decisions in conformance with the Land Use Policy Map and the associated Regulating Plan. The Land Use Policy Map (Figure LU-3) locates land use designations throughout

the Planning Area. The map's land use designation categories, their primary uses, and development intensities/densities are shown on Table LU-1 (Land Use Designations). Focus Area's densities/intensities and maximum heights are shown in the Regulating Plan (Figure LU-4).



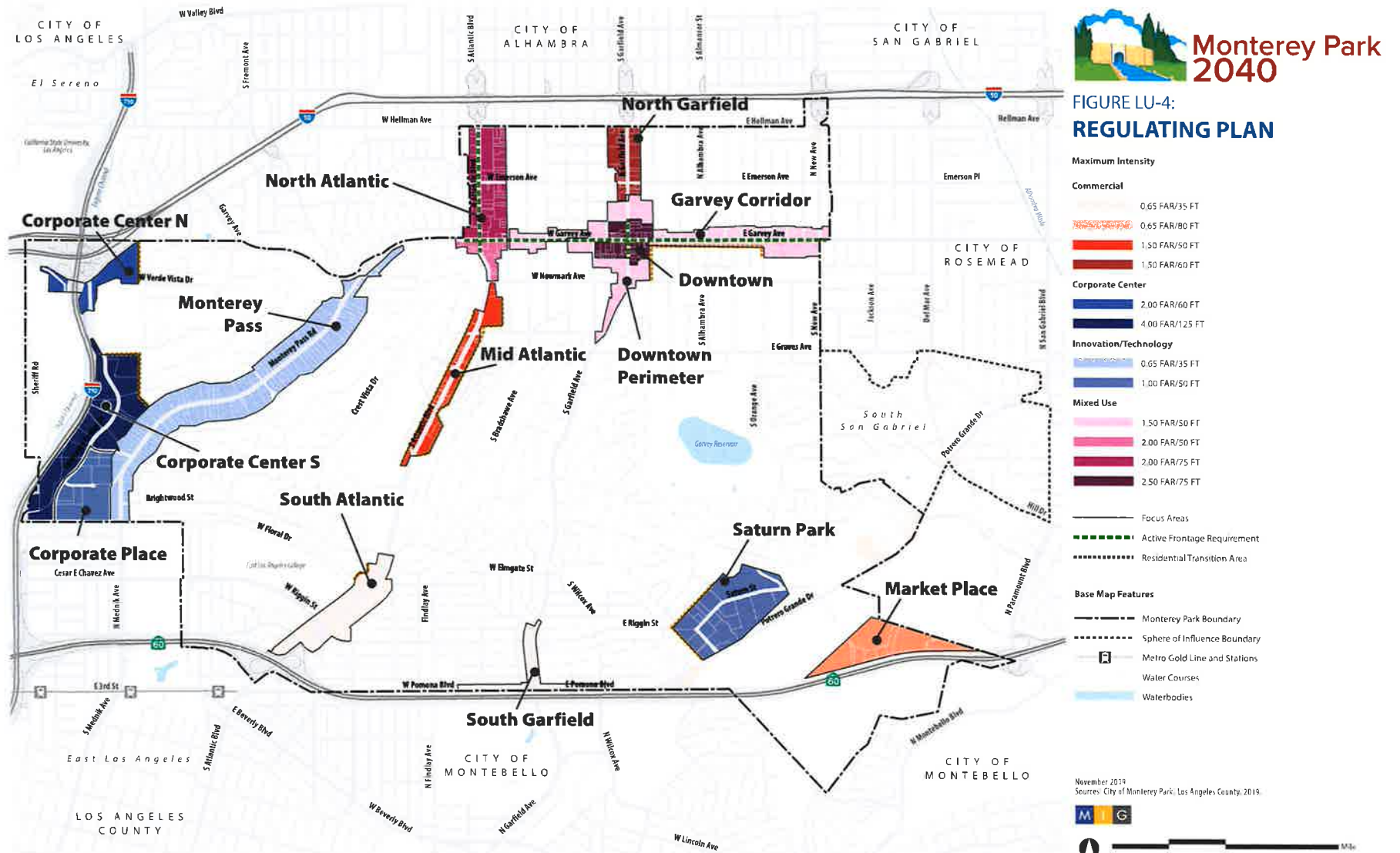


TABLE LU-1: LAND USE DESIGNATIONS

LAND USE		DEVELOPMENT LIMITS
Residential Designations and Uses		Density Range
Low Density	Primary Use: One residential unit per lot, with private open space Other Permitted Uses: Schools, public assembly uses, public utilities, home occupations, and similar uses per zoning regulations	0-8.0 units/acre Approximate population density = 25 persons/acre
Medium Density	Primary Uses: Attached or detached residential units, with private and common open space Other Permitted Uses: Schools, public assembly uses, public utilities, community care facilities, home occupations, and similar uses per zoning regulations	8.1-16.0 units/acre Approximate population density = 61 persons/acre
High Density	Primary Uses: Attached or detached residential units, with private and common open space Other Permitted Uses: Schools, public assembly uses, public utilities, community care facilities, home occupations, and similar uses per zoning regulations	16.1-30.0 units/acre Approximate population density = 184 persons/acre

Commercial and Business Designations and Uses		Intensity/Heights
Commercial	Primary Uses: Broad range of retail and service commercial uses, hospitality, entertainment, medical, and professional offices Other Permitted Uses: Schools, public assembly uses, public utilities, community care facilities, and similar uses per zoning regulations	As indicated on Figure LU-4 (Regulating Plan)
Corporate Center	Primary Uses: Professional offices, hospitality, entertainment, and medical Support Uses: Retail and service commercial uses Other Permitted Uses: Schools, public assembly uses, public utilities, community care facilities, and similar uses per zoning regulations	As indicated on Figure LU-4 (Regulating Plan)
Innovation/Technology	Primary Uses: Research and development, light manufacturing, service commercial, professional offices, entertainment, and breweries/wineries/distilleries Other Permitted Uses: Trade and technical schools, public utilities, and similar uses per zoning regulations Prohibited Uses: Warehousing, freight terminals, vehicle storage, and heavy manufacturing	As indicated on Figure LU-4 (Regulating Plan)

Mixed Use Designation and Uses		Density/Intensity/Heights
Mixed Use	Primary Uses: Broad range of retail and service commercial uses, hospitality, entertainment, medical, professional offices, and residential uses Residential permitted as stand-alone use, except where ground-floor commercial uses are required as indicated on Figure LU-4 (Regulating Plan) Other Permitted Uses: Schools, public assembly uses, public utilities, community care facilities, and similar uses per zoning regulations	As indicated on Figure LU-4 (Regulating Plan) No density maximum to provide flexibility in unit types and sizes.

Public Facilities and Open Space Designations and Uses		Intensity/Heights
Public Facilities	Primary Uses: Public buildings, childcare centers for City-supported programs, community gardens, public utility facilities, utility easements, reservoirs and wells, public schools, and similar uses of a public-serving nature Other Permitted Uses: Within utility easements, private nurseries and open space uses per zoning regulations	0.75 FAR maximum Maximum building height as specified in zoning regulations
Open Space	Primary Uses: Parks and City-owned recreational facilities, community gardens, golf courses, and resource conservation areas Other Permitted Uses: Public utility facilities and historic landfills	0.35 FAR maximum Maximum building height as specified in zoning regulations
Overlay Designation and Uses		Density/Height
Housing Overlay	Permitted Uses: In addition to uses permitted in the underlying land use designation, attached residential uses	Housing Overlay I (Corporate Center) 90 units/acre maximum 100' height maximum Housing Overlay II (South Atlantic) 60 units/acre maximum 50' height maximum Housing Overlay III (Hellman Avenue) 30 units/acre maximum 45' height maximum



IMPLICATIONS OF LAND USE POLICY

As properties within the focus areas change over time from one use to another, land uses and intensities will gradually shift to align with the intent of this Land Use and Community Design Element. If Monterey Park is developed in accordance with the Land Use and Urban Design Element and at the intensities and densities permitted, then the Planning Area is anticipated to have 26,298 dwelling

units, 15.5 million square feet of nonresidential use, and 80,581 residents as shown in Table LU-2 (Land Use Plan Buildout).

(Please note other assumptions were made on the expected intensities of development to calculate the total number of dwelling units, population, nonresidential building square feet, and employment.)

TABLE LU-2: LAND USE PLAN BUILDOUT

Type		Monterey Park		Sphere of Influence		Planning Area	
		Baseline (2019)	Proposed (2040)	Baseline (2019)	Proposed (2040)	Baseline (2019)	Proposed (2040)
Dwelling Units	Single-Unit	12,219	12,039	1,269	1,429	13,488	13,468
	Multi-Unit	8,746	12,582	248	248	8,994	12,830
	Total	20,965	24,621	1,517	1,677	22,482	26,298
Population		64,240	75,442	4,648	5,139	68,888	80,581
Nonresidential Building Square Feet. ¹		14,179,900	15,426,450	37,950	68,100	14,217,860	15,494,550
Employees		31,532	34,206	58	113	31,590	34,320
Lodging Rooms		727	1,334	-	-	727	1,334
Students		43,234	48,211	-	-	43,234	48,211

Note: 1) Nonresidential building: commercial, office, medical and hospital, and industrial buildings.

Source: City of Monterey Park and Land Use and Community Design Element update GIS data, California Department of Finance, and Southern California Association of Governments, 2018 and 2019.

**“Monterey Park is and will
continue to be a city rich
with cultural heritage,
sustainable infrastructure,
and parks that provide
places for people to
enjoy the outdoors and
participate in community
life at farmers’ markets, at
free concerts, and along
biking and walking trails.”**

- Monterey Park resident



GOALS AND POLICIES



6



06

GOALS AND POLICIES

CITYWIDE GOALS AND POLICIES

GOAL 1 Commercial districts that allow a variety of retail, service, and entertainment uses and that accommodate flexibility over time

Policy 1.1 **Flexibility.** Ensure zoning regulations provide flexibility regarding allowed uses.

Policy 1.2 **Local Businesses.** Advocate for and support local businesses and small business owners.

Policy 1.3 **Economic Development.** Maintain a proactive economic development program that promotes the benefits of Monterey Park for both local businesses and national and international companies.

Policy 1.4 **Commercial Corridors.** Invest in commercial corridors by establishing a continuity of streetscapes that define the public realm, are scaled to the pedestrian experience, and reflect the City's cultural identity through public art, architectural character, and materials.

GOAL 2 Dynamic mix of businesses, uses, and employment that sustain a strong local economy and contributes to a fiscally sustainable tax base

- Policy 2.1** **Flexibility.** Provide flexible and clear development standards to allow commercial, professional, industrial, institutional, and hospitality businesses and uses to expand and thrive economically.
- Policy 2.2** **Business Growth.** Facilitate the growth of a diverse business sector resilient to change over time and compatible with a broad range of skills and workers.
- Policy 2.3** **Innovation.** Create a culture of innovation and growth, encouraging emerging businesses to attract high-quality jobs.

GOAL 3 Distinctive, complete residential neighborhoods that enhance the quality of life and promote a healthy community

- Policy 3.1** **Quality Neighborhoods.** Maintain the quality and character of residential neighborhoods.
- Policy 3.2** **Diversified Housing.** Diversify housing options with the goal of establishing new opportunities for persons of varied incomes, ages, lifestyles, interests, and family needs – providing for aging in place and multi-generational cohabitation.
- Policy 3.3** **Established Housing.** Maintain and enhance the established housing stock.
- Policy 3.4** **Strategic Housing Opportunities.** Strategically facilitate multi-unit housing opportunities in proximity to transit facilities, mixed-use areas, and employment and education centers.
- Policy 3.5** **Improvement Prioritization.** Prioritize siting new public facilities and public spaces using creative use of land and streets, and facilitate new infrastructure improvements within a disadvantaged neighborhood.
- Policy 3.6** **Public Space.** Create an interconnected system of inviting, safe, and accessible public spaces that serve residents and visitors.
- Policy 3.7** **Safe and Sanitary.** Pursue code enforcement efforts that simultaneously work to enhance the visual quality of residential neighborhoods and to ensure safe, decent, and sanitary housing for all residents.
- Policy 3.8** **Physical Activity.** Provide access to recreational facilities, including parks, trails, greenways, open spaces, and community centers that allow opportunities for physical activities for all ages and abilities.

Policy 3.9 **Housing Overlay.** Allow housing as part of a mixed-use development or stand alone residential in Corporate Center as designated by Housing Overlay I on Figure LU-3 (Land Use Policy Map) and Table LU-1 (Land Use Designations). Allow housing as part of a mixed-use development or stand-alone residential along the west side of Atlantic Boulevard (not fronting on Atlantic Boulevard) as designated by Housing Overlay II. Allow for stand-alone residential on Hellman Avenue as designated by Housing Overlay III.

GOAL 4 A built environment that is resilient and promotes health and wellness

Policy 4.1 **Climate Change.** Adapt to and mitigate the effects of climate change.

Policy 4.2 **Sustainable Practices.** Balance development with the preservation of environmental assets and the natural beauty of the area through sustainable practices in site planning, landscaping, construction, maintenance, and operations.

Policy 4.3 **Environmental Burden.** Prevent and reduce disproportionate environmental burdens and compounding health risks affecting low-income and minority populations.

Policy 4.4 **Freeway Buffer Greening.** Integrate greening buffers and maximize tree canopies within neighborhoods directly adjacent to SR-60 freeway to help improve air quality.

Policy 4.5 **New Development.** Ensure new development is planned in areas that can sustain it long term – considering air quality, health indicators of residents, infrastructure networks and services, and socio-economic factors.

Policy 4.6 **Active Transportation.** Prioritize and integrate active transportation strategies into the built environment that increase walking, bicycling, and transit modes of travel, with a focus on improving first and last mile connectivity.

GOAL 5 A community that is equitable and inclusive

Policy 5.1 **Equitable Access.** Expand equitable access to community resources that improve quality of life. Community resources include cultural and natural amenities, health care services, education, commercial services, parks and recreation, and healthy foods.

Policy 5.2 **Services and Amenities.** Facilitate safe, convenient, and affordable access to basic services and community-based amenities.

Policy 5.3 **Community Involvement.** Engage residents, property owners, business owners, and organizations in the advanced and current planning processes.

Policy 5.4 **Translation.** Ensure residents are engaged in languages that allow for their participation in community events and community engagement activities.

RESIDENTIAL

DENSITIES

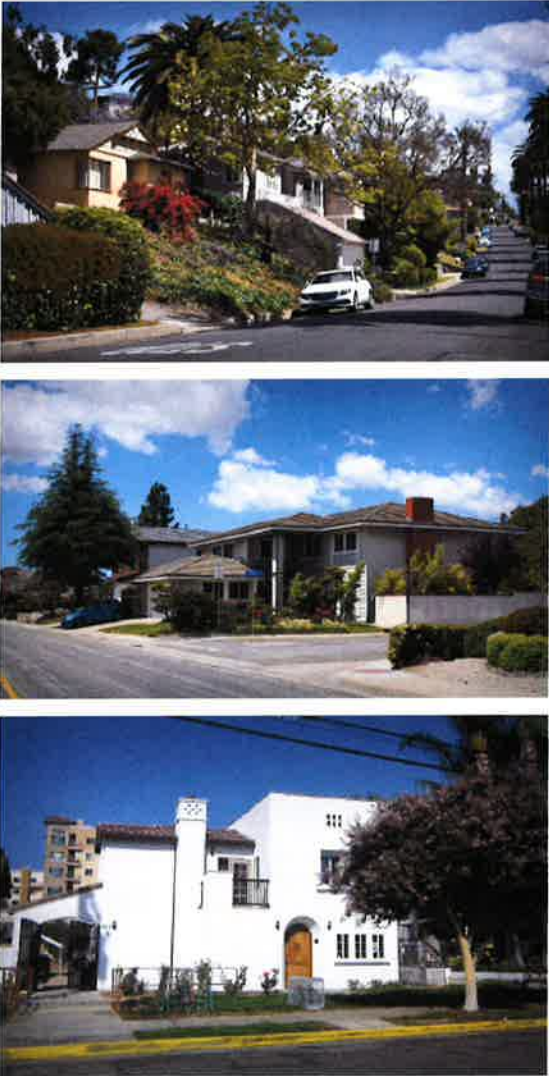
LOW DENSITY
DU/AC: 0.0-8.0

MEDIUM DENSITY
DU/AC: 8.1-16.0

HIGH DENSITY*
DU/AC: 16.1-30.0

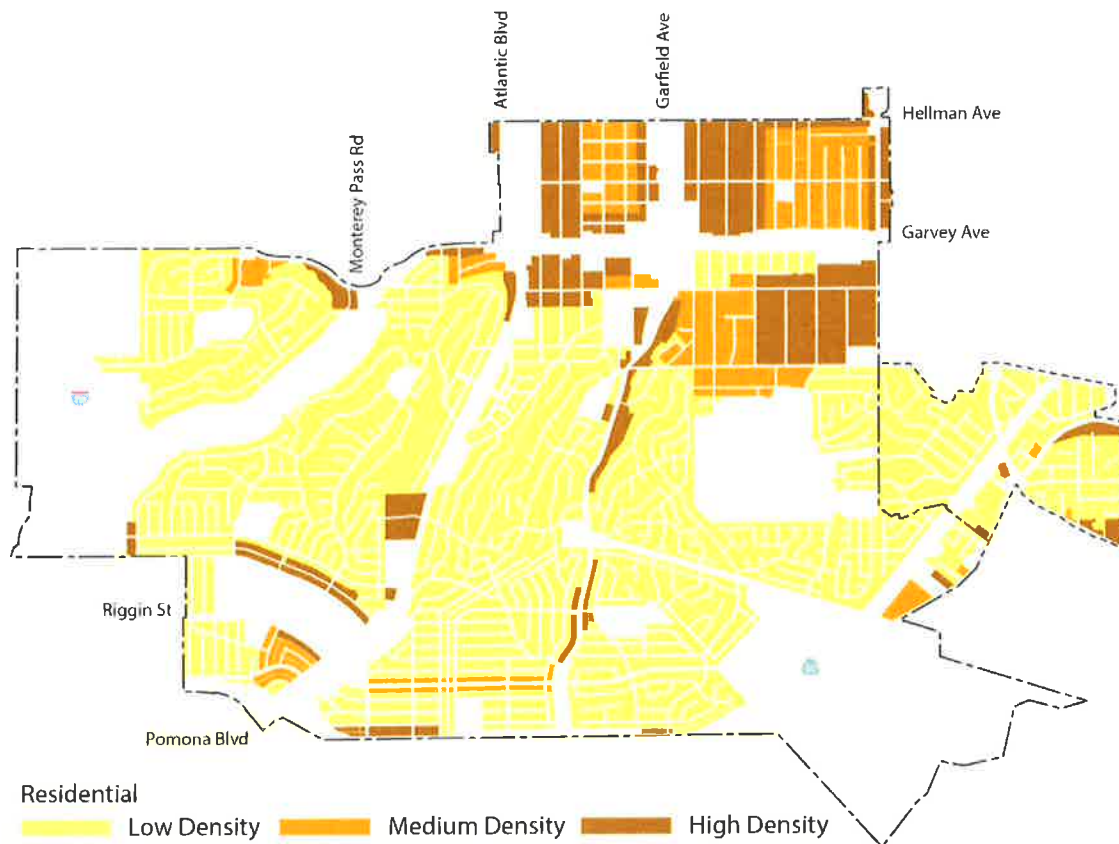
*Housing Overlay I applies.
See Figure LU-3 and Table LU-1.

A list of all land use designated
DENSITIES & INTENSITIES is
provided in Table LU-1.









The three residential land use categories reflect long-established development patterns and densities in Monterey Park. Monterey Park residents treasure their neighborhoods. During the public engagement process that produced this element, residents repeatedly expressed the importance of preserving and improving neighborhood character. To a large extent, this sentiment means maintaining long-established densities and scale of development in the neighborhoods and accommodating new housing largely in mixed-use districts. Thus, the goals and policies are focused on maintaining the qualities that define Monterey Park's many neighborhoods.

Many single-family homes in the City were constructed in the 1950s and 1960s. Maintenance levels vary from block to block. A key goal will be to encourage renovation and

maintenance that improve neighborhoods house by house.

In the Medium Density and High Density neighborhoods, housing types may consist of rowhouses, townhouses, stacked flats, and similar housing types, with the scale of development guided by the maximum permitted density and development standards set forth by the zoning regulations. Where new development is proposed, the City looks for design features that create quality living environments for residents: well-located and functional open spaces, common areas that encourage interactions among residents, parking facilities that are easily accessible and attractively designed, good pedestrian access and circulation, and use of building materials that weather well.



GOAL 6 Accommodating all household sizes and income levels with a variety of housing types

Policy 6.1 **Standards.** Maintain zoning standards for Low Density neighborhoods to allow only detached single-unit homes.

Policy 6.2 **First-Time Homeowners.** Encourage the construction of housing that can accommodate the needs of younger people and families seeking to buy their first home.

Policy 6.3 **Accessory Dwelling Units.** Adopt accessory dwelling unit regulations and policies that can accommodate evolving housing needs and preferences.

Policy 6.4 **Affordable Housing Units.** Support policies that facilitate and incentivize the development of affordable housing units, such as inclusionary housing requirements and development bonus programs.



GOAL 7 Enhanced neighborhood character

- Policy 7.1** **Complete Neighborhoods.** Ensure neighborhoods are “complete” neighborhoods by integrating schools, childcare centers, community centers, infrastructure, green spaces and parks, and other public amenities into each neighborhood.
- Policy 7.2** **Identity.** Foster a sense of community and facilitate engagement by encouraging residents to take pride in their neighborhoods and form neighborhood groups that address issues affecting the area where they live.
- Policy 7.3** **Protection.** Protect neighborhoods from the encroachment of incompatible activities or land uses that may have a negative impact on the residential living environment.
- Policy 7.4** **Sensitive Design.** Require that new additions, renovations, and infill development be sensitive to neighborhood context and building form and scale (for example, upper stories, detached garages, setbacks, enhanced front entrances).
- Policy 7.5** **Transition.** Require high-density or mixed-use developments to transition sensitively to adjacent lower-density residential uses.
- Policy 7.6** **Home Occupations.** Encourage home occupations that have minimal traffic, parking, or other impacts to neighbors and neighboring uses.
- Policy 7.7** **Compatibility.** Strengthen neighborhood identity with new development that is architecturally compatible with surrounding structures.
- Policy 7.8** **Safety.** Address safety concerns associated with people living in illegal garage conversions or unpermitted accessory units.



GOAL 8 High-quality residential design

Policy 8.1

Streetscapes. Provide and maintain high-quality public streetscapes in all neighborhoods.

Policy 8.2

Street Relationship. Encourage new development to create direct a clear visual relationship between residences and public streets, while minimizing driveways, parking areas, and garage doors in front yard spaces.

Policy 8.3

Street Frontage. Encourage building forms that create coherent and consistent street frontages on blocks that emphasize the visibility of entrance doors, porches, stoops, and/or entrance patios.

Policy 8.4

Site Frontages. Require building and site frontages that define public streets with high-quality architecture and landscape design, including small-scale architectural elements and plane changes.

Policy 8.5

New Development. Require new development to provide engaging, well-landscaped outdoor spaces that invite and support outdoor activities.

Policy 8.6

Parking. Minimize the street presence and visibility of parking facilities from public streets and neighboring properties.



GOAL 9 Increase in homeownership

Policy 9.1 **Homeownership.** Create homeownership opportunities by encouraging development of smaller scale, for-sale residential units such as condominiums, townhomes, and duplexes.

Policy 9.2 **Cooperative Homeownership.** Explore opportunities for cooperative homeownership programs such as a condominium conversion program that transfers ownership from apartment complex owners to the renters of that apartment complex.

COMMERCIAL



DENSITIES & INTENSITIES

GENERAL COMMERCIAL

FAR: 0.65
HEIGHT: 35 FEET

MARKET PLACE

FAR: 0.65
HEIGHT: 80 FEET

SOUTH ATLANTIC*

FAR: 0.65
HEIGHT: 35 FEET

SOUTH GARFIELD

FAR: 0.65
HEIGHT: 35 FEET

MID ATLANTIC

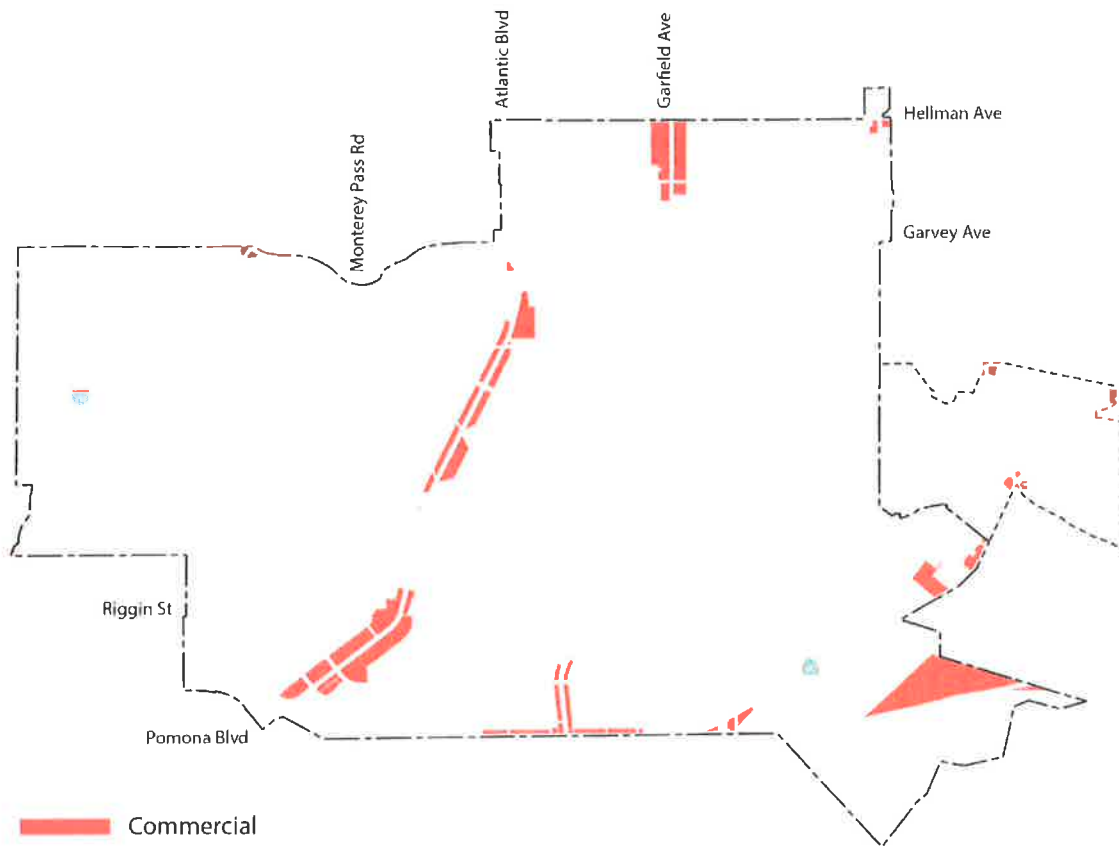
FAR: 1.50
HEIGHT: 50 FEET

NORTH GARFIELD

FAR: 1.50
HEIGHT: 60 FEET

*Housing Overlay II applies.
See Figure LU-3 and Table LU-1.

A list of all land use designated
DENSITIES & INTENSITIES is
provided in Table LU-1.

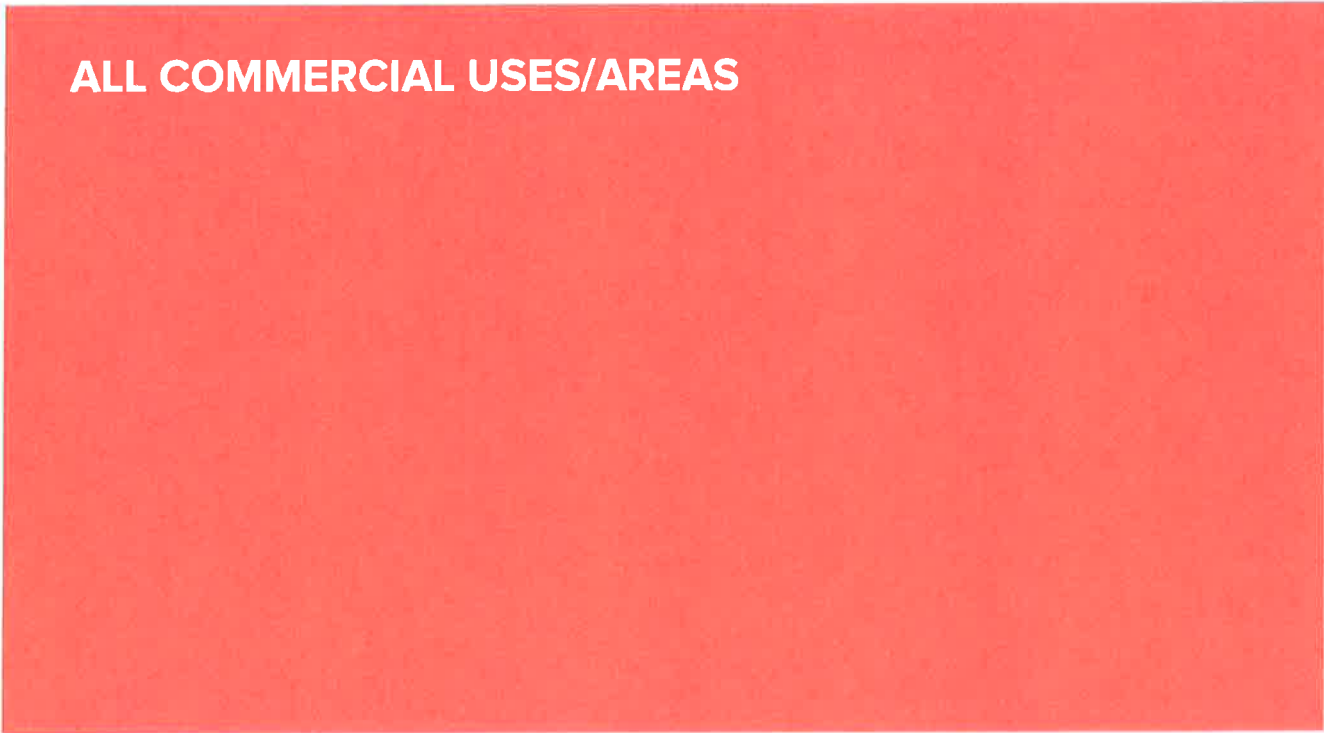


Commercial districts are located primarily along the City's major thoroughfares: Atlantic Boulevard, South Garvey Avenue, and Garfield Avenue. With the opening of the Market Place regional center along SR-60 in 2017, new large-format retail stores and national restaurants added variety to the commercial mix.

A healthy, balanced mix of home-grown businesses and national chains provides variety for shopping, dining, socializing, accessing services—like getting a haircut or visiting an architect's office—and entertainment. This diversity also creates more assurance of economic stability

for Monterey Park as the economy ebbs and flows. Also, by establishing flexible areas for small and large businesses alike, the City is better prepared for continually evolving changes in how people buy goods and receive services. The land use plan allows for varied development intensities, as shown on Figure LU-4 (Regulating Plan).

Branding each of the commercial districts with signage and unique streetscapes will help market businesses both locally and to visitors, including—importantly—foreign visitors.





GOAL 10 Commercial districts that allow a variety of retail, service, and entertainment uses and that accommodate flexibility over time

Policy 10.1 **Flexibility.** Ensure zoning regulations provide flexibility regarding allowed uses.

Policy 10.2 **Local Businesses.** Advocate for and support local businesses and small business owners.

Policy 10.3 **Economic Development.** Maintain a proactive economic development program that promotes the benefits of Monterey Park for both local businesses and national and international companies.

Policy 10.4 **Commercial Corridors.** Invest in commercial corridors by establishing a continuity of streetscapes that define the public realm, are scaled to the pedestrian experience, and reflect the City's cultural identity through public art, architectural character, and materials.

ALL COMMERCIAL USES/AREAS

GOAL 11 Transition and compatibility of new commercial development with and to adjacent residential districts

Policy 11.1 **Privacy.** Ensure new commercial developments address privacy issues relative to any abutting residential neighborhoods.

GOAL 12 High design quality in all new commercial developments and rehabilitation projects

Policy 12.1 **Compatibility.** Require new, infill, and rehabilitation projects in commercial districts be compatible with existing contexts in terms of site design, scale, building design, materials, and architectural approaches.

Policy 12.2 **Comprehensive Design.** Provide for comprehensive design review of new commercial development.

Policy 12.3 **Undergrounding of Utilities.** Strive to place utilities underground in conjunction with new development projects and/or as comprehensive undergrounding programs within commercial districts.

GOAL 13 Identifiable, unique commercial districts

Policy 13.1 **Streetscape.** Establish well-defined streetscape treatments for each commercial district.

Policy 13.2 **Wayfinding.** Use a comprehensive, city-wide wayfinding program to identify Monterey Park's commercial areas.



FOCUS AREA: MARKET PLACE

GOAL 14 The Market Place as a regional destination for diverse shopping, dining, and entertainment experiences

- Policy 14.1** **Flexibility.** Ensure that zoning regulations applicable to the Market Place properties provide focus for the uses the City looks to attract while providing flexibility to accommodate emerging new uses and markets over time.
- Policy 14.2** **Traffic.** Work with property owners and property managers to address and manage traffic associated with the Market Place so that visitors avoid traveling through adjacent residential neighborhoods.
- Policy 14.3** **High Design Quality.** Insist upon high design quality and landscape treatments upon establishment and over time.
- Policy 14.4** **Transit Access.** Advocate for alignment of the Gold Line east extension that places a station adjacent to the Market Place.



FOCUS AREA: SOUTH ATLANTIC

GOAL 15 A commercial district that meets local commercial needs, caters to students and employees at East Los Angeles College, and takes advantage of proximity to the Gold Line Atlantic Station

Policy 15.1 **Commercial.** Allow for commercial uses focused on daily shopping and service needs while continuing to accommodate long-established regional-serving uses, such as automobile dealerships, at appropriate locations.

Policy 15.2 **Pedestrian Movement.** Require that new development and rehabilitation of existing centers and buildings accommodate safe pedestrian movement from sidewalks and within internal parking lots.

Policy 15.3 **Streetscape Improvements.** Use urban design and streetscape improvement strategies to create an identifiable and pleasant travel path for pedestrians from Atlantic Station to the South Atlantic commercial district.

Policy 15.4 **Landscaping.** Ensure new development incorporates and maintains attractive on-site landscaping.

FOCUS AREA: SOUTH GARFIELD

GOAL 16 An attractive, village-like neighborhood commercial district with lower-intensity retail, office, and service-oriented businesses that cater to surrounding residential neighborhoods and Gold Line transit users

Policy 16.1 **South Garfield Village.** Regulate land uses and development and guide public realm enhancements in accordance with the South Garfield Village Specific Plan.

Policy 16.2 **Accommodate Pedestrians.** Pursue roadway, sidewalk, crosswalk, and traffic control improvements that well accommodate pedestrian traffic in the district.

Policy 16.3 **Incentives.** Provide incentives for local businesses to establish and thrive in the district.





FOCUS AREA: MID ATLANTIC

GOAL 17 A commercial corridor for businesses of all types, with public realm improvements that work to reduce vehicle speeds to enhance the visibility of and access to businesses along Mid Atlantic

- Policy 17.1** **Zoning.** Ensure zoning regulations accommodate office, service-oriented, retail, dining, and medical-related uses.
- Policy 17.2** **Mix of Uses.** Encourage a mix of uses that have operating hours that extend past 5:00 in the evening.
- Policy 17.3** **Land Assembly.** Use land assembly strategies and incentives to promote compatible infill development.
- Policy 17.4** **Streetscape.** Enrich the streetscape with themed lighting, benches, and trees. Consider using excess street width and adjacent public rights-of-way to create parklets, greenspace, and places for public art.
- Policy 17.5** **Mobility.** Improve pedestrian and vehicular mobility and safety with urban design interventions such as additional mid-block crossings, designated pedestrian walkways through surface parking lots, and shortened street crossings.
- Policy 17.6** **Design Inspirations.** Draw from the Cascades fountain, historical structures and historical influences, and landscaping within the public realm as inspirations for public space design treatments, site design and architecture, and landscaping. Use these inspirations to create a cohesive public realm plan for Mid Atlantic.
- Policy 17.7** **Land Use Transitions.** Remain sensitive to the adjacency of low-scale residential neighborhoods by providing appropriate transitions such as parking lots and landscaped areas as buffers and step-down building approaches.

FOCUS AREA: NORTH GARFIELD

GOAL 18 A district centered on intensive medical and office uses, with lower-scale buildings housing varied commercial uses

Policy 18.1 **Healthcare Facilities.** Encourage the concentration of established and proposed healthcare facilities and their related uses.



MIXED USE



DENSITIES* & INTENSITIES

GARVEY CORRIDOR
FAR: 1.50
HEIGHT: 50 FEET

DOWNTOWN PERIMETER
FAR: 1.50
HEIGHT: 50 FEET

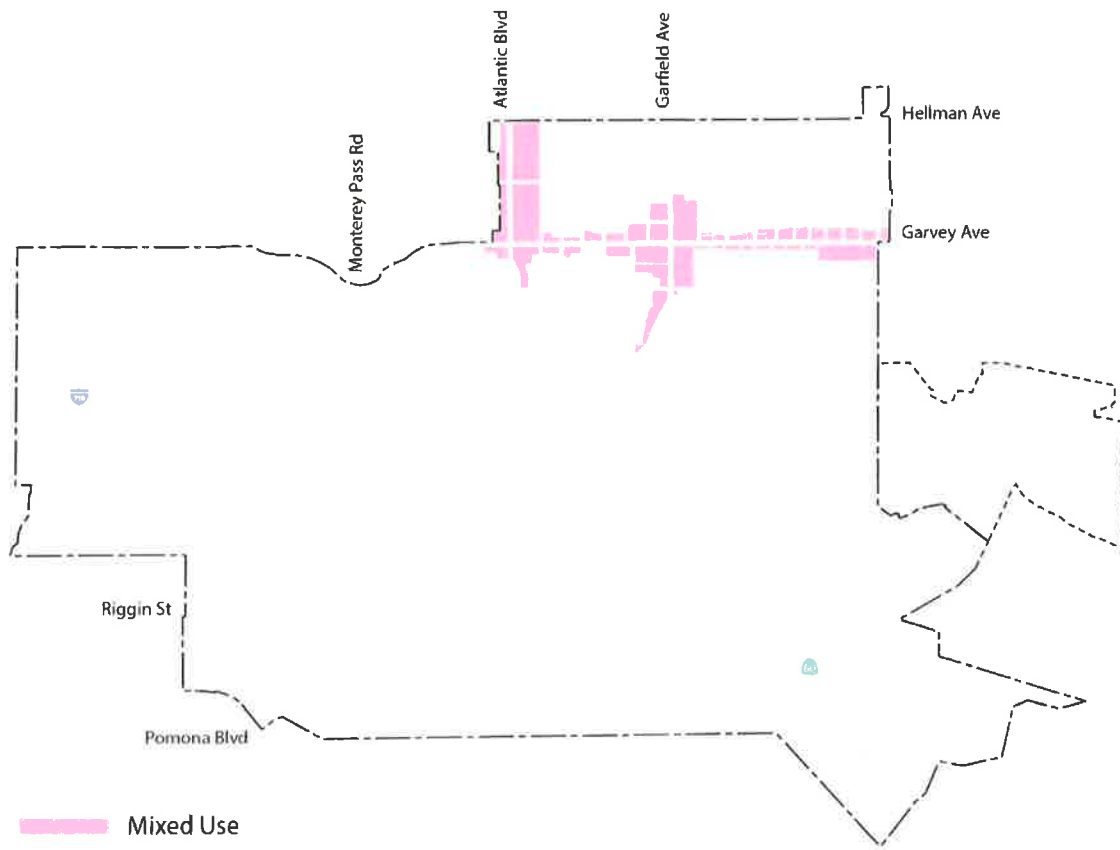
NORTH ATLANTIC
FAR: 2.00
HEIGHT: 75 FEET

DOWNTOWN
FAR: 2.50
HEIGHT: 75 FEET

No density maximum to provide flexibility in unit types and sizes

A list of all land use designated DENSITIES & INTENSITIES is provided in Table LU-1.





Mixed-use development is characterized by pedestrian-friendly environments that integrate residential, commercial, cultural, and institutional uses. Mixed-use development works to create vibrant, compact, walkable environments, with shorter pedestrian connections between living, working, learning, and recreational destinations. In Monterey Park, the Mixed Use designation allows a combination of compatible retail, entertainment,

office, residential, hotel, civic, cultural, and recreation uses that establish authentic physical environments. Mixed-use developments will incorporate social gathering places for the community and foster economic vitality. This variety of uses creates spaces for people to live, work, play, learn, and shop without getting into their cars to get from place to place.

ALL MIXED USES/AREAS



GOAL 19 Dynamic pedestrian-oriented mixed-use districts that provide vibrant uses, spaces, buildings, and experiences

- Policy 19.1** **Diversified Uses.** Attract diversified uses, including urban housing options, a mix of cultural and entertainment uses, a variety of businesses and restaurants, and places for people to connect.
- Policy 19.2** **Pedestrian Activity and Experiences.** Create pedestrian-friendly activity and experiences by requiring active uses on the ground floor, with storefronts providing ample window space along street frontages.
- Policy 19.3** **Attractive Streetscape.** Create attractive streetscape environments by using thematic design that integrates landscaping, street furniture, outdoor dining, lighting, wayfinding signage, public art, and other amenities and improvements.
- Policy 19.4** **Mixed-Use Compatibility.** Promote design solutions and construction techniques to ensure that new development is compatible with established uses, taking into account noise and other pre-existing conditions.

ALL MIXED USES/AREAS

- Policy 19.5** **Transition.** Transition mixed-use areas that border low-density residential neighborhoods to minimize visual and shade impacts by stepping down building heights, creating landscape buffers, and creating larger setbacks.
- Policy 19.6** **Parking.** Develop parking management strategies for mixed-use corridors that include shared parking lots and structures and park-once-and-walk districts to provide adequate and convenient parking for customers and employees.
- Policy 19.7** **Enhanced Character.** Incentivize property owners to renovate and improve tired and outdated buildings along mixed-use corridors to improve their aesthetic appearance, create readily identifiable places, utilize cohesive architectural design, and enhance the streetscape character.
- Policy 19.8** **Meeting the City and Community Needs.** Encourage a diverse mix of uses that are innovative, competitive, entrepreneurial, local, and sustainable, thereby promoting economic development, increasing City revenues, expanding job growth, increasing property values, and meeting residents' and visitors' desires and needs.
- Policy 19.9** **Housing.** Accommodate a variety of housing options, including medium- and high-density apartments and condominiums, live/work units, and mixed-use buildings with a residential component.
- Policy 19.10** **Undergrounding of Utilities.** Strive to place utilities underground in conjunction with new development projects and/or as comprehensive undergrounding programs within mixed-use districts.



FOCUS AREA: DOWNTOWN

Downtown is the urban core of Monterey Park, located at the intersection of Garvey and Garfield Avenues. Downtown's urban form is compact in character, with more intense infill development and pedestrian connections to the Civic Center and Barnes Park, the Garvey Avenue corridor, and medical uses along Garfield Avenue.

GOAL 20 A vibrant urban core that accommodates high-quality residential, entertainment, commercial, hospitality, civic, and public spaces

- Policy 20.1** **Community Focal Point.** Establish Downtown as the anchor for local businesses, public amenities, and public space experiences.
- Policy 20.2** **Destination.** Create a destination that includes uses and spaces for public gathering areas, community events, and local activities.
- Policy 20.3** **Pedestrian Connections.** Create pedestrian connections from Downtown to the Civic Center, Garvey Corridor, and Garfield Avenue medical uses using urban design and landscaping approaches.
- Policy 20.4** **Identity.** Strengthen the identify and character of Downtown through design, landscaping, public art, branding, and signage using consistent themes.
- Policy 20.5** **Wayfinding.** Establish a wayfinding program to assist in identifying location of Barnes Park, Monterey Park Bruggemeyer Library, the Garfield Medical Center, and other surrounding landmarks and uses.



FOCUS AREA: NORTH ATLANTIC

Located at the northern boundary of the City along Atlantic Boulevard, the North Atlantic Mixed Use District serves a gateway that combines hospitality, retail and commercial services, culture and arts, entertainment, and residential uses. Development along this corridor is urban and compact and, while Atlantic Boulevard is a heavily traveled vehicular corridor, encourages people to walk and frequent businesses and uses on both sides of the corridor.

GOAL 21 A vibrant, urban gateway that integrates commercial, hospitality, entertainment, and residential uses

- Policy 21.1 Gateway Identity and Urban Design.** Establish a focal northern gateway into Monterey Park that welcomes visitors and identifies the district as a key destination. Incorporate gateway signage, wayfinding, and landscaping to create a sense of arrival. Extend similar treatments within the district to identify the district visually.
- Policy 21.2 Tourism and Entertainment.** Expand upon mixed-use activities that support tourism and complement economic success, vibrancy, and livability, with a special focus on hospitality, cultural events and institutions, retail, public spaces, and arts and entertainment.
- Policy 21.3 Encourage Activity.** Encourage the development of uses that are active in the evenings and on weekends, such as restaurants, commercial services, retail stores, and performance spaces.
- Policy 21.4 Active Streetfront.** Require new development fronting Atlantic Boulevard to be clearly oriented toward the street, with buildings near the front lot line and parking either underground or to the rear of a lot.
- Policy 21.5 Design Approaches.** Require design approaches that provide for façade articulation vertically and horizontally, transition appropriately to abutting lower-scale residential uses in residential zones, incorporate pedestrian-oriented design on the ground floor (such as ample windows and inviting entrances), make use of plazas, and incorporate interesting roof forms.



FOCUS AREA: DOWNTOWN PERIMETER

The Downtown Perimeter encompasses properties around the urban core, extending to the Civic Center and Barnes Park and north and south along Garfield Avenue. The goal is to extend the mixed-use character of the Downtown core but at lower development intensities and to allow stand-alone residential uses.

GOAL 22 A Downtown-core-adjacent district of high-quality residential, commercial, civic, and public spaces

- Policy 22.1** **Integration of Civic Center with Mixed-Use District.** Allow for a mix of compatible residential and commercial uses that connect the Civic Center to the Downtown Core.
- Policy 22.2** **Transitions.** Ensure development within the Downtown Perimeter transitions in scale to the adjacent low-density residential neighborhoods.



FOCUS AREA: GARVEY CORRIDOR

The Garvey Corridor, stretching from Atlantic Boulevard to New Avenue, is a lower-intensity mixed-use corridor that emphasizes commercial businesses on the ground floor, integration of residential and/or office uses on the upper floors, and restaurants, retail services, and convenience goods for residents and visitors. New development is encouraged to provide opportunities for people to live and work in the same building. Many of the single-story buildings will transition to multi-story buildings, with interfaces to adjacent low-density residential neighborhoods respected by increased building setbacks and rear building forms that step down toward the neighborhoods. Incentives and procedural enticements are provided to encourage consolidating smaller lots to allow for complete developments.

To address parking needs at a district level, the City envisions construction of one or more public parking garages at central locations, thus allowing visitors to park once to patronize numerous businesses (and to have employees park, thus freeing up spaces adjacent to business for less mobile visitors).

GOAL 23 A modest-intensity, pedestrian-friendly, mixed-use corridor that provides active street frontage with a mix of retail, commercial services, restaurants, and residential uses

- Policy 23.1** **Active Street Front.** Encourage pedestrian activity along Garfield Avenue by requiring active street frontage commercial uses, buildings, and entrances oriented to the street and sidewalks, outdoor dining, and transparent building frontages.
- Policy 23.2** **Balance.** Encourage pedestrian-oriented specialty retail shops offering quality goods, a diverse range of restaurants, and service businesses. Attract a balance of locally owned businesses and franchise or corporate enterprises.
- Policy 23.3** **Incentives for Lot Consolidation.** Develop financial and procedural incentives for property owners to consolidate smaller lots for larger development projects.
- Policy 23.4** **Building Façade Renovations.** Encourage the renovation and updating of older building façades.
- Policy 23.5** **Parking.** Promote a variety of parking opportunities that take advantage of alleyways

and parking structures that promote park-once-and-walk strategies.

Policy 23.6 **Transition.** Maintain established alleyways and use landscaped buffers, building step-downs, and setbacks to transition mixed-use buildings to adjoining low-density residential neighborhoods.

Policy 23.7 **Parklets.** Considering using side streets that intersect Garvey Avenue for adding parklets to expand outdoor dining options and add public gathering and urban green spaces.



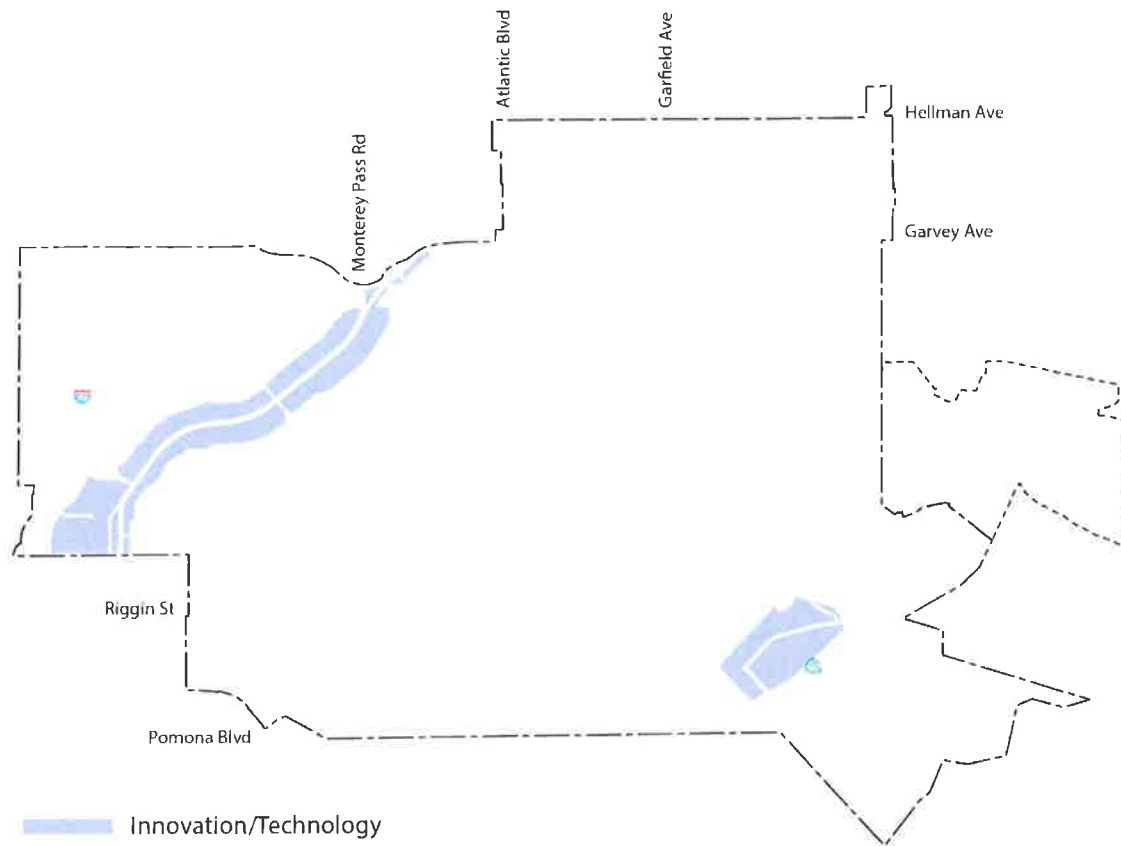
INNOVATION/
TECHNOLOGY
USES



INTENSITIES	
MONTEREY PASS	
FAR: 0.85	
HEIGHT (FT.): 35	
SATURN PARK	
FAR: 1.00	
HEIGHT (FT.): 50	
CORPORATE PLACE	
FAR: 1.00	
HEIGHT (FT.): 50	

A list of all land use designated
DENSITIES & INTENSITIES is
provided in Table LU-1.





Technology will continue to evolve rapidly, changing how people work and do business. The City aims to accommodate and encourage new businesses that promote innovation and advances in technology, creating places for high-skilled and knowledge workers. The Monterey Pass Road corridor and Saturn Park district (on Saturn Street) provide prime properties, easy access to arterial roadways and freeways, and locations near housing perfect for new, clean technology, and creative industries.

The Monterey Pass Road corridor and Saturn Park district historically have been areas where a range of industrial businesses—including intensive manufacturing operations—have thrived. However, in Saturn Park, uses transitioned in the latter 1990s to lighter industrial and office enterprises in response to public concerns about the proximity of heavy industrial uses to residential neighborhoods. Along Monterey Pass Road, warehousing, trucking, and auto repair uses increased because of the distance from neighborhoods and relatively easy freeway access. While these uses have provided service-oriented jobs, the City is interested in attracting industries that offer higher-paying jobs and attract people of diverse interests, incomes, and talents who wish to both live and work in Monterey Park.

Properties along Monterey Pass Road and south of Davidson Drive between Monterey Pass Road and Corporate Center Drive have interesting and unique industrial buildings that can be retrofitted for creative office, research and development, and even commercial space such as breweries. The City's goal is to phase out trucking-intensive uses in favor of more environmentally sensitive businesses. Also, the City aims to improve the physical appearance of the corridor with increased landscaping, improved signage, identity lighting, and other public realm interventions. Finally, to provide for better interaction among land uses along the corridor, the City will provide better accommodations for pedestrians and cyclists and limit cut-through traffic, as described in the Mobility Element.

Saturn Park will continue to function as a business park, focused on office-type and research and development uses, with supportive commercial businesses. Private reinvestment in properties will be encouraged through higher development intensity allowances. In turn, the City will require greater attention to landscaping, creative site design, and building quality.



GOAL 24 Monterey Pass Road as a prime location for new technology-oriented, creative-industry, and emerging-trends businesses

Policy 24.1 **Zoning.** Ensure that zoning regulations applicable to the Monterey Pass Road corridor permit the range of uses necessary to achieve land use goals. Prohibit uses that conflict with those goals, including prohibition of warehousing and trucking-related uses.

Policy 24.2 **Amortization.** Consider limited use of amortization provisions in the zoning ordinance to eliminate businesses incompatible with long-term land use objectives for the Monterey Pass Road corridor.

Policy 24.3 **Identity.** Create a distinct physical identity for the Monterey Pass Road Innovation/Technology district.

Policy 24.4 **Market.** Market the premier location of the Monterey Pass Road Innovation/Technology district relative to its proximity to California State University Los Angeles and East Los Angeles College for incubator businesses and public/private partnerships and investments.



GOAL 25 Saturn Park as a destination business park for high-quality service industry, research and development, and emerging industry jobs

- Policy 25.1** **Zoning.** Ensure that zoning regulations applicable to Saturn Park permit the range of uses necessary to achieve land use goals. Prohibit uses that conflict with the goals.
- Policy 25.2** **Market.** Market the Saturn Park district as a premier location in the San Gabriel Valley for emerging technology businesses.
- Policy 25.3** **Identity.** Create a distinct physical identity for the Saturn Park district.

CORPORATE
CENTER USES



INTENSITIES

CORPORATE CENTER N
FAR: 2.00
HEIGHT (FT.): 60

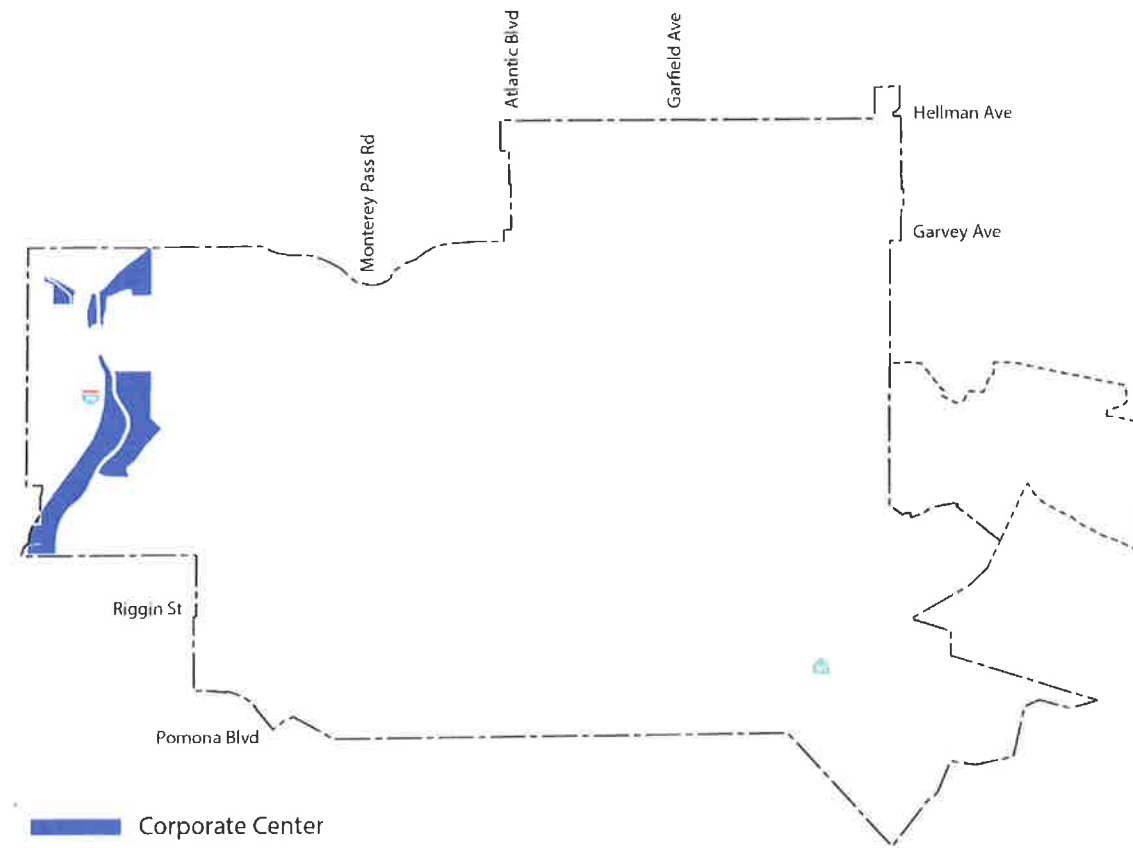
CORPORATE CENTER S*
FAR: 4.00
HEIGHT (FT.): 125

*Housing Overlay III applies.
See Figure LU-3 and Table LU-1.



A list of all land use designated
DENSITIES & INTENSITIES is
provided in Table LU-1.





Corporate Center Drive winds along the west side of Monterey Park, parallel to I-710 and up a steep south-to-north grade that terminates at Ramona Boulevard, adjacent to the City-owned Monterey Park Golf Club. The hilly terrain provides tremendous views to the west. City land-use policy has long recognized that topography in this area and its relative separation from the rest of Monterey Park provide opportunity to allow more intense, high-rise development approaches. Also, City-owned properties adjacent to the golf course offer sites for hospitality businesses that can take advantage of views and proximity to I-710 and I-10. With downtown Los Angeles a short drive west along I-10 and California State University Los Angeles just across the freeway, the Corporate Center Drive district is well located to offer a market for corporate office, hotel, and support uses.

This district is divided into two subdistricts to reflect location-appropriate FAR and building height limits. The

district will continue to provide places for higher intensity office uses, as well as hotels, conference facilities, and ancillary restaurant and retail businesses. Building intensities will be allowed consistent with Figure LU-4 (Regulating Plan).

Regarding the golf course-adjacent properties, the City's aim is to maximize revenue-generating businesses that attract tourist and business visitor dollars.

New investment consisting of taller buildings may incorporate multi-story parking structures. Design standards will require design approaches that well integrate parking facilities into overall site design and architectural treatments. Ample landscaping will be required. Where multi-story structures abut residentially zoned properties, project design will make use of increased setbacks and building tiering and stepbacks to minimize shadow and privacy impacts on residential uses.

ALL CORPORATE CENTER USES

GOAL 26 Corporate Center corridor as a premier regional location for high-rise office, hospitality, and complementary uses

- Policy 26.1** **Zoning.** Ensure that zoning regulations applicable to Corporate Center properties permit the range of uses necessary to achieve land use goals. Prohibit uses that conflict with those goals.
- Policy 26.2** **Market.** Market the premier location of the Corporate Center district relative to its proximity to downtown Los Angeles, California State University Los Angeles, and East Los Angeles College for corporate headquarters, research and development facilities, hotels, conference facilities, and related uses.
- Policy 26.3** **Maximize Use of City Properties.** Actively seek users for City-owned properties adjacent to the Monterey Park Golf Club that maximize use of the properties and generate reliable revenue streams.



PUBLIC
FACILITIES



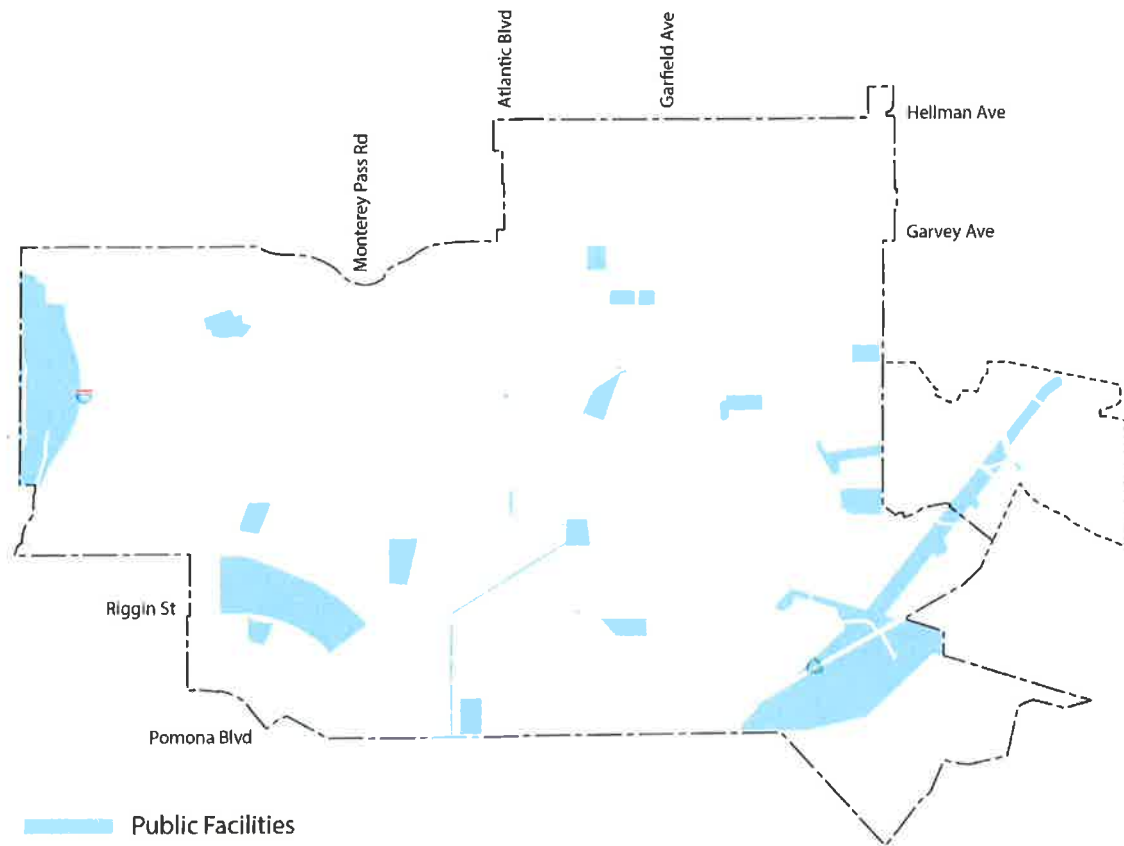
INTENSITIES

All Public Facilities
FAR: 0.75
HEIGHT (FT.): Per Zoning



A list of all land use designated
DENSITIES & INTENSITIES is
provided in Table LU-1.





The Public Facilities designation encompasses government, civic, cultural, public school, and infrastructure uses that support community needs. Monterey Park has well-used community facilities and a library that provide important places for gathering and education. Programs at these facilities contribute significantly to community life; residents have expressed the importance of upgrading these facilities in response to heavy use.

Regarding public schools, four distinct school districts serve City students, which is unusual, as well as a bit chaotic and confusing for residents. Often home values can be affected by the school district's quality, which in turn affects neighborhood quality. While the land use plan recognizes the location of established schools, it does not and cannot address the influences of school district boundaries. However, the City is supportive of efforts to consolidate districts or redraw district boundaries.



GOAL 27 State-of-the-art community facilities that support established programs, accommodate future needs, and are accessible to all community members

Policy 27.1 **Functional and Flexible.** Maintain multi-functional, flexible, and complementary space at Monterey Park's community buildings and spaces.

Policy 27.2 **Maximize Use.** Maximize public facility use by sharing with nonprofit organizations, school districts, and community organizations.

Policy 27.3 **New Facilities.** Locate new community facilities in neighborhoods and centers where they will serve populations of the greatest needs. Look for opportunities to create joint-use community space at facilities owned by private organizations such as faith-based groups, service groups, and hospitals.

Policy 27.4 **Library.** Maintain a state-of-the-art library collection in an attractive and inviting facility capable of accommodating users of all ages and abilities.



GOAL 28 Utility infrastructure that minimize adverse visual impacts

Policy 28.1 **New Facilities.** Locate and design new capital-intensive potable water storage and distribution facilities, particularly storage tanks, in a manner that minimizes visual, cost, and environmental impacts on the surrounding areas.

Policy 28.2 **Reduce Visual Impact.** Reduce visual impact of aboveground and overhead utilities, including electric lines, by working with local providers to maximize opportunities to place utilities underground.

Policy 28.3 **Utilities Placement.** Continue to require the placement of utilities underground within new development.

Policy 28.4 **Undergrounding.** Strengthen requirements for underground utilities in older sections of the City as part of private redevelopment projects to improve the aesthetic quality of streets and neighborhoods.

Policy 28.5 **Alternative Energy.** Accommodate alternative energy infrastructure as new technology evolves.

OPEN SPACE



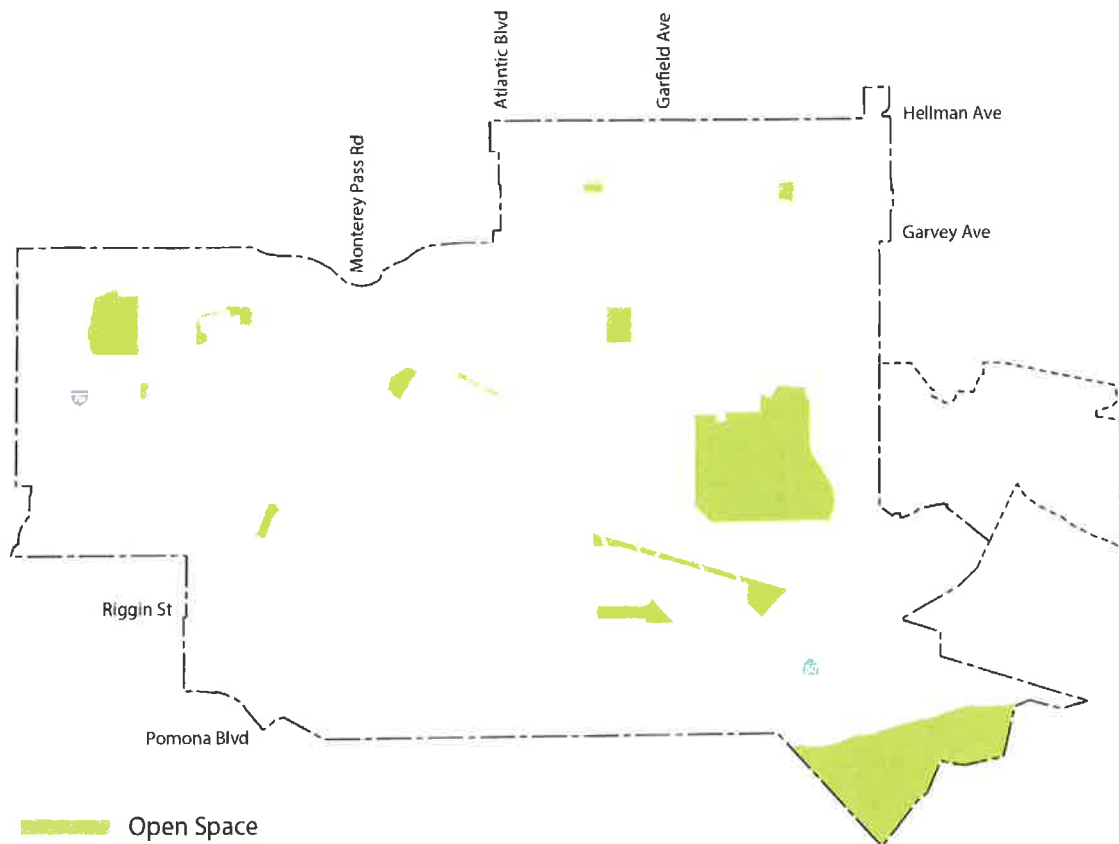
INTENSITIES

All Open Space
FAR: 0.35
HEIGHT (FT.): Per Zoning



A list of all land use designated DENSITIES & INTENSITIES is provided in Table LU-1.





Natural open spaces and urban recreation areas contribute to a healthy and environmentally sustainable community. While Monterey Park has well-used parks, establishing new green space will be difficult given the community's built-out character. The General Plan features traditional concepts for open space, as well as innovative open space such as parklets, public right-of way conversions, and urban recreation/plazas/facilities.

Other open spaces include a former landfill and the Monterey Park Golf Club. While the portion of the former landfill north of SR-60 has been remediated and developed as the Market Place commercial center, the 145-acre portion south of SR-60 remains a Superfund site (as designated by the U.S. Environmental Protection Agency)

and is thus unavailable for development or even passive open space use due to extensive contamination. The Monterey Park Golf Club, a City-owned nine-hole facility, is available for general public use.

Given the very limited opportunities to create new open space, focused creative solutions to meet demands of new residents include:

- Creating mini green spaces in conjunction with roadway enhancements
- Creating urban recreation spaces through public plazas and linear greenways
- Supporting urban agriculture and community gardens

GOAL 29 Unique new open spaces to complement the City's established and well-used park and trails systems

- Policy 29.1** **Trails System.** Create and maintain a system of trails, sidewalks, linear parks, and other connections that provide residents of all abilities with opportunities to exercise, enjoy nature, and access recreation facilities within a five-minute walk from home. Activate and encourage discovery along urban trails.
- Policy 29.2** **Green Space.** Consider the development of new park land or green space through the repurposing of excess street rights-of-way.
- Policy 29.3** **Gardens.** Pursue the use of Edison Trails Park for community gardens and urban agriculture.
- Policy 29.4** **Public Spaces.** Develop guidelines for commercial and mixed-use development projects to incorporate accessible plazas, paseos, and other public spaces into project design.
- Policy 29.5** **Community Gathering Spaces.** Design, construct, and program community gathering spaces, plazas, and an outdoor stage/amphitheater in the Downtown Core, Garvey Corridor, North Atlantic, and South Atlantic focus areas.
- Policy 29.6** **Parkland.** Require parkland dedications and/or provision of usable on-site public space for significant development projects involving new residential construction.
- Policy 29.7** **Surplus Land.** Consider the acquisition of surplus land owned by public agencies for future open space.
- Policy 29.8** **Urban Agriculture.** Create urban agriculture areas to encourage property owners of vacant parcels to convert them into community gardens through the incentives made available through the Urban Agriculture Incentive Zones Act (Sections 51040-51042 of Chapter 6.3 of the California Government Code).
- Policy 29.9** **Recreational Space.** Enhance street corridors, parkways, and public property between buildings to serve as green space and functional recreation space (e.g., community gardens, parklets, play spaces, public seating).

GOAL 30 Public places evolve to meet the needs of changing demographics and public interests

- Policy 30.1** **Flexible Design.** Incorporate flexible design characteristics into the renovation of existing and development of new parks and community facilities.
- Policy 30.2** **Environmental Responsibility.** Continue to build, renovate, and maintain parks and community facilities in a manner that is environmentally responsible.



“Now and in the future, our city will offer a comfortable and modern environment with plenty of job opportunities.”

- Monterey Park resident



IMPLEMENTATION PLAN



TABLE LU-2 IMPLEMENTATION PLAN TABLE

Procedures, Permits, Agreements, and Ordinances

PROGRAM 1: AMEND ZONING REGULATIONS

Program Description	Amend the zoning regulations and zoning map to reflect General Plan land use policy and design standards. In particular: • Require active storefronts in Mixed Use designated areas • Provide flexibility to accommodate emerging new uses, markets, and business practices over time • Implement development incentives geared toward land assembly • Accommodate transit-oriented districts and uses around future (planned and proposed) Gold Line stations • Match development standards, including maximum densities, intensities, FAR, du/ac, building heights, to General Plan land use designation standards • Include standards that address building massing and front façade transparency • Create standards for transition areas to ensure new development is compatible with established uses • Allow housing as part of mixed-use development projects along the west side of Atlantic Boulevard • Ensure compliance with California law as to affordable housing, density bonuses and inclusionary housing requirements • Allow for urban agriculture, community gardens, and gathering spaces
Related Land Use & Urban Design Element Policies	11, 1.2, 1.5, 2.1, 2.2, 2.3, 3.1, 3.2, 3.3, 3.4, 3.7, 3.9, 6.1, 6.2, 6.4, 7.1, 7.3, 7.4, 7.5, 7.6, 7.7, 9.1, 9.2, 10.1, 10.2, 11.1, 12.1, 14.1, 14.4, 15.1, 16.3, 17.1, 17.2, 17.3, 17.7, 18.1, 19.1, 19.4, 19.5, 19.8, 19.9, 21.5, 23.6, 24.1, 25.1, 26.1
Time Frame	After LUE approval
Responsibility	Planning, Community and Economic Development
Funding Source(s)	General Fund

PROGRAM 2: ACCESSORY DWELLING UNIT (ADU) LAW COMPLIANCE

Program Description	Update accessory unit requirements and regulations to comply with current California law.
Related Land Use & Urban Design Element Policies	6.3, 7.8
Time Frame	Short Term
Responsibility	Planning, Building and Safety, Code Enforcement
Funding Source(s)	General Fund

PROGRAM 3: DEVELOPMENT STANDARDS AND GUIDELINES

Program Description	Create and codify development standards and guidelines to direct site and building design in accordance with the Land Use and Urban Design Element. Standards and guidelines should address: • Private and public realm standards requirements that reflect a distinctive community character • Pedestrian circulation and safety • Parking • Building materials, massing and orientation • Architectural character, drawing design inspiration from historical influences (i.e. Cascades fountain) • Landscaping and public art • Pedestrian amenities (e.g., benches, trash receptacles, street trees, and lighting)
Related Land Use & Urban Design Element Policies	1.3, 1.4, 1.6, 8.2, 8.3, 8.4, 8.5, 8.6, 10.4, 13.1, 14.3, 15.3, 15.4, 16.2, 17.4
Time Frame	Short Term and Ongoing
Responsibility	Planning
Funding Source(s)	General Fund

PROGRAM 4: AMORTIZATION

Program Description	Conduct an investigation of uses throughout nonresidential designated areas to determine which are inconsistent with the policy direction outlined in sections 2.7 through 2.14 of the Land Use and Urban Design Element. Establish a program for the gradual relocation, or elimination, of specific nonconforming uses.
Related Land Use & Urban Design Element Policies	24.2
Time Frame	Intermediate Term
Responsibility	Planning
Funding Source(s)	General Fund

PROGRAM 5: DEVELOPMENT APPLICATION PROCESS AND DESIGN REVIEW

Program Description	Examine the current plan review, permitting, and design review processes to ensure: • Comprehensive review of all new commercial and industrial development • Dependable, transparent, and on schedule processing of all applications
Related Land Use & Urban Design Element Policies	12.2
Time Frame	Short Term and Ongoing
Responsibility	Planning
Funding Source(s)	General Fund, Application Fees

PROGRAM 6: PLAN CONSISTENCY

Program Description	• Repeal the North Atlantic, Mid Atlantic, and Garvey-Garfield specific plans and replace them with zone districts. As needed, develop streetscape plans for these areas. • Review the Pedestrian Linkages Plan and update as necessary to implement land use and urban design policies.
Related Land Use & Urban Design Element Policies	16.1, 20.3
Time Frame	Short Term
Responsibility	Community and Economic Development
Funding Source(s)	General Fund

Plans and Studies

PROGRAM 7: STREETSCAPE PLAN

Program Description	Create and implement a citywide streetscape plan that: • Enhances streetscapes with aesthetic treatments that also contribute to the comfort and safety of pedestrians • Creates well-defined, recognizable districts and neighborhoods • Provides consistent design themes • Requires integrated street and pedestrian amenities such as landscaping, street furniture, outdoor dining, lighting, wayfinding signage, public art • Uses the public realm to connect places and districts citywide • Includes durable pedestrian and bicycle facilities including trails, sidewalks, bike lanes, and linear parks • Incorporates design strategies that encourage flexibility and a range of uses and users • Provides residents and visitors with functional and flexible spaces at and around the City's public community buildings and facilities
Related Land Use & Urban Design Element Policies	1.3, 1.4, 1.6, 19.2, 19.3, 21.4, 23.1, 24.3, 25.3, 27.1, 29.1, 29.9, 30.1
Time Frame	Intermediate to Long Term
Responsibility	Planning, Engineering, Public Works
Funding Source(s)	CIP Funds, Grants

PROGRAM 8: ECONOMIC DEVELOPMENT PLAN

Program Description	As part of the City’s ongoing economic development efforts: • Seek well-known, economically proven hospitality users for City-owned properties within the Corporate Center district • Consider land acquisition as a way to create larger, marketable properties • Promote and market the City’s assets and opportunities • Ensure access between residential and nonresidential uses, services, and public facilities
Related Land Use & Urban Design Element Policies	5.1, 5.2, 10.3, 24.4, 25.2, 26.2, 26.3, 29.7, 29.8, 29.5
Time Frame	Ongoing
Responsibility	Planning, Community and Economic Development, City Council
Funding Source(s)	General Fund, BID Funds, Grants

PROGRAM 9: GATEWAY AND WAYFINDING PLAN

Program Description	Develop a citywide gateway and wayfinding plan to: • Help identify major activity areas, landmarks, key businesses, and community facilities • Create a sense of arrival • Foster a sense of community and identity • Welcome visitors and increase tourism revenue
Related Land Use & Urban Design Element Policies	13.2, 19.3, 20.4, 20.5, 21.1
Time Frame	Intermediate Term
Responsibility	City Manager, Public Works, Community and Economic Development
Funding Source(s)	General Fund, Grants

PROGRAM 10: PARKING MANAGEMENT PLAN

Program Description	Develop a parking management plan to address: • Traffic flow • Parking lot circulation (including landscaping and pedestrian passageways) • Vehicular and pedestrian circulation and safety • New development requirements (including parking needs along Garvey Avenue)
Related Land Use & Urban Design Element Policies	14.2, 15.2, 19.6, 23.5
Time Frame	Short Term
Responsibility	Public Works
Funding Source(s)	General Fund

PROGRAM 11: CLIMATE CHANGE ACTION PLAN

Program Description	Develop a Climate Change Action Plan to address: • Sustainable development best practices and new development requirements • Reducing environmental burdens, particularly in identified disadvantaged communities • Mitigating urban heat island effect and increased tree canopy coverage • Approaches to decrease vehicle miles traveled and increase active transportation (walking, bicycling)
Related Land Use & Urban Design Element Policies	4.1, 4.2, 4.3, 4.4, 4.5, 4.6
Time Frame	Intermediate Term
Responsibility	Planning
Funding Source(s)	General Fund, Grants

Physical Improvements

PROGRAM 12: EXPAND RECREATIONAL AND OPEN SPACES

Program Description	Encourage active living, physical activity, health, and wellness by creating and maintaining a green network that provides ready access to parks, open space, trails, gardens, plazas, and public spaces.
Related Land Use & Urban Design Element Policies	3.6, 3.8, 27.1, 27.2, 29.1, 29.2, 29.3, 29.4, 29.5, 29.6, 29.7, 30.1, 30.2
Time Frame	Ongoing
Responsibility	Planning, Recreation and Community Services
Funding Source(s)	General Fund, Grants

PROGRAM 13: COMMERCIAL FAÇADE IMPROVEMENT PROGRAM

Program Description	Identify financial incentives that will encourage property and business owners to improve the exterior appearance of their buildings and storefronts.
Related Land Use & Urban Design Element Policies	19.7, 23.4
Time Frame	Intermediate Term and Ongoing
Responsibility	Community and Economic Development
Funding Source(s)	General Fund, Grants, BID Fees, Loans

PROGRAM 14: PARKLET PROGRAM

Program Description	Develop a parklet program that identifies potential locations and the permitting process to allow businesses, property owners, and other groups to install parklets in public rights-of-way.
Related Land Use & Urban Design Element Policies	21.4, 23.1, 23.7
Time Frame	Short Term and Ongoing
Responsibility	Planning, Public Works
Funding Source(s)	General Fund

PROGRAM 15: BUSINESS IMPROVEMENT DISTRICT (BID)

Program Description	Continue to consult with the Business Improvement District to: • Promote event programming • Prioritize and fund public and capital improvement projects
Related Land Use & Urban Design Element Policies	19.4, 19.7, 20.1, 20.2, 20.4, 20.5, 21.2, 21.3, 21.4, 23.1, 23.4, 23.7
Time Frame	Ongoing
Responsibility	Community and Economic Development
Funding Source(s)	General Fund, BID Fees

PROGRAM 16: SERVICE PROVIDER COORDINATION

Program Description	Consult and coordinate with local service providers (such as Southern California Edison, AT&T, etc.) to: • Underground overhead utility lines concurrent with new development • Maximize use of existing public facilities and utilities • Strategically locate new public facilities and utilities to minimize cost, and mitigate visual and environmental impacts • Incentivize alternative energy infrastructure, technology, and use
Related Land Use & Urban Design Element Policies	12.3, 19.4, 28.1, 28.2, 28.3, 28.4, 28.5
Time Frame	Ongoing
Responsibility	Public Works
Funding Source(s)	General Fund, Grants, Development Agreements

Special Programs and Projects**PROGRAM 17: LOT CONSOLIDATION PROGRAM**

Program Description	Develop a lot consolidation program that identifies regulatory and financial incentives to encourage lot consolidation to achieve the scale and quality of development envisioned in the Land Use and Urban Design Element.
Related Land Use & Urban Design Element Policies	23.3
Time Frame	Short Term
Responsibility	Community and Economic Development
Funding Source(s)	General Fund

PROGRAM 18: COMPLETE STREETS AND NEIGHBORHOODS

Program Description	Develop and implement a Complete Streets and Neighborhoods program that: • Accommodates all modes of travel (e.g. walking, bicycling, scooting, driving) • Integrates schools, childcare and community centers, green spaces and parks, and public amenities Consult with developers and project applicants to require publicly accessible urban public spaces—such as plazas, courtyards, parklets, mini-parks, and similar public spaces—to be integrated into mixed-use projects.
Related Land Use & Urban Design Element Policies	7.1, 17.5, 20.1, 20.2, 21.2, 21.3
Time Frame	Intermediate Term and Ongoing
Responsibility	Planning, Engineering, Recreation and Community Services, Community and Economic Development
Funding Source(s)	General Fund, Grants, Development Agreements

Education and Outreach

PROGRAM 19: ONGOING COMMUNITY EDUCATION AND ENGAGEMENT

Program Description	Encourage diverse participation in local planning and decision-making processes by: • Targeting outreach events to accommodate populations that are typically underserved and/or underrepresented • Publishing outreach and meeting materials in English, Spanish, and other languages, as appropriate • Engaging the public early and often throughout planning and design processes
Related Land Use & Urban Design Element Policies	5.3, 5.4, 7.2
Time Frame	Ongoing
Responsibility	City Manager, Planning
Funding Source(s)	General Fund, Grants

PROGRAM 20: EDUCATIONAL BROCHURE OR MANUAL

Program Description	Develop a graphic brochure or manual that includes illustrations and images to identify zoning standards and design approaches that effectively transition the massing and scale of taller buildings adjacent to existing Low Density residential.
Related Land Use & Urban Design Element Policies	19.5, 21.5, 22.2, 23.6
Time Frame	Short Term
Responsibility	Community and Economic Development
Funding Source(s)	General Fund



Monterey Park
2040

320 West Newmark Avenue
Monterey Park, CA 91754
montereypark2040.org

ATTACHMENT 4

City Council Staff Report dated October 28, 2019



City Council Staff Report

DATE: October 28, 2019

AGENDA ITEM NO: Public Hearing
Agenda Item 4-A

TO: Honorable Mayor and Members of the City Council
FROM: Mark A. McAvoy, Director of Public Works/City Engineer/City Planner
SUBJECT: A Public Hearing to consider the draft Land Use Element of the General Plan, Focused Environmental Impact Report, and Findings of Fact and Statement of Overriding Considerations.

RECOMMENDATION:

It is recommended that the City Council consider:

- (1) Opening the public hearing;
- (2) Receiving documentary and testimonial evidence;
- (3) Closing the public hearing;
- (4) Adopting a Resolution adopting the Land Use Element (subject to voter approval); and certifying the Final Focused Environmental Impact and adopting Mitigation Measures, Findings of Facts and Statement of Overriding Considerations for the Land Use Element;
- (5) Directing the City Manager, or designee, to prepare appropriate documents to place a proposition on the ballot for the previously called March 3, 2020 election seeking voter ratification of the City Council's actions; and
- (6) Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act)

The City prepared a draft environmental impact report ("DEIR") pursuant to CEQA Guidelines § 15080. No initial study was conducted nor were any of the CEQA Appendix G checklist topical areas eliminated from consideration of impacts. Consequently, all 20 of these topical areas were analyzed in the DEIR before determining that any impact was insignificant or less than significant. As may be seen, the DEIR identifies several significant and unavoidable impacts.

CEQA permits agencies to certify a final EIR ("FEIR") that discloses significant and unavoidable impacts if it can determine that the benefits of the proposed project outweigh the significant impacts. Significant and unavoidable impacts anticipated as a result of implementation of this Project include air quality, greenhouse gas emissions, noise, and transportation and traffic. While mitigation has been recommended to reduce these impacts, they remain significant and unavoidable for several reasons. Implementation of certain traffic and transportation improvements are outside the City's jurisdiction and the City cannot compel another agency to implement these improvements. The benefits of the proposed Project that should be weighed against

these significant and unavoidable impacts include, without limitation, economic growth and development; promotion of sustainable development; increased employment opportunities for highly skilled workers; reduction in per capita vehicle miles traveled; and the provision of housing. Accordingly, the recommendation is that the City Council adopt a Statement of Overriding Considerations in order to adopt the draft Land Use Element ("LUE").

EXECUTIVE SUMMARY:

In 2018, the City Council commenced the process for updating the Monterey Park General Plan. The first element identified by the City Council for consideration was the Land Use Element ("LUE").

On September 24, 2019, the Planning Commission reviewed the proposed draft LUE, Focused Environmental Impact Report, and Findings of Fact and Statement of Overriding Considerations (the "Project"). After considering the Project, the Commission adopted a resolution recommending that the City Council approve the draft documents. The Planning Commission staff report dated September 24, 2019, and the minutes from the September 24, 2019 Planning Commission meeting are attached for reference.

TYPE OF ACTION (LEGISLATIVE)

The recommended action includes a proposed change to the Monterey Park General Plan. In considering such actions, the City Council acts in its discretionary legislative capacity (formulating rules that apply to all future cases). For the LUE, the City Council must find that it complies with California's General Plan regulations including Government Code § 65358(a), namely that the LUE is in the public interest. Additionally, the action of placing the LUE onto the ballot for voter consideration is a legislative act under Elections Code § 9222.

These findings are included with the draft Resolution; the facts upon which these findings rely are also included with the draft documents.

The City Council may approve, modify or disapprove the Project as recommended by the Planning Commission. However, any substantial modifications proposed by the Council, which were not previously considered by the Planning Commission during its hearing(s), must first be referred back to the Planning Commission (Government Code § 65356).

Certification of the FEIR is also considered a quasi-legislative act because the City Council would need to adopt a statement of overriding considerations. This type of statement is interpreted to focus "on the larger, more general reasons for approving the project, such as the need to create new jobs, provide housing, generate taxes, and the like." Accordingly, the dominant concern of the action is broad and public.

BACKGROUND

In 2018, the City Council began the process for updating the Monterey Park General Plan, which was last updated in 2001. To facilitate this process, the City Council directed that the LUE be updated first. While these updates were initially planned to be completed for the November 2019 election, the cost of placing a proposition on a ballot for that election was prohibitive. Accordingly, the schedule for the LUE consideration was adjusted for the previously called March 3, 2020 election.

Between February and May of 2019, the City participated in various engagement efforts related to amending the LUE including, the formation of the General Plan Advisory Committee, a City Council initiated workshop, seven events for public attendance, a dedicated webpage on the City's website and circulation of a public survey. Following these efforts, an update was provided to the City Council on September 4, 2019. Overall, the City Council did not express concerns about the public outreach process and did not provide further direction.

On September 24, 2019, the Planning Commission considered both the DEIR and the LUE. A complete overview of the information provided to the Planning Commission – including a more in-depth explanation of proposed changes to the LUE – is included as attachments to this staff report.

Following the public hearing, the Planning Commission made the following changes to the draft LUE:

- Designated the parcel located at 1688 West Garvey Avenue from “High Density Residential” to “Low Density Residential;”¹
- Revised the language under the heading Program 11: Climate Change Action Plan Time Frame (on page 99 of the Land Use Element Action Plan) to read “Short and Intermediate.”

ALTERNATIVE COMMISSION CONSIDERATIONS:

While separate from the Planning Commission's consideration of the LUE, the Planning Commission also requested that the following items be brought to the attention of the City Council:

- Further analyze whether the proposed zone change for Atlantic Square (from “Commercial” to “Mixed-Use”) in the draft LUE would allow for a housing overlay zone;²

¹ From a topographical standpoint, as well as the underlying geologic issues and the proposed geotechnical solutions for development, this parcel is not a good candidate for high density residential. Specifically, development will be constrained due to the steep slopes on the property and the required corrective action to cure historic geotechnical failures on the property – which is anticipated to involve the use of tiebacks. Accordingly, the property should be designated as Low Density Residential and the LUE should be amended to reflect that change in designation.

- An ordinance to formally recognize and designate the Cascades Waterfall, El Encanto, the observatory, and Historical Museum as historical landmarks in the City; and
- Adding policies to vigorously encourage and promote higher quality property maintenance standards

FISCAL IMPACT:

The City Council has authorized \$749,607 for this Project.

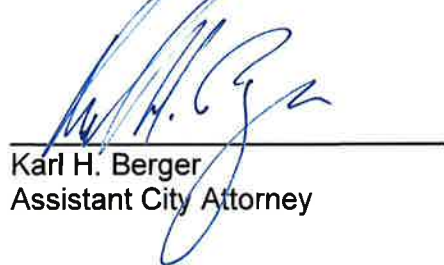
Respectfully Submitted by:

Prepared By:



Mark A. McAvoy
Director of Public Works/City
Engineer/City Planner

Samantha Tewasart
Senior Planner

Ron Bow
City Manager

Karl H. Berger
Assistant City Attorney

Attachments:

- Attachment 1: Draft Resolution
- Attachment 2: Finding of Facts and Statement of Overriding Considerations
- Attachment 3: Draft Monterey Park General Plan Land Use Element and Focused Environmental Impact Report
- Attachment 4: Letters from TRC Retail to City regarding General Plan Update – (dated September 24, 2019 and October 24, 2019)
- Attachment 5: Planning Commission Staff Report dated September 24, 2019
- Attachment 6: Planning Commission Minutes dated September 24, 2019

ATTACHMENT 1

Draft Resolution

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT, ADOPTING FINDINGS AND A STATEMENT OF OVERRIDING CONSIDERATIONS, ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE MONTEREY PARK FOCUSED GENERAL PLAN UPDATE – MONTEREY PARK 2040, AND ADOPTING – SUBJECT TO VOTER RATIFICATION – AN UPDATED LAND USE ELEMENT TO THE MONTEREY PARK GENERAL PLAN.

The City Council of the City of Monterey Park does resolve as follows:

SECTION 1. The City Council finds and declares that:

- A. Government Code §§ 65300-65302 require the City to adopt and maintain a General Plan that contains certain elements, describes its long-term goals, and develops policies and programs to achieve those goals. By statute, a General Plan is required to be updated “periodically.” The last update to the Land Use Element of the General Plan (the “LUE”) occurred in 2001;
- B. The City is currently proposing a focused update to the LUE (the “Project”);
- C. The City reviewed the Project’s environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, “CEQA”) and the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, *et seq.*, the “CEQA Guidelines”);
- D. The City has prepared a draft environmental impact report (“DEIR”) for the Project which was filed as State Clearing House No. 2001-01-1074). The proposed Final EIR (“FEIR”) incorporates all comments and responses received by the City during the comment period;
- E. On September 24, 2019, the Planning Commission held a public hearing receive public testimony and other evidence regarding the proposed amendment, including information provided to the Planning Commission by City staff and public testimony;
- F. On September 24, 2019, the Planning Commission adopted Resolution No. 15-19 recommending that the City Council approve the proposed project;
- G. Notices of Public Hearings before the Planning Commission and the City Council were duly given and published in the time, form and manner as required by law; and
- H. On October 28, 2019, the City Council held a public hearing regarding the Project. This Resolution, and its findings, is adopted based upon the evidence set forth in the entire record including, without limitation, documentary and

**CITY COUNCIL
RESOLUTION NO.
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testimonial evidence; the staff report; and such additional information set forth in the entire administrative record that is too voluminous to reference, but is on file with the City Clerk's office.

SECTION 2. *Factual Findings and Conclusions.* The City Council finds that the following facts exist and makes the following conclusions:

- A. In 2018 the City Council directed staff to begin comprehensive updates to the Monterey Park General Plan; the first element to be considered is the Land Use Element (LUE) – which was last updated in 2001.
- B. The City proactively engaged the public regarding the focused update to the General Plan including: (1) creating the General Plan Advisory Committee (GPAC); (2) conducting stakeholder interviews; (3) creating a public website for the Project; (4) circulating a community survey; (5) polling participants of the Cherry Blossom Festival regarding land use alternatives; (6) hosting a public meeting to present the General Plan's technical findings; and (7) holding an environmental scoping meeting.
- C. The proposed focused update to the General Plan contains a thorough and adequate treatment of land use, economic, environmental and development issues within the realm of the planning period.
- D. The proposed focused update to the General Plan is internally consistent and would not be a detriment to the public interest, health, safety, convenience, and welfare of the City.
- E. The proposed focused update to the General Plan encourages appropriate land uses, preservation of neighborhood character and natural resources, infill of vacant land area, new multi-family residential development, provision of urban services and utilities, pedestrian facilities and enhancement of the property tax base.

SECTION 3. *Environmental Assessment.* The City Council makes the following environmental findings:

- A. Because of the facts and conclusions identified in Section 2 of this Resolution and in accordance with CEQA Guidelines § 15082, the City filed a Notice of Preparation (NOP) of a Draft EIR (DEIR) with the State Clearinghouse (SCH) Office of Planning and Research (OPR); the NOP included a comment period from April 16 to May 16, 2019. The SCH OPR assigned SCH Number 2001-01-074 to the environmental documentation for the Project.
- B. A Scoping Meeting to solicit public input on the issues proposed for consideration in the DEIR was held on May 7, 2019 at 6:00 P.M. at the Monterey Park City Hall

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RESOLUTION NO.
PAGE 3 OF 6**

Council Chambers. A total of six written responses were received on the NOP.

- C. In accordance with CEQA, a Notice of Completion (NOC) of the DEIR was filed with the SCH OPR on June 7, 2019.

SECTION 4. The public review period for the DEIR commenced on June 10, 2019 and ended on July 25, 2019. The DEIR was distributed to government agencies, neighboring cities and interested parties. The City's Notification Mailing List is available at the City of Monterey Park's Public Works Department – Planning Division. A total of three written responses were received regarding the DEIR.

- A. Comments received during the public review period for the DEIR were responded to in the Responses to Comments Report.
- B. A FEIR was prepared for the Project, comprised of the following components:
1. DEIR and Technical Appendices (June 2019).
 2. Comments received on the DEIR and responses to those comments documented in the Responses to Comments Report (June 2019).
 3. Clarifications and Revisions.
 4. Mitigation Monitoring and Reporting Program (MMRP).
- C. The FEIR (including documents and other materials that constitute the record of proceedings on which the City's findings and decisions are based) is located at City of Monterey Park, 320 W. Newmark Avenue, Monterey Park, CA 91754. The custodian for these documents is the Senior Planner. This information is provided in compliance with CEQA § 21081.6(a)(2) and CEQA Guidelines § 15091(e).
- D. The FEIR is incorporated into this Resolution by reference as if fully set forth. Pursuant to CEQA Guidelines § 15090, the FEIR reflects the City's independent judgment and analysis. The City Council has independently reviewed and analyzed the DEIR prepared for the proposed Project. The DEIR and FEIR are accurate and complete statements of the potential environmental impacts of the Project.
- E. Because of the facts identified in this Resolution, the DEIR showed that a Statement of Overriding Considerations would be required in order for the Project to be approved.
- F. The FEIR generally identifies, for each potentially significant impact of the project, one or more corresponding mitigation measures to reduce such impact to

**CITY COUNCIL
RESOLUTION NO.
PAGE 4 OF 6**

a level of insignificance, with the exception of Air Quality, Greenhouse Gas Emissions, Noise, and Transportation and Traffic. The City Council finds that many of the mitigation measures described in the FEIR may lessen or avoid impacts in impact categories other than the categories for which they are specifically proposed. Accordingly, the City Council finds that each potentially significant impact identified by the FEIR is mitigated by its corresponding mitigation measures to the extent set forth in the FEIR ("specific mitigation") and by other, non-corresponding, mitigation measures recommended for approval by the City Council that were already incorporated into the Project ("general mitigation"). These findings will be applicable wherever supported by the evidence in the record regardless of whether a specific finding or an instance of such general mitigation is made.

SECTION 5. Actions. The City Council takes the following actions:

- A. Adopts the LUE, subject to voter ratification on March 3, 2020, attached as Attachment 3, and incorporated into this Resolution by reference;
- B. Certifies the FEIR attached as Attachment 3, and incorporated by reference, subject to the mitigation monitoring and reporting program ("MMRP") required by CEQA § 21081.6 and CEQA Guidelines § 15097;
- C. Adopts the Findings of Fact and a Statement of Overriding Considerations in accordance with the requirements of CEQA § 21081 as set forth in attached Attachment 2, which is incorporated into this Resolution by reference; and
- D. Adopts the MMRP set forth in attached Attachment 3, which is incorporated into this Resolution by reference, in accordance with the requirements of CEQA §§ 21081(a) and 21081.6.

SECTION 6. Reliance on the Record. Each and all of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 7. Limitations. The City Council's analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the City Council's lack of knowledge of future events. In all instances, best efforts were made to form accurate assumptions. Somewhat related to this are the limitations on the City's ability to solve what are in effect regional, state, and national problems and issues. The City must work

**CITY COUNCIL
RESOLUTION NO.
PAGE 5 OF 6**

within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 8. *Summaries of Information.* All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 9. If any part of this Resolution or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Resolutions are severable.

SECTION 10. The City Clerk is directed to mail a copy of this Resolution to any person requesting a copy.

SECTION 11. This Resolution becomes effective immediately upon adoption.

PASSED, APPROVED, AND ADOPTED this October 28, 2019.

Hans Liang, Mayor
City of Monterey Park, California

ATTEST:

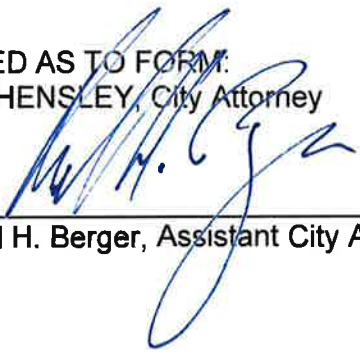
Vincent D. Chang, City Clerk
City of Monterey Park, California

I HEREBY CERTIFY that the above and foregoing ordinance was duly passed and adopted by the Monterey Park City Council at its regular meeting held on the 28th of October, 2019, by the following vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

**CITY COUNCIL
RESOLUTION NO.
PAGE 6 OF 6**

APPROVED AS TO FORM:
MARK D. HENSLEY, City Attorney

By: 
Karl H. Berger, Assistant City Attorney

ATTACHMENT 2

Finding of Facts and Statement of Overriding Considerations

**PLANNING COMMISSION RESOLUTION NO.
EXHIBIT ____**

**CITY COUNCIL RESOLUTION NO. _____
Exhibit ____**

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS

After receiving, reviewing, and considering all the information in the entire administrative record for Environmental Impact Report (SCH #2001-01-1074) and the Monterey Park Focused General Plan Update – Monterey Park 2040 (the “Project”) including, without limitation, the factual information and conclusions set forth in this Resolution and its attachment, the City Council finds, determines, and declares as follows:

I. FINDINGS REQUIRED BY CEQA.

CEQA Guidelines § 15090 require the City to certify that:

1. The Final Environmental Impact Report (“FEIR”) has been completed in compliance with CEQA;
2. The FEIR was presented to the decision-making body of the lead agency and that that decision-making body reviewed and considered the information contained in the final EIR before approving the Project; and
3. The FEIR reflects the lead agency’s independent judgment and analysis.

II. FINDINGS REGARDING THE POTENTIAL ENVIRONMENTAL EFFECTS OF THE PROJECT.

A. Determination to Prepare an Environmental Impact Report (“EIR”).

CEQA Guidelines § 15060 provides that if the lead agency can determine that an EIR will be clearly required for a project, the agency may skip further initial review of the project and begin work directly on the EIR process described in commencing with CEQA Guidelines § 15080. In the absence of an initial study, the lead agency must still focus the EIR on the significant effects of the project and briefly indicate its reasons for determining that other effects would not be significant or potentially significant. The City of Monterey Park determined that preparation of a Draft EIR (“DEIR”) was required for the Project. No initial study was conducted nor were any of the CEQA Appendix G checklist topical areas eliminated from consideration of impacts. Therefore, in the absence of preparing an initial study, all 20 of these topical areas were analyzed in the DEIR before determining that any impact was insignificant or less than significant.

B. Impacts Found To Be Insignificant in the DEIR.

The analysis within the DEIR for the Project, dated June 2019, identified the following environmental effects as not potentially significant. Accordingly, the City Council finds that the DEIR, the FEIR, and the record of proceedings for the Project do not identify or contain substantial evidence identifying significant environmental effects of the Project with respect to the areas listed below.

1. Agriculture and Forestry Resources.

2. Biological Resources (Animal Migration and Conservation, and Habitat Conservation Plans).
3. Geology and Soils (Septic Tanks).
4. Hazards and Hazardous Materials (Airports).
5. Hydrology and Water Quality (Drainage – Impede or Redirect Flood Flows).
6. Mineral Resources.
7. Transportation and Traffic (Conflicts with CEQA).
8. Utilities and Service Systems (Solid Waste Regulations).

C. Impacts Identified as Less Than Significant in the DEIR.

The analysis within the DEIR identified the following environmental effects as less than significant. Accordingly, the City Council finds that the DEIR, the FEIR, and the record of proceedings for the Project do not identify or contain substantial evidence identifying significant environmental effects of the Project with respect to the areas listed below.

1. Aesthetics.
2. Air Quality (Exposure of Sensitive Receptors to Pollutants; and Objectionable Odors).
3. Biological Resources (Sensitive Natural Communities and Riparian Habitat; Wetland Conservation; and Local Biological Resource Policies).
4. Cultural Resources (Archaeological Resources; and Human Remains).
5. Energy
6. Geology and Soils (Faults, Liquefaction, and Seismic-Related Ground Failure; Soil Erosion; Slope Stability and Landsliding; Expansive Soils; Paleontological Resources).
7. Hazards and Hazardous Materials (Transport, Use, and Disposal Hazards; Hazardous Materials; Emit Hazardous Emissions; Hazardous Materials Sites; Adopted Response and/or Evacuation Plans; and Wildland Fires).
8. Hydrology and Water Quality (Water Quality Standards; Drainage; Flood Risk; and Water Quality).
9. Land Use and Planning.
10. Noise (Increase in Stationary and Other Sources of Noise; Groundborne Vibrations; and Excessive Noise Levels Within Airport Vicinity).
11. Population and Housing.

12. Public Services
13. Recreation.
14. Transportation and Traffic (Design Feature Hazards; and Emergency Access).
15. Tribal Cultural Resources.
16. Utilities and Service Systems (Relocation or New Utilities; Wastewater Capacity; and Solid Waste Capacity).
17. Wildfire.

D. Impacts Identified as Potentially Significant in the DEIR But Which Can Be Reduced to Less-Than-Significant Levels with Mitigation Measures.

The City Council finds that the following environmental effects were identified as Less Than Significant with Mitigation Incorporated in the DEIR, the FEIR, and implementation of the identified mitigation measures would avoid or lessen the potential environmental effects listed below to a less-than-significant level.

1. Biological Resources.

a) Facts/Effects:

(1) Special Status Species Protections. The Project could have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

The burrowing owl (*Athene cunicularia*), a California species of special concern, has low potential to occur in the Planning Area of the Project due to grasslands (including non-native that have been mowed or disked) and where suitable burrows are present (typically from presence of the California ground squirrel (*Otospermophilus beecheyi*) or other mammal burrows, as well as debris piles, and man-made culverts. Additionally, native trees, ornamental trees, and various other substrates within the Planning Area have to provide nesting habitat for protected bird species, where destruction of or disturbance to an active nest is prohibited. Project-related construction activities could have the potential to result in significant direct and/or indirect impacts. Implementation of Mitigation Measures BIO-1 through BIO-3 would lessen construction-related impacts by requiring pre-construction surveys and consultation to determine appropriate protocols that must be employed to reduce the impact of this environmental effect to a less than significant level.

(2) Cumulative Impacts. The project could cause substantial adverse cumulative impacts with respect to biological resources.

The Planning Area is mostly developed and urbanized. All cumulative biological impacts associated with implementation of the Project would be less than significant with implementation of Mitigation Measures BIO-1 through BIO-3, which address any potential impacts to burrowing owls and nesting migratory birds. Therefore, no unavoidable, cumulative impacts to biological resources would result from the Project.

b) Mitigation:

Mitigation Measures BIO-1 through BIO-3, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to avoid or substantially lessen the significant biological resources environmental effects as identified in the FEIR.

2. Cultural Resources.

a) Facts/Effects:

(1) Historic Resources. The Project could cause a substantial adverse change in the significance of a historic resource pursuant to CEQA Guidelines §15064.5.

The City identified two historic built environments (Cascades Park and the Jardin del Encanto complex) as listed on the California Register of Historic Resources, and a City Point of Interest (Midwick View Estates) noted by the California office of Historic Preservation. There are no known California Landmarks, no listed buildings or structures on the National Register of Historic Places and the City has not conducted an historic resources survey. Therefore, the number of potential buildings or structures within the City are unknown. The City also does not have regulatory policies in place to protect historic resources. Therefore, an historic conservancy through mitigation is required to avoid or minimize impacts to historic built environments. Implementation of Mitigation Measure CUL-1 would reduce impacts from development on potential historic (buildings and structures) resources to a less than significant level.

(2) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to cultural resources.

The Planning Area is most developed and urbanized but lacks any comprehensive survey of historic structures and/or buildings. All cumulative cultural resource impacts associated with implementation of the Project would be less than significant with implementation of Mitigation Measure CUL-1, which address any potential impacts to an historic resource by requiring an "unique historic resource" evaluation before demolition or alteration of buildings or structures 45 years and

older. Therefore, no unavoidable, cumulative impacts to cultural resources would result from the Project.

b) Mitigation:

Mitigation Measure CUL-1, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to avoid or substantially lessen the significant cultural resources environmental effects as identified in the FEIR.

3. Hydrology and Water Quality.

a) Facts/Effects:

(1) Decrease in Groundwater Supplies. The Project could substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

Implementation of development allowed by the Project is anticipated to largely occur within designated focus areas that are currently developed areas of the City where new impervious surfaces would be minimal and are not expected to interfere with groundwater recharge. However, the City's primary water source is groundwater from seven active wells within the Main San Gabriel Groundwater Basin. Ample water supply is anticipated to serve the expected population as projected by the City of Monterey Park and CalWater planning documents through to 2040. The Project, however, anticipates an increased population, resulting in a possible increase in demand than was originally anticipated by the water purveyor. Implementation of Mitigation Measure UTS-1 would ensure that there is adequate water to serve the City and that the Project would not substantially decrease groundwater supplies.

(2) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to hydrology and water quality.

New development allowed by the Project will primarily result in redevelopment and intensification of properties that are already developed with urban uses and significant impervious surfaces and will have limited effect on drainage or runoff and compliance with standard regulatory requirements will contain impacts to site specific rather than cumulative types. New development would not be anticipated to cumulatively contribute to a groundwater recharge impact, and all hydrology and water quality cumulative impacts would be less than significant with implementation of Mitigation Measure UTS-1, which would ensure adequate water to serve the City without substantial decrease in groundwater supplies. Therefore, cumulative impacts to hydrology and water quality are less than significant.

b) Mitigation:

Mitigation Measure UTS-1, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to avoid or substantially lessen the significant Hydrology and Water Quality environmental effects as identified in the FEIR.

5. Noise.

a) Facts/Effects:

(1) Existing Noise Regulations. Project implementation could result in generation of a substantial temporary increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

The Project would result in the redevelopment or intensification of properties and this would likely involve construction that would result in temporary noise generation, primarily from the use of heavy-duty construction equipment. Since individual site-specific information is unknown, potential short-term (construction-related) noise impacts are anticipated based upon activities associated with residential, commercial and retail development. Potential temporary construction-related noise increases of more than 10 dBA above ambient conditions during permissible construction hours would be a potentially significant effect. Implementation of Mitigation Measure NOISE-1, which requires the use of feasible construction noise control measures when development occurs near noise-sensitive land uses, would reduce potential construction noise impacts to less than significant levels.

(2) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to noise or vibration.

New development allowed by the Project will primarily result in redevelopment and intensification of properties that are already developed with urban uses and with higher ambient noise levels. Construction noise from individual development activities would occur, but with implementation of Mitigation Measure NOISE-1, which would require construction noise control measures, are not considered cumulatively considerable. Therefore, cumulative impacts to Noise, specifically related to existing noise regulations, are less than significant.

b) Mitigation:

Mitigation Measure NOISE-1, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to avoid or substantially lessen the significant Noise (existing noise regulations) environmental effects as identified in the FEIR.

6. Transportation and Traffic.

a) Facts/Effects:

- (1) Existing Circulation System Plans, Ordinances and Policies. The Project could conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

Project-related traffic impacts were determined by comparing the intersection LOS without and with the Project. Significant adverse traffic impacts were identified based on the City's criteria. Under the Project, residential land use growth would be focused in areas designated by the current Housing Element update, and new commercial and office development would be focused in areas designated by the proposed Land Use Plan. The Project anticipates that there will be a reduction in single-family residential units and light industrial facilities throughout the Planning Area. Seven of 30 study intersections would be less than significantly impacted with the implementation of mitigation measures over multiple years as individual properties are developed or redeveloped as follows:

- Corporate Center Drive and I-710
- Fremont Avenue and Monterey Pass Road
- Atlantic Boulevard and Brightwood Street
- Atlantic Boulevard and SR-60 Eastbound Off-Ramp
- Garfield Avenue and Pomona Boulevard
- Markland Drive and Potrero Grande Drive/SR-60 Westbound Off-Ramp
- Saturn Street/Market Place Drive and Potrero Grande Drive

b) Mitigation:

Mitigation Measures as outlined in Table 4.17-14 (Summary of Mitigation Measures), as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to avoid or substantially lessen the significant Transportation and Traffic (relative to specific intersections) environmental effects as identified in the FEIR.

7. Utilities and Service Systems.

a) Facts/Effects:

(1) Water Supply. Implementation of the Project could result in insufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years.

Water districts that serve the Planning Area completed Urban Water Management Plans (“UWMPs”) that assessed water supply availability under various scenarios and determined that there is an ample supply of water. The Project forecasts population growth that exceeds those considered in the Monterey Park UWMP. It is possible that further conservation measures may be needed. Implementation of Mitigation Measure UTS-1 would ensure that there is adequate water to serve the City and the Project reducing the impacts to a less than significant level.

(2) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to utilities and service systems.

The Project forecasts a population increase of 11,693 residents and 2,730 employees through the year 2040. This growth would result in an overall increase in demand for utility services, likely requiring new or expanded facilities over the 20-year planning horizon. New or expanded facilities would be required to comply with CEQA. Further, the cumulative impacts associated with the discrepancies between the Project population and the water district UWMP is addressed through the implementation of Mitigation Measure UTS-1. Therefore, cumulative impacts to Utilities and Service Systems are less than significant.

b) Mitigation:

Mitigation Measure UTS-1, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to avoid or substantially lessen the significant Utilities and Service Systems environmental effects as identified in the FEIR.

E. Significant Unavoidable Effects that Cannot be Mitigated to a Level of Insignificance.

The City Council finds that the following environmental effects were identified as Significant and Unavoidable in the FEIR. Implementation of the identified mitigation measures would lessen the potential environmental effects to the extent feasible but not below a level of significance.

1. Air Quality.

a) Facts/Effects:

(1) Conflicts with Local Air Quality Plan. The Project could conflict with or obstruct implementation of the applicable air quality plan.

Since the growth that could occur under the Project's 2040 conditions would be inconsistent with the 2016 RTP/SCS growth forecasts, the Project could increase the frequency and/or severity of air quality violations in the Basin or otherwise impede attainment of air quality standards. Despite implementation of Mitigation Measures AQ-2A through AQ-2D, impacts in this regard would be significant and unavoidable.

(2) Net Increase of Non-Attainment Criteria Pollutants. The Project could result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard.

Construction emissions associated with a potential level of annual development that is consistent with the Project's 2040 growth projections could result in ROG emissions during architectural coating activities that exceed SCAQMD-recommended CEQA significance thresholds. Further, the modeled maximum daily operational emissions associated with potential 2040 growth under the Project would result in NOx emissions that exceed SCAQMD-recommended CEQA significance thresholds. Despite implementation of Mitigation Measures AQ-2A through AQ-2D impacts in this regard would be significant and unavoidable.

(3) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to air quality.

The Project's 2040 growth projections, and associated construction and operational emissions, are not consistent with SCAQMD planning assumptions and exceed SCAQMD-recommended emissions thresholds. Although implementation of Mitigation Measures AQ-2A through AQ-2D would reduce impacts, a significant and unavoidable impact would remain.

b) Mitigation:

Mitigation Measures AQ-2A through AQ-2D, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to substantially lessen the significant Air Quality environmental effects as identified in the FEIR; however, the conflicts with the local air quality plan, net increase in non-attainment criteria pollutants, and certain cumulative Air Quality impacts of the Project cannot be mitigated below the threshold of significance, and are significant and unavoidable.

2. Greenhouse Gas Emissions.

a) Facts/Effects:

(1) Greenhouse Gas Emissions. The Project could generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

The Project's 2040 growth projection could result in GHG emissions that exceed the adjusted SCAQMD derived plan-level efficiency metric and this would be a significant impact. Despite implementation of Mitigation Measures AQ-2B through AQ-2D, impacts in this regard would be significant and unavoidable.

(2) Conflicts with Adopted Plans. The Project could conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

As stated above, Project growth could result in GHG emissions that exceed the 2017 Climate Change Scoping Plan's recommended efficiency metrics. Additionally, the Project has the potential to result in growth that is not planned for in the City's CAP, which would be a significant impact. Despite implementation of Mitigation Measures AQ-2B through AQ-2D, impacts in this regard would be significant and unavoidable.

(3) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to greenhouse gas emissions.

The Project's 2040 growth projections, and associated GHG emissions, could exceed emissions thresholds and pose a conflict with the 2017 Climate Change Scoping Plan and the City's CAP. Although implementation of Mitigation Measures AQ-2B through AQ-2D would reduce impacts, a significant and unavoidable impact would remain.

b) Mitigation:

Mitigation Measures AQ-2B through AQ-2D, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to substantially lessen the significant Greenhouse Gas Emissions environmental effects as identified in the FEIR; however, the conflicts with the greenhouse gas emission thresholds and adopted plan, and certain cumulative Greenhouse Gas Emissions impacts of the Project cannot be mitigated below the threshold of significance, and are significant and unavoidable.

3. Noise.

a) Facts/Effects:

(1) Increases in Traffic Noise Levels. The Project could result in generation of a substantial permanent increase in ambient noise

levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies.

The increase in traffic noise levels along Atlantic Boulevard resulting in “clearly unacceptable” low density residential noise exposure levels is a significant impact. Despite implementation of Mitigation Measure NOISE-2, impacts in this regard would be significant and unavoidable

(2) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to noise or vibration.

The Project’s long-term increases in traffic in the Planning Area would result in a cumulatively considerable increase in noise exposure to “clearly unacceptable” levels along Atlantic Avenue between El Repetto Drive and Floral Drive, which is a significant impact. Although implementation of Mitigation Measure NOISE-2 would reduce impacts, a significant and unavoidable impact would remain.

b) Mitigation:

Mitigation Measure NOISE-2, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to substantially lessen the significant Noise environmental effects as identified in the FEIR; however, the increase in traffic noise levels and certain cumulative Noise impacts of the Project cannot be mitigated below the threshold of significance, and are significant and unavoidable.

4. Transportation and Traffic.

a) Facts/Effects:

(1) Existing Circulation System Plans, Ordinances and Policies. The Project could conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

Project-related traffic impacts were determined by comparing the intersection LOS without and with the Project. Significant adverse traffic impacts were identified based on the City’s criteria. Under the Project, residential land use growth would be focused in areas designated by the current City Housing Element update, and new commercial and office development would be focused in areas designated by the proposed Land Use Plan. The Project anticipates that there will be a reduction in single-family residential units and light industrial facilities throughout the Planning Area. The Project identifies 27 of 30 study intersections as significantly impacted. Despite the implementation of mitigation measures outlined in Table 4.17-14 of the FEIR, the following Project

intersections would continue to have significant and unavoidable impacts:

- Atlantic Boulevard and Hellman Avenue
- Garfield Avenue and Hellman Avenue
- New Avenue and Hellman Avenue
- Atlantic Boulevard and Emerson Avenue
- Garfield Avenue and Emerson Avenue
- Atlantic Boulevard and Garvey Avenue
- Garfield Avenue and Garvey Avenue
- New Avenue and Garvey Avenue
- Corporate Center Drive and Ramona Boulevard
- Garfield Avenue and Newmark Avenue
- I-710 Northbound On-Ramp/Ford Boulevard and Floral Drive
- Corporate Center Drive/McDonnell Avenue and Floral Drive
- Monterey Pass Road/Mednik Avenue and Floral Drive
- Atlantic Boulevard and Floral Drive
- Collegian Avenue and Avenida Cesar Chavez
- Atlantic Boulevard and Avenida Cesar Chavez
- Atlantic Boulevard and 1st Street/SR-60 Westbound Off-Ramp
- Garfield Avenue and Riggins Street
- Garfield Avenue and Via Campo
- Wilcox Avenue and Pomona Boulevard

- (2) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to transportation and traffic.

Traffic conditions under Future 2040 with the Project would substantially impact 27 of 30 Project study intersections. Although implementation of Mitigation Measures outlined in Table 4.17-14 of the FEIR would reduce impacts, a significant and unavoidable impact would remain.

b) Mitigation:

Mitigation Measures as outlined in Table 4.17-14 (Summary of Mitigation Measures), as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to substantially lessen the significant Transportation and Traffic environmental effects as identified in the FEIR; however, the conflicts with the existing circulation plans, ordinances and policies, and certain cumulative Transportation and Traffic impacts of the Project cannot be mitigated below the threshold of significance, and are significant and unavoidable.

F. Growth Inducing Impacts.

Based upon the FEIR and the record of proceedings in this matter, the City Council finds that there are growth inducing impacts. Implementation of the Project would foster economic growth, resulting in population growth and the construction of additional housing units and nonresidential development within the Planning Area. That growth, however, is anticipated in the focused areas of the City that are already urbanized, allowing for the following net new development: 3,816 dwelling units; 619,932 square feet of new commercial uses; 883,902 square feet of new office space; and 607 hotel rooms.

Implementation of the Project could result in an estimated 11,693 new residents and 2,730 new employees within the Planning Area resulting in a 17 percent population increase over the next 20 years. While this population increase is more growth than the 2016-2040 RTP/SCS anticipates for the City of Monterey Park between 2020 and 2040 by 2,400 residents, this is not considered significant when compared to population and housing growth within the Los Angeles County region – an increase of approximately 1,188,600 residents and 452,900 households by 2040. Implementation of the Project could result in the addition of planned housing units, which would help to meet the anticipated regional housing demand.

G. Project Alternatives.

1. Alternatives Considered but Rejected.

In accordance with CEQA Guidelines § 15126.6(c), an EIR should identify any alternatives that were considered for analysis but rejected as infeasible and briefly explain the reasons for their rejection. According to the CEQA Guidelines, among the factors that may be used to eliminate alternatives from detailed consideration are the alternative's failures to meet most of the basic project objectives, the alternative's infeasibility, or the alternative's inability to avoid significant environmental impacts. There are no alternatives that were considered and rejected in the Project DEIR. Therefore, no finding is required to be made by the City Council relative to rejected alternatives in considering the FEIR.

2. No Project/Existing 2001 General Plan Alternative.

a) Description.

The No Project/Existing 2001 General Plan Alternative (No Project Alternative) assumes that development would occur within the Planning Area. The 2001 General Plan is 20 years old; the baseline data used for the original analysis is unavailable. For this alternative, it is assumed that only new residential development could occur; no new office, commercial, industrial, or hotel development would occur. Additionally, no new policies, goals, or development standards associated with the Focused General Plan Update would be implemented; the standards, goals, and policies associated with the 2001 General Plan would be applicable. Significant and unavoidable impacts identified for the Project related to Air Quality, Greenhouse Gas Emissions, Noise and Transportation would be reduced to less than significant levels with the No Project/Existing 2001 General Plan Alternative. Other environmental impacts that were identified for the Project as either no impact or less than significant impact would

remain similar or be slightly reduced with the No Project/Existing 2001 General Plan Alternative.

b) Finding.

The City Council finds that the No Project/Existing 2001 General Plan Alternative would not attain four of the five Project's basic objectives as it does not include commercial, office, or hotel development. The No Project/Existing 2001 General Plan Alternative would attain one of the five objectives but not to the same degree as the Project. Specifically, given the significant reduction in residential development associated with this alternative, the objective to "Create new housing opportunities for a full range of housing types and to increase housing affordability" would not be fully realized. The City Council finds on the basis of these considerations that the No Project/Existing 2001 General Plan Alternative, as identified in the FEIR, is infeasible.

3. Market Demand Alternative.

a) Description.

The Market Demand Alternative assumes a "market-adjusted" development scenario that evaluates the portion of the Project capacity that would likely be built by 2040, based on current and foreseeable market trends. The Market Demand Alternative reflects a reduced amount of residential, hotel and office development. This alternative would have a similar amount of total commercial space as the Project. This alternative assumes that policies, goals, or development standards associated with the Project would apply to this alternative. Development assumptions for this alternative include an overall correlating decrease in population when compared to the Project. Significant and unavoidable impacts identified for the Project related to Air Quality, Greenhouse Gas Emissions, Noise and Transportation would be reduced but would remain significant and unavoidable with the Market Demand Alternative. Other environmental impacts that were identified for the Project as either no impact or less than significant impact would remain similar or be slightly reduced with the Market Demand Alternative.

b) Finding.

The City Council finds that the Market Demand Alternative would attain the Project's basic objectives as it includes commercial, office, residential and hotel development. However, the Market Demand Alternative would not attain the five objectives to the same degree as the Project. Specifically, given the significant reduction in overall development associated with this alternative, the Project objectives providing optimal economic and housing benefits would not be fully realized. The City Council finds on the basis of these considerations that the Market Demand Alternative, as identified in the FEIR, is infeasible.

4. Reduced Density/Intensity Alternative.

a) Description.

The Reduced Density/Intensity Alternative assumes that the development in all land use categories associated with the Project would be reduced by approximately one third (33 percent). While the amount of development would be reduced, this alternative assumes that policies, goals, and development standards associated with the Project would also be applicable to development under this alternative. Development assumptions for this alternative include an overall correlating decrease in population when compared to the Project. Significant and unavoidable impacts identified for the Project related to Air Quality, Greenhouse Gas Emissions, Noise and Transportation would be reduced but would remain significant and unavoidable with the Reduced Density/Intensity Alternative. Other environmental impacts that were identified for the Project as either no impact or less than significant impact would remain similar or be slightly reduced with the Reduced Density/Intensity Alternative.

b) Finding.

The City Council finds that the Reduced Density/Intensity Alternative would attain the Project's basic objectives as it includes commercial, office, industrial, residential and hotel development. However, the Reduced Density/Intensity Alternative would not attain the five objectives to the same degree as the Project. Specifically, given the significant reduction in overall development associated with this alternative, the Project objectives providing optimal economic and housing benefits would not be fully realized. The City Council finds on the basis of these considerations that the Reduced Density/Intensity Alternative, as identified in the FEIR, is infeasible.

5. Environmentally Superior Alternative.

In compliance with Public Resources Code §15126.6(d), a matrix displaying the major characteristics and significant environmental effects of each alternative is included in the FEIR; see Table 5--2, Alternatives' Impacts Compared to Project Impacts. The purpose of this matrix is to summarize and compare how impacts associated with the implementation of the alternatives compare with the impacts associated with implementation of the Project.

Chapter 5 of the FEIR describes three alternatives to the Project including the CEQA-mandated "No Project" Alternative. Public Resources Code §15126.6 requires that one alternative be identified as the environmentally superior alternative. Furthermore, if the environmentally superior alternative is the "No Project" alternative, the FEIR must also identify the environmentally superior alternative from among the other alternatives.

Other than the No Project/Existing 2001 General Plan Alternative, the Reduced Density/Intensity Alternative would result in the least adverse environmental impacts and would therefore be the "environmentally superior alternative." This conclusion is based on the comparative impact conclusions in Table 5-2 and the analysis within Chapter 5. However, this alternative would not fully meet the objectives at the same level as the Project. The City Council finds on the basis of

these considerations that while the Reduced Density/Intensity Alternative, as identified in the FEIR, is the environmentally superior alternative, it is infeasible.

III. STATEMENT OF OVERRIDING CONSIDERATIONS.

The City Council finds on the basis of the FEIR and the entire administrative record for this matter that the unavoidable significant impacts of the Project as discussed in Section II.E. above are acceptable when balanced against the benefits of the Project. This determination is based on the following substantial economic, legal, social, technological factors, including region-wide benefits, as identified in the FEIR and the record of proceedings in the matter. Each Project objective/benefit set forth below constitutes an overriding consideration warranting approval of the Project as they outweigh the unavoidable adverse environmental effects.

- A. The Project parameters increasing density/intensity in focused areas of the City were the direct result of the analysis, findings and conclusions resulting from a Land Use Market Demand Analysis, prepared under the direction of the City in May 2019 as part of the General Plan Update to ensure the greatest economic benefit to the City and region on the whole was thoughtfully planned.
- B. The Project will help foster economic development in the City consistent with the community's vision by contributing to a strong business climate and economic growth, with positive outcomes such as business retention and attraction and employment creation balanced with new housing opportunities.
- C. The Project promotes sustainable development patterns and environmentally-friendly strategies that would minimize greenhouse gas emissions and sustain limited resources over the long term
- D. Increases the City's tax base by focusing commercial, office, industrial and hotel development and redevelopment in key urbanized areas of the City utilizing flexible approaches to land use planning and higher densities, affecting property and sales tax revenues, which in turn provides the City with resources to provide high-quality services to residents and the daytime population.
- E. The Project supports redevelopment of existing land uses with newer, more efficient development that would reduce energy consumption compared to existing conditions.
- F. The Project accommodates and encourages new businesses that promote innovation and advances in technology, high-quality service industries, and creative industries that would increase opportunities for high-skilled and knowledge workers
- G. The Project facilitates higher density, mixed use development that is effective in reducing vehicle miles traveled and fuel consumption as compared to other, more suburban types of development, improving the current balance of the City's jobs-housing ratio.
- H. The Project directs almost all planned growth into specific areas of the City to encourage infill developments that redevelop aging and underutilized properties, and stabilize the character of the City's founding neighborhoods.

- I. The use of energy resources in the Planning Area become more efficient over time with the changes in land uses envisioned by the Project and through the application of more stringent regulations that mandate energy efficiency.
- J. Implementation of the Project will result in the addition of housing units, which would help address the ever-increasing regional housing demand increasing housing affordability through flexible regulatory tools, greater range of housing types, higher densities, and expanded areas for housing as part of a mixed-use development.
- K. The Project focuses growth by increasing density/intensity of the land uses around the existing and potential transit stations along the Metro Gold Line light rail adjacent to the City's border.
- L. The Project incorporates urban design strategies that improves the physical appearance of the public realm, define the urbanized outdoor and recreation spaces, and guide the types of design appropriate for higher density, mixed-use developments including neighborhood connectivity and enhanced pedestrian experiences.
- M. The Project enhances the City's roadway network by incorporating mitigation measures that when implemented over time correlating with new development will improve the efficiency of some intersections, improving transportation and safety in the City.

IV. **RECIRCULATION.**

A. Facts.

The City received comments on the DEIR from members of the public and from public agencies in both written and oral form. The FEIR contains written responses to all comments ("Responses to Comments") received on the DEIR as of July 25, 2019. Some comments were incorporated into the FEIR as factual corrections and minor changes. The FEIR includes all factual corrections and minor changes to the DEIR. All comments and testimony received before and at the City Council's public hearing have been considered.

B. Finding.

Pursuant to CEQA Guidelines § 15088.5 and Public Resources Code § 21092.1, and based on the FEIR and the record of proceedings in for the Project, the City Council finds that:

1. Factual corrections and minor changes are set forth as additions and corrections to the DEIR; and
2. The factual corrections and minor changes to the DEIR are not substantial changes in the DEIR that would deprive the public of a meaningful opportunity to comment on a substantial adverse environmental effect of the Project, a feasible way to mitigate or avoid such an effect, or a feasible Project alternative; and
3. The factual corrections and minor changes to the DEIR will not result in new significant environmental effects or substantially increase the severity of the significant effects previously disclosed in the DEIR; and

4. The factual corrections and minor changes to the DEIR will not involve mitigation measures or alternatives which are considerably different from those analyzed in the DEIR that would substantially reduce one or more significant effects on the environment; and
5. The factual corrections and minor changes to the DEIR do not render the DEIR so fundamentally inadequate and conclusory in nature that meaningful public review and comment would be precluded.

Accordingly, the City Council finds that none of the conditions set forth in CEQA Guideline § 15088.5 or Public Resources Code § 21092.1 requiring recirculation of a draft environmental impact report were met. The City Council further finds that incorporation of the factual corrections and minor changes to the DEIR into the FEIR does not require that the FEIR be recirculated for public comment.

V. SUBSTANTIAL EVIDENCE.

The City Council finds and declares that substantial evidence for each and every finding made herein is contained in the FEIR, which is incorporated herein by this reference, and in the record of proceedings in the matter.

ATTACHMENT 3

Draft Monterey Park General Plan Land Use Element and Focused Environmental Impact Report

Available for inspection in the City Clerk's office
during normal business hours of
Mondays – Thursdays 8:00 a.m. – 5:00 p.m. and
Fridays 8:00 a.m. – 4:00 p.m.

[General Plan Documents available by clicking here](#)

Council Members were provided a copy.

ATTACHMENT 4

Letters from TRC Retail to City regarding General Plan Update – (dated September 24, 2019 and October 24, 2019)



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File No. 083868

October 24, 2019

VIA E-MAIL AND U.S. MAIL [MPCLERK@MONTEREYPARK.CA.GOV]

Mayor Liang and Honorable Members of the City Council
City of Monterey Park
320 West Newmark Ave.
Monterey Park, CA 91754

Re: Atlantic Square Shopping Center

Mayor Liang and Honorable Members of the City Council:

This Firm represents TRC Retail, owner of the 14.65 acre Atlantic Square Shopping Center. I recently sent the attached letter to the Planning Commission asking the City to extend the General Plan's Housing Overlay to Atlantic Square. This request was favorably received by the Planning Commission. Indeed, at its September 24th meeting, the Planning Commission moved and unanimously approved direction to staff to "*further analyze the requested land use change from Commercial to Mixed-Use for Atlantic Square located on South Atlantic Boulevard.*" Subsequently, TRC has received no communication from staff indicating it has commenced an analysis, nor any request for information that would be helpful in that analysis.

Nevertheless, in lieu of the Planning Commission's requested analysis, we are respectfully requesting the City Council apply a residential overlay and a mixed-use designation to the Atlantic Square Shopping Center as a formal part of its resolution approving the Land Use and Urban Design Element.

TRC regrets that it was not made aware of Atlantic Square's exclusion from the South Atlantic Focus Area sooner. After making a proactive inquiry, TRC had an informal conversation with the City's consultant in July but has yet to receive any written notice of the pending General Plan update. We find this curious. Not only is TRC a major landowner in the City, but the City's own *General Plan Amendment Purpose and Intent* document (attached) requires mailed notice to all property owners within 300' of a property subject to a proposed General Plan Amendment at least 10 days prior to a Planning Commission hearing. This certainly would have included Atlantic Square given its proximity to the South Atlantic Focus Area. We understand that staff did extensive outreach to City *residents* in connection with the pending General Plan update; we only wish that TRC (a non-resident property owner) had been involved earlier.

Mayor Liang and Honorable Members of the City Council
October 24, 2019
Page 2

While TRC's early involvement in the General Plan update would have been ideal and welcomed, its absence should not hinder the Council's willingness to extend the Housing Overlay to Atlantic Square. Doing so would make a meaningful 'dent' in the City's Regional Housing Need Allocation and would best position Atlantic Square for long-term success as a mixed-use destination. Given the existing housing crisis and rapidly changing global retail environment, we believe this would be a win-win for all. Your consideration and support are most appreciated.

Sincerely,



Sean T. Matsler

Enclosures

cc: Mark Hensley, Esq., City Attorney (via e-mail: mhensley@hensleylawgroup.com)
Mr. Carlos Palafox, TRC Retail (via e-mail: cpalafox@trcretail.com)

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Attachment 1

September 24, 2019 letter to Planning Commission

September 24, 2019

VIA E-MAIL [MMCAVOY@MONTEREYPARK.CA.GOV]Chairperson Delario Robinson and Members of the Planning Commission
City of Monterey Park
320 West Newmark Ave.
Monterey Park, CA 91754Re: Atlantic Square Shopping Center

Chairperson Delario Robinson:

This Firm represents TRC Retail (TRC), owner of the 14.65 acre Atlantic Square Shopping Center on Atlantic Boulevard in the City of Monterey Park (Atlantic Square or Property). The Property is located on the eastside of Atlantic Boulevard, directly across from the South Atlantic Focus Area, as shown in Figure 1. Both the Property and the South Atlantic Focus Area are currently designated "Commercial" in the General Plan. The pending General Plan Update proposal, however, only recommends that the South Atlantic Focus Area receive a new Housing Overlay allowing attached residential uses at 60 dwelling units per acre. Given the transitioning nature of the retail industry and the State's ongoing Regional Housing Need Allocation (RHNA) process, the purpose of this letter is to formally and respectfully request that the City apply the Housing Overlay to Atlantic Square as well as the South Atlantic Focus Area.

Figure 1: Current General Plan Update Proposal

1. Atlantic Square Overlay Needed to Satisfy City's RHNA Obligations

As part of the California Department of Housing and Community Development's (HCD) ongoing Regional Housing Need Allocation (RHNA) process, the Southern California Association of Governments (SCAG) will allocate the total number of homes that the City needs to plan for in order to meet the housing needs of people at all income levels. Once the allocation occurs, it is the City's responsibility to update its general plan to show the locations where that housing can be built. Applying the Housing Overlay to Atlantic Square will help the City meet its RHNA obligations, and prevent the City from adopting a General Plan Update that will soon be made obsolete.

In its August 22, 2019 letter to SCAG, HCD determined that the minimum regional housing need determination for SCAG to distribute among its local governments was 1,344,740 units among four income categories. This is over *three-times* the 430,000 units that SCAG had advocated for, which provides a glimpse into how seriously the State is taking the housing crisis.

SCAG is responsible for determining how the 1,344,740 unit regional housing need determination will be allocated to cities and counties across the six-county SCAG region.¹ The allocation of these 1,344,740 units to individual cities is ongoing and will not be final until October 2020. However, as an interim planning tool, SCAG has published a spreadsheet that estimates each city's potential allocation under three different methodologies. These three methodologies are shown in Figure 2 below as Options 1, 2 and 3:

Figure 2: RHNA Methodology Options²

Option 1	Option 2	Option 3
• Share of population • Share of population within high quality transit areas • Share of regional undersupply of building permits issued • Local input/Future vacancy need/Replacement need • Social equity adjustment	• Share of population • Share of population within high quality transit areas • Social equity adjustment	• Local input/Future vacancy need/Replacement need • Social equity adjustment

¹ The SCAG region includes Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties.

² Source: <http://www.scag.ca.gov/programs/Documents/RHNA/RHNA101-072919webinar.pdf>

The City's allocation under each of the three options is between 1,701 and 5,248 units, as shown in Figure 3 below. Even the lowest scenario of 1,701 units is more than double the City's existing 815 unit allocation.

Figure 3: SCAG's Monterey Park RHNA Estimates³

<u>Option 1: 4,401 units total</u> consisting of the following: • Very-low income (<50% of AMI) = 1,635 units • Low income (50-80% of AMI) = 1,194 units • Moderate income (80-120% of AMI)= 1,230 units • Above moderate income (>120% of AMI) = 342 units	<u>Option 2: 5,258 units total</u> consisting of the following: • Very-low income (<50% of AMI) = 1,259 units • Low income (50-80% of AMI) = 816 units • Moderate income (80-120% of AMI)= 846 units • Above moderate income (>120% of AMI) = 2,337 units	<u>Option 3: 1,701 units total</u> consisting of the following: • Very-low income (<50% of AMI) = 407 units • Low income (50-80% of AMI) = 264 units • Moderate income (80-120% of AMI)= 274 units • Above moderate income (>120% of AMI) = 756 units
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General Plan Update Table 3-4 estimates that it would increase the number of housing units within the Planning Area by 3,656 units. While laudable, this figure is still well short of the Option 1 and 2 estimates. By extending the City's proposed Housing Overlay to Atlantic Square, the City could plan for an additional 879 housing units (i.e., 60 du/acre x 14.65 acres).

2. Changing Nature of Retail Favors Mixed-Use at Atlantic Square

TRC remains committed to the long-term success of Atlantic Square, which has been an important fixture in the Monterey Park community. That said, Atlantic Square—like many other brick-and-mortar shopping centers throughout the County—suffers financially from the on-going consumer transition to online sales. This is why the long term trend in the retail industry is to shift from in-line, anchor-based retail centers like Atlantic Square to food, beverage and service destinations where residential and retail uses cohabitate. This new retail model prioritizes the

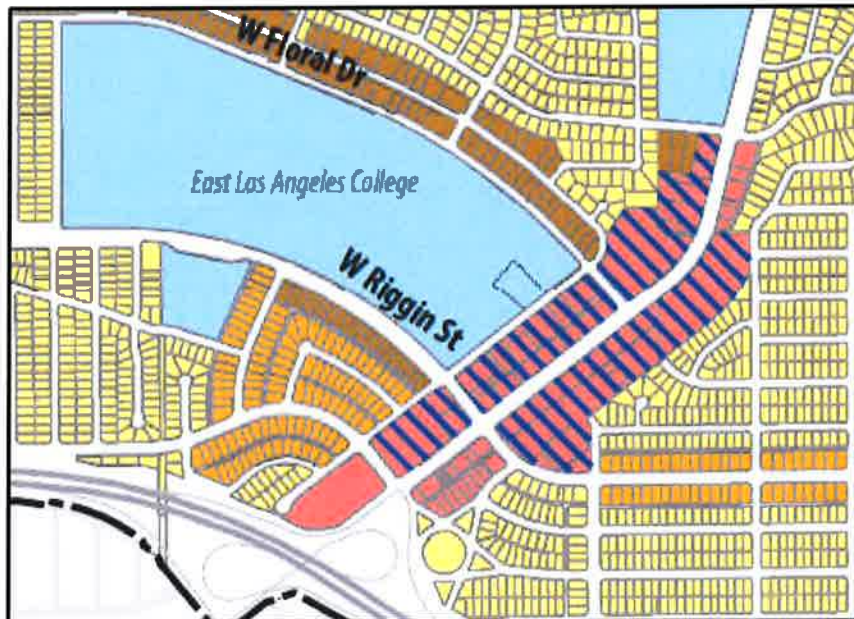
³ The Proposed RHNA Methodology Estimate Tool for Options 1, 2 and 3 (Updated 8/26/19) is available at: <http://www.scag.ca.gov/programs/Documents/RHNA/RHNA-Proposed-Methodology-Estimate-Tool-Options1-3.xlsx>

convenience associated with mixed-uses and seeks to provide consumer experiences relevant to their lifestyles and contemporary consumer habits. TRC believes that the General Plan Update represents the right process at the right time to lay the ground for repositioning Atlantic Square for future success.

3. Proposed General Plan Land Use Map

In lieu of the proposed General Plan Land Use Map shown in Figure 1, TRC respectfully requests that the City adopt the map shown in Figure 4 below. The Figure 4 map applies the 60 du/acre Housing Overlay to Atlantic Square, thereby increasing the City's progress toward its ultimate RHNA obligation by 879 housing units. The proposed extension of the Housing Overlay will also allow TRC the flexibility to respond to retail and housing industry market trends in the coming years.

Figure 4: TRC Retail's General Plan Update Proposal



4. **Conclusion**

While it is TRC's intent to continue working with the City to upgrade and reposition Atlantic Square for optimum performance in the near term, we believe Atlantic Square's long-term contributions to Monterey Park will be as a mixed-use destination whose improved sales and property tax increments will provide a significant net-benefit to the City's General Fund. TRC thanks you for your consideration.

Sincerely,



Sean T. Matsler

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cc: Mr. Mark McAvoy, Director of Public Works/City Engineer
Mark Hensley, Esq., City Attorney (via e-mail: mhensley@hensleylawgroup.com)
Karl H. Berger, Esq., Asst. City Attorney (via e-mail: kberger@hensleylawgroup.com)
Mr. Jon Turner, Acting City Planner (via hand delivery)
Mr. Carlos Palafox, TRC Retail (via e-mail: cpalafox@trcretail.com)

Attachment 2

City of Monterey Park: General Plan Amendment Purpose and Intent



CITY OF MONTEREY PARK

GENERAL PLAN AMENDMENT PURPOSE AND INTENT

A General Plan Amendment is an entitlement application which requires a public hearing at the Planning Commission and City Council level. The Planning Commission serves as an advisory body and recommends to the City Council either denial or approval of the General Plan Amendment. The City Council is the legislative body which adopts the General Plan Amendment. Each Element of the General Plan can be amended a total of five times per year and on a quarterly basis. Typically, General Plan Amendments are initiated by staff unless a specific request is made by an applicant as part of a development proposal and is usually prepared in conjunction with a Zone Change. The purpose and intent of the General Plan Amendment is to allow the City the opportunity to modify an area of each Element in order to accommodate a change to the physical, social or economic development of the community. However, the proposed amendment can not result in creating internal inconsistencies and internal conflicts with the Elements of the General Plan. Also, the amendment can not result in creating a land use which will be inconsistent and incompatible with existing and anticipated uses within the area.

APPLICATION PROCESS

1. An application for a General Plan Amendment shall be made by a property owner or his/her authorized agent. An application shall be properly filled-out with the notarized signature of the property owner of record as of the date the application is submitted.
2. The Planning Division shall assess and collect an application filing fee. The fees as based upon the most recent fee scheduled adopted by the City Council.
3. The applicant shall submit all of the application materials outlined on the application checklist.
4. Staff reviews, researches and evaluates the proposal, then prepares an environmental assessment and a Staff Report with recommendations for the Planning Commission.
5. Within 30 days of application receipt, Staff will deem the application complete or incomplete. If incomplete, the applicant is notified and advised how to prepare the application for re-submittal. If complete, the Secretary to the Planning Commission shall place the item on the Planning Commission agenda for public hearing.
6. Notice of such hearing shall be given by mailing the notice, postage prepaid, at least 10 days prior to the hearing to all property owners whose names and addresses appear on the latest adopted tax roll as owning property within a distance of 300 feet from the exterior boundaries of the applicant's property.
7. The time and place of such hearing shall be set by the Secretary to the Planning Commission. Such notice shall include a general explanation of the matter to be considered and a general description of the area affected.
8. The Planning Commission convenes the public hearing where the applicant's representative presents the request and answers any questions from the Commission. Public input is solicited at this time.
9. The Planning Commission, based on the information and evidence presented in the hearing, makes a recommendation to the City Council. The recommendation will be to approve or deny the application. Notice of the action taken shall be mailed to the applicant.
10. The item will be set at the next available City Council meeting. The City Council will vote to approve or deny the amendment. Certain amendments require ratification by the voters of the City in a general or special election. In these cases, the City Council will set the election date and certify the amendment for the ballot.
11. If an election is required per MPMC 21.78, the amendment will be final when the election results are certified by the City Clerk.

ATTACHMENT 5

Planning Commission Staff Report dated September 24, 2019



Planning Commission Staff Report

DATE: September 24, 2019

AGENDA ITEM NO: 3-B

TO: The Planning Commission
FROM: Mark A. McAvoy, Director of Public Works/City Engineer/City Planner
SUBJECT: Consideration and possible action to adopt a Resolution recommending that the City Council approve the draft Land Use Element, Focused Environmental Impact Report, and Findings of Fact and Statement of Overriding Considerations.

RECOMMENDATION:

It is recommended that the Planning Commission consider:

- (1) Opening the public hearing;
- (2) Receiving documentary and testimonial evidence;
- (3) Closing the public hearing;
- (4) Adopting a Resolution recommending that the City Council approve the Land Use Element, Focused Environmental Impact Report, and Findings of Fact and Statement of Overriding Considerations; and
- (5) Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

CEQA Guidelines § 15060 provides that if a lead agency determines that an **environmental impact report ("EIR")** will clearly be required for a project, the agency may by-pass initial review of the project and immediately begin work on the EIR pursuant to CEQA Guidelines § 15080. In the absence of an initial study, the lead agency must still focus the EIR on the significant effects of the project and briefly indicate its reasons for determining that other effects would not be significant or **potentially significant**. **The City determined that preparation of a Draft EIR ("DEIR") was required for the Project.** No initial study was conducted nor were any of the CEQA Appendix G checklist topical areas eliminated from consideration of impacts. Consequently, all 20 of these topical areas were analyzed in the DEIR before determining that any impact was insignificant or less than significant.

CEQA permits agencies to certify a final EIR ("FEIR") that discloses significant and unavoidable impacts if it can determine that the benefits of the proposed project outweigh the significant impacts. Significant and unavoidable impacts anticipated as a result of implementation of this project include air quality, greenhouse gas emissions, noise, and transportation and traffic. While mitigation has been recommended to reduce these impacts, they remain significant and unavoidable for several reasons. Implementation of certain traffic and transportation improvements are outside the City's jurisdiction and the City cannot compel another agency to implement these

improvements. The benefits of the proposed Project that should be weighed against these significant and unavoidable impacts include, without limitation, economic growth and development; promotion of sustainable development; increased employment opportunities for highly skilled workers; reduction in per capita vehicle miles traveled; and the provision of housing.

EXECUTIVE SUMMARY:

The City Council authorized an update to the Monterey Park General Plan in 2018 (termed "Monterey Park 2040"). While the General Plan contains several elements, the first element identified by the City Council for consideration is the Land Use Element (the "LUE"). The LUE contemplates the future use and reuse of land within the City and establishes long-range goals for development in terms of land use type and intensity, as well as urban character and form. This update to the LUE reflects City Council direction; input from the General Plan Advisory Committee (which was appointed by the City Council); consideration of comments submitted by members of the public; and recommendations by City staff.

BACKGROUND:

At the direction of the City Council in 2018, the City began the process for updating the Monterey Park General Plan (the "GP"). Under California law, the GP must include seven elements: Land use; Circulation (traffic); Housing; Conservation (natural resources); Open space (recreation, etc.); Noise; and Safety (fires, seismic & geological hazards). The GP – particularly the Land Use Element – constitutes the City's "constitution" for economic, social, and land use development. The last comprehensive update to the GP occurred in 2001.

In Monterey Park, voter approval is required for amendments to the Land Use Element ("LUE"). Accordingly, the City Council opted to proceed with updating the LUE first with the objective of placing a proposition on the November 2019 ballot. For various reasons – including election costs estimated at nearly \$500,000 – the Council opted instead to place a proposition on the March 2020 ballot. Since this is already a general municipal election, the cost savings to the City is significant.

On February 20, 2019, the City Council formed the GPAC by appointing 11 individuals to help facilitate updates to the LUE (a list of the GPAC members is included within Attachment 4). Between March 11, 2019 and May 6, 2019, the GPAC held four meetings to consider the draft LUE. Additionally, the City Council held a workshop on May 7, 2019 to consider the matter. Overall, the City conducted seven events for public attendance – including a booth at the Cherry Blossom Festival (held from April 27-28th) – to solicit public input. These efforts were in addition to the dedicated webpage regarding the matter that solicits public input (<https://www.montereypark.ca.gov/1249/General-Plan-Update---Monterey-Park-2040> or <https://tinyurl.com/yyvc4xto>) and a public survey that ended on April 15, 2019.

The EIR and LUE are now in draft form and ready to be considered by the Planning Commission. Notice for a public hearing on September 24, 2019 before the Planning

Commission was posted at City Hall, Monterey Park Bruggemeyer Library, and Langley Center on August 20, 2019 and published in the Wave on September 5, 2019, with affidavits of posting on file.

On September 4, 2019, an update was provided to the City Council regarding the process and next steps. Additionally, the City Council was provided the opportunity to give direction to staff as to the LUE process, e.g., whether further meetings by the GPAC or public workshops should be held. Overall, the City Council did not express concerns about the public outreach process and did not provide further direction regarding additional outreach efforts.

PROPOSED UPDATES:

The attached Focused Area Summary Table summarizes the Land Uses, Current Floor Area Ratio (FAR) and Height Maximums, and Proposed FAR and Height Maximums. No changes are proposed to the existing Low Density Residential (LDR), Medium Density Residential (MDR), and High Density Residential (HDR) Land Uses. The updates proposed concentrate on the Focused Areas identified in the 2001 General Plan, including Downtown Monterey Park, East Garvey, Atlantic Boulevard, Mid Atlantic, South Atlantic, North Garfield, South Garfield, Monterey Pass Road, Corporate Center, Oil/Edison, and Saturn Park.

Since the draft LUE was published, a request was made by a property owner to change the land use density at 1688 W. Garvey Avenue from HDR to MDR land use. Attached is the correspondence supporting that request. Based upon that correspondence, it is recommended that the Planning Commission change the land use designation for that property.

Throughout the public outreach process, members of the community were asked about strengths, challenges and opportunities within the current conditions of the City. Many members of the public expressed that they want to see new and diverse economic opportunities within the City. The Focused Area Summary Table shows current land Designations and FAR and Height Maximums. Since 2001, the City has experienced redevelopment predominately in the North Atlantic and Oil/Edison Focus Areas with little to no changes in the other identified Focused Areas. This absence of redevelopment was the driving force behind the proposed updates and a reevaluation of the Land Uses and FAR and Height Maximums. The Focused Area Summary Table also shows the proposed updates; both increases and decreases in FAR and Height Maximums are proposed to more accurately reflect existing conditions and development patterns since the 2001 General Plan update. In some of the Focused Areas, the FAR is proposed to remain the same while the height may slightly increase and in other Areas the height may remain the same while the FAR may slightly increase. The goals and objectives identified in the draft General Plan Land Use Element is to find a balance between land use, FAR, and heights, in order to form the long-range vision for the City for the next 20 years.

In preparation of the resolution and staff report, Staff has identified the following corrections and clarifications to the draft LUE (included as Attachment 4 to this staff report):

The parcel located at 1688 W. Garvey is currently proposed to be zoned as High Density Residential; however, from a topographical standpoint, as well as the underlying geologic issues and the proposed geotechnical solutions for development, this parcel is not a good candidate for high density residential. Specifically, development will be constrained due to the steep slopes on the property and the required corrective action to cure historic geotechnical failures on the property – which is anticipated to involve the use of tiebacks. Accordingly, the property should be designated as Low Density Residential and the LUE should be amended to reflect that change in designation.

Additionally, MIG has identified the following insubstantial corrections to the attached draft of the Land Use Element:

- Renumber goals and policies to Goal 1, policies 1.1, 1.2, etc. (on page 39 of the LUE);
- Fix policy numbering under Goal 3 (see page 40 of the LUE);
- Replace the phrase "home ownership" with the word "homeownership" (on page 47 of the LUE);
- Change "North Atlantic" to "North Garfield" within the list located on page 48; and
- Change "North Atlantic" to "North Garfield" on page 59.

FISCAL IMPACT:

As part of the Fiscal Year 2018/2019 annual budget, the City Council authorized \$400,000 for the General Plan update and an additional amount of \$349,607 was allocated from the Capital Improvement Projects – Downtown Improvements set aside funds, which has a balance of \$916,760.

Respectfully submitted,

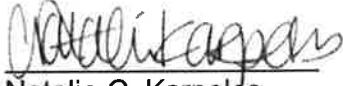


Mark A. McAvoy
Director of Public
Works/City Engineer/City
Planner

Prepared by:


Samantha Tewasart
Senior Planner

Reviewed by:


Natalie C. Karpeles
Deputy City Attorney

Attachments:

- Attachment 1: Draft Resolution
- Attachment 2: Finding of Facts and Statement of Overriding Considerations
- Attachment 3: Focused Area Summary Table
- Attachment 4: Draft Monterey Park General Plan Land Use Element and
Focused Environmental Impact Report
- Attachment 5: 1688 West Garvey Avenue Zoning Clarification Letters, dated
September 4, 2019 and September 10, 2019

ATTACHMENT 1

Draft Resolution

RESOLUTION NO. 15-19

A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT, ADOPT FINDINGS AND A STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPT A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE MONTEREY PARK FOCUSED GENERAL PLAN UPDATE – MONTEREY PARK 2040.

The Planning Commission of the City of Monterey Park does resolve as follows:

SECTION 1. The Planning Commission finds and declares that:

- A. California Government Code §§ 65300-65302 require the City to adopt and maintain a General Plan that contains certain elements, describes its long-term goals, and develops policies and programs to achieve those goals. By statute, a General Plan is required to be updated “periodically”; and
- B. The City is currently proposing a focused update to the General Plan – Monterey Park 2040 – currently consisting only of revisions to the Land Use Element (the “Project”), and which warrants preparation of an Environmental Impact Report (EIR);
- C. The City of Monterey Park, as lead agency, has prepared an EIR for the Project (State Clearing House No. 2001-01-1074). The EIR consists of the Draft EIR (“DEIR”) and the Final EIR (“FEIR”);
- D. The Project includes a wide variety of objectives, policies, and implements programs designed to enhance the public health, safety, and welfare. The Project further protects the public health by and safety through reliance on mitigation measures and policies requiring the adoption of impact fees.
- E. The City reviewed the Project’s environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, “CEQA”) and the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, *et seq.*, the “CEQA Guidelines”); and
- F. On September 24, 2019, the Planning Commission held a public hearing regarding the Project. This Resolution, and its findings, is adopted based upon the evidence set forth in the entire record including, without limitation, documentary and testimonial evidence; the staff report; and such additional information set forth in the entire administrative record that is too voluminous to reference, but is on file with the City Clerk’s office.

SECTION 2. *Factual Findings and Conclusions.* The Planning Commission finds that the following facts exist and makes the following conclusions:

**PLANNING COMMISSION
RESOLUTION NO. 15-19
PAGE 2 OF 5**

- A. In 2018, the City Council directed staff to begin comprehensive updates to the Monterey Park General Plan; the first element to be considered is the Land Use Element (LUE) – which was last updated in 2001.
- B. The City has sought to proactively engage the public regarding the focused update to the General Plan including: (1) creating the General Plan Advisory Committee (GPAC); (2) conducting stakeholder interviews; (3) creating a public website for the Project; (4) circulating a community survey; (5) polling participants of the Cherry Blossom Festival regarding land use alternatives; (6) hosting a public meeting to present the General Plan's technical findings; and (7) holding an environmental scoping meeting.
- C. The proposed focused update to the General Plan contains a thorough and adequate treatment of land use, economic, environmental and development issues within the realm of the planning period.
- D. The proposed focused update to the General Plan is internally consistent and would not be a detriment to the public interest, health, safety, convenience, and welfare of the City.
- E. The proposed focused update to the General Plan encourages appropriate land uses, preservation of neighborhood character and natural resources, infill of vacant land area, new multi-family residential development, provision of urban services and utilities, pedestrian facilities and enhancement of the property tax base.

SECTION 3. *Environmental Assessment.* The Planning Commission makes the following environmental findings:

- A. Because of the facts and conclusions identified in Section 2 of this Resolution and in accordance with CEQA Guidelines § 15082, the City filed a Notice of Preparation (NOP) of a Draft EIR (DEIR) with the State Clearinghouse (SCH) Office of Planning and Research (OPR); the NOP included a comment period from April 16 to May 16, 2019. The SCH OPR assigned SCH Number 2001-01-074 to the environmental documentation for the Project.
- B. A Scoping Meeting to solicit public input on the issues proposed for consideration in the DEIR was held on May 7, 2019 at 6:00 P.M. at the Monterey Park City Hall Council Chambers. A total of six written responses were received on the NOP.
- C. In accordance with CEQA, a Notice of Completion (NOC) of the DEIR was filed with the SCH OPR on June 7, 2019.

SECTION 4. The public review period for the DEIR commenced on June 10, 2019 and ended on July 25, 2019. The DEIR was distributed to government agencies,

**PLANNING COMMISSION
RESOLUTION NO. 15-19
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neighboring cities and interested parties. The City's Notification Mailing List is available at the City of Monterey Park's Planning Department. A total of three written responses were received on the DEIR.

- A. Comments received during the public review period for the DEIR were responded to in the Responses to Comments Report.
- B. A FEIR was prepared for the Project, comprised of the following components:
 - 1. DEIR and Technical Appendices (June 2019).
 - 2. Comments received on the DEIR and responses to those comments documented in the Responses to Comments Report (June 2019).
 - 3. Clarifications and Revisions.
 - 4. Mitigation Monitoring and Reporting Program (MMRP).
- C. The FEIR (including documents and other materials that constitute the record of proceedings on which the City's findings and decisions are based) is located at City of Monterey Park, 320 W. Newmark Avenue, Monterey Park, CA 91754. The custodian for these documents is the Senior Planner. This information is provided in compliance with CEQA § 21081.6(a)(2) and CEQA Guidelines § 15091(e).
- D. The FEIR is incorporated into this Resolution by reference as if fully set forth. Pursuant to CEQA Guidelines § 15090, the FEIR reflects the City's independent judgment and analysis. The Planning Commission has independently reviewed and analyzed the DEIR prepared for the proposed Project. The DEIR and FEIR are accurate and complete statements of the potential environmental impacts of the Project.
- E. Because of the facts identified in this Resolution, the DEIR showed that a Statement of Overriding Considerations would be required in order for the Project to be approved.
- F. The FEIR generally identifies, for each potentially significant impact of the project, one or more corresponding mitigation measures to reduce such impact to a level of insignificance, with the exception of Air Quality, Greenhouse Gas Emissions, Noise, and Transportation and Traffic. The Planning Commission finds that many of the mitigation measures described in the FEIR may lessen or avoid impacts in impact categories other than the categories for which they are specifically proposed. Accordingly, the Planning Commission finds that each potentially significant impact identified by the FEIR is mitigated by its corresponding mitigation measures to the extent set forth in the FEIR ("specific

**PLANNING COMMISSION
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mitigation”) and by other, non-corresponding, mitigation measures recommended for approval by the Planning Commission that were already incorporated into the Project (“general mitigation”). These findings will be applicable wherever supported by the evidence in the record regardless of whether a specific finding or an instance of such general mitigation is made.

SECTION 5. Actions. The Planning Commission recommends that the City Council takes the following actions:

- A. Adopts the LUE attached as Attachment 4, and incorporated into this Resolution by reference;
- B. Certifies the FEIR attached as Attachment 4, and incorporated by reference, subject to the mitigation monitoring and reporting program (“MMRP”) required by CEQA § 21081.6 and CEQA Guidelines § 15097;
- C. Adopts the Findings of Fact and a Statement of Overriding Considerations in accordance with the requirements of CEQA § 21081 as set forth in attached Attachment 2, which is incorporated into this Resolution by reference; and
- D. Adopts the MMRP set forth in attached Attachment 4, which is incorporated into this Resolution by reference, in accordance with the requirements of CEQA §§ 21081(a) and 21081.6.

SECTION 6. Reliance on the Record. Each and all of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the Planning Commission in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 7. Limitations. The Planning Commission’s analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the Planning Commission’s lack of knowledge of future events. In all instances, best efforts were made to form accurate assumptions. Somewhat related to this are the limitations on the City’s ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 8. Summaries of Information. All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The

**PLANNING COMMISSION
RESOLUTION NO. 15-19
PAGE 5 OF 5**

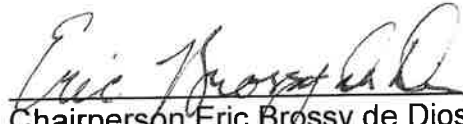
absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 9. This Resolution will remain effective until superseded by a subsequent resolution.

SECTION 10. The City Clerk is directed to mail a copy of this Resolution to any person requesting a copy.

SECTION 11. This Resolution will take effect immediately upon adoption.

ADOPTED AND APPROVED this 24th day of September 2019.


Chairperson Eric Brossy de Dios

I hereby certify that the foregoing Resolution was duly adopted by the Planning Commission of the City of Monterey Park at the regular meeting held on the 24th day of September 2019, by the following vote of the Planning Commission:

AYES:	Commissioners Brossy de Dios, Choi, Amador, Salazar, and Robinson
NOES:	None
ABSTAIN:	None
ABSENT:	None


Mark A. McAvoy, Secretary

APPROVED AS TO FORM:
Mark D. Hensley, City Attorney

By: 
Natalie C. Karpeles,
Deputy City Attorney

ATTACHMENT 2

Finding of Facts and Statement of Overriding Consideration

**PLANNING COMMISSION RESOLUTION NO.
EXHIBIT ____**

**CITY COUNCIL RESOLUTION NO. _____
Exhibit ____**

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS

After receiving, reviewing, and considering all the information in the entire administrative record for Environmental Impact Report (SCH #2001-01-1074) and the Monterey Park Focused General Plan Update – Monterey Park 2040 (the “Project”) including, without limitation, the factual information and conclusions set forth in this Resolution and its attachment, the City Council finds, determines, and declares as follows:

I. FINDINGS REQUIRED BY CEQA.

CEQA Guidelines § 15090 require the City to certify that:

1. The Final Environmental Impact Report (“FEIR”) has been completed in compliance with CEQA;
2. The FEIR was presented to the decision-making body of the lead agency and that that decision-making body reviewed and considered the information contained in the final EIR before approving the Project; and
3. The FEIR reflects the lead agency’s independent judgment and analysis.

II. FINDINGS REGARDING THE POTENTIAL ENVIRONMENTAL EFFECTS OF THE PROJECT.

A. Determination to Prepare an Environmental Impact Report (“EIR”).

CEQA Guidelines § 15060 provides that if the lead agency can determine that an EIR will be clearly required for a project, the agency may skip further initial review of the project and begin work directly on the EIR process described in commencing with CEQA Guidelines § 15080. In the absence of an initial study, the lead agency must still focus the EIR on the significant effects of the project and briefly indicate its reasons for determining that other effects would not be significant or potentially significant. The City of Monterey Park determined that preparation of a Draft EIR (“DEIR”) was required for the Project. No initial study was conducted nor were any of the CEQA Appendix G checklist topical areas eliminated from consideration of impacts. Therefore, in the absence of preparing an initial study, all 20 of these topical areas were analyzed in the DEIR before determining that any impact was insignificant or less than significant.

B. Impacts Found To Be Insignificant in the DEIR.

The analysis within the DEIR for the Project, dated June 2019, identified the following environmental effects as not potentially significant. Accordingly, the City Council finds that the DEIR, the FEIR, and the record of proceedings for the Project do not identify or contain substantial evidence identifying significant environmental effects of the Project with respect to the areas listed below.

1. Agriculture and Forestry Resources.

2. Biological Resources (Animal Migration and Conservation, and Habitat Conservation Plans).
3. Geology and Soils (Septic Tanks).
4. Hazards and Hazardous Materials (Airports).
5. Hydrology and Water Quality (Drainage – Impede or Redirect Flood Flows).
6. Mineral Resources.
7. Transportation and Traffic (Conflicts with CEQA).
8. Utilities and Service Systems (Solid Waste Regulations).

C. Impacts Identified as Less Than Significant in the DEIR.

The analysis within the DEIR identified the following environmental effects as less than significant. Accordingly, the City Council finds that the DEIR, the FEIR, and the record of proceedings for the Project do not identify or contain substantial evidence identifying significant environmental effects of the Project with respect to the areas listed below.

1. Aesthetics.
2. Air Quality (Exposure of Sensitive Receptors to Pollutants; and Objectionable Odors).
3. Biological Resources (Sensitive Natural Communities and Riparian Habitat; Wetland Conservation; and Local Biological Resource Policies).
4. Cultural Resources (Archaeological Resources; and Human Remains).
5. Energy
6. Geology and Soils (Faults, Liquefaction, and Seismic-Related Ground Failure; Soil Erosion; Slope Stability and Landsliding; Expansive Soils; Paleontological Resources).
7. Hazards and Hazardous Materials (Transport, Use, and Disposal Hazards; Hazardous Materials; Emit Hazardous Emissions; Hazardous Materials Sites; Adopted Response and/or Evacuation Plans; and Wildland Fires).
8. Hydrology and Water Quality (Water Quality Standards; Drainage; Flood Risk; and Water Quality).
9. Land Use and Planning.
10. Noise (Increase in Stationary and Other Sources of Noise; Groundborne Vibrations; and Excessive Noise Levels Within Airport Vicinity).
11. Population and Housing.

12. Public Services
13. Recreation.
14. Transportation and Traffic (Design Feature Hazards; and Emergency Access).
15. Tribal Cultural Resources.
16. Utilities and Service Systems (Relocation or New Utilities; Wastewater Capacity; and Solid Waste Capacity).
17. Wildfire.

D. Impacts Identified as Potentially Significant in the DEIR But Which Can Be Reduced to Less-Than-Significant Levels with Mitigation Measures.

The City Council finds that the following environmental effects were identified as Less Than Significant with Mitigation Incorporated in the DEIR, the FEIR, and implementation of the identified mitigation measures would avoid or lessen the potential environmental effects listed below to a less-than-significant level.

1. Biological Resources.

a) Facts/Effects:

(1) Special Status Species Protections. The Project could have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

The burrowing owl (*Athene cunicularia*), a California species of special concern, has low potential to occur in the Planning Area of the Project due to grasslands (including non-native that have been mowed or disked) and where suitable burrows are present (typically from presence of the California ground squirrel (*Otospermophilus beecheyi*) or other mammal burrows, as well as debris piles, and man-made culverts. Additionally, native trees, ornamental trees, and various other substrates within the Planning Area have to provide nesting habitat for protected bird species, where destruction of or disturbance to an active nest is prohibited. Project-related construction activities could have the potential to result in significant direct and/or indirect impacts. Implementation of Mitigation Measures BIO-1 through BIO-3 would lessen construction-related impacts by requiring pre-construction surveys and consultation to determine appropriate protocols that must be employed to reduce the impact of this environmental effect to a less than significant level.

(2) Cumulative Impacts. The project could cause substantial adverse cumulative impacts with respect to biological resources.

The Planning Area is mostly developed and urbanized. All cumulative biological impacts associated with implementation of the Project would be less than significant with implementation of Mitigation Measures BIO-1 through BIO-3, which address any potential impacts to burrowing owls and nesting migratory birds. Therefore, no unavoidable, cumulative impacts to biological resources would result from the Project.

b) Mitigation:

Mitigation Measures BIO-1 through BIO-3, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to avoid or substantially lessen the significant biological resources environmental effects as identified in the FEIR.

2. Cultural Resources.

a) Facts/Effects:

(1) Historic Resources. The Project could cause a substantial adverse change in the significance of a historic resource pursuant to CEQA Guidelines §15064.5.

The City identified two historic built environments (Cascades Park and the Jardin del Encanto complex) as listed on the California Register of Historic Resources, and a City Point of Interest (Midwick View Estates) noted by the California office of Historic Preservation. There are no known California Landmarks, no listed buildings or structures on the National Register of Historic Places and the City has not conducted an historic resources survey. Therefore, the number of potential buildings or structures within the City are unknown. The City also does not have regulatory policies in place to protect historic resources. Therefore, an historic conservancy through mitigation is required to avoid or minimize impacts to historic built environments. Implementation of Mitigation Measure CUL-1 would reduce impacts from development on potential historic (buildings and structures) resources to a less than significant level.

(2) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to cultural resources.

The Planning Area is most developed and urbanized but lacks any comprehensive survey of historic structures and/or buildings. All cumulative cultural resource impacts associated with implementation of the Project would be less than significant with implementation of Mitigation Measure CUL-1, which address any potential impacts to an historic resource by requiring an "unique historic resource" evaluation before demolition or alteration of buildings or structures 45 years and

older. Therefore, no unavoidable, cumulative impacts to cultural resources would result from the Project.

b) Mitigation:

Mitigation Measure CUL-1, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to avoid or substantially lessen the significant cultural resources environmental effects as identified in the FEIR.

3. Hydrology and Water Quality.

a) Facts/Effects:

(1) Decrease in Groundwater Supplies. The Project could substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

Implementation of development allowed by the Project is anticipated to largely occur within designated focus areas that are currently developed areas of the City where new impervious surfaces would be minimal and are not expected to interfere with groundwater recharge. However, the City's primary water source is groundwater from seven active wells within the Main San Gabriel Groundwater Basin. Ample water supply is anticipated to serve the expected population as projected by the City of Monterey Park and CalWater planning documents through to 2040. The Project, however, anticipates an increased population, resulting in a possible increase in demand than was originally anticipated by the water purveyor. Implementation of Mitigation Measure UTS-1 would ensure that there is adequate water to serve the City and that the Project would not substantially decrease groundwater supplies.

(2) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to hydrology and water quality.

New development allowed by the Project will primarily result in redevelopment and intensification of properties that are already developed with urban uses and significant impervious surfaces and will have limited effect on drainage or runoff and compliance with standard regulatory requirements will contain impacts to site specific rather than cumulative types. New development would not be anticipated to cumulatively contribute to a groundwater recharge impact, and all hydrology and water quality cumulative impacts would be less than significant with implementation of Mitigation Measure UTS-1, which would ensure adequate water to serve the City without substantial decrease in groundwater supplies. Therefore, cumulative impacts to hydrology and water quality are less than significant.

b) Mitigation:

Mitigation Measure UTS-1, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to avoid or substantially lessen the significant Hydrology and Water Quality environmental effects as identified in the FEIR.

5. Noise.

a) Facts/Effects:

(1) Existing Noise Regulations. Project implementation could result in generation of a substantial temporary increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

The Project would result in the redevelopment or intensification of properties and this would likely involve construction that would result in temporary noise generation, primarily from the use of heavy-duty construction equipment. Since individual site-specific information is unknown, potential short-term (construction-related) noise impacts are anticipated based upon activities associated with residential, commercial and retail development. Potential temporary construction-related noise increases of more than 10 dBA above ambient conditions during permissible construction hours would be a potentially significant effect. Implementation of Mitigation Measure NOISE-1, which requires the use of feasible construction noise control measures when development occurs near noise-sensitive land uses, would reduce potential construction noise impacts to less than significant levels.

(2) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to noise or vibration.

New development allowed by the Project will primarily result in redevelopment and intensification of properties that are already developed with urban uses and with higher ambient noise levels. Construction noise from individual development activities would occur, but with implementation of Mitigation Measure NOISE-1, which would require construction noise control measures, are not considered cumulatively considerable. Therefore, cumulative impacts to Noise, specifically related to existing noise regulations, are less than significant.

b) Mitigation:

Mitigation Measure NOISE-1, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to avoid or substantially lessen the significant Noise (existing noise regulations) environmental effects as identified in the FEIR.

6. Transportation and Traffic.

a) Facts/Effects:

- (1) Existing Circulation System Plans, Ordinances and Policies. The Project could conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

Project-related traffic impacts were determined by comparing the intersection LOS without and with the Project. Significant adverse traffic impacts were identified based on the City's criteria. Under the Project, residential land use growth would be focused in areas designated by the current Housing Element update, and new commercial and office development would be focused in areas designated by the proposed Land Use Plan. The Project anticipates that there will be a reduction in single-family residential units and light industrial facilities throughout the Planning Area. Seven of 30 study intersections would be less than significantly impacted with the implementation of mitigation measures over multiple years as individual properties are developed or redeveloped as follows:

- Corporate Center Drive and I-710
- Fremont Avenue and Monterey Pass Road
- Atlantic Boulevard and Brightwood Street
- Atlantic Boulevard and SR-60 Eastbound Off-Ramp
- Garfield Avenue and Pomona Boulevard
- Markland Drive and Potrero Grande Drive/SR-60 Westbound Off-Ramp
- Saturn Street/Market Place Drive and Potrero Grande Drive

b) Mitigation:

Mitigation Measures as outlined in Table 4.17-14 (Summary of Mitigation Measures), as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to avoid or substantially lessen the significant Transportation and Traffic (relative to specific intersections) environmental effects as identified in the FEIR.

7. Utilities and Service Systems.

a) Facts/Effects:

(1) Water Supply. Implementation of the Project could result in insufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years.

Water districts that serve the Planning Area completed Urban Water Management Plans ("UWMPs") that assessed water supply availability under various scenarios and determined that there is an ample supply of water. The Project forecasts population growth that exceeds those considered in the Monterey Park UWMP. It is possible that further conservation measures may be needed. Implementation of Mitigation Measure UTS-1 would ensure that there is adequate water to serve the City and the Project reducing the impacts to a less than significant level.

(2) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to utilities and service systems.

The Project forecasts a population increase of 11,693 residents and 2,730 employees through the year 2040. This growth would result in an overall increase in demand for utility services, likely requiring new or expanded facilities over the 20-year planning horizon. New or expanded facilities would be required to comply with CEQA. Further, the cumulative impacts associated with the discrepancies between the Project population and the water district UWMP is addressed through the implementation of Mitigation Measure UTS-1. Therefore, cumulative impacts to Utilities and Service Systems are less than significant.

b) Mitigation:

Mitigation Measure UTS-1, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to avoid or substantially lessen the significant Utilities and Service Systems environmental effects as identified in the FEIR.

E. Significant Unavoidable Effects that Cannot be Mitigated to a Level of Insignificance.

The City Council finds that the following environmental effects were identified as Significant and Unavoidable in the FEIR. Implementation of the identified mitigation measures would lessen the potential environmental effects to the extent feasible but not below a level of significance.

1. Air Quality.

a) Facts/Effects:

(1) Conflicts with Local Air Quality Plan. The Project could conflict with or obstruct implementation of the applicable air quality plan.

Since the growth that could occur under the Project's 2040 conditions would be inconsistent with the 2016 RTP/SCS growth forecasts, the Project could increase the frequency and/or severity of air quality violations in the Basin or otherwise impede attainment of air quality standards. Despite implementation of Mitigation Measures AQ-2A through AQ-2D, impacts in this regard would be significant and unavoidable.

(2) Net Increase of Non-Attainment Criteria Pollutants. The Project could result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard.

Construction emissions associated with a potential level of annual development that is consistent with the Project's 2040 growth projections could result in ROG emissions during architectural coating activities that exceed SCAQMD-recommended CEQA significance thresholds. Further, the modeled maximum daily operational emissions associated with potential 2040 growth under the Project would result in NOx emissions that exceed SCAQMD-recommended CEQA significance thresholds. Despite implementation of Mitigation Measures AQ-2A through AQ-2D impacts in this regard would be significant and unavoidable.

(3) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to air quality.

The Project's 2040 growth projections, and associated construction and operational emissions, are not consistent with SCAQMD planning assumptions and exceed SCAQMD-recommended emissions thresholds. Although implementation of Mitigation Measures AQ-2A through AQ-2D would reduce impacts, a significant and unavoidable impact would remain.

b) Mitigation:

Mitigation Measures AQ-2A through AQ-2D, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to substantially lessen the significant Air Quality environmental effects as identified in the FEIR; however, the conflicts with the local air quality plan, net increase in non-attainment criteria pollutants, and certain cumulative Air Quality impacts of the Project cannot be mitigated below the threshold of significance, and are significant and unavoidable.

2. Greenhouse Gas Emissions.

a) Facts/Effects:

(1) Greenhouse Gas Emissions. The Project could generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

The Project's 2040 growth projection could result in GHG emissions that exceed the adjusted SCAQMD derived plan-level efficiency metric and this would be a significant impact. Despite implementation of Mitigation Measures AQ-2B through AQ-2D, impacts in this regard would be significant and unavoidable.

(2) Conflicts with Adopted Plans. The Project could conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

As stated above, Project growth could result in GHG emissions that exceed the 2017 Climate Change Scoping Plan's recommended efficiency metrics. Additionally, the Project has the potential to result in growth that is not planned for in the City's CAP, which would be a significant impact. Despite implementation of Mitigation Measures AQ-2B through AQ-2D, impacts in this regard would be significant and unavoidable.

(3) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to greenhouse gas emissions.

The Project's 2040 growth projections, and associated GHG emissions, could exceed emissions thresholds and pose a conflict with the 2017 Climate Change Scoping Plan and the City's CAP. Although implementation of Mitigation Measures AQ-2B through AQ-2D would reduce impacts, a significant and unavoidable impact would remain.

b) Mitigation:

Mitigation Measures AQ-2B through AQ-2D, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to substantially lessen the significant Greenhouse Gas Emissions environmental effects as identified in the FEIR; however, the conflicts with the greenhouse gas emission thresholds and adopted plan, and certain cumulative Greenhouse Gas Emissions impacts of the Project cannot be mitigated below the threshold of significance, and are significant and unavoidable.

3. Noise.

a) Facts/Effects:

(1) Increases in Traffic Noise Levels. The Project could result in generation of a substantial permanent increase in ambient noise

levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies.

The increase in traffic noise levels along Atlantic Boulevard resulting in “clearly unacceptable” low density residential noise exposure levels is a significant impact. Despite implementation of Mitigation Measure NOISE-2, impacts in this regard would be significant and unavoidable

(2) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to noise or vibration.

The Project’s long-term increases in traffic in the Planning Area would result in a cumulatively considerable increase in noise exposure to “clearly unacceptable” levels along Atlantic Avenue between El Repetto Drive and Floral Drive, which is a significant impact. Although implementation of Mitigation Measure NOISE-2 would reduce impacts, a significant and unavoidable impact would remain.

b) Mitigation:

Mitigation Measure NOISE-2, as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to substantially lessen the significant Noise environmental effects as identified in the FEIR; however, the increase in traffic noise levels and certain cumulative Noise impacts of the Project cannot be mitigated below the threshold of significance, and are significant and unavoidable.

4. Transportation and Traffic.

a) Facts/Effects:

(1) Existing Circulation System Plans, Ordinances and Policies. The Project could conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

Project-related traffic impacts were determined by comparing the intersection LOS without and with the Project. Significant adverse traffic impacts were identified based on the City’s criteria. Under the Project, residential land use growth would be focused in areas designated by the current City Housing Element update, and new commercial and office development would be focused in areas designated by the proposed Land Use Plan. The Project anticipates that there will be a reduction in single-family residential units and light industrial facilities throughout the Planning Area. The Project identifies 27 of 30 study intersections as significantly impacted. Despite the implementation of mitigation measures outlined in Table 4.17-14 of the FEIR, the following Project

intersections would continue to have significant and unavoidable impacts:

- Atlantic Boulevard and Hellman Avenue
- Garfield Avenue and Hellman Avenue
- New Avenue and Hellman Avenue
- Atlantic Boulevard and Emerson Avenue
- Garfield Avenue and Emerson Avenue
- Atlantic Boulevard and Garvey Avenue
- Garfield Avenue and Garvey Avenue
- New Avenue and Garvey Avenue
- Corporate Center Drive and Ramona Boulevard
- Garfield Avenue and Newmark Avenue
- I-710 Northbound On-Ramp/Ford Boulevard and Floral Drive
- Corporate Center Drive/McDonnell Avenue and Floral Drive
- Monterey Pass Road/Mednik Avenue and Floral Drive
- Atlantic Boulevard and Floral Drive
- Collegian Avenue and Avenida Cesar Chavez
- Atlantic Boulevard and Avenida Cesar Chavez
- Atlantic Boulevard and 1st Street/SR-60 Westbound Off-Ramp
- Garfield Avenue and Riggins Street
- Garfield Avenue and Via Campo
- Wilcox Avenue and Pomona Boulevard

- (2) Cumulative Impacts. The Project could cause substantial adverse cumulative impacts with respect to transportation and traffic.

Traffic conditions under Future 2040 with the Project would substantially impact 27 of 30 Project study intersections. Although implementation of Mitigation Measures outlined in Table 4.17-14 of the FEIR would reduce impacts, a significant and unavoidable impact would remain.

b) Mitigation:

Mitigation Measures as outlined in Table 4.17-14 (Summary of Mitigation Measures), as set forth in the EIR and MMRP.

c) Finding:

The City Council finds that the Project is required to comply with, and incorporates mitigation measures, to substantially lessen the significant Transportation and Traffic environmental effects as identified in the FEIR; however, the conflicts with the existing circulation plans, ordinances and policies, and certain cumulative Transportation and Traffic impacts of the Project cannot be mitigated below the threshold of significance, and are significant and unavoidable.

F. Growth Inducing Impacts.

Based upon the FEIR and the record of proceedings in this matter, the City Council finds that there are growth inducing impacts. Implementation of the Project would foster economic growth, resulting in population growth and the construction of additional housing units and nonresidential development within the Planning Area. That growth, however, is anticipated in the focused areas of the City that are already urbanized, allowing for the following net new development: 3,816 dwelling units; 619,932 square feet of new commercial uses; 883,902 square feet of new office space; and 607 hotel rooms.

Implementation of the Project could result in an estimated 11,693 new residents and 2,730 new employees within the Planning Area resulting in a 17 percent population increase over the next 20 years. While this population increase is more growth than the 2016-2040 RTP/SCS anticipates for the City of Monterey Park between 2020 and 2040 by 2,400 residents, this is not considered significant when compared to population and housing growth within the Los Angeles County region – an increase of approximately 1,188,600 residents and 452,900 households by 2040. Implementation of the Project could result in the addition of planned housing units, which would help to meet the anticipated regional housing demand.

G. Project Alternatives.

1. Alternatives Considered but Rejected.

In accordance with CEQA Guidelines § 15126.6(c), an EIR should identify any alternatives that were considered for analysis but rejected as infeasible and briefly explain the reasons for their rejection. According to the CEQA Guidelines, among the factors that may be used to eliminate alternatives from detailed consideration are the alternative's failures to meet most of the basic project objectives, the alternative's infeasibility, or the alternative's inability to avoid significant environmental impacts. There are no alternatives that were considered and rejected in the Project DEIR. Therefore, no finding is required to be made by the City Council relative to rejected alternatives in considering the FEIR.

2. No Project/Existing 2001 General Plan Alternative.

a) Description.

The No Project/Existing 2001 General Plan Alternative (No Project Alternative) assumes that development would occur within the Planning Area. The 2001 General Plan is 20 years old; the baseline data used for the original analysis is unavailable. For this alternative, it is assumed that only new residential development could occur; no new office, commercial, industrial, or hotel development would occur. Additionally, no new policies, goals, or development standards associated with the Focused General Plan Update would be implemented; the standards, goals, and policies associated with the 2001 General Plan would be applicable. Significant and unavoidable impacts identified for the Project related to Air Quality, Greenhouse Gas Emissions, Noise and Transportation would be reduced to less than significant levels with the No Project/Existing 2001 General Plan Alternative. Other environmental impacts that were identified for the Project as either no impact or less than significant impact would

remain similar or be slightly reduced with the No Project/Existing 2001 General Plan Alternative.

b) Finding.

The City Council finds that the No Project/Existing 2001 General Plan Alternative would not attain four of the five Project's basic objectives as it does not include commercial, office, or hotel development. The No Project/Existing 2001 General Plan Alternative would attain one of the five objectives but not to the same degree as the Project. Specifically, given the significant reduction in residential development associated with this alternative, the objective to "Create new housing opportunities for a full range of housing types and to increase housing affordability" would not be fully realized. The City Council finds on the basis of these considerations that the No Project/Existing 2001 General Plan Alternative, as identified in the FEIR, is infeasible.

3. Market Demand Alternative.

a) Description.

The Market Demand Alternative assumes a "market-adjusted" development scenario that evaluates the portion of the Project capacity that would likely be built by 2040, based on current and foreseeable market trends. The Market Demand Alternative reflects a reduced amount of residential, hotel and office development. This alternative would have a similar amount of total commercial space as the Project. This alternative assumes that policies, goals, or development standards associated with the Project would apply to this alternative. Development assumptions for this alternative include an overall correlating decrease in population when compared to the Project. Significant and unavoidable impacts identified for the Project related to Air Quality, Greenhouse Gas Emissions, Noise and Transportation would be reduced but would remain significant and unavoidable with the Market Demand Alternative. Other environmental impacts that were identified for the Project as either no impact or less than significant impact would remain similar or be slightly reduced with the Market Demand Alternative.

b) Finding.

The City Council finds that the Market Demand Alternative would attain the Project's basic objectives as it includes commercial, office, residential and hotel development. However, the Market Demand Alternative would not attain the five objectives to the same degree as the Project. Specifically, given the significant reduction in overall development associated with this alternative, the Project objectives providing optimal economic and housing benefits would not be fully realized. The City Council finds on the basis of these considerations that the Market Demand Alternative, as identified in the FEIR, is infeasible.

4. Reduced Density/Intensity Alternative.

a) Description.

The Reduced Density/Intensity Alternative assumes that the development in all land use categories associated with the Project would be reduced by approximately one third (33 percent). While the amount of development would be reduced, this alternative assumes that policies, goals, and development standards associated with the Project would also be applicable to development under this alternative. Development assumptions for this alternative include an overall correlating decrease in population when compared to the Project. Significant and unavoidable impacts identified for the Project related to Air Quality, Greenhouse Gas Emissions, Noise and Transportation would be reduced but would remain significant and unavoidable with the Reduced Density/Intensity Alternative. Other environmental impacts that were identified for the Project as either no impact or less than significant impact would remain similar or be slightly reduced with the Reduced Density/Intensity Alternative.

b) Finding.

The City Council finds that the Reduced Density/Intensity Alternative would attain the Project's basic objectives as it includes commercial, office, industrial, residential and hotel development. However, the Reduced Density/Intensity Alternative would not attain the five objectives to the same degree as the Project. Specifically, given the significant reduction in overall development associated with this alternative, the Project objectives providing optimal economic and housing benefits would not be fully realized. The City Council finds on the basis of these considerations that the Reduced Density/Intensity Alternative, as identified in the FEIR, is infeasible.

5. Environmentally Superior Alternative.

In compliance with Public Resources Code §15126.6(d), a matrix displaying the major characteristics and significant environmental effects of each alternative is included in the FEIR; see Table 5--2, Alternatives' Impacts Compared to Project Impacts. The purpose of this matrix is to summarize and compare how impacts associated with the implementation of the alternatives compare with the impacts associated with implementation of the Project.

Chapter 5 of the FEIR describes three alternatives to the Project including the CEQA-mandated "No Project" Alternative. Public Resources Code §15126.6 requires that one alternative be identified as the environmentally superior alternative. Furthermore, if the environmentally superior alternative is the "No Project" alternative, the FEIR must also identify the environmentally superior alternative from among the other alternatives.

Other than the No Project/Existing 2001 General Plan Alternative, the Reduced Density/Intensity Alternative would result in the least adverse environmental impacts and would therefore be the "environmentally superior alternative." This conclusion is based on the comparative impact conclusions in Table 5-2 and the analysis within Chapter 5. However, this alternative would not fully meet the objectives at the same level as the Project. The City Council finds on the basis of

these considerations that while the Reduced Density/Intensity Alternative, as identified in the FEIR, is the environmentally superior alternative, it is infeasible.

III. STATEMENT OF OVERRIDING CONSIDERATIONS.

The City Council finds on the basis of the FEIR and the entire administrative record for this matter that the unavoidable significant impacts of the Project as discussed in Section II.E. above are acceptable when balanced against the benefits of the Project. This determination is based on the following substantial economic, legal, social, technological factors, including region-wide benefits, as identified in the FEIR and the record of proceedings in the matter. Each Project objective/benefit set forth below constitutes an overriding consideration warranting approval of the Project as they outweigh the unavoidable adverse environmental effects.

- A. The Project parameters increasing density/intensity in focused areas of the City were the direct result of the analysis, findings and conclusions resulting from a Land Use Market Demand Analysis, prepared under the direction of the City in May 2019 as part of the General Plan Update to ensure the greatest economic benefit to the City and region on the whole was thoughtfully planned.
- B. The Project will help foster economic development in the City consistent with the community's vision by contributing to a strong business climate and economic growth, with positive outcomes such as business retention and attraction and employment creation balanced with new housing opportunities.
- C. The Project promotes sustainable development patterns and environmentally-friendly strategies that would minimize greenhouse gas emissions and sustain limited resources over the long term
- D. Increases the City's tax base by focusing commercial, office, industrial and hotel development and redevelopment in key urbanized areas of the City utilizing flexible approaches to land use planning and higher densities, affecting property and sales tax revenues, which in turn provides the City with resources to provide high-quality services to residents and the daytime population.
- E. The Project supports redevelopment of existing land uses with newer, more efficient development that would reduce energy consumption compared to existing conditions.
- F. The Project accommodates and encourages new businesses that promote innovation and advances in technology, high-quality service industries, and creative industries that would increase opportunities for high-skilled and knowledge workers
- G. The Project facilitates higher density, mixed use development that is effective in reducing vehicle miles traveled and fuel consumption as compared to other, more suburban types of development, improving the current balance of the City's jobs-housing ratio.
- H. The Project directs almost all planned growth into specific areas of the City to encourage infill developments that redevelop aging and underutilized properties, and stabilize the character of the City's founding neighborhoods.

- I. The use of energy resources in the Planning Area become more efficient over time with the changes in land uses envisioned by the Project and through the application of more stringent regulations that mandate energy efficiency.
- J. Implementation of the Project will result in the addition of housing units, which would help address the ever-increasing regional housing demand increasing housing affordability through flexible regulatory tools, greater range of housing types, higher densities, and expanded areas for housing as part of a mixed-use development.
- K. The Project focuses growth by increasing density/intensity of the land uses around the existing and potential transit stations along the Metro Gold Line light rail adjacent to the City's border.
- L. The Project incorporates urban design strategies that improves the physical appearance of the public realm, define the urbanized outdoor and recreation spaces, and guide the types of design appropriate for higher density, mixed-use developments including neighborhood connectivity and enhanced pedestrian experiences.
- M. The Project enhances the City's roadway network by incorporating mitigation measures that when implemented over time correlating with new development will improve the efficiency of some intersections, improving transportation and safety in the City.

IV. RECIRCULATION.

A. Facts.

The City received comments on the DEIR from members of the public and from public agencies in both written and oral form. The FEIR contains written responses to all comments ("Responses to Comments") received on the DEIR as of July 25, 2019. Some comments were incorporated into the FEIR as factual corrections and minor changes. The FEIR includes all factual corrections and minor changes to the DEIR. All comments and testimony received before and at the City Council's public hearing have been considered.

B. Finding.

Pursuant to CEQA Guidelines § 15088.5 and Public Resources Code § 21092.1, and based on the FEIR and the record of proceedings in for the Project, the City Council finds that:

1. Factual corrections and minor changes are set forth as additions and corrections to the DEIR; and
2. The factual corrections and minor changes to the DEIR are not substantial changes in the DEIR that would deprive the public of a meaningful opportunity to comment on a substantial adverse environmental effect of the Project, a feasible way to mitigate or avoid such an effect, or a feasible Project alternative; and
3. The factual corrections and minor changes to the DEIR will not result in new significant environmental effects or substantially increase the severity of the significant effects previously disclosed in the DEIR; and

4. The factual corrections and minor changes to the DEIR will not involve mitigation measures or alternatives which are considerably different from those analyzed in the DEIR that would substantially reduce one or more significant effects on the environment; and
5. The factual corrections and minor changes to the DEIR do not render the DEIR so fundamentally inadequate and conclusory in nature that meaningful public review and comment would be precluded.

Accordingly, the City Council finds that none of the conditions set forth in CEQA Guideline § 15088.5 or Public Resources Code § 21092.1 requiring recirculation of a draft environmental impact report were met. The City Council further finds that incorporation of the factual corrections and minor changes to the DEIR into the FEIR does not require that the FEIR be recirculated for public comment.

V. SUBSTANTIAL EVIDENCE.

The City Council finds and declares that substantial evidence for each and every finding made herein is contained in the FEIR, which is incorporated herein by this reference, and in the record of proceedings in the matter.

ATTACHMENT 3

Focused Area Summary Table

Focus Area	Current GP FAR/Height	Proposed GP FAR/Height
Corporate Center	2.0/100'	4.0/125' 2.0/60' (north end)
Corporate Place	0.60/40' (commercial only)	1.0/50' (added industrial)
Monterey Pass Road	0.65/zoning controls	0.65/35'
North Atlantic	2.0/75'	2.0/75'
Mid Atlantic	0.75/50' Mixed use	1.5/50' Commercial only
South Atlantic	0.65/40' No housing	0.65/40' Housing overlay @60 du/ac, 50'
North Garfield	1.0/60'	1.5/60'
Downtown Core	1.0/75'	2.5/75'
Downtown Perimeter	0.65/55'	1.5/50'
East Garvey	0.5/zoning controls With housing 0.75	1.5/50' Stand-alone residential okay on nonarterial streets
Saturn Park	0.60/40'	1.0/50'
MarketPlace	0.5-2.0 based on lot size/50'	0.65/35'

ATTACHMENT 4

Draft Monterey Park General Plan Land Use Element and Focused Environmental Impact Report

ATTACHMENT 5

1688 West Garvey Avenue Zoning Clarification Letters,
dated September 4, 2019 and September 10, 2019

CITY OF MONTEREY PARK

320 West Newmark Avenue • Monterey Park • California 91754-2896
www.montereypark.ca.gov



City Council

Peter Chan
Mitchell Ing
Stephen Lam
Hans Liang
Teresa Real Sebastian

City Clerk

Vincent D. Chang

City Treasurer

Joseph Leon

Mr. Karl H. Berger
Assistant City Attorney
City of Monterey Park
320 West Newmark Ave
Monterey Park, CA 92614

September 4, 2019

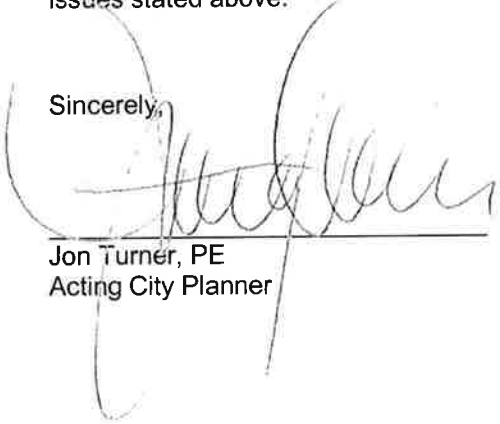
1688 W. Garvey Ave – Proposed Zoning Review

I received an email from the above parcel owner's representative regarding the proposed zoning that is contained in the City of Monterey Park Draft Land Use and Urban Design Element. The parcel is proposed to be zoned as High Density Residential. They state that from a plan view perspective that the parcel is attractive as high density residential; however, from a topographical standpoint as well as the underlying geologic issues and the proposed geotechnical solutions for development this parcel is not a good candidate for high density residential. In their document, they specifically state:

- Primarily, the steep slopes on the property highly constrain development on that parcel.
- Additionally, as we endeavor to cure historic geotechnical failures on the property, a great deal of developable footprint will be used for geotechnical solutions.
- More specifically, it is anticipated that a big part of the geotechnical solution will involve the use of tiebacks which serve to even further constrain the developable area of the site.

They have requested a Low Density Residential zoning designation for the parcel in the Land Use and Urban Design Element analysis and recommendation. I have reviewed their statements and concur with their recommendation. Please modify the draft Land Use and Urban Design Element to reflect this modification. It will allow the parcel to be developed with a zoning that is amenable to the issues stated above.

Sincerely,


Jon Turner, PE
Acting City Planner

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September 10, 2019

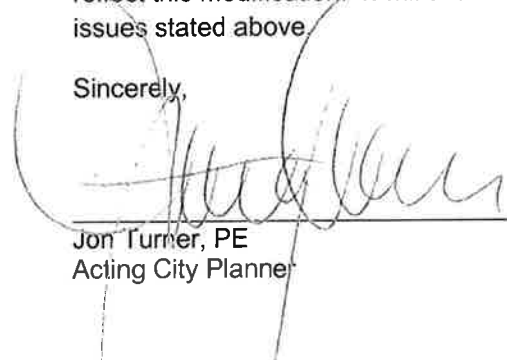
1688 W. Garvey Ave – Proposed Zoning Review

I received an email from the above parcel owner's representative regarding the proposed zoning that is contained in the City of Monterey Park Draft Land Use and Urban Design Element. The parcel is proposed to be zoned as High Density Residential (Figure LU-3 – page 26 of the document). Additionally, the definition of the density is provided in Table LU-1 on page 28 of the document. They state that from a plan view prospective that the parcel is attractive as high density residential; however, from a topographical standpoint as well as the underlying geologic issues and the proposed geotechnical solutions for development this parcel is not a good candidate for high density residential. In their document, they specifically state:

- Primarily, the steep slopes on the property highly constrain development on that parcel.
- Additionally, as we endeavor to cure historic geotechnical failures on the property, a great deal of developable footprint will be used for geotechnical solutions.
- More specifically, it is anticipated that a big part of the geotechnical solution will involve the use of tiebacks which serve to even further constrain the developable area of the site.

They have requested a Low Density Residential zoning designation for the parcel in the Land Use and Urban Design Element analysis and recommendation. I have reviewed their statements and concur with their recommendation. Please modify the draft Land Use and Urban Design Element to reflect this modification. It will allow the parcel to be developed with a zoning that is amenable to the issues stated above.

Sincerely,


Jon Turner, PE
Acting City Planner

Enclosures

ATTACHMENT 6

Planning Commission Minutes dated September 24, 2019

**OFFICIAL MINUTES
MONTEREY PARK PLANNING COMMISSION
REGULAR MEETING
SEPTEMBER 24, 2019**

The Planning Commission of the City of Monterey Park held a regular meeting of the Board in the Council Chambers, located at 320 West Newmark Avenue in the City of Monterey Park, Tuesday, September 24, 2019 at 7:00 p.m.

CALL TO ORDER:

Chairperson Eric Brossy de Dios called the Planning Commission meeting to order at 7:00 p.m.

ROLL CALL:

Planner Tewasart called the roll:

Board Members Present: Eric Brossy De Dios, Ricky Choi, Theresa Amador, Antonio Salazar, and Delario Robinson,

Board Members Absent: None

ALSO PRESENT: Karl H. Berger, Assistant City Attorney, Mark A. McAvoy, Public Works Director/City Engineer/City Planner, and Samantha Tewasart, Senior Planner

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS: None

ORAL AND WRITTEN COMMUNICATIONS:

[1.] **PRESENTATIONS:** None

[2.] **CONSENT CALENDAR:** None

[3.] **PUBLIC HEARING:**

3-A. **CONDITIONAL USE PERMIT (CU-19-06) TO ALLOW FOR A BUSINESS COLLEGE (COMPUTER TRAINING) IN THE O-P (OFFICE PROFESSIONAL) ZONE – 1455 MONTEREY PASS ROAD #206**

Planner Tewasart provided a brief summary of the staff report.

Chairperson Brossy de Dios opened the public hearing.

Applicant, Jian Feng Liu, 1455 Monterey Pass Road, #206, Monterey Park, CA 91754, stated that he worked at AT&T's IT department for 12 years and then became Cisco certified and now would like to offer the same certification services to others who are looking for higher paying jobs.

Commissioner Salazar inquired about how the space will be utilized. Applicant Liu replied that the space will not be setup in the traditional sense. The business is computer training and many of the courses are offered on-line.

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Commissioner Robinson inquired if the applicant would be one of the instructors. Applicant Liu replied that he will be one of the instructors, but there will be other instructors as well. Many of the courses will be taught through WebEx.

Commissioner Amador inquired if the unit will be accessible. Property Owner, Duke Hwynn, 1455 Monterey Pass Road, Suite #206, Monterey Park, CA 91754, stated that he has been a Monterey Park resident for many years. He operated an import/export business at the location for many years and now is looking to sell the unit to the applicant. The building is older and does not have an elevator. Director McAvoy stated that there may be an occupancy change with this application which may trigger upgrades to the building. This is something the Applicant would work with the Building Official on.

Commissioner Choi inquired if the building has different property owners. Planner Tewasart replied that the building is an office condominium.

Commissioner Amador inquired if there is a management company. Owner Hwynn replied that there is an HOA with 7 board members and there is a management company that helps to maintain the property.

Commissioner Brossy de Dios inquired about the number of parking spaces. Planner Tewasart replied that there are 73 parking spaces available on the property. The parking ratio for office use is 4 per 1,000 and for a college it is 3 per 1,000. The parking requirement will be less.

Chairperson Brossy de Dios closed the public hearing.

Action Taken: The Planning Commission after considering the evidence presented during the public hearing adopted **Resolution No. 14-19** approving Conditional Use Permit (CU-19-06) to allow operation of a business college in the O-P (Office Professional) Zone at 1455 Monterey Pass Road, #206, with an amended condition.

Amended:

10. If "~~as-built~~" amended plans are required, additional fees will be due for the review of the drawings.

Resolution No. 14-19

A RESOLUTION APPROVING CONDITIONAL USE PERMIT (CUP-19-06) TO PERMIT OPERATION OF A BUSINESS COLLEGE AT 1455 MONTEREY PASS ROAD #206.

Motion: Moved, by Commissioner Choi and seconded by Commissioner Amador, motion carried by the following vote:

Ayes: Commissioners: Brossy de Dios, Choi, Amador, Salazar, and Robinson
Noes: Commissioners: None
Absent: Commissioners: None

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Abstain: Commissioners: None

3-B. GENERAL PLAN UPDATE

Director McAvoy provided a brief summary of the staff report.

Consultant Stetson provided a PowerPoint presentation.

Commissioner Robinson stated that the letter submitted by Cox Castle Nicholson regarding Atlantic Square is addressed to him as the chairperson; however, he is not the current chairperson of the Planning Commission.

Commissioner Salazar inquired if the updates looked at increasing the frequency of MTA bus services. Consultant Stetson replied that will be looked at in the Circulation Element.

Commissioner Amador inquired about the project schedule for the property located at 1688 West Garvey Avenue. She has lived in the City since the 1960s and the property has had health and safety issues for 25 years. She wanted to know if the proposed update would mean that the health and safety issues will be addressed.

Attorney Berger replied that per a settlement agreement with the property owner, the property would either be approved for a single-family subdivision by 2021 or the City would take action on its own, reimbursed by the property owner, to permanently stabilize the slope. Efforts are underway at present to "winterize" the slope.

Attorney Alfredo Fraijo Jr., SMRH, 333 South Hope Street, Los Angeles, CA 90071, stated that he is present on behalf of property owners.

Commissioner Choi inquired if policies can be included to more vigorously promote higher property maintenance standards.

Commissioner Amador inquired about the tool or mechanism to designate the Cascades Waterfalls, El Encanto, the Observatory and Historical Museum as historic properties. Consultant Stetson replied that there is an existing goal in the Resources Element that states to preserve the historical resources of Monterey Park.

Commissioner Amador inquired if the proposed updates to the Golf Course area meant that the two existing restaurants would be removed. Consultant Stetson replied that this is a policy document and no actual construction projects are proposed as part of the updates.

Commissioner Amador inquired about what buffers and transition areas mean. Consultant Stetson replied that it can either mean additional setbacks or the stepping back of building heights. The additional setback can be used for landscaping purposes or parking. The transition areas are proposed for properties that abut residential areas.

Commissioner Amador inquired about the proposed update around the Market Place area. Consultant Stetson replied that 20 years ago Southern California Edison had plans to consolidate their transmission facilities, thus leaving certain properties in Monterey Park

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available for other uses. The idea was to establish the land use for future commercial developments. However, with the decommissioning of the San Onofre Plant and construction of the MESA substation, Southern California Edison is no longer looking to sell of their property, so the proposed update is to reflect the current land use as public facility.

Commissioner Choi inquired if the proposed updates to the Atlantic Boulevard area will impact the project approved at the southwest corner of Atlantic Boulevard and Garvey Avenue. Planner Tewasart replied that the update will mostly affect the southeast corner of the Atlantic Boulevard and Garvey Avenue.

Commissioner Salazar inquired if the alleyway is the boundary of the mixed-use area on East Garvey. Consultant Stetson relied yes.

Chairperson Brossy de Dios inquired why the land use of the properties located south of Garvey Avenue was not changed from the Low Density Residential to Medium Density Residential to be more consistent with the properties located to the south. Consultant Stetson replied that a consistent comment received throughout the public outreach process was to maintain the residential areas as they exist today.

Chairperson Brossy de Dios inquired why the height was decreased in the Downtown Perimeter area. Consultant Stetson replied that it was to create a transition from the Downtown to adjacent residential areas.

Chairperson Brossy de Dios inquired if the environmental impact report can be adopted even though there are significant impacts that cannot be mitigated. Consultant Stetson replied that the California Environmental Quality Act specifically allows for this to occur with a Statement of Overriding Considerations.

Commissioner Brossy de Dios inquired if comments were received from AQMD. Consultant Lisa Brownfield replied that SCAQMD's 2016 RTP is based on the current General Plan. If a jurisdiction plans for growth beyond the existing General Plan, it is very likely that the proposed plan will exceed the 2016 RTP and SCAQMD standards. The EIR proposes a number of mitigation measures that lessen the air quality impacts but do not bring them below the threshold. The mitigation measures deal with construction emissions; paint/coating emissions; requiring some Cal Green voluntary measures for residential and mixed use developments; and requiring TDM for some non-residential development. SCAQMD provided a response to the DEIR. Many of the comments requested mitigation beyond the scope and focus of a program EIR.

Chairperson Brossy de Dios opened the public hearing.

Speaker Carlos Palafox, 4695 MacArthur Boulevard, Newport Beach, CA 92660, on behalf TRC, stated that the property ownership would like the Planning Commission to consider allowing a mixed-use land use extend over to their property east of Atlantic Boulevard. He summarized the letter addressed and provided to the Planning Commission.

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Commissioner Amador inquired about the current condition of the property and why there were so many vacancies, in particular behind Boston Market. Speaker Palafox replied that the market is changing and with the increase of on-line purchasing, retail stores are decreasing. They are evaluating all their options.

Commissioner Choi inquired why the Housing Element was not prepared along with the Land Use Element. Director McAvoy replied that the City Council's direction was to move forward with the Land Use Element first and consider subsequent elements at a later time. Planner Tewasart added that the State has just recently released their project population numbers and methodology for distribution, and the RHNA is still being considered.

Chairperson Brossy de Dios closed the public hearing.

Commissioner Choi inquired if staff could look into the request to what impacts there may be to the current proposal and the draft environmental impact report.

Action Taken: The Planning Commission after considering the evidence presented during the public hearing adopted **Resolution No. 15-19** recommending that the City Council Certify the Final Environmental Impact Report, adopt Findings and a Statement of Overriding Considerations, and adopt a Mitigation Monitoring and Reporting Program for the Monterey Focused General Plan Update – Monterey Park 2040, with the corrections identified on page 4 of the staff report and the proposed land use change to property located at 1688 West Garvey Avenue.

Resolution No. 15-19

A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT, ADOPT FINDINGS AND A STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPT A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE MONTEREY PARK– MONTEREY PARK 2040.

Motion: Moved, by Commissioner Amador and seconded by Commissioner Robinson to consider an ordinance to formally recognize and designate the Cascades Waterfall, El Encanto, the observatory, and Historical Museum as historical landmarks in the City, motion carried by the following vote:

Ayes: Commissioners: Brossy de Dios, Choi, Amador, Salazar, and Robinson
Noes: Commissioners: None
Absent: Commissioners: None
Abstain: Commissioners: None

Motion: Moved, by Commissioner Amador and seconded by Commissioner Choi for staff to further to analyze the requested land use change from Commercial to Mixed-Use for Atlantic Square located on South Atlantic Boulevard, motion carried by the following vote:

Ayes: Commissioners: Brossy de Dios, Choi, Amador, Salazar, and Robinson

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Noes: Commissioners: None
Absent: Commissioners: None
Abstain: Commissioners: None

Motion: Moved, by Commissioner Choi and seconded by Commissioner Amador to consider adding policies to vigorously encourage and promote higher quality property maintenance standards, motion carried by the following vote:

Ayes: Commissioners: Brossy de Dios, Choi, Amador, Salazar, and Robinson
Noes: Commissioners: None
Absent: Commissioners: None
Abstain: Commissioners: None

Motion: Moved, by Commissioner Brossy de Dios and seconded by Commissioner Choi to revise on page 99 of the Land Use Element Implementation Plan, under Program 11: Climate Change Action Plan Time Frame to read, "Short and Intermediate," motion carried by the following vote:

Ayes: Commissioners: Brossy de Dios, Choi, Amador, and Robinson
Noes: Commissioners: None
Absent: Commissioners: None
Abstain: Commissioners: Salazar

[4.] **OLD BUSINESS:** None

[5.] **NEW BUSINESS:** None

[6.] **COMMISSION COMMUNICATIONS AND MATTERS:** None

[7.] **STAFF COMMUNICATIONS AND MATTERS:** None

ADJOURNMENT:

There being no further business for consideration, the Planning Commission meeting was adjourned at 9:27 p.m.

Next regular scheduled meeting on October 8, 2019 at 7:00 p.m. in the Council Chambers.



Mark A. McAvoy
Director of Public Works/City Engineer/City Planner

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ATTACHMENT 5

Land Use Policy Map 1 and Land Use Policy Map 2

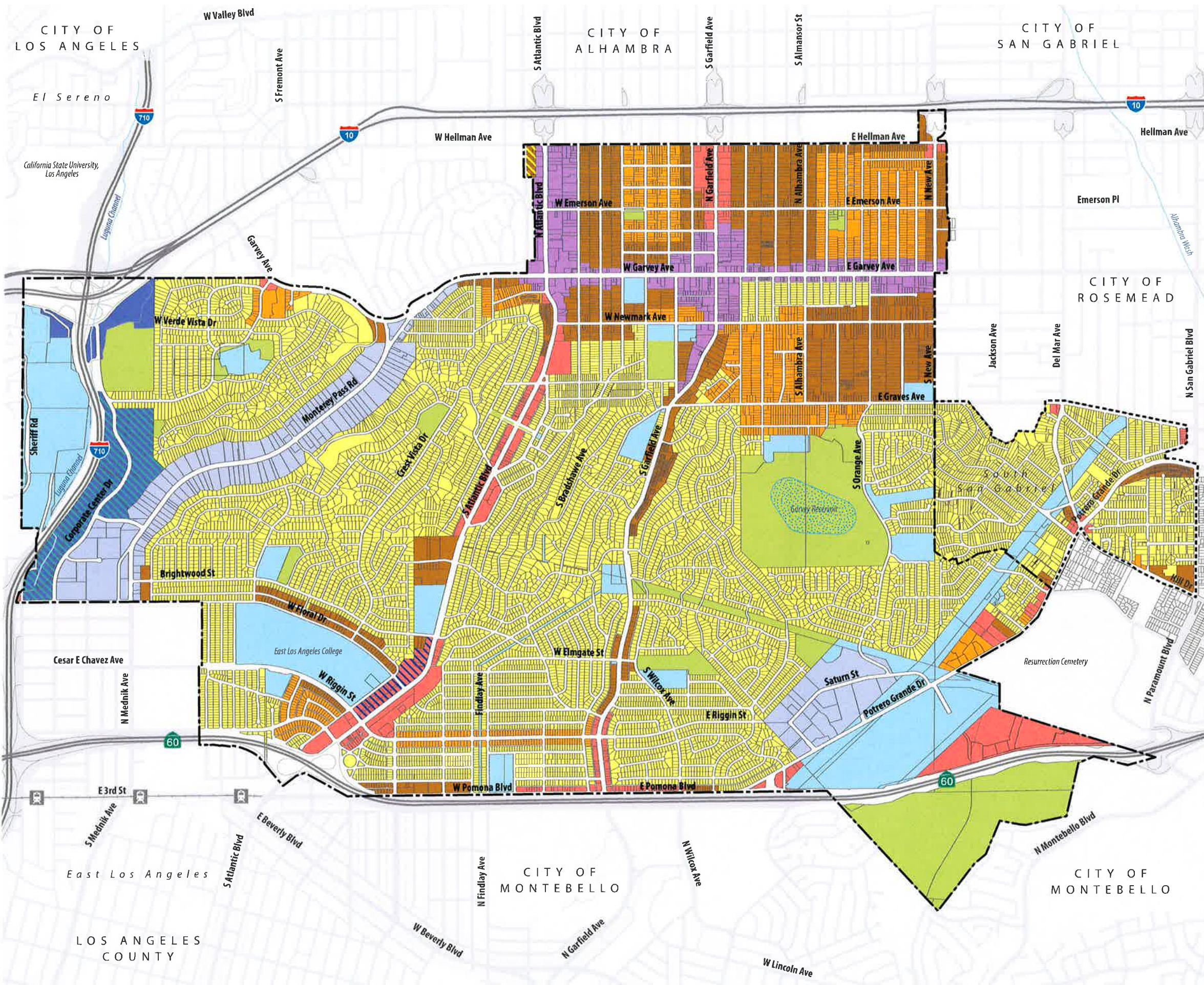


FIGURE LU-3:
LAND USE POLICY MAP
Option 1

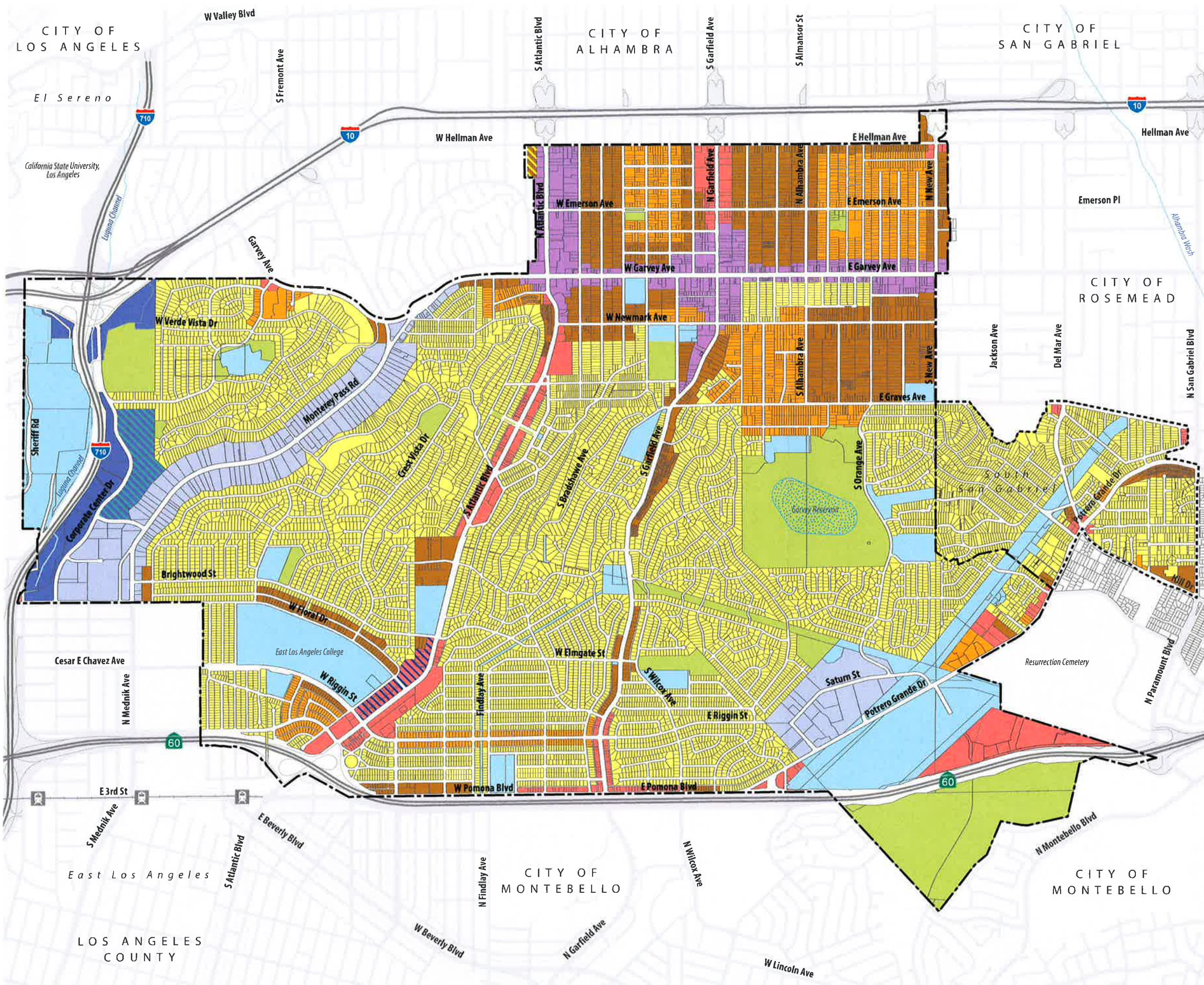
- Land Use Designations**
- Low Density Residential
 - Medium Density Residential
 - High Density Residential
 - Commercial
 - Mixed Use
 - Corporate Center
 - Innovation/Technology
 - Public Facilities
 - Open Space
 - Housing Overlay I
 - Housing Overlay II
 - Housing Overlay III

- Base Map Features**
- Monterey Park Boundary
 - Sphere of Influence Boundary
 - Metro Gold Line and Stations
 - Watercourses and Channels
 - Garvey Reservoir

Note: Also see Regulating Plan

October 2019
Sources: City of Monterey Park and MIG, 2019.





Monterey Park 2040

FIGURE LU-3:
LAND USE POLICY MAP
Option 2

Land Use Designations

- Low Density Residential
- Medium Density Residential
- High Density Residential
- Commercial
- Mixed Use
- Corporate Center
- Innovation/Technology
- Public Facilities
- Open Space
- Housing Overlay I
- Housing Overlay II
- Housing Overlay III

Base Map Features

- Monterey Park Boundary
- Sphere of Influence Boundary
- Metro Gold Line and Stations
- Watercourses and Channels
- Garvey Reservoir

Note: Also see Regulating Plan

October 2019
Sources: City of Monterey Park and MIG, 2019.





City Council Staff Report

DATE: November 20, 2019

AGENDA ITEM NO: Old Business
Agenda Item 2-B

TO: The Honorable Mayor and City Council
FROM: Ron Bow, City Manager
Mark McAvoy, Public Works Director/City Engineer/City Planner
SUBJECT: Consideration and direction regarding placing a proposition on the March 3, 2020 ballot to adopt the Land Use Element to the Monterey Park General Plan

RECOMMENDATION:

It is recommended that the City Council:

1. Receive and file this report;
2. Provide direction to the City Manager regarding drafting a ballot proposition for consideration on the December 4, 2019 City Council meeting; and
3. Take such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

In 1982, voters adopted Measure L¹ which is codified in Monterey Park Municipal Code ("MPMC") Chapter 21.42. With some exceptions, Measure L generally requires that amendments to the land use element of the Monterey Park General Plan, zoning map, or zoning regulations be approved by voters.

A separate item on tonight's recommends that the City Council adopt the pending 2040 Land Use Element ("LUE") subject to voter approval. This item gives the City Council an opportunity to craft the ballot proposition for the LUE. Among other things, the City Council should consider including language in the ballot proposition that delegates authority to the City Council to adopt zoning regulations that implements the LUE. It may also want to consider asking voters to delegate authority to the City Council to amend the LUE and zoning regulations in the future without the need for placing matters on the ballot. This may be particularly important in light of the volume of land use regulations being imposed by the California Legislature upon local jurisdictions. These new rules will generally become effective on January 1, 2020 and will likely require the City Council to consider a number of different amendments to City's General Plan including the Housing Element and LUE along with corresponding changes to the MPMC's zoning regulations. Beyond such state-imposed requirements, there may be

¹ Ordinance No. 1578.

policy reasons why it would be in the public interest to allow the City Council to exercise broader land use authorities to help accelerate economic growth.

BACKGROUND:

The City Council will tonight consider whether to conditionally approve the LUE. This is the culmination of a process that began nearly a year ago; the City Council last considered the LUE at its October 28, 2019 special meeting.

As noted throughout the public process, while the City Council may approve the LUE, it cannot become effective without voter ratification. Measure L, adopted in 1982, requires (with some exceptions) that amendments to the LUE and City's zoning regulations be approved by voters. This agenda item is the City Council's opportunity to provide direction on how to draft a proposition for the March 2020 ballot.

In reviewing this matter, it is staff's strong recommendation that the ballot proposition address at least three substantive issues: (1) ratification of the City Council's action in approving the LUE; (2) authorizing the City Council to implement that LUE by adopting applicable zoning regulations; and (3) ratifying the City Council's previous land use decisions made in accordance with the current LUE and MPMC. Additionally, staff suggests that the City Council consider asking that voters authorize the City Council to amend the LUE and zoning regulations without the need for voter approval upon a supermajority, i.e., 4/5s vote, of the City Council. The reasons for this are severalfold:

- There are a multitude of land use regulations being imposed by the State of California that will become law on January 1, 2020. Here is a table with a very brief overview:²

Bill	Needed Action
AB 101	Update MPMC regarding "low barrier navigation centers" (LBNCs). LBNCs are shelters where homeless persons can temporarily live. These must be allowed as a matter of right within multifamily and mixed uses if the development meets specified requirements.
AB 101; AB 1763	Review and update MPMC to comply with new criteria in the Density Bonus Law: (1) 100% of the units in the proposed multifamily development are for lower income households; (2) the rent for at least 20% of the units is set at an "affordable rent;" and (3) the rent for the remaining units is consistent with the maximum rent levels for housing developments that receive state/federal housing tax credits.
AB 1485	Review and update MPMC to ensure compliance with Planning and Zoning Law. This requires the City to expand the types of residential development projects that must be considered via a ministerial, rather than discretionary, process.
AB 1743	Review and update MPMC to ensure compliance with Housing Accountability

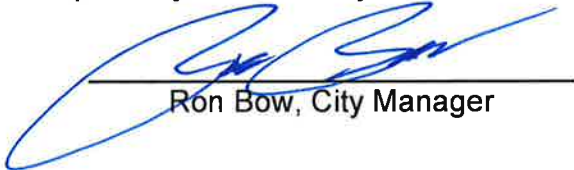
² A complete overview along with recommended changes to the MPMC will need to be considered by the City Council in January 2020.

	Act. This Bill exempts properties receiving a welfare exemption from special taxes imposed by the City.
SB 330	City to update MPMC and create checklist. This Bill requires the City to accept "preliminary applications" for housing development projects; insulates such projects from development impact fees and other changes in law; and requires cities to create a checklist regarding such preliminary applications.

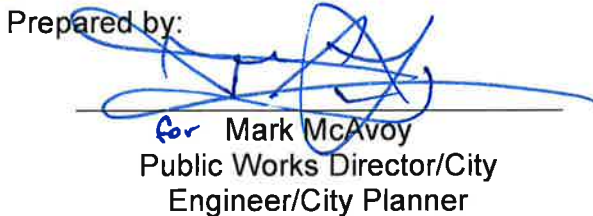
- There are pending residential and commercial developments that, if approved, would advance the City Council's goals and objectives as to economic development. For example, 127 North Garfield Avenue (a proposed mixed-use development at the southwest corner of North Garfield Avenue and Avondale Avenue); 1600-1688 West Garvey Avenue (an anticipated 15-unit residential development); and 126 North New (a 66-unit residential development).
- The cost of conducting special elections continues to increase. For example, the projected cost for the November 2019 special election – which is the election planned for the LUE ballot measure – was nearly \$500,000. In contrast, Measure A approved by voters five years ago in 2014 cost the developer approximately \$50,000.

A ballot proposition that delegates authority back to the City Council to approve LUE amendments and changes to the MPMC's zoning regulations would help implement desirable projects and assist the City in complying with new California laws. To protect the LUE – and to help preserve the voters' intent in adopting Measure L – the City Council could require that any amendment to the LUE or MPMC require a supermajority, or unanimous, vote by the City Council. And, the ballot proposition could limit the number of times that an applicant could seek City Council approval for a LUE or MPMC amendment. For example, an applicant could be barred from resubmitting an application to the City for the same or substantially same project for a period of time after its denial. These are just some discussion items that the City Council may wish to consider. The deadline for placing propositions on the March 3, 2020 ballot is December 6, 2019.

Respectfully submitted by:



Ron Bow, City Manager

Prepared by:


for Mark McAvoy
Public Works Director/City
Engineer/City Planner

Reviewed by:


Karl H. Berger
Assistant City Attorney



City Council Staff Report

DATE: November 20, 2019

AGENDA ITEM NO: Old Business
Agenda Item 2-C

TO: The Honorable Mayor and City Council
FROM: Annie Yaung, CPFO, Director of Management Services
SUBJECT: Ballot Proposition to impose a $\frac{3}{4}$ cent sales tax for general municipal purposes

RECOMMENDATION:

It is recommended that the City Council consider the following:

1. Adopting a resolution placing a proposition on the March 3, 2020 ballot which, if adopted by a majority of voters, would impose a general sales tax;
2. If desirable, adopt a resolution placing an advisory proposition on the March 3, 2020 ballot which, if adopted by a majority of voters, would express the voters' preference regarding how new tax revenue should be spent. If adopted, this advisory measure would not be legally binding upon the City;
3. Determining whether to designate person(s) for filing an argument favoring the ballot proposition(s);
4. Adopting a resolution requesting that the City Attorney prepare an impartial analysis for the ballot measure(s);
5. Adopting a Resolution establishing regulations for ballot arguments; and
6. Taking such additional, related action that may be desirable.

CEQA (California Environmental Quality Act):

This action is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 2100, *et seq.*, "CEQA") and CEQA regulations (14 California Code of Regulations §§ 15000, *et seq.*) because it establishes rules and procedures to implement government funding mechanisms; does not involve any commitment to a specific project which could result in a potentially significant physical impact on the environment; and constitutes an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. Accordingly, this Proposition does not constitute a "project" that requires environmental review (see specifically 14 CCR § 15378(b)(4-5)).

EXECUTIVE SUMMARY:

At the September 4, 2019 City Council meeting, the Council directed staff to draft documents relating to a potential ballot proposition for increasing the City's sales tax.

That sales tax proposition, if approved by the City Council, would be placed on the March 3, 2020 ballot.

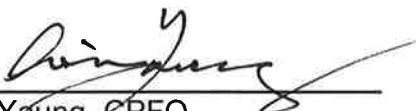
As previously explained, were voters to improve an increase of ¾% in local sales taxes, the City would increase annual sales tax revenues by approximately \$4,000,000. The draft ballot proposition would be for a general tax; accordingly, it would require a majority of voters to approve the proposition.

A copy of the September 4, 2019 staff report is attached for reference.

In considering the matter since September, staff also thought that the City Council may wish to consider whether to place an advisory measure onto the ballot. That proposition would only an advisory action; it would not be legally binding on the City and the tax revenue could still be used for any lawful municipal purpose. However, it would state the voters' intent regarding how the City should spend new tax revenue.

Respectfully submitted and prepared by:

Approved By:


Annie Yaung, CPFO
Director of Management Services


Ron Bow
City Manager

Reviewed By:


Karl H. Berger
Assistant City Attorney

ATTACHMENTS:

1. City Council Staff Report dated September 4, 2019
2. Draft Advisory Ballot Proposition
3. Draft Resolution placing proposition on the March 3, 2020 ballot
4. Draft Resolution requesting an impartial analysis
5. Draft Resolution establishing regulations for ballot arguments
6. 10-year capital improvement program estimations

ATTACHMENT 1
City Council Staff Report
Dated September 4, 2019



City Council Staff Report

DATE: September 4, 2019

AGENDA ITEM NO: Old Business
Agenda Item 2-A

TO: The Honorable Mayor and City Council
FROM: Ron Bow, City Manager
SUBJECT: LA County Update to Ballot Proposition to Impose a $\frac{3}{4}$ Cent Sales Tax

RECOMMENDATION:

It is recommended that the City Council:

1. Receive and file the LA County update to ballot proposition to impose a $\frac{3}{4}$ cent sales tax; and
2. Take such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

At the August 21, 2019 City Council meeting, staff presented a report to the City Council that includes updates to current taxation trends in LA County, as well as whether other cities in the area specifically in the LA County, that recently proposed sales tax hikes during the November 2018 and March 2019 elections for the City Council's consideration to place a special sale tax measure on the upcoming March 2020 ballot. Staff is bringing this item back to the City Council for discussion.

Respectfully submitted by:



Ron Bow
City Manager

Prepared by:



Bonnie Tam
Principal Management Analyst

Reviewed and Approved by:



Karl H. Berger
Assistant City Attorney

ATTACHMENT:

1. City Council Staff Report Dated August 21, 2019

Staff Report
September 4, 2019
Page 2

ATTACHMENT 1
City Council Staff Report
Dated August 21, 2019



City Council Staff Report

DATE: August 21, 2019

AGENDA ITEM NO: New Business
Agenda Item 5-A

TO: The Honorable Mayor and City Council
FROM: Ron Bow, City Manager
SUBJECT: LA County Update to Ballot Proposition to Impose a $\frac{3}{4}$ Cent Sales Tax

RECOMMENDATION:

It is recommended that the City Council:

1. Receive and file the LA County update to ballot proposition to impose a $\frac{3}{4}$ cent sales tax; and
2. Take such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

This report includes updates to current taxation trends in LA County, as well as whether other cities in the area specifically in the LA County, that recently proposed sales tax hikes during the November 2018 and March 2019 elections for the City Council's consideration to place a special sale tax measure on the upcoming March 2020 ballot.

BACKGROUND:

California sales taxes are comprised of three different components: (a) a state tax; (b) a county tax; and (c) a tax that may be imposed by a "district." A "district" includes cities, counties, and other public entities. Currently, the combined state and county sales tax equals 7.25%, plus the transaction and use tax districts' 2.25% (such as Transit Districts), make a total of 9.50% for the City rate. The maximum rate for all sales taxes cannot exceed 10.25%.

Each district may adopt its own sales tax up to the maximum tax rate. Some districts have regional taxing powers. Counties, for example, can impose taxes both within unincorporated areas and within cities. If, however, a city already collects sales taxes up to the maximum rate (10.25%), then the regional tax cannot be collected within that city. For example, Long Beach and Santa Monica presently have a sales tax of 10.25%. Note that with exception, Santa Fe Springs currently has a higher sales tax (10.50%) than any other California locality due to an additional special district sales tax (3.25%).

In 2018, the City Council considered increasing the sales tax rate within Monterey Park. California law refers to this type of tax as a "Transaction and Use Tax." There are currently over 260 California public entities which impose this tax and use the revenue to support project needs. Monterey Park's existing sales tax is 9.50%. The legal cap on

sales tax is 10.25%; this gives the voters the ability to increase the sales tax by 0.75% and still remain at the legal cap.

How Are Other LA County Cities Doing?

Before the November 2018 election, only seven California cities were at the state maximum level of 10.25%. All were in LA County: Compton, Hawthorne, Long Beach, Lynwood, Pico Rivera, Santa Monica, and South Gate.

Following the November 2018 and March 2019 elections, there are 11 LA County cities, including Pasadena, Burbank, Glendale, Pomona, Covina, Culver City, La Puente, Santa Fe Springs, Lawndale, Cudahy, and Glendora in which the voters approved a sales tax increase to ranging from 10.00% to 10.50%. Their respective new sale tax rates were effective beginning April 1, 2019. Note that staff has not verified whether these increases are local sales tax or special sale tax increase. A summary of old and new sales tax rates is provided in a table below:

City	Voters Approval Date	Prior Rate	New Rate
Pasadena	November 2018	9.50%	10.25%
Burbank	November 2018	9.50%	10.25%
Glendale	November 2018	9.50%	10.25%
Pomona	November 2018	9.50%	10.25%
Santa Fe Springs*	November 2018	9.50%	10.50%
Covina	March 2019	9.50%	10.25%
Culver City	March 2019	10.00%	10.25%
La Puente	March 2019	9.50%	10.00%
Lawndale	March 2019	9.50%	10.25%
Cudahy	March 2019	9.50%	10.25%
Glendora	March 2019	9.50%	10.25%

*Santa Fe Springs has a special district tax rate (3.25%).

In fact, cities across LA County are asking their residents to approve sales tax increase. For instance, the City of Monrovia is proposing the hikes to close to the state cap rate at 10.25% from current sale tax rate at 9.50%. Monrovia is planning to have a measure approved by the City Council by August to place the ballot in November's election. Monrovia's estimated revenue from local sales tax increase is \$4.5 million, and the City is currently seeking feedback from residents in the next couple of months and considering different options on how to use the money. The City of Arcadia and the City of Duarte are also contemplating the possibility of placing a sales tax measure on the ballot in 2019.

Sacramento Considering Tax Increment Financing Options

There was a discussion session regarding Tax Increment Financing (TIF) scheduled for April 22, 2019 at the League of California Cities Office in Sacramento. Topics include:

funding sources and mechanisms; agency and project geography; eligible applicants; and eligible uses of funds. In addition, Senator Jim Beall, Senator Mike McGuire and Assembly Member David Chiu were in attendance at this meeting to discuss their respective bills – SB 5 (Beall/McGuire) and AB 11 (Chiu). The flyer to this discussion session is attached in this staff report.

Outside Public Entity Can Potentially Impose Tax Increment

Monterey Park's existing sales tax is 9.50% and Monterey Park voters have the ability to increase the sales tax by 0.75% as the maximum rate on sales tax is 10.25%. If the City does not impose this sales tax increment to raise the approximately \$4 million that can be generated from the sales tax increase for Monterey Park, another public entity can potentially impose a tax and take the revenue. For instance, LA County increased its sales tax in October 2017 to raise money for fighting homelessness that is known as Measure H; Long Beach and Santa Monica do not pay the Measure H sales tax because their voters approved measures to keep their funds local and away from LA County. Therefore, staff is bringing this item back to the City Council for discussion and consideration if the City Council wishes to place this matter on the ballot in March 2020.

FISCAL IMPACT:

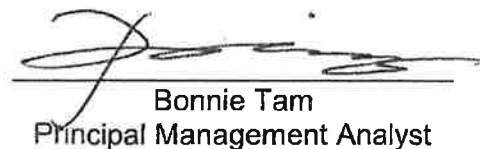
The ballot proposition would adopt a sales tax increase with two-thirds of the voters approving the tax increase. If adopted, the proposition would generate approximately \$4 million in revenue annually.

Respectfully submitted by:



Ron Bow
City Manager

Prepared by:



Bonnie Tam
Principal Management Analyst

Reviewed and Approved by:



Karl H. Berger
Assistant City Attorney

ATTACHMENTS:

1. League of California Cities' Flyer on "A Discussion on Renewing State Investment in Tax Increment Financing"

ATTACHMENT 1
League of California Cities' Flyer on
"A Discussion on Renewing State Investment in
Tax Increment Financing"



A DISCUSSION ON RENEWING STATE INVESTMENT IN TAX INCREMENT FINANCING

Please join us for a discussion centered on renewing state investment in tax increment financing (TIF). Topics to be discussed include: funding sources and mechanisms; agency and project geography; eligible applicants; and eligible uses of funds. The schedule includes updates from **Senator Jim Beall, Senator Mike McGuire, and Assembly Member David Chiu** regarding bills AB 11 and SB 5.

April 22, 2019 9:00 am - 12:00 p.m.
League of California Cities Offices
1400 K Street, 3rd Floor
Sacramento, CA 95814

Space is Limited. Please RSVP to Johnnie Pina
jpina@cacities.org



ATTACHMENT 2

Draft Advisory Ballot Proposition

RESOLUTION NO. ____

**A RESOLUTION ADDING AN INITIATIVE MEASURE TO THE BALLOT
FOR THE PREVIOUSLY CALLED MARCH 3, 2020 ELECTION
PURSUANT TO ELECTIONS CODE § 9222.**

The City Council of the city of Monterey Park resolves as follows:

SECTION 1: Pursuant to Elections Code § 9222, the City Council places an advisory measure on the ballot for the general municipal election scheduled for Tuesday, March 3, 2020 as previously established and implemented by City Council Resolution Nos. 12112 and 12113 adopted on October 16, 2019.

SECTION 2: A copy of the advisory measure to be considered by the voters is attached as Exhibit "A," and incorporated by reference. The ballot measure will be designated as Measure XX on the ballots, unless it must be otherwise designated to accommodate the consolidation of the City's election with other elections.

SECTION 3: Pursuant to Elections Code §§ 9222 and 13119 the exact form of the question to be voted on at the election as it should appear on the ballot is as follows:

SHALL THE ADVISORY PROPOSITION ADVISING THE CITY OF MONTEREY PARK REGARDING EXPENDITURE OF REVENUE RESULTING FROM A 3/4 SALES TAX INCREASE BE ADOPTED?	Yes ☐ No ☐
---	---

SECTION 4: This Resolution will become effective immediately upon adoption.

PASSED AND ADOPTED this ____ day of _____, 2019.

Hans Liang, Mayor

Approved as to form:

Karl H. Berger, Assistant City Attorney

**A PROPOSITION ADVISING THE CITY OF MONTEREY PARK
REGARDING EXPENDITURE OF REVENUE RESULTING
FROM A 3/4 SALES TAX INCREASE**

This measure is NOT a tax. This proposition is a nonbinding advisory measure that states the City of Monterey Park's voters' intent that any new revenue received by the City of Monterey Park as a result of a 3/4 cent sales tax increase be spent on the public projects identified below.

- Alley reconstruction;
- Street resurfacing/rehabilitation;
- Sidewalk reconstruction for Americans with Disabilities Act Compliant;
- Traffic signal upgrades to alleviate congestion and improve traffic flow;
- Citywide street lighting, parkway and median maintenance;
- Safety equipment to enhance emergency services;
- Library collections, database, and replacement of public access computers;
- Thirteen Citywide parks rehabilitation projects including:
 - Restroom rehabilitation and improvements to, among other things, complying with the American with Disabilities Act;
 - Park playground equipment to comply with American with Disabilities Act;
 - Irrigation system improvement;
 - Park parking lot reconstruction; and
 - Pavilion and picnic shelter rehabilitation.

Sales tax revenue should not be used by the City Council for general municipal purposes including, without limitation, ongoing public employee salaries. The City may, however, spend a reasonable amount of the sales tax revenue for administrative costs directly related to implementing the public projects listed above.

ATTACHMENT 3
Draft Resolution placing proposition
on the March 3, 2020 ballot

CITY OF MONTEREY PARK

RESOLUTION NO. XX

**A RESOLUTION ADDING A PROPOSITION TO THE BALLOT FOR THE
PREVIOUSLY CALLED MARCH 3, 2020, REGULAR MUNICIPAL
ELECTION PURSUANT TO ELECTIONS CODE § 9222**

THE CITY COUNCIL RESOLVES AS FOLLOWS:

SECTION 1. Pursuant to Elections Code § 9222, the City Council places a proposition on the ballot for the regular municipal election scheduled for Tuesday, March 3, 2020, as previously established and implemented by City Council Resolution Nos. 12112 and 12113 adopted on October 16, 2019.

SECTION 2. A copy of the proposition to be considered by the voters is attached as Exhibit "A," and incorporated by reference.

SECTION 3. Pursuant to Elections Code §§ 9222 and 13119, the exact form of the question to be voted on at the election as it should appear on the ballot is as follows:

GENERAL TAX Shall the proposition imposing a general three-quarter cent transactions and use tax (sales tax) raising approximately \$4,000,000 each year to pay for general municipal services be adopted?	YES
	NO

SECTION 4. The City Clerk must certify to the passage and adoption of this Resolution; enter the same in the book of original Resolutions; and make a minute of the passage and adoption thereof in the records of the proceedings of the City Council in the minutes of the meeting at which the same is passed and adopted.

SECTION 5. The Mayor, or presiding officer, is hereby authorized to affix a signature to this Resolution signifying its adoption by the City Council of the City of Monterey Park, and the City Clerk, or his duly appointed deputy, is directed to attest thereto.

SECTION 6. This Resolution will become effective immediately upon adoption.

**PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE
CITY OF MONTEREY PARK ON THIS ____ DAY OF _____, 2019.**

Hans Liang, Mayor

Attest:

Vincent D. Chang, City Clerk

**APPROVED AS TO FORM:
MARK D. HENSLEY, City Attorney**

Karl H. Berger, Assistant City Attorney

Attachment:

Exhibit A – Full Text of the Ballot Measure

ORDINANCE NO. xx

PROPOSITION AUTHORIZING IMPOSITION OF A GENERAL THREE-QUARTER CENT TRANSACTIONS AND USE TAX (SALES TAX) TO FUND GENERAL MUNICIPAL SERVICES TO BE ADMINISTERED BY THE STATE BOARD OF EQUALIZATION.

The people of the city of Monterey Park do ordain as follows:

SECTION 1: A new Chapter 3.30 is added to Title 3 of the Monterey Park Municipal Code ("MPMC") to read as follows:

"Chapter 3.30. Transactions and Use Tax

3.30.010. **TITLE.** This Chapter is entitled the "Monterey Park Transactions and Use Tax." The term "City," as used within this Chapter, is the City of Monterey Park. This Chapter is applicable in the incorporated territory of the City.

3.30.020. **OPERATIVE DATE.** "Operative Date" means the first day of the first calendar quarter commencing more than 110 days after the adoption of this Chapter, the date of such adoption being as set forth below.

3.30.030. **PURPOSE.** This Chapter is adopted to achieve the following, among other purposes, and directs that its provisions be interpreted in order to accomplish those purposes:

- A. To impose a retail transactions and use tax in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code and Section 7285.9 of Part 1.7 of Division 2 of the Revenue and Taxation Code which authorizes the City to adopt this Chapter which becomes operative if a majority of the electors voting on the ballot measure approving the Chapter vote to approve the imposition of the tax at an election called for that purpose.
- B. To adopt retail transactions and use tax regulations that incorporates provisions identical to those of the Sales and Use Tax Law of the State of California insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.6 of Division 2 of the Revenue and Taxation Code.
- C. To adopt retail transactions and use tax regulations that imposes a tax and provides a measure therefore that can be administered and collected by the State Board of Equalization in a manner that adapts itself as fully as practicable to, and requires the least possible deviation from, the existing

statutory and administrative procedures followed by the State Board of Equalization in administering and collecting the California State Sales and Use Taxes.

- D. To adopt a retail transactions and use tax ordinance that can be administered in a manner that will be, to the greatest degree possible, consistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the transactions and use taxes, and at the same time, minimize the burden of record keeping upon persons subject to taxation under the provisions of this ordinance.

3.30.040. **EXPENDITURES.**

- A. The Monterey Park Transactions and Use Tax is imposed to provide funds for the City to pay for general municipal services.
- B. The City Council may provide for collection of the general tax in the same manner and subject to the same penalties as, or with, other charges and taxes fixed and collected by the City, or by the County of Los Angeles on behalf of the City. If the general tax is collected by the County on behalf of the City, the County may deduct its reasonable costs incurred in such service.
- C. The City's cost of enforcing and administering this chapter, including refunds, can be paid from the general tax revenue.

3.30.050. **CONTRACT WITH STATE.** Before the operative date, the City must contract with the State Board of Equalization to perform all functions incident to the administration and operation of this Chapter; provided, that if the City has not contracted with the State Board of Equalization before the operative date, it must nevertheless so contract and in such a case the operative date is the first day of the first calendar quarter following the execution of such a contract.

3.30.060. **TRANSACTIONS TAX RATE.** For the privilege of selling tangible personal property at retail, a transaction tax is hereby imposed upon all retailers in the incorporated territory of the City at the rate of 0.75% of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in said territory on and after the operative date of this ordinance.

3.30.070. **PLACE OF SALE.** For the purposes of this Chapter, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the State or has more than one place of

business, the place or places at which the retail sales are consummated is determined under rules and regulations to be prescribed and adopted by the State Board of Equalization.

3.30.080. **USE TAX RATE.** A use tax is imposed on the storage, use or other consumption in the City of tangible personal property purchased from any retailer on and after the operative date of this ordinance for storage, use or other consumption in said territory at the rate of 0.75% of the sales price of the property. The sales price includes delivery charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made.

3.30.090. **ADOPTION OF PROVISIONS OF STATE LAW.** Except as otherwise provided in this ordinance and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code are adopted and made a part of this Chapter as though fully set forth.

3.30.100. **LIMITATIONS ON ADOPTION OF STATE LAW AND COLLECTION OF USE TAXES.** In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

- A. Wherever the State of California is named or referred to as the taxing agency, the name of this City will be substituted. However, the substitution is not made when:
 - 1. The word "State" is used as a part of the title of the State Controller, State Treasurer, State Board of Control, State Board of Equalization, State Treasury, or the Constitution of the State of California;
 - 2. The result of that substitution would require action to be taken by or against this City or any agency, officer, or employee thereof rather than by or against the State Board of Equalization, in performing the functions incident to the administration or operation of this Chapter.
 - 3. In those sections, including, but not necessarily limited to sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to:
 - a. Provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use or other consumption remain subject to tax by the State under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, or

b. Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not be subject to tax by the state under the said provision of that code.

4. In Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.

B. The word "City" is substituted for the word "State" in the phrase "retailer engaged in business in this State" in Section 6203 and in the definition of that phrase in Section 6203 of the Revenue and Taxation Code.

3.30.110. **PERMIT NOT REQUIRED.** If a seller's permit has been issued to a retailer under Section 6067 of the Revenue and Taxation Code, an additional transactor's permit is not required by this Chapter.

3.30.120. **EXEMPTIONS AND EXCLUSIONS.**

A. There is excluded from the measure of the transactions tax and the use tax the amount of any sales tax or use tax imposed by the State of California or by any city, city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax.

B. There are exempted from the computation of the amount of transactions tax the gross receipts from:

1. Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the county in which the sale is made and directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of this State, the United States, or any foreign government.

2. Sales of property to be used outside the City which is shipped to a point outside the City, pursuant to the contract of sale, by delivery to such point by the retailer or his agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this paragraph, delivery to a point outside the City is satisfied:

a. With respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, and undocumented vessels registered under Division 3.5 (commencing

with Section 9840) of the Vehicle Code by registration to an out-of-City address and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of residence; and

b. With respect to commercial vehicles, by registration to a place of business out-of-City and declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.

3. The sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into before the operative date of this ordinance.
4. A lease of tangible personal property which is a continuing sale of such property, for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease before the operative date of this ordinance.
5. For the purposes of subparagraphs (3) and (4) of this section, the sale or lease of tangible personal property is deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

C. There are exempted from the use tax imposed by this Chapter, the storage, use or other consumption in this City of tangible personal property:

1. The gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax ordinance.
2. Other than fuel or petroleum products purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this State, the United States, or any foreign government. This exemption is in addition to the exemptions provided in Sections 6366 and 6366.1 of the Revenue and Taxation Code of the State of California.
3. If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into before the operative date

of this ordinance.

4. If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease before the operative date of this ordinance.
 5. For the purposes of subparagraphs (3) and (4) of this section, storage, use, or other consumption, or possession of, or exercise of any right or power over, tangible personal property is deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.
 6. Except as provided in subparagraph (7), a retailer engaged in business in the City is not required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the City or participates within the City in making the sale of the property, including, without limitation, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the City or through any representative, agent, canvasser, solicitor, subsidiary, or person in the City under the authority of the retailer.
 7. "A retailer engaged in business in the City" also includes any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, or undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code. That retailer is required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the City.
- D. Any person subject to use tax under this Chapter may credit against that tax any transactions tax or reimbursement for transactions tax paid to a district imposing, or retailer liable for a transactions tax pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code with respect to the sale to the person of the property the storage, use or other consumption of which is subject to the use tax.

3.30.130. **AMENDMENTS.** All amendments subsequent to the effective date of this Chapter to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use taxes and which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of

the Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, automatically become a part of this Chapter, provided however, that no such amendment operates so as to affect the rate of tax imposed by this ordinance.

3.30.140. **ENJOINING COLLECTION FORBIDDEN.** No injunction or writ of mandate or other legal or equitable process may issue in any suit, action or proceeding in any court against the State or the City, or against any officer of the State or the City, to prevent or enjoin the collection under this ordinance, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

3.30.150. **SUSPENSION OR REDUCTION.** Nothing in this Chapter requires the City Council to collect a tax; the city council may suspend or reduce tax rates imposed by this chapter by resolution after a public hearing.

3.30.160. **CITY COUNCIL AUTHORITY TO AMEND.** Except for amendments that would increase the tax rate, impose the tax on transactions and uses not previously subject to the tax, or be inconsistent with the purposes of this chapter, the City Council may exercise all applicable powers set forth in the Government Code including, without limitation, amending this chapter by ordinance upon three affirmative votes by its members. It may, in addition, adopt by ordinance or resolution such additional regulations that may be necessary to implement the purposes of this chapter."

SECTION 2: *Environmental Analysis.* This Proposition is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 2100, et seq., "CEQA") and CEQA regulations (14 California Code of Regulations §§ 15000, et seq.) because it establishes rules and procedures to implement government funding mechanisms; does not involve any commitment to a specific project which could result in a potentially significant physical impact on the environment; and constitutes an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. Accordingly, this Resolution does not constitute a "project" that requires environmental review (see specifically 14 CCR § 15378(b)(4-5)).

SECTION 3: *Continuity.* Repeal of any provision of the Monterey Park Municipal Code does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 4: *Severability.* If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the city council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 5: *Validity of Previous Code Sections.* If this the entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal of the MPMC or other regulation by this Ordinance will be rendered void and cause such MPMC provision or other regulation to remain in full force and effect for all purposes.

SECTION 6: *Voter Approval.* This Proposition will enact and impose a general tax. Accordingly, it will be submitted to a general election on March 3, 2020 for voter approval. If **A MAJORITY** of voters vote in favor of this Proposition, it will become valid and binding on the date that the City Council certifies the election results. Should the provisions of Government Code §§ 53720 *et seq.* or California Constitution Article XIII C be repealed or amended, or interpreted by the courts so that voter approval is not required for enacting this Proposition, then this Proposition will take effect as provided for all other City ordinances and may be amended in the same manner as all other City ordinances.

SECTION 7: *Miscellaneous.*

- A. This Proposition must be interpreted so as to be consistent with all federal and state laws, rules, and regulations. If any section, sub-section, sentence, clause, phrase, part, or portion of this Proposition is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this Proposition. The voters declare that this Proposition, and each section, sub-section, sentence, clause, phrase, part, or portion thereof, would have been adopted or passed irrespective of the fact that any one or more sections, sub-sections, sentences, clauses, phrases, part, or portion is found to be invalid. If any provision of this Proposition is held invalid as applied to any person or circumstance, such invalidity does not affect any application of this Proposition that can be given effect without the invalid application.
- B. If any portion of this Proposition is held by a court of competent jurisdiction to be invalid, we the People indicate our strong desire that: (i) the City Council use its best efforts to sustain and reenact that portion, and (ii) the City Council implement this Proposition by taking all steps possible to cure any inadequacies or deficiencies identified by the court in a manner consistent with the express and implied intent of this Proposition, and then adopting or reenacting such portion as necessary or desirable to permit the planning and development of the Project.
- C. This Proposition must be broadly construed in order to achieve the purposes stated in this Proposition. It is the intent of the voters that the provisions of this Proposition be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Proposition.

SECTION 8: The Mayor will sign this Proposition and the City Clerk will attest and certify to the passage and adoption of this Proposition if a majority of the voters voting in the City's general election on March 3, 2020 approve the proposition asking whether the voters approve this Proposition.

SECTION 9: Pursuant to Revenue and Taxation Code § 7265, this Proposition will become operative on the first day of the first calendar quarter commencing more than 110 days after the adoption of this Proposition.

PASSED AND ADOPTED this ____ day of _____, 2019.

Hans Liang, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:
MARK D. HENSLEY, City Attorney

By: _____
Karl H. Berger, Assistant City Attorney

ATTACHMENT 4
Draft Resolution requesting an impartial analysis

CITY OF MONTEREY PARK

RESOLUTION NO. xx

A RESOLUTION DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF THE PROPOSITION AUTHORIZING IMPOSITION OF A SPECIAL THREE-QUARTER CENT TRANSACTIONS AND USE TAX (SALES TAX) TO FUND PUBLIC INFRASTRUCTURE AND INFORMATION TECHNOLOGY PROJECTS TO BE ADMINISTERED BY THE STATE BOARD OF EQUALIZATION.

THE CITY COUNCIL RESOLVES AS FOLLOWS:

SECTION 1. Pursuant to Elections Code § 9280, the City Clerk is directed to transmit a copy of the ballot proposition imposing a special three-quarter cent transactions and use tax (sales tax) to fund Public Infrastructure and Information Technology Projects to the City Attorney for an impartial analysis.

SECTION 2. Upon receiving the ballot measure, the City Attorney is directed to prepare an impartial analysis of the proposed ballot measure showing its effect, if any, on existing law and the operation of the measure. Such analysis must not be more than 500 words.

SECTION 3. The impartial analysis must include a statement indicating whether the proposed measure was placed on the ballot by a petition signed by the requisite number of voters or by the governing body of the City.

SECTION 4. In the event the entire text of the measure is not printed on the ballot, nor in the voter information portion of the sample ballot, there must be printed immediately below the impartial analysis, in not less than 10 point bold type, the City Clerk should have the following language printed: "The above statement is an impartial analysis of the proposed ballot measure (Resolution Nos. xx). If you desire a copy of the legislation affected by this measure, please call the City Clerk's office at (626) 307-1359 and a copy will be mailed at no cost to you."

SECTION 5. The impartial analysis of the proposed ballot measure must be filed by the date set by the City Clerk for the filing of primary arguments.

SECTION 6. Pursuant to 52 U.S.C.A. § 10503, the City Clerk will:

- A. Translate the City Attorney's analysis in accordance with regulations set forth by the Los Angeles County Registrar Recorder's office; and
- B. Make copies of the translations of the City Attorney's analysis publicly available.

SECTION 7. The City Clerk will certify to the passage and adoption of this Resolution; enter the same in the book of original Resolutions; and make a minute of the passage and adoption thereof in the records of the proceedings of the City Council in the minutes of the meeting at which the same is passed and adopted.

SECTION 8. The Mayor, or presiding officer, is authorized to affix his signature to this Resolution signifying its adoption by the City Council of the City of Monterey Park, and the City Clerk, or her duly appointed deputy, is directed to attest thereto.

SECTION 9. This Resolution will become effective immediately upon adoption.

**PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE
CITY OF MONTEREY PARK ON THIS ____ DAY OF NOVEMBER, 2019.**

Hans Liang, Mayor

Attest:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:

Karl H. Berger, Assistant City Attorney

ATTACHMENT 5
**Draft Resolution establishing regulations
for ballot arguments**

RESOLUTION NO. ____

A RESOLUTION ESTABLISHING REQUIREMENTS FOR BALLOT ARGUMENTS FILED WITH THE CITY CLERK TO BE INCLUDED WITH VOTER INFORMATION FOR THE SPECIAL ELECTION ON MARCH 3, 2020.

The City Council of the city of Monterey Park resolves as follows:

SECTION 1: Pursuant to Elections Code § 9281, qualified voters may submit arguments for and against the ballot measures, in addition to rebuttal arguments, for the March 3, 2020 General Municipal Election on forms provided by the City Clerk.

SECTION 2: Arguments filed in accordance with this Resolution must comply with the following requirements in accordance with Elections Code §§ 9282, 9283, 9285, and 9286:

- A. Arguments must be in writing and not exceed three hundred (300) words except for rebuttal argument which may not exceed two hundred and fifty (250) words;
- B. Arguments may be submitted by the City Council; any councilmember authorized to submit an argument by the City Council; any individual voter eligible to vote on the measures; any bona fide association of citizens; or any combination of voters and associations;
- C. Arguments must be typewritten in at least a 12 point font;
- D. Arguments may not include underlining, italics, asterisks, or other, similar, type of formatting;
- E. Arguments must be accompanied by the printed name and signature or printed names and signatures of the person or persons submitting it, or, if submitted on behalf of an organization, the name of the organization and the printed name and signature of at least one of its principal officers.
- F. If more than five (5) signatures accompany an argument, only the first five (5) will be printed.
- G. Arguments for or against the ballot measures must be received in the City Clerk's office not later than 14 days after the City Council calls for an election. Rebuttal arguments must be received not later than 10 days after the Arguments submittal deadline.

SECTION 4: This Resolution will remain effective until superseded by a subsequent resolution.

SECTION 5: This Resolution will become effective immediately upon adoption.

PASSED AND ADOPTED this ____ day of November, 2019.

Hans Liang, Mayor

ATTEST:

Vincent D. Chang, City Clerk

Approved as to form:
MARK D. HENSLEY, City Attorney

By: _____
Karl H. Berger, Assistant City Attorney

Resolution No.
Page 3 of 3

State of California)
County of Los Angeles) ss.
City of Monterey Park)

I, Vincent D. Chang, City Clerk of the City of Monterey Park, California, do hereby certify that the foregoing Resolution No. _____ was duly and regularly adopted by the City Council of the City of Monterey Park at a meeting held on the ____ day of November, 2019 by the following vote:

Ayes:
Nays:
Absent:
Abstain:

Dated this ____ day of November, 2019.

Vincent D. Chang, City Clerk
City of Monterey Park, California

ATTACHMENT 6
10-year capital improvement program estimations

**CITY OF MONTEREY PARK
CAPITAL IMPROVEMENT PROGRAM ESTIMATIONS
FOR A PERIOD OF 10 YEARS**

PROJECT DESCRIPTION	EST TOTAL PROJECT COST	Fiscal Year (in thousands)									
		Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
• Alley Reconstruction	\$ 2,000,000 (1)	\$ 157	\$ 165	\$ 174	\$ 183	\$ 193	\$ 203	\$ 214	\$ 225	\$ 237	\$ 249
• Street Resurfacing/Rehabilitation	17,000,000 (1)	1,352	1,420	1,491	1,566	1,645	1,728	1,815	1,906	2,002	2,075
• Sidewalk Reconstruction for Americans with Disabilities Act Compliant	1,500,000 (1)	118	124	131	138	145	153	161	170	179	181
• Traffic Signal Upgrades to Alleviate Congestion and Improve Flow	3,000,000 (2)	238	250	263	277	291	306	322	339	356	358
• Citywide Street Lighting, Parkway and Median Maintenance	8,000,000 (3)	638	670	704	740	777	816	857	900	945	953
• Safety Equipment to Enhance Emergency Services	2,600,000 (4)	206	217	228	240	252	265	279	293	308	312
• Library Collections, Database, and Replacement of Public Access Computers	500,000 (5)	38	40	42	45	48	51	54	57	60	65
• Thirteen (13) Citywide Parks Rehabilitations:	(6)										
• Restroom Improvement for American with Disabilities Act	900,000	70	74	78	82	87	92	97	102	106	110
• Restroom Plumbing/Fixtures /Electrical Rehabilitation	650,000	50	53	56	59	62	66	70	74	78	82
• Park Playground Equipment with ADA Compliant	2,600,000	206	217	228	240	252	265	279	293	308	312
• Irrigation System Improvement	3,250,000	257	270	284	299	314	330	347	365	384	400
• Park Parking Lot Reconstruction	1,300,000	101	107	113	119	125	132	139	146	154	164
• Pavilion and Picnic Shelter Rehabilitation	1,300,000	101	107	113	119	125	132	139	146	154	164
TOTAL 10-YEAR ESTIMATIONS	\$ 44,600,000	\$ 3,532	\$ 3,714	\$ 3,905	\$ 4,107	\$ 4,316	\$ 4,539	\$ 4,773	\$ 5,016	\$ 5,273	\$ 5,425

Notes:

- (1) Projects are based on the Pavement Management Program Report
- (2) City has 60 traffic signals. Each upgrade will cost approximately \$100,000 to \$200,000, depending on locations
- (3) To fund the citywide Lighting and Landscaping District which currently is supplemented by General Fund
- (4) Fire: Cardiac Defibrillator (\$40,000 each); EKG Monitor (\$40,000 each); Police: Bullet-Proof Vest and Pistol Replacement; Fire/Police Communication System
- (5) Library electronic and non-electronic collections and computers
- (6) Projects are based on the Park Master Plan
- (7) For any unused tax proceeds will be saved in the General Fund Reserve for future projects



City Council Staff Report

DATE: November 20, 2019

AGENDA ITEM NO: Consent Calendar
Agenda Item 3-A.

TO: The Honorable Mayor and City Council
FROM: Annie Yaung, CPFO, Director of Management Services
SUBJECT: Warrant Register for Successor Agency to the Former Community Redevelopment Agency of **November 20, 2019**

RECOMMENDATION:

It is recommended that the City Council:

- (1) Approve payment of warrants and adopt a Resolution of the Successor Agency to the former Monterey Park Redevelopment Agency allowing certain claims and demands per warrant register dated **November 20, 2019 totaling \$21.22** and specifying the funds out of which the same are to be paid; and
- (2) Take such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

Disbursements will be made from the funds referenced in the attached Resolution in Warrant numbered **384**.

BACKGROUND:

The claims and demands on the attached warrant register have been duly audited. I certify that the said claims and demands are accurate, are proper charges against the City of Monterey Park, Acting as the Successor Agency to the Former Community Redevelopment Agency (SA). I also certify that there are monies available for the payments thereof. Please note that amounts being paid by the SA funds in this warrant register represented expenditures incurred, which are pending for approval by the Oversight Board.

FISCAL IMPACT:

Disbursements from all funds total **\$21.22.**

Respectfully submitted:



Annie Young, CPBO
Director of Management Services

Approved By:



Ron Bow
City Manager

Attachments 1: Resolution
Attachments 2: Warrant Register

ATTACHMENT 1 Resolution

RESOLUTION NO. SA-_____

**A RESOLUTION OF THE
SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY (SA)
ALLOWING CERTAIN CLAIMS AND DEMANDS
PER WARRANT REGISTER DATED
20TH OF NOVEMBER 2019
TOTALING \$21.22 AND SPECIFYING THE FUNDS OUT
OF WHICH THE SAME ARE TO BE PAID**

THE SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY
DOSE RESOLVE AS FOLLOWS:

SECTION 1. That the following claims and demands have been audited and that the same
are hereby allowed from various funds in the following amounts:

Atlantic/Garvey Projects	21.22
Total	<u>\$ 21.22</u>

PASSED, APPROVED AND ADOPTED THE 20TH OF NOVEMBER 2019.

Hans Liang, Mayor
City of Monterey Park, California

ATTEST:

Vincent D. Chang, City Clerk
City of Monterey Park, California

Resolution No. SA-
Page 2

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY)
OF CITY OF MONTEREY PARK)

I hereby certify that this resolution was duly adopted by the
Successor Agency to the Former Community Redevelopment Agency,
at a regular meeting held on the 20th of November 2019 by the following vote.

AYES:
NOES:
ABSTAIN:
ABSENT:

Vincent D. Chang, City Clerk
City of Monterey Park, California

ATTACHMENT 2

Warrant Register

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/20/2019

PREPAID WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
AT&T	0860-801-1203-32050	21.22	INTERNET/PHONE SERVICE		384	21.22
TOTAL FOR PREPAID WARRANTS						21.22
	PRINTED	21.22				

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/20/2019

TOTAL FOR PREPAID WARRANTS	\$21.22
TOTAL FOR PRINTED WARRANTS	\$0.00
TOTAL FOR ACH-PAYMENTS	\$0.00
TOTAL WARRANTS	\$21.22
TOTAL VOID CHECKS	0
TOTAL PREPAID CHECKS	1
TOTAL ACH-PAYMENTS PRINTED	0
TOTAL CHECKS PRINTED	0
TOTAL CHECKS ISSUED	1

CITY OF MONTEREY PARK
 FINAL WARRANT REGISTER
 COUNCIL MEETING DATE 11/20/2019
 FUND SUMMARY

FUND	DESCRIPTION	PREPAID	PRINTED	TOTAL
0860	ATLANTIC/GARVEY CAP PROJECTS	21.22	0.00	21.22
	TOTAL	21.22	0.00	21.22



City Council Staff Report

DATE: **November 20, 2019**

AGENDA ITEM NO: **Consent Calendar
Agenda Item 3-B.**

TO: The Honorable Mayor and City Council
FROM: Annie Yaung, CPFO, Director of Management Services
SUBJECT: Warrant Register for the City of Monterey Park of
November 20, 2019

RECOMMENDATION:

It is recommended that the City Council:

- (1) Approve payment of warrants and adopt a Resolution allowing certain claims and demands per Warrant Register dated **November 20, 2019 totaling \$1,061,085.94** specifying the funds out of which the same are to be paid; and
- (2) Take such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

Disbursements will be made from the funds referenced in the attached Resolution in Warrants numbered **325770-325932** and ACH numbered **000952-000982**.

BACKGROUND:

The claims and demands on the attached warrant register have been duly audited. I certify that the said claims and demands are accurate, are proper charges against the City of Monterey Park. I also certify that there are monies available for the payments thereof.

FISCAL IMPACT:

Disbursements from all funds total **\$1,061,085.94.**

Respectfully submitted:

Approved By:



Annie Young, CPFO
Director of Management Services

Ron Bow
City Manager

Attachments 1: Resolution
Attachments 2: Warrant Register

ATTACHMENT 1 Resolution

RESOLUTION NO.
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MONTEREY PARK, CALIFORNIA ALLOWING CERTAIN CLAIMS AND DEMANDS
PER WARRANT REGISTER DATED
20TH OF NOVEMBER 2019
TOTALING \$1,061,085.94 AND SPECIFYING THE FUNDS OUT
OF WHICH THE SAME ARE TO BE PAID

THE CITY COUNCIL OF THE CITY OF MONTEREY PARK DOES RESOLVE:

SECTION 1. That the following claims and demands have been audited and that the same are hereby allowed from various funds in the following amounts:

General Fund	\$ 141,362.16
Retirement Fund	1,595.00
State Gas Tax Fund	47,097.38
Sewer Fund	358.00
Refuse Fund	421,952.12
City Shop Fund	78,449.49
Separation Benefits Fund	1,611.67
Special Deposits Fund	65,278.77
Business Improvement Area #1	201.00
Water Fund	138,828.99
Water Treatment WQA-EPA Fund	28,541.64
Water Treatment City Fund	835.00
OPA Proposition A	94,631.84
Measure R Fund	6,020.00
Measure M Fund	2,454.85
POST	715.48
Home Housing Program	1.15
Recreation Fund	4,043.81
Asset Forfeiture-Justice	9,570.63
Air Quality Improvement Fund	5,931.00
CDBG Fund	123.51
Used Oil Recycling Block Grant	546.25
Bulletproof Vest Police Grant	4,930.51
Maintenance Grant (075)	1,300.00
Selective Traffic Enforce (6)	4,705.69
 TOTAL	 <u>\$ 1,061,085.94</u>

PASSED, APPROVED AND ADOPTED THE 20TH OF NOVEMBER 2019.

Hans Liang, Mayor
City of Monterey Park, California

ATTEST

Vincent D. Chang, City Clerk
City of Monterey Park, California

RESOLUTION NO.
Page 2

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS.
CITY COUNCIL OF THE)
CITY OF MONTEREY PARK)

I hereby certify that the foregoing Resolution was adopted by the City Council of the City of Monterey Park at a regular meeting held on the 20th of November 2019 by the following vote of the Council:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSTAINED:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:

Vincent D. Chang, City Clerk
City of Monterey Park, California

ATTACHMENT 2

Warrant Register

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/20/2019

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PREPAID WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
ROBERTO A AGUIRRE	0075-450-0075-08616	216.88	GERANIUM FESTIVAL SUPPLIES		325804	
	0159-801-6507-31910	1,751.99	REPLACEMENT PING PONG TABLE		325804	1,968.87
KOMI AKPAWU	0075-450-0075-08420	110.25	REIM.-EXPLORER NAME PLATES		325770	110.25
ALL STATE POLICE EQUIPMENT CO	0010-801-3103-22310	465.23	ACADEMY SUPPLIES		325771	465.23
ANTHEM BLUE CROSS	0010-801-5102-12330	3,688.80	11/19 MEDICAL INSURANCE		325772	3,688.80
ARMS UNLIMITED INC.	0010-801-5002-88550	4,165.00	SOUND SUPPRESSOR	20-0229	325805	
	0010-801-3103-22620	4,165.00	SOUND SUPPRESSOR	20-0229	325805	8,330.00
ARTISTRY DANCE ACADEMY INC.	0159-801-6507-31910	1,707.60	INSTRUCTOR- RECREATION CLASS		325773	1,707.60
AT & T	0010-801-3112-32050	89.67	PHONE SERVICE		325774	
	0022-801-4206-32050	630.21	PHONE SERVICE		325774	
	0092-801-4222-32050	117.40	PHONE SERVICE		325774	
	0010-801-3115-38400	175.10	911 SYSTEM WIFI		325806	837.28
AT & T MOBILITY (DBA)	0010-801-1101-32050	34.56	WIRELESS VOICE & DATA SERVICE		325775	175.10
AT&T	0010-801-1301-32050	21.23	INTERNET/PHONE SERVICE		325776	34.56
	0010-801-1404-32050	1,177.03	INTERNET/PHONE SERVICE		325776	
	0010-801-1408-32050	1,276.44	INTERNET/PHONE SERVICE		325776	
	0010-801-1801-32050	19.57	INTERNET/PHONE SERVICE		325776	
	0010-801-3112-32050	4,666.09	INTERNET/PHONE SERVICE		325776	
	0010-801-3113-32050	19.56	INTERNET/PHONE SERVICE		325776	

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/20/2019

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PREPAID WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
AT&T	0010-801-3114-32050	21.22	INTERNET/PHONE SERVICE		325776	
	0010-801-3201-32050	1,462.83	INTERNET/PHONE SERVICE		325776	
	0010-801-4209-32050	293.97	INTERNET/PHONE SERVICE		325776	
	0010-801-6001-32050	309.41	INTERNET/PHONE SERVICE		325776	
	0010-801-6502-32050	186.02	INTERNET/PHONE SERVICE		325776	
	0010-801-6517-32050	21.22	INTERNET/PHONE SERVICE		325776	
	0022-801-4206-32050	411.50	INTERNET/PHONE SERVICE		325776	
	0043-801-1404-32050	852.87	INTERNET/PHONE SERVICE		325776	
	0092-801-1404-32050	1,035.65	INTERNET/PHONE SERVICE		325776	
	0092-801-4222-32050	376.61	INTERNET/PHONE SERVICE		325776	
	0109-801-6511-32050	69.53	INTERNET/PHONE SERVICE		325776	
	0169-801-1405-32050	123.51	INTERNET/PHONE SERVICE		325776	
	0092-801-4210-32050	21.22	INTERNET/PHONE SERVICE		325776	
						12,365.48
	0092-801-4222-32050	182.95	INTERNET/PHONE SERVICE		325777	
						182.95
CALIFORNIA POLICE CHIEFS ASSOCIATION	0160-801-3101-39400	198.00	POLICE TRAINING		325807	
						198.00
CANON FINANCIAL SERVICES, INC.	0010-801-3114-37500	339.56	COPIER MACHINE RENTAL		325778	
						339.56
DAVID CASTELLANO	0136-801-3101-33250	90.48	POST TRAINING		325808	
						90.48
CHARTER COMMUNICATIONS	0092-801-4222-32050	139.38	INTERNET/CABLE SERVICE		325779	
						139.38
	0010-801-4210-38400	144.98	INTERNET/CABLE SERVICE		325780	
						144.98
	0010-801-4210-38400	104.98	INTERNET/CABLE SERVICE		325809	
						104.98

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/20/2019

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PREPAID WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
CITY OF MONTEREY PARK	0092-450-0092-09000	850.00	REFUND-WATER DEPOSIT		325810	
	0092-701-0092-07510	878.47-	REFUND-WATER USAGE		325810	
	0092-701-0092-07510	1,796.54	REFUND-WATER PAYMENT		325810	1,768.07
DANIEL CLINE	0060-801-4211-22250	199.96	REIM- FIRE ENGINE FUEL		325811	199.96
COSTCO WHOLESALE	0010-801-1407-39300	120.00	MEMBERSHIP		325781	120.00
DIRECTV, LLC	0010-801-3230-32050	137.24	EOC CABLE SERVICES		325812	137.24
ENTERPRISE FM TRUST	0060-801-4211-37800	5,701.43	POLICE LEASED VEHICLES	20-0206	325782	5,701.43
EZEQUIEL LOPEZ VELASCO	0010-801-3113-38250	2,326.88	JANITORIAL SERVICES		325813	2,326.88
FEDERAL EXPRESS CORP.	0010-801-1801-32200	21.99	DELIVERY SERVICES		325783	
	0010-801-1403-32200	26.29	DELIVERY SERVICES		325783	
	0010-801-1403-32200	21.52	DELIVERY SERVICES		325783	
	0010-801-1403-32200	21.67	DELIVERY SERVICES		325783	91.47
KELLY A. GORDON	0160-801-3101-39400	1,351.82	POLICE TRAINING		325814	1,351.82
GREATER LOS ANGELES AREA COUNCIL #3	0075-450-0075-08420	10.00	EXPLORER ACADEMY (TRUST)		325815	10.00
GRP 2 UNIFORMS INC	0010-801-3103-22300	491.45	UNIFORMS-R. ARTMANNI		325784	491.45
HOME DEPOT U.S.A., INC.	0010-801-4210-22150	363.87	TOWELS		325785	363.87
ICMA	0043-801-1110-39300	1,400.00	MEMBERSHIP		325786	

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/20/2019

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PREPAID WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
						1,400.00
L N CURTIS & SONS	0010-801-3210-38400	1,476.02	SPERIAN CYLINDER		325816	1,476.02
NEIL LAKIN	0061-220	1,611.67	ADVANCE DISABILITY PENSION		325803	1,611.67
LIBSOURCE, LLC	0010-801-6006-31950	1,520.00-	VOID		325319	3,040.00-
	0010-801-6006-31950	1,520.00-	VOID		325319	
	0010-801-6006-31950	1,520.00	LIBRARIAN SERVICES-JULY 2019		325787	3,040.00
	0010-801-6006-31950	1,520.00	LIBRARIAN SERVICES-AUGUST 2019		325787	
LOOMIS ARMORED US, INC.	0010-801-1403-31950	282.09	ARMORED CARRIER SERVICE		325817	555.91
	0092-801-4223-31950	273.82	ARMORED CARRIER SERVICE		325817	
MONTEREY PARK PETTY CASH	0075-450-0075-08420	10.39	PETTY CASH-GOLF TOURN. SUPPLIE		325788	
	0075-450-0075-08420	97.30	PETTY CASH-GOLF TOURN. SUPPLIE		325788	
	0010-801-3120-39700	40.00	PETTY CASH-MEETING SUPPLIES		325788	
	0159-801-6507-31970	17.76	PETTY CASH-MEETING SUPPLIES		325788	
	0010-801-3205-39400	42.34	PETTY CASH-TRAINING SUPPLIES		325788	
	0010-801-3240-33200	42.34	PETTY CASH-TRAINING SUPPLIES		325788	
	0010-801-6502-31150	38.28	PETTY CASH-EVENT SUPPLIES		325788	
	0010-801-4213-22750	7.79	PETTY CASH-MEETING SUPPLIES		325788	
	0010-801-1301-33100	26.85	PETTY CASH-MILEAGE & PARKING		325788	
	0092-801-4221-39300	80.00	PETTY CASH-CERTIFICATION		325788	
	0010-801-6506-22750	28.58	PETTY CASH-EVENT SUPPLIES		325788	
	0075-450-0075-08665	84.14	PETTY CASH-EVENT SUPPLIES		325788	
	0075-450-0075-08665	33.08	PETTY CASH-EVENT SUPPLIES		325788	
	0010-801-3240-24100	28.78	PETTY CASH-UNIFORM		325788	

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VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
MONTEREY PARK PETTY CASH	0109-801-6511-22310	54.98	PETTY CASH-UNIFORM		325788	632.61
MT. SAN ANTONIO COLLEGE	0010-801-3230-39700	620.00	CPR CARDS FOR CERT CLASS		325818	620.00
MUSICGEM	0075-450-0075-08550	190.00	LANGLEY DANCE BAND (TRUST)		325819	760.00
	0075-450-0075-08550	190.00	LANGLEY DANCE BAND (TRUST)		325819	
	0075-450-0075-08550	190.00	LANGLEY DANCE BAND (TRUST)		325819	
	0075-450-0075-08550	190.00	LANGLEY DANCE BAND (TRUST)		325819	
GEORGE NORIEGA	0092-801-4223-24150	121.04	REIM- PW SUPPLIES		325820	121.04
PATHOMRAT NEIL KUNAWONGSE	0075-450-0075-08530	405.00	SNOW VILLAGE POSTERS (TRUST)		325821	405.00
PITNEY BOWES POSTAGE BY PHONE	0010-801-1301-32200	15.10	POSTAGE		325789	
	0010-801-1403-32200	95.45	POSTAGE		325789	
	0010-801-1406-32200	54.25	POSTAGE		325789	
	0010-801-1407-32200	6.00	POSTAGE		325789	
	0010-801-1801-32200	38.90	POSTAGE		325789	
	0010-801-1802-32200	8.30	POSTAGE		325789	
	0010-801-3101-32200	9.15	POSTAGE		325789	
	0010-801-3102-32200	26.80	POSTAGE		325789	
	0010-801-3104-32200	14.66	POSTAGE		325789	
	0010-801-3113-32200	7.98	POSTAGE		325789	
	0010-801-3114-32200	62.10	POSTAGE		325789	
	0010-801-3120-32200	1.50	POSTAGE		325789	
	0010-801-3201-32200	5.50	POSTAGE		325789	
	0010-801-3205-32200	10.00	POSTAGE		325789	
	0010-801-3210-32200	0.50	POSTAGE		325789	
	0010-801-3220-32200	12.10	POSTAGE		325789	

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PREPAID WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
PITNEY BOWES POSTAGE BY PHONE	0010-801-3240-32200	116.50	POSTAGE		325789	
	0010-801-4213-32200	88.50	POSTAGE		325789	
	0010-801-4214-32200	8.35	POSTAGE		325789	
	0010-801-6001-32200	20.71	POSTAGE		325789	
	0010-801-6502-32200	2.50	POSTAGE		325789	
	0043-801-1201-32200	2.15	POSTAGE		325789	
	0043-801-4212-32200	65.95	POSTAGE		325789	
	0075-450-0075-09230	66.15	POSTAGE		325789	
	0092-801-4221-32200	0.65	POSTAGE		325789	
	0152-801-1405-32200	0.50	POSTAGE		325789	
						740.25
	0010-801-1301-32200	14.75	POSTAGE		325822	
	0010-801-1403-32200	113.80	POSTAGE		325822	
	0010-801-1406-32200	57.50	POSTAGE		325822	
	0010-801-1801-32200	34.90	POSTAGE		325822	
	0010-801-1802-32200	16.85	POSTAGE		325822	
	0010-801-3101-32200	1.50	POSTAGE		325822	
	0010-801-3102-32200	20.20	POSTAGE		325822	
	0010-801-3104-32200	10.95	POSTAGE		325822	
	0010-801-3113-32200	4.74	POSTAGE		325822	
	0010-801-3114-32200	136.53	POSTAGE		325822	
	0010-801-3120-32200	9.50	POSTAGE		325822	
	0010-801-3201-32200	5.35	POSTAGE		325822	
	0010-801-3205-32200	1.00	POSTAGE		325822	
	0010-801-3210-32200	51.50	POSTAGE		325822	
	0010-801-3220-32200	657.85	POSTAGE		325822	
	0010-801-3240-32200	148.90	POSTAGE		325822	
	0010-801-4214-32200	61.20	POSTAGE		325822	
	0010-801-6001-32200	28.91	POSTAGE		325822	

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PREPAID WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
PITNEY BOWES POSTAGE BY PHONE	0010-801-6502-32200	7.00	POSTAGE		325822	
	0043-801-4212-32200	5.55	POSTAGE		325822	
	0075-450-0075-09230	29.40	POSTAGE		325822	
	0077-801-1111-31950	201.00	POSTAGE		325822	
	0092-801-4221-32200	2.15	POSTAGE		325822	
	0152-801-1405-32200	0.65	POSTAGE		325822	
						1,621.68
POLYCHROME CONSTRUCTION INC.	0010-801-3201-31950	496.00	FS 61 PAINTING RETENTION		325823	
						496.00
PROGRESSIVE SOLUTIONS INC	0010-801-1406-38400	930.00	SOFTWARE TRAINING		325790	
						930.00
RAQUEL RICHARDS	0010-801-1802-39400	23.85	PETTY CASH-TRAINING SUPPLIES		325824	
	0010-801-1801-39550	8.73	PETTY CASH-ORAL BOARD		325824	
	0010-801-1801-39550	10.08	PETTY CASH-ORAL BOARD		325824	
	0010-801-1801-22670	35.98	PETTY CASH-SUPPLIES		325824	
	0010-801-1801-22670	80.00	PETTY CASH-SUPPLIES		325824	
	0010-801-1802-39400	7.99	PETTY CASH-SUPPLIES		325824	
	0010-801-1801-39550	58.52	PETTY CASH-ORAL BOARD		325824	
	0010-801-1802-39400	81.35	PETTY CASH-ORAL BOARD		325824	
	0010-801-1802-39400	20.82	PETTY CASH-TRAINING SUPPLIES		325824	
						327.32
ROBERT DAVID MANNING	0136-801-3101-33250	625.00	POST TRAINING		325791	
						625.00
JESSICA RODRIGUEZ	0160-801-3101-39400	91.18	POLICE TRAINING		325792	
						91.18
SPRINT COMMUNICATIONS COMPANY, LP	0010-801-3115-38400	988.08	MPLS OVER ETHERNET	20-0020	325793	
						988.08
TOP GEAR INC.	0364-801-3102-24100	477.50	BICYCLE HELMETS		325794	

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VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
						477.50
TRANSTECH	0010-801-6502-31950	560.00	BARNES PK PLAYGROUND		325825	
	0010-801-6502-31950	70.00	BARNES PK PLAYGROUND		325825	
						630.00
TYLER TECHNOLOGIES, INC.	0010-801-3115-38400	1,782.74	NEW WORLD ESCROW MAINTENANCE		325826	
						1,782.74
U S ARMOR CORP	0229-801-3103-22300	1,013.28	ENFORCER CONCEALABLE	20-0199	325795	
	0229-801-3103-22300	3,917.23	ENFORCER CONCEALABLE	20-0199	325795	
						4,930.51
LISA UNG	0075-450-0075-08330	900.00	EE HOLIDAY LUNCHEON (TRUST)		325827	
						900.00
UNITED STATES POSTAL SERVICE	0043-801-6509-31880	10,000.00	CASCADES POSTAGE	20-0046	325828	
	0010-801-6509-31880	1,000.00	CASCADES POSTAGE	20-0046	325828	
						11,000.00
MARICELA VASQUEZ	0010-801-6506-22750	200.00	DAY CARE SUPPLIES		325796	
						200.00
VERIZON WIRELESS	0010-801-3205-32050	31.60	WIRELESS VOICE & DATA SERVICE		325797	
	0010-801-3210-32050	215.44	WIRELESS VOICE & DATA SERVICE		325797	
	0010-801-3220-32050	235.35	WIRELESS VOICE & DATA SERVICE		325797	
						482.39
	0010-801-1408-32050	0.17	WIRELESS VOICE & DATA SERVICE		325798	
	0010-801-3112-32050	138.66	WIRELESS VOICE & DATA SERVICE		325798	
	0010-801-3240-32050	17.84	WIRELESS VOICE & DATA SERVICE		325798	
	0010-801-4202-32050	112.33	WIRELESS VOICE & DATA SERVICE		325798	
	0010-801-4209-32050	149.11	WIRELESS VOICE & DATA SERVICE		325798	
	0010-801-4210-32050	4.34	WIRELESS VOICE & DATA SERVICE		325798	
	0010-801-4212-32050	94.79	WIRELESS VOICE & DATA SERVICE		325798	
	0010-801-4213-32050	38.01	WIRELESS VOICE & DATA SERVICE		325798	

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PREPAID WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
VERIZON WIRELESS	0010-801-4214-32050	38.01	WIRELESS VOICE & DATA SERVICE		325798	
	0010-801-6517-32050	132.71	WIRELESS VOICE & DATA SERVICE		325798	
	0092-801-4221-32050	25.33	WIRELESS VOICE & DATA SERVICE		325798	
	0092-801-4222-32050	0.17	WIRELESS VOICE & DATA SERVICE		325798	
						751.47
	0092-801-4222-32050	152.04	WIRELESS VOICE & DATA SERVICE		325799	
	0010-801-3115-38400	38.01	WIRELESS VOICE & DATA SERVICE		325799	
						190.05
	0010-801-1201-32050	93.56	WIRELESS VOICE & DATA SERVICE		325829	
	0010-801-3103-38400	38.01	WIRELESS VOICE & DATA SERVICE		325829	
JULIE MARIE VILLANUEVA	0010-801-3115-38400	38.01	WIRELESS VOICE & DATA SERVICE		325829	
	0010-801-3115-38400	100.01	WIRELESS VOICE & DATA SERVICE		325829	
						269.59
	0010-801-6001-21350	49.77	PETTY CASH-CERTIFICATE HOLDERS		325830	
	0010-801-6001-33100	17.50	PETTY CASH-PARKING		325830	
	0010-801-6006-22450	39.44	PETTY CASH-SUPPLIES		325830	
	0010-801-6006-22450	18.69	PETTY CASH-2020 PLANNER		325830	
	0010-801-6001-33100	66.00	PETTY CASH-TRAINING MILEAGE		325830	
	0010-801-6001-33100	16.77	PETTY CASH-TRAINING PARKING		325830	
	0010-801-6001-33100	22.77	PETTY CASH-TRAINING MILEAGE		325830	
ERNESTO A VILLARROEL	0010-801-6001-33100	12.23	PETTY CASH-TRAINING PARKING		325830	
						243.17
	0092-801-4223-39300	172.25	WATER TRAINING		325831	
						172.25
DIANE VIVONA-SAIZ	0160-801-3101-39400	346.84	POLICE TRAINING		325832	
						346.84
WEST COAST LIGHTS & SIRENS	0160-850-4211-54050	4,033.69	UNIT 159- INSTALL EQUIPMENT		325800	
						4,033.69

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VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
SCOTT WIESE	0010-801-3104-33050	146.51	REIMBURSEMENT-PD SUPPLIES		325801	146.51
PETER YUNG	0010-801-3103-22620	89.78	REIMBURSEMENT-PD SUPPLIES		325802	
	0010-801-3103-22620	204.70	REIMBURSEMENT-PD SUPPLIES		325802	
						294.48
TOTAL FOR PREPAID WARRANTS						83,698.64
PRINTED		83,698.64				

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PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
ADLERHORST INTERNATIONAL LLC	0160-801-3103-22800	1,777.88	BITE SUIT JACKET & PANTS		952 **	1,777.88
AFFILIATED SYSTEMS, INC.	0010-801-1801-31900	185.00	PRE-EMPLOYMENT/DMV/DOT PHYS		325833	185.00
ALHAMBRA CAR WASH	0060-801-4211-38400	30.00	CAR WASH- UNIT 019		325834	
	0060-801-4211-38400	1,200.00	CAR WASH- SEPT 2019		325834	1,230.00
ALLSTAR FIRE EQUIPMENT INC.	0010-801-3210-22300	853.60	FLASHLIGHT, GOGGLES, FIRE HOOD		953 **	853.60
APRIL LOVE CADA0 MEYERS/KENNETH K M	0060-801-4211-38400	35.00	SMOG CHECK-UNIT 021	20-0135	325835	
	0060-801-4211-38400	35.00	SMOG CHECK-UNIT 062	20-0135	325835	
	0060-801-4211-38400	35.00	SMOG CHECK-UNIT 063	20-0135	325835	
	0060-801-4211-38400	35.00	SMOG CHECK-UNIT 985	20-0135	325835	
	0060-801-4211-38400	35.00	SMOG CHECK-UNIT 936	20-0135	325835	
	0060-801-4211-38400	35.00	SMOG CHECK-UNIT 891	20-0135	325835	
	0060-801-4211-38400	35.00	SMOG CHECK-UNIT 961	20-0135	325835	
	0060-801-4211-38400	35.00	SMOG CHECK-UNIT 977	20-0135	325835	
	0060-801-4211-38400	35.00	SMOG CHECK-UNIT 948	20-0135	325835	
	0060-801-4211-38400	35.00	SMOG CHECK-UNIT 983	20-0135	325835	
	0060-801-4211-38400	35.00	SMOG CHECK-UNIT 949	20-0135	325835	
	0060-801-4211-38400	35.00	SMOG CHECK-UNIT 242	20-0135	325835	
	0060-801-4211-38400	35.00	SMOG CHECK-UNIT 028	20-0135	325835	
	0060-801-4211-38400	35.00	SMOG CHECK-UNIT 058	20-0135	325835	
	0060-801-4211-38400	35.00	SMOG CHECK-UNIT 035	20-0135	325835	
	0060-801-4211-38400	35.00	SMOG CHECK-UNIT 937	20-0135	325835	
	0060-801-4211-38400	35.00	SMOG CHECK-UNIT 998	20-0135	325835	
	0060-801-4211-38400	35.00	SMOG CHECK-UNIT 929	20-0135	325835	630.00
ARAMARK UNIFORM & CAREER APPAREL GF	0060-801-4211-22300	66.82	UNIFORM CLEANING		954 **	

** Indicates an ACH-Payment transaction

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PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
ARAMARK UNIFORM & CAREER APPAREL GF	0060-801-4211-22300	64.80	UNIFORM CLEANING		954 **	
	0010-801-3210-39050	13.17	UNIFORM CLEANING		954 **	
	0060-801-4211-22300	74.90	UNIFORM CLEANING		954 **	
						219.69
ATHENS SERVICES	0022-801-4205-41200	25,325.00	STREET SWEEPING SERVICES	20-0123	325836	
	0344-801-5002-99290	1,300.00	STREET SWEEPING SERVICES	20-0123	325836	
						26,625.00
	0043-801-4208-41200	403,195.19	REFUSE COLLECTION SERVICES		325837	
						403,195.19
BAKER ELECTRIC INC.	0092-801-4222-23400	982.06	CABINET REPAIR-1310 SOMBRERO		325838	
						982.06
BARTEL ASSOCIATES LLC	0012-801-5102-31850	1,595.00	ACTUARIAL SERVICES	20-0033	325839	
						1,595.00
BORDER RECAPPING, LLC	0060-801-3210-38400	2,749.16	TIRES-ENGINE 63	20-0060	325840	
						2,749.16
BRIDGESTONE HOSEPOWER, LLC	0060-801-4211-23500	44.33	HOSES	20-0028	325841	
						44.33
BUCKNAM INFRASTRUCTURE GROUP, INC	0112-801-5003-89100	2,454.85	PAVEMENT MANAGEMENT PROGRAM		325842	
						2,454.85
CALIFORNIA FRAME & AXLE	0060-801-3210-38400	1,225.88	FIRE REPAIR ENGINE 61		325843	
						1,225.88
CALIFORNIA TRANSPORT	0060-801-4211-23500	268.28	UNIT 107 - ALTERNATOR		325844	
						268.28
CALIFORNIA WATER SERVICE CO.	0092-801-4222-36300	381.30	WATER SERVICE		325845	
	0092-801-4222-36300	15.81	WATER SERVICE		325845	
	0092-801-4222-36300	42.45	WATER SERVICE		325845	
	0092-801-4222-36300	15.81	WATER SERVICE		325845	
						455.37

** Indicates an ACH-Payment transaction

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VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
CALOX, INC	0010-801-3220-24200	8.50	CYLINDER OXYGEN		955 **	
	0010-801-3220-24200	29.75	CYLINDER OXYGEN		955 **	
	0010-801-3220-24200	21.25	CYLINDER OXYGEN		955 **	
	0010-801-3220-24200	58.00	CYLINDER OXYGEN		955 **	
	0010-801-3220-24200	8.50	CYLINDER OXYGEN		955 **	
						126.00
CAMINO REAL CHEVROLET	0060-801-4211-23500	135.90	UNIT 026 - HOSES & TEES		325846	
						135.90
CANON FINANCIAL SERVICES, INC.	0010-801-1403-37500	1,430.74	COPIER MACHINE RENTAL		956 **	
	0010-801-3210-37500	1,823.82	COPIER MACHINE RENTAL		956 **	
	0010-801-1201-37500	978.94	COPIER MACHINE RENTAL		956 **	
	0010-801-1301-37500	564.50	COPIER MACHINE RENTAL	20-0127	956 **	
	0010-801-1301-37500	279.27	COPIER MACHINE RENTAL	20-0127	956 **	
						5,077.27
CANON SOLUTIONS AMERICA, INC	0010-801-6505-39250	303.99	COPIER MACHINE RENTAL		957 **	
						303.99
CHARLES E. THOMAS CO., INC	0060-801-4211-31950	1,476.48	FLEET SUPPLIES		325847	
	0060-801-4211-31950	138.25	FLEET SUPPLIES		325847	
						1,614.73
CHARLIES TIRE RECYCLING	0060-801-4211-31950	112.50	FLEET TIRE RECYCLING		325848	
	0060-801-4211-31950	293.00	FLEET TIRE RECYCLING		325848	
						405.50
CINTAS CORPORATION NO. 3	0010-801-6505-22150	187.02	JANITORIAL SUPPLIES		325849	
						187.02
COMPUTER SERVICE COMPANY	0022-801-4206-38400	10,196.08	EXTRAORDINARY MAINT- SEPT	20-0019	325850	
	0022-801-4206-38400	3,200.00	PREVENTATIVE MAINT- OCT	20-0019	325850	
						13,396.08
CORE & MAIN LP (FKA) HD SUPPLY WATE	0092-801-4223-23350	1,097.37	WATER SUPPLIES		325851	

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PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
						1,097.37
COYOTE, WILDLIFE, & PEST SOLUTIONS	0010-801-3111-31950	200.00	COYOTE ABATEMENT	20-0184	325852	
						200.00
DAILY JOURNAL CORPORATION	0043-801-1301-34050	49.41	LEGAL NOTICE	20-0215	958 **	
	0010-801-1301-34050	108.00	LEGAL NOTICE	20-0215	958 **	
	0010-801-1301-34050	188.50	LEGAL NOTICE	20-0215	958 **	
	0010-801-1301-34050	126.00	LEGAL NOTICE	20-0215	958 **	
	0010-801-1301-34050	90.59	LEGAL NOTICE	20-0215	958 **	
	0010-801-1301-34050	70.00	LEGAL NOTICE	20-0215	958 **	
	0010-801-1301-34050	126.00	LEGAL NOTICE	20-0215	958 **	
						758.50
DEPARTMENT OF JUSTICE	0010-801-1801-39550	147.00	FINGERPRINT PROCESSING		959 **	
	0010-701-0010-03710	32.00	FINGERPRINT PROCESSING		959 **	
	0010-801-6001-21350	49.00	FINGERPRINT PROCESSING		959 **	
	0010-801-6006-22450	147.00	FINGERPRINT PROCESSING		959 **	
	0010-701-0010-03710	49.00	FINGERPRINT PROCESSING		959 **	
	0010-801-6502-31950	49.00	FINGERPRINT PROCESSING		959 **	
						473.00
DEPT OF TRANSPORTATION	0022-801-4206-41100	6,064.70	SIGNALS & LIGHTING		325853	
						6,064.70
DUBOIS AVIATION, INC.	0075-450-0075-08420	350.00	GOLF TOURNAMENT (TRUST)		325854	
						350.00
DUNN-EDWARDS CORPORATION	0022-801-4206-23100	120.92	STREET SUPPLIES		325855	
						120.92
ECHOSAT, INC.	0010-701-0010-06940	39.95	CNG STATION MERCHANT FEE		325856	
						39.95
ELLIOTT AUTO SUPPLY CO., INC.	0060-801-4211-23500	40.82	STOCK-BRAKE PADS		325857	
	0060-801-4211-23500	52.53	STOCK-BRAKE PADS		325857	

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VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
ELLIOTT AUTO SUPPLY CO., INC.	0060-801-4211-23500	79.06	UNIT 975-BRAKE ROTOR		325857	
	0060-801-4211-23500	97.84	STOCK-AIR FILTER,BRAKE PADS		325857	
	0060-801-4211-23500	42.63	UNIT 986-GASKET, THERMOSTAT		325857	
	0060-801-4211-23500	162.37	UNIT 986-RADIATOR		325857	475.25
EMPIRE CLEANING SUPPLY	0010-801-6503-22150	287.11	POOL CLEANING SUPPLIES		325858	287.11
EUROFINS EATON ANALYTICAL, INC.	0092-801-4222-31950	75.00	WATER ANALYSIS	20-0126	325859	
	0093-801-4227-23300	1,855.00	WATER ANALYSIS	20-0126	325859	
	0093-801-4229-23300	5,165.00	WATER ANALYSIS	20-0126	325859	
	0093-850-4230-31950	4,055.00	WATER ANALYSIS	19-0496	325859	
	0093-850-4231-23300	215.00	WATER ANALYSIS	19-0496	325859	
	0093-850-4226-31950	2,745.00	WATER ANALYSIS	19-0496	325859	
	0093-801-4226-31950	345.00	WATER ANALYSIS		325859	
	0092-801-4222-31950	1,875.00	WATER ANALYSIS	20-0126	325859	
	0092-801-4222-31950	2,830.00	WATER ANALYSIS	20-0126	325859	
	0092-801-4222-31950	120.00	WATER ANALYSIS	20-0126	325859	19,280.00
EVOQUA WATER TECHNOLOGIES LLC	0060-801-3210-38400	173.26	DE-IONIZED WATER SYSTEM		325860	173.26
EWING IRRIGATION PRODUCTS, INC.	0092-801-4222-23700	42.99	WATER SUPPLIES		325861	
	0092-801-4222-23700	35.87	WATER SUPPLIES		325861	78.86
MORENA FERNANDEZ	0159-701-0159-07020	180.00	REFUND-CLASS		325862	180.00
FIRST TRANSIT INC	0109-801-4201-31960	84,943.78	SPIRIT BUS OPERATION	20-0048	325863	
	0109-801-4201-31960	209.65	SPIRIT BUS GPS	20-0048	325863	
	0109-801-4201-31960	3,393.97	SPIRIT BUS REPAIR	20-0048	325863	

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VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
FIRST TRANSIT INC	0109-701-0109-07680	2,728.07-	SPIRIT BUS FARE		325863	85,819.33
FLEETCREW, INC.	0060-801-4211-38400	90.00	UNIT 906-BIT INSPECTION		960 **	90.00
GALLADE CHEMICAL, INC.	0092-801-4222-23300	1,155.74	WATER SUPPLIES-SODIUM CHLORIDE		325864	1,155.74
GAMEROOM SPECIALIST, INC.	0010-801-6505-38400	400.00	BILLIARDS TABLE REPAIR		325865	400.00
GARVEY EQUIPMENT COMPANY	0010-801-3210-38400	591.26	FIRE SUPPLIES		961 **	591.26
GOGOV, INC.	0092-801-1408-37200	4,590.00	ANNUAL LICENSE-CRM	20-0217	325866	9,180.00
	0092-801-1408-37500	4,590.00	ANNUAL LICENSE-CRM	20-0217	325866	
GOLDEN STATE OVERNIGHT DELIVERY SEF	0010-801-3205-32200	17.96	DELIVERY SERVICES		325867	21.47
	0010-801-1301-32200	3.51	DELIVERY SERVICES		325867	
GOLDEN STATE WATER COMPANY	0092-801-4222-36300	46.40	WATER SERVICE		325868	46.40
GORDON TERMITE CONTROL INC	0092-801-4222-31950	145.00	PEST CONTROL		325869	145.00
GOVCONNECTION INC.	0010-801-4214-24150	201.38	USB CABLE & DISPLAY PORT		325870	201.38
GRAFFITI TRACKER INC	0010-801-4202-23950	12,000.00	GRAFFITI TRACKING SERVICES	20-0207	325871	12,000.00
GRM INFORMATION MANAGEMENT	0010-801-1801-38400	36.17	VAULT STORAGE	20-0053	325872	
	0010-801-3114-38400	109.23	BOX STORAGE- PD	20-0053	325872	
	0010-801-3114-38400	291.00	DOC. MANAGEMENT SUBSCRIPTION	20-0034	325872	
	0010-801-1801-38400	243.00	STORAGE & USER FEE-SEPT	20-0006	325872	

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GRM INFORMATION MANAGEMENT	0092-801-1301-31950	102.71	BOX STORAGE- CCO/HR	20-0053	325872	1,587.11
	0010-801-1301-31950	805.00	WEB PORTAL	20-0053	325872	
H & H AUTO PARTS WHOLESALE	0060-801-4211-23500	328.91	UNIT 986-A/C HOSES	20-0018	325873	157.86
	0060-801-4211-23500	46.23	STOCK-BRAKE PADS	20-0018	325873	
	0060-801-4211-23500	217.28-	CREDIT	20-0018	325873	
HACH COMPANY (AKA ELE	0092-801-4222-23700	500.41	WATER SUPPLIES		325874	668.34
	0092-801-4222-23700	167.93	WATER SUPPLIES		325874	
HAROLD'S KEY SHOP, INC.	0010-801-6502-23050	139.13	KEY/LOCK SERVICES		962 **	139.13
HARRINGTON INDUSTRIAL PLASTICS LLC	0092-801-4222-23700	766.67	WATER SUPPLIES		963 **	2,310.78
	0092-801-4222-23700	1,267.85	WATER SUPPLIES		963 **	
	0092-801-4222-23700	276.26	WATER SUPPLIES		963 **	
HDL COREN & CONE	0010-801-1403-31400	4,995.94	PROPERTY TAX SERVICES	20-0134	325875	4,995.94
HEALTHFIRST MEDICAL GROUP	0010-801-1801-31900	786.00	PRE-EMPLOYMENT SCREENING		325876	786.00
HOME DEPOT U.S.A., INC.	0010-801-3230-39460	200.44	CERT VAN SUPPLIES		325877	
	0010-801-3230-39460	114.81	CERT VAN SUPPLIES		325877	
	0010-801-3210-39400	88.49	FIRE TRAINING SUPPLIES		325877	
	0010-801-6505-38250	440.55	TOWELS, BATTERIES, STORAGE BOX		325877	
	0010-801-6508-31990	117.25	EVENT SUPPLIES		325877	
	0092-801-4222-23700	202.40	WATER SUPPLIES		325877	
	0092-801-4222-23700	6.01	WATER SUPPLIES		325877	
	0092-801-4222-23700	66.66	WATER SUPPLIES		325877	

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VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
HOME DEPOT U.S.A., INC.	0010-801-3210-38100	125.08	HARDWARE-FIRE STATION		325877	
	0010-801-3210-38100	307.13	HARDWARE-FIRE STATION		325877	
	0010-801-3210-38100	90.19	HARDWARE-FIRE STATION		325877	
	0010-801-3210-38100	59.09	HARDWARE-FIRE STATION		325877	
						1,818.10
INTERNATIONAL CODE COUNCIL, INC	0010-801-3205-39300	55.00	MEMBERSHIP		964 **	
						55.00
INTERSTATE BATTERY SYSTEMS OF	0060-801-4211-23500	626.99	BATTERIES		325878	
						626.99
JAMESTOWN DISTRIBUTORS	0010-801-3210-38400	226.71	FIRE LADDERS MAINTENANCE		325879	
						226.71
JOHN L. HUNTER & ASSOC., INC.	0184-801-4208-31950	546.25	USED OIL GRANT EXPENSE	20-0050	965 **	
	0043-801-4203-31950	5,585.00	NPDES PROGRAM EXPENSE	20-0050	965 **	
						6,131.25
JOSEPH M SEPULVEDA	0060-801-3210-38400	680.85	HEADSET REPAIR		325880	
						680.85
JSE EMERGENCY MEDICAL GROUP, INC	0010-801-3220-31950	1,000.00	MEDICAL SERVICES-DEC 2019	20-0065	325881	
						1,000.00
KNIGHT COMMUNICATIONS INC	0010-801-1301-38400	527.00	IT MANAGEMENT SERVICE	20-0032	325882	
	0010-801-1404-38400	380.00	IT MANAGEMENT SERVICE	20-0032	325882	
	0043-801-1404-38400	463.00	IT MANAGEMENT SERVICE	20-0032	325882	
	0092-801-1404-38400	713.00	IT MANAGEMENT SERVICE	20-0032	325882	
	0010-801-4213-38400	400.00	IT MANAGEMENT SERVICE	20-0032	325882	
	0010-801-3240-38400	400.00	IT MANAGEMENT SERVICE	20-0032	325882	
	0010-801-4214-38400	400.00	IT MANAGEMENT SERVICE	20-0032	325882	
	0010-801-1801-38400	778.00	IT MANAGEMENT SERVICE	20-0032	325882	
	0010-801-3115-38400	1,727.00	IT MANAGEMENT SERVICE	20-0032	325882	
	0010-801-3201-38400	952.00	IT MANAGEMENT SERVICE	20-0032	325882	

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KNIGHT COMMUNICATIONS INC	0022-801-4202-38400	556.00	IT MANAGEMENT SERVICE	20-0032	325882	
	0042-801-4204-38400	358.00	IT MANAGEMENT SERVICE	20-0032	325882	
	0092-801-4210-38400	208.00	IT MANAGEMENT SERVICE	20-0032	325882	
	0060-801-4211-38400	1,238.00	IT MANAGEMENT SERVICE	20-0032	325882	
	0043-801-4212-38400	333.00	IT MANAGEMENT SERVICE	20-0032	325882	
	0092-801-4220-38400	1,417.00	IT MANAGEMENT SERVICE	20-0032	325882	
	0010-801-6001-38400	1,083.00	IT MANAGEMENT SERVICE	20-0032	325882	
	0010-801-6502-38400	797.00	IT MANAGEMENT SERVICE	20-0032	325882	
	0093-801-4226-38400	167.00	IT MANAGEMENT SERVICE	20-0032	325882	
	0093-801-4227-38400	167.00	IT MANAGEMENT SERVICE	20-0032	325882	
	0093-801-4229-38400	167.00	IT MANAGEMENT SERVICE	20-0032	325882	
	0093-801-4230-38400	167.00	IT MANAGEMENT SERVICE	20-0032	325882	
	0093-801-4231-38400	167.00	IT MANAGEMENT SERVICE	20-0032	325882	
	0094-801-4226-38400	167.00	IT MANAGEMENT SERVICE	20-0032	325882	
	0094-801-4227-38400	167.00	IT MANAGEMENT SERVICE	20-0032	325882	
	0094-801-4229-38400	167.00	IT MANAGEMENT SERVICE	20-0032	325882	
	0094-801-4230-38400	167.00	IT MANAGEMENT SERVICE	20-0032	325882	
	0094-801-4231-38400	167.00	IT MANAGEMENT SERVICE	20-0032	325882	
						14,400.00
KOA CORPORATION	0010-701-0010-08100	4,295.50	EVENT TRAFFIC CONTROL	20-0221	325883	
	0110-801-5003-91754	5,460.00	TRAFFIC SIGNAL IMPROVEMENTS	20-0172	325883	
						9,755.50
KZRW LEE INC	0364-801-3102-24100	499.23	PD BROCHURE		966 **	
						499.23
L & M FOOTWEAR INC	0060-801-4211-24150	500.00	WORK BOOTS	20-0095	967 **	
	0060-801-4211-24150	271.50	WORK BOOTS		967 **	
						771.50
L N CURTIS & SONS	0010-801-3210-38400	686.57	SHOULDER STRAPS		968 **	
						686.57

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LASERLOCK SPECIALTIES, INC	0010-801-3102-38400	308.00	LASER HOLSTER		325884	308.00
LAWN MOWER CORNER/KNG POWER EQUIPM	0092-801-4223-24100	2,425.50	WATER SUPPLIES		325885	
	0092-801-4223-23900	83.01	WATER SUPPLIES		325885	
	0092-801-4223-23900	668.78	WATER SUPPLIES		325885	3,177.29
LAWNSCAPE SYSTEMS, INC	0092-801-4222-38500	5,200.00	MONTHLY LANDSCAPE-SEPT 2019	20-0132	325886	5,200.00
LIEBERT CASSIDY WHITMORE	0010-801-1601-31600	3,835.00	GENERAL SERVICES		325887	
	0010-801-1601-31600	245.00	FLSA PAY AUDIT		325887	
	0010-801-1601-31600	3,243.00	SEIU 721 NEGOTIATION		325887	
	0010-801-1801-31953	1,620.00	JM DISCIPLINE		325887	
	0010-801-1801-31953	1,775.00	DV DISCIPLINE		325887	
	0010-801-1801-31954	1,134.00	CC ADVISE		325887	
	0010-801-1801-39400	3,500.00	EMPLOYEE TRAINING		325887	15,352.00
LIFE-ASSIST INC	0010-801-3220-24200	356.64	FIRE MEDICAL SUPPLIES	20-0064	325888	
	0010-801-3220-24200	395.93	FIRE MEDICAL SUPPLIES	20-0064	325888	
	0010-801-3220-24200	58.36	FIRE MEDICAL SUPPLIES	20-0064	325888	
	0010-801-3220-24200	1,595.20	FIRE MEDICAL SUPPLIES	20-0064	325888	
	0010-801-3220-24200	458.26	FIRE MEDICAL SUPPLIES	20-0064	325888	
	0010-801-3220-24200	240.90	FIRE MEDICAL SUPPLIES-CREDIT	20-0064	325888	
	0010-801-3220-24200	4,792.46	FIRE MEDICAL SUPPLIES	20-0064	325888	
	0010-801-3220-22350	760.56	FIRE MEDICAL SUPPLIES	20-0064	325888	
	0010-801-3220-22350	142.50	FIRE MEDICAL SUPPLIES	20-0064	325888	
	0010-801-3220-22350	121.20	FIRE MEDICAL SUPPLIES	20-0064	325888	
	0010-801-3220-22350	498.00	FIRE MEDICAL SUPPLIES	20-0064	325888	8,938.21
LINCOLN EQUIPMENT INC.	0010-801-6503-23050	496.42	POOL CHEMICALS	20-0058	325889	

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LINCOLN EQUIPMENT INC.	0010-801-6503-23050	413.64	POOL CHEMICALS	20-0058	325889	
	0010-801-6503-23050	620.59	POOL CHEMICALS	20-0058	325889	
	0010-801-6503-23050	375.31	POOL CHEMICALS	20-0058	325889	
	0010-801-6503-23050	589.93	POOL CHEMICALS	20-0058	325889	
	0010-801-6503-23050	339.01	POOL CHEMICALS	20-0058	325889	
						2,834.90
LOS ANGELES COUNTY DEPT. OF	0022-801-4206-41100	449.48	TRAFFIC SIGNALS MAINTENANCE		325890	
						449.48
LOS ANGELES COUNTY FIRE DEPT.	0060-801-3210-38400	2,135.14	REPAIRS-UNIT 098,856,950 & 984	20-0204	325891	
						2,135.14
LOS ANGELES COUNTY SHERIFF'S DEPART	0010-801-3113-22600	739.75	INMATE MEAL SERVICE	20-0043	325892	
						739.75
LOS ANGELES COUNTY TAX	0093-801-4227-41100	204.96	19-20 PROPERTY TAX		325893	
	0092-801-4222-41100	306.65	19-20 PROPERTY TAX		325893	
	0092-801-4222-41100	241.38	19-20 PROPERTY TAX		325893	
	0093-801-4226-41100	7,279.88	19-20 PROPERTY TAX		325893	
	0092-801-4222-41100	207.20	19-20 PROPERTY TAX		325893	
	0092-801-4222-41100	240.21	19-20 PROPERTY TAX		325893	
	0092-801-4222-41100	394.05	19-20 PROPERTY TAX		325893	
	0092-801-4222-41100	706.01	19-20 PROPERTY TAX		325893	
	0092-801-4222-41100	148.46	19-20 PROPERTY TAX		325893	
						9,728.80
MAK FIRE PROTECTION ENGINEERING & C	0010-801-3205-31950	255.00	FIRE PLAN CHECK	20-0051	325894	
	0010-801-3205-31950	170.00	FIRE PLAN CHECK	20-0051	325894	
	0010-801-3205-31950	270.00	FIRE PLAN CHECK	20-0051	325894	
	0010-801-3205-31950	340.00	FIRE PLAN CHECK	20-0051	325894	
						1,035.00
LESLEY MARIN	0159-701-0159-07020	68.46	REFUND-PICNIC RESERVATION		325895	

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VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
						68.46
TAK KUEN MAU	0075-450-0075-09080	2,100.00	REIMBURSE SISTER CITIES EVENT		325896	2,100.00
MCCALLS METER SALES & SERVICE	0093-801-4229-23300	2,158.80	WATER METER REPAIRS		325897	
	0092-801-4222-23700	536.24	WATER SUPPLIES		325897	2,695.04
MCGRADY, KATHELEEN	0010-801-3210-38400	669.20	FIRE LADDER TESTING		325898	669.20
MCMASTER-CARR SUPPLY CO.	0092-801-4221-24100	1,251.41	WATER SUPPLIES		969 **	1,251.41
METRON-FARNIER, LLC	0092-801-4223-23300	8,017.32	SMART METER PARTS	20-0038	970 **	8,017.32
MODERN TRAILER SUPPLY CO	0060-801-4211-23500	96.58	TRAILER SUPPLIES		325899	
	0060-801-4211-23500	153.85	FLEET SUPPLIES		325899	250.43
ORLANDO MURO	0075-450-0075-08616	126.87	GERANIUM FEST SUPPLIES (TRUST)		325900	126.87
MYERS AND SONS HI-WAY SAFETY INC	0364-801-3102-24100	3,728.96	PORTABLE LIGHT TOWER	20-0218	971 **	3,728.96
NAVARRO'S TOWING	0060-801-4211-38400	110.00	TOWING SERVICES-UNIT 133		325901	
	0060-801-4211-38400	85.00	TOWING SERVICES-UNIT 122		325901	195.00
NORTH STAR GRAPHICS (DBA)	0060-801-4211-23500	247.50	VEHICLE GRAPHICS-UNIT 001		325902	247.50
O'REILLY AUTO PARTS, LLC	0022-801-4206-24100	143.49	BATTERIES		972 **	143.49
OFFICE DEPOT INC.	0010-801-3205-21350	81.85	OFFICE SUPPLIES		325903	
	0010-801-3220-21250	91.62	OFFICE SUPPLIES	20-0075	325903	

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OFFICE DEPOT INC.	0010-801-3210-21350	437.17	OFFICE SUPPLIES	20-0075	325903	
	0010-801-3210-21350	77.24	OFFICE SUPPLIES	20-0075	325903	
	0010-801-3210-21250	49.49	OFFICE SUPPLIES	20-0075	325903	
	0010-801-3210-21300	429.99	OFFICE SUPPLIES	20-0075	325903	
	0010-801-1101-21350	114.80	OFFICE SUPPLIES		325903	
	0010-801-6505-21250	155.42	OFFICE SUPPLIES		325903	
	0092-801-4220-21250	139.59	OFFICE SUPPLIES		325903	
	0010-801-3114-21350	887.75	OFFICE SUPPLIES		325903	
	0010-801-3114-21250	157.64	OFFICE SUPPLIES		325903	
	0010-801-6502-21250	97.60	OFFICE SUPPLIES		325903	
	0010-801-6502-21350	85.56	OFFICE SUPPLIES		325903	
	0010-801-6502-21350	166.76	OFFICE SUPPLIES		325903	
	0092-801-4212-21350	7.42	OFFICE SUPPLIES		325903	
	0092-801-4212-21350	11.60	OFFICE SUPPLIES		325903	
	0092-801-4212-21350	46.48	OFFICE SUPPLIES		325903	
						3,037.98
OFFICE SOLUTIONS	0010-801-4213-21250	153.78	OFFICE SUPPLIES		325904	
	0010-801-1406-21350	47.30	OFFICE SUPPLIES		325904	
						201.08
KRISTA PACHECO	0159-701-0159-07020	159.00	REFUND-CLASS		325905	
						159.00
PATRICIA PEREZ	0075-450-0075-08616	15.00	REFUND-GERANIUM FESTIVAL		325906	
						15.00
PLACEWORKS, INC.	0075-450-0075-08660	13,938.01	PLANNING SERVICES (TRUST)	20-0187	325907	
						13,938.01
PROGRESSIVE SOLUTIONS INC	0092-801-1406-24150	173.01	THERMAL PAPER		325908	
						173.01
R. M. BODY SHOP	0060-801-4211-38450	377.81	UNIT 142-BODY WORK	20-0015	325909	

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						377.81
R.C.A. INVESTMENTS, INC.	0060-801-4211-38400	1,337.14	SERVICE-UNIT 146	20-0165	973 **	1,337.14
REGENTS OF THE UNIVERSITY OF CA.	0010-801-3210-31900	7,041.00	FIREFIGHTER PHYSICALS	20-0203	325910	7,041.00
IVETTE ROSAS	0075-450-0075-08200	4,000.00	REFUND-FAITHFUL PERFORM. BOND		325911	
	0075-450-0075-08200	2,000.00	REFUND-LABOR & MATERIAL BOND		325911	
	0075-450-0075-08200	35,325.00	REFUND-GRADING BOND		325911	41,325.00
ALBERT ROVERO	0159-701-0159-07020	159.00	REFUND-CLASS		325912	159.00
S & J SUPPLY CO.	0092-801-4223-23300	2,481.38	WATER SUPPLIES		325913	
	0092-801-4223-23350	14,834.31	WATER SUPPLIES	20-0181	325913	
	0092-801-4223-23350	436.03	WATER SUPPLIES	20-0181	325913	17,751.72
S C FUELS	0060-801-4211-22250	14,109.05	FUEL	20-0014	974 **	
	0060-801-4211-22250	13,682.00	FUEL	20-0014	974 **	
	0060-801-4211-22250	10,700.26	FUEL	20-0014	974 **	
	0060-801-4211-22250	438.57	MOTOR OIL	20-0014	974 **	38,929.88
SAFETY KLEEN SYSTEM, INC.	0060-801-4211-38400	409.09	WASHER PARTS		325914	409.09
SAN GABRIEL BASIN WATER	0092-801-4222-22900	40,224.48	WATER ASSESSMENT		325915	40,224.48
SAN LUIS BUTANE DISTRIBUTORS, INC	0060-801-4211-22250	43.88	PROPANE	20-0119	325916	
	0060-801-4211-22250	56.68	PROPANE	20-0119	325916	
	0060-801-4211-22250	31.48	PROPANE	20-0119	325916	
	0060-801-4211-22250	37.97	PROPANE	20-0119	325916	

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CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/20/2019

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PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
SAN LUIS BUTANE DISTRIBUTORS, INC	0060-801-4211-22250	54.17	PROPANE	20-0119	325916	
	0060-801-4211-22250	95.12	PROPANE	20-0119	325916	
	0060-801-4211-22250	34.10	PROPANE	20-0119	325916	
	0060-801-4211-22250	10.00	PROPANE	20-0119	325916	
	0060-801-4211-22250	13.18	PROPANE	20-0119	325916	
	0060-801-4211-22250	44.10	PROPANE	20-0119	325916	
	0060-801-4211-22250	53.84	PROPANE	20-0119	325916	
						474.52
SUSAN SAXE-CLIFFORD, PH.D.	0010-801-3101-22750	450.00	PSYCHOLOGICAL EVALUATION		325917	
						450.00
SECURITY SIGNAL DEVICES INC	0092-801-4222-31950	644.81	ALARM SERVICES		975 **	
	0092-801-4222-31950	1,031.69	ALARM SERVICES		975 **	
						1,676.50
SMART & FINAL #321	0010-801-3210-22750	78.75	WATER CACHE FIRE ENGINES		325918	
	0010-801-3210-22750	37.72-	CREDIT		325918	
	0010-801-3230-39460	74.07	CERT CLASS SUPPLIES		325918	
	0010-801-3230-39460	93.88	CERT CLASS SUPPLIES		325918	
						208.98
SMART ENERGY SYSTEMS LLC	0092-850-4223-31950	360.05	FLEET MANAGEMENT SERVICES	19-0353	976 **	
						360.05
SO CAL COMPTON PIPE SUPPLY CO INC.	0092-801-4223-23300	2,250.37	WATER SUPPLIES		325919	
						2,250.37
SOUTHERN CALIFORNIA FLEET SERVICES,	0060-801-3210-38400	9,900.00	FIRE APPARATUS REPAIR	20-0137	325920	
	0060-801-3210-38400	578.46	FIRE APPARATUS REPAIR		325920	
						10,478.46
SOUTHERN CALIFORNIA GAS COMPANY	0109-801-5002-96067	5,931.00	CST SERVICE FEE	20-0049	325921	
	0165-801-5002-96067	5,931.00	CST SERVICE FEE	20-0049	325921	
	0109-801-5002-96067	2,757.00	CST MAINTENANCE FEE	20-0049	325921	

** Indicates an ACH-Payment transaction

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/20/2019

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PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
						14,619.00
STARBOARD TACK SUPPLY INC	0010-801-4210-23300	2,126.38	ELDER POOL APPURTENANCE		977 **	
	0010-801-4210-23300	647.08	ELDER POOL APPURTENANCE		977 **	
	0010-801-4210-23300	448.28	ELDER POOL APPURTENANCE		977 **	
	0010-801-4210-23300	12.09	ELDER POOL APPURTENANCE		977 **	
	0010-801-4210-23300	107.28	ELDER POOL APPURTENANCE		977 **	
	0010-801-4210-23300	955.49-	ELDER POOL APPURTENANCE		977 **	
	0010-801-4210-23300	251.49-	ELDER POOL APPURTENANCE		977 **	
						2,134.13
STETSON ENGINEERS, INC	0093-850-4229-31950	2,874.33	WATER QUALITY CONSULTING	19-0153	325922	
	0093-801-4229-31950	300.67	WATER QUALITY CONSULTING		325922	
						3,175.00
SUCCESS PRINTING & SIGN INC.	0010-801-3230-39460	720.00	DISASTER PREPAREDNESS GUIDES		325923	
						720.00
TANK SPECIALISTS OF CALIFORNIA	0060-801-4211-22250	125.00	DESIGNATED OPERATOR SERVICE	20-0012	978 **	
	0060-801-4211-22250	125.00	DESIGNATED OPERATOR SERVICE	20-0012	978 **	
	0060-801-4211-22250	85.00	WATER REMOVAL- WASTE OIL TANK	20-0012	978 **	
	0060-801-4211-22250	1,120.00	FIRE STATION 1 TESTING	20-0012	978 **	
	0060-801-4211-22250	1,120.00	CITY YARD TESTING	20-0012	978 **	
						2,575.00
THORSON MOTOR CENTER	0060-801-4211-38400	1,418.19	FUEL PUMP-UNIT 937		325924	
						1,418.19
TOM'S CLOTHING & UNIFORMS INC	0092-801-4223-22310	54.75	UNIFORMS-J. VARELA		325925	
	0092-801-4223-22310	300.00	UNIFORMS-G. NORIEGA		325925	
	0092-801-4222-22310	195.98	UNIFORMS-D. MIRELES		325925	
	0010-801-3120-22310	121.55	UNIFORMS-N. BANKS		325925	
	0010-801-3120-22310	225.55	UNIFORMS-G. SIMS		325925	
	0010-801-3103-22310	135.76	UNIFORMS-T. HUYNH		325925	

** Indicates an ACH-Payment transaction

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/20/2019

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PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
TOM'S CLOTHING & UNIFORMS INC	0010-801-3103-22310	131.40	UNIFORMS-M. CONTRERAS		325925	
	0010-801-3103-22310	21.90	UNIFORMS-R. LOPEZ		325925	
	0010-801-3103-22310	135.76	UNIFORMS-T. HUYNH		325925	
	0010-801-3101-22320	164.25	UNIFORMS-B. HERNANDEZ		325925	
	0010-801-3104-22310	18.60	UNIFORMS-E. ROMO		325925	
	0010-801-3104-22310	175.20	UNIFORMS-E. ROMO		325925	
	0010-801-3104-22310	176.28	UNIFORMS-R. MUNDER		325925	
	0010-801-3114-22310	307.70	UNIFORMS-M. MKRTICHIAN		325925	
	0010-801-3114-22310	354.76	UNIFORMS-K. CASILLAS		325925	
	0010-801-3114-22310	131.40	UNIFORMS-C. LUNA		325925	
	0010-801-6517-22310	96.36	UNIFORMS-J. TIEN		325925	
	0010-801-4209-22310	289.63	UNIFORMS-D. BURNETT		325925	
	0010-801-4209-22310	136.88	UNIFORMS-M. AGUILAR		325925	
						3,173.71
TRANSTECH	0110-850-5003-91945	560.00	ADA CURB RAMPS & SIDEWALK	19-0413	325926	
	0010-801-4212-31950	700.00	710 GAP CLOSURE		325926	
	0010-801-4212-31950	700.00	710 GAP CLOSURE		325926	
	0010-801-4212-31950	910.00	TOWN CENTER TRAFFIC REVIEW		325926	
						2,870.00
PHUONG TSE	0092-701-0092-07520	63.72	REFUND-METER UPGRADE		325927	
						63.72
UC REGENTS	0010-801-3220-39400	3,028.32	FIRE-CONTINUED EDUCATION	20-0202	325928	
	0010-801-3220-39400	3,028.32	FIRE-CONTINUED EDUCATION	20-0202	325928	
	0010-801-3220-39400	3,028.32	FIRE-CONTINUED EDUCATION	20-0202	325928	
						9,084.96
UNITED PUMPING SERVICES INC	0092-801-4222-31950	427.20	RECYCLING SERVICES		979 **	
						427.20
VETERINARY HEALTHCARE CENTER	0160-801-3103-22800	409.31	ANIMAL SERVICE/SUPPLIES		325929	
	0160-801-3103-22800	5.40	ANIMAL SERVICE/SUPPLIES		325929	

** Indicates an ACH-Payment transaction

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/20/2019

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PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
VETERINARY HEALTHCARE CENTER	0160-801-3103-22800	110.85	ANIMAL SERVICE/SUPPLIES		325929	
	0160-801-3103-22800	253.62	ANIMAL SERVICE/SUPPLIES		325929	
	0160-801-3103-22800	992.04	ANIMAL SERVICE/SUPPLIES		325929	
						1,771.22
WARREN DISTRIBUTING, INC.	0060-801-4211-23500	7.83	OIL FILLER CAP	20-0177	980 **	
	0060-801-4211-23500	35.99	PULLEY- UNIT 986	20-0177	980 **	
	0060-801-4211-23500	9.19	RADIATOR CAP	20-0177	980 **	
	0060-801-4211-23500	13.56	A/C FILTER	20-0177	980 **	
	0060-801-4211-23500	7.36	OIL SEALS	20-0177	980 **	
	0060-801-4211-23500	187.97	AXLE	20-0177	980 **	
	0060-801-4211-23500	106.93	BATTERY ASSY	20-0177	980 **	
	0060-801-4211-23500	213.86	BATTERY ASSY	20-0177	980 **	
	0060-801-4211-23500	431.34	CREDIT	20-0177	980 **	
						151.35
WECK LABORATORIES INC	0093-801-4227-31950	508.00	VOLATILE ORGANIC COMPOUNDS		981 **	
	0092-801-4222-31950	470.00	WATER SERVICE-PFAS		981 **	
	0092-801-4222-31950	470.00	WATER SERVICE-PFAS		981 **	
	0092-801-4222-31950	600.00	WATER SERVICE-PFAS		981 **	
						2,048.00
WESTERN WATER WORKS SUPPLY CO.	0092-801-4223-23300	211.83	WATER SUPPLIES		982 **	
	0092-801-4223-23350	24,763.64	WATER SUPPLIES	20-0180	982 **	
						24,975.47
WHCL, INC.	0075-450-0075-08915	1,990.00	HOLIDAY DECORATIONS (TRUST)	20-0205	325930	
						1,990.00
BOB WONDRIES FORD	0060-801-4211-38400	339.68	UNIT 123 - MAINTENANCE	20-0030	325931	
	0060-801-4211-38400	504.90	UNIT 133 - MAINTENANCE	20-0030	325931	
						844.58
DARRICK YU	0075-450-0075-08200	2,711.30	REFUND GRADING BOND (TRUST)		325932	

** Indicates an ACH-Payment transaction

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/20/2019

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PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
						2,711.30
	TOTAL FOR REGULAR WARRANTS					977,387.30
	PRINTED	868,766.75				
	ACH-PAYMENTS	108,620.55				

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/20/2019

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TOTAL FOR PREPAID WARRANTS	\$83,698.64
TOTAL FOR PRINTED WARRANTS	\$868,766.75
TOTAL FOR ACH-PAYMENTS	\$108,620.55
TOTAL WARRANTS	\$1,061,085.94
TOTAL VOID CHECKS	1
TOTAL PREPAID CHECKS	63
TOTAL ACH-PAYMENTS PRINTED	31
TOTAL CHECKS PRINTED	100
TOTAL CHECKS ISSUED	194

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/20/2019
FUND SUMMARY

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FUND	DESCRIPTION	PREPAID	PRINTED	TOTAL
0010	GENERAL FUND	39,553.49	101,808.67	141,362.16
0012	RETIREMENT FUND	0.00	1,595.00	1,595.00
0022	STATE GAS TAX FUND	1,041.71	46,055.67	47,097.38
0042	SEWER FUND	0.00	358.00	358.00
0043	REFUSE FUND	12,326.52	409,625.60	421,952.12
0060	CITY SHOP FUND	5,901.39	72,548.10	78,449.49
0061	SEPARATION BENEFITS FUND	1,611.67	0.00	1,611.67
0075	SPECIAL DEPOSITS FUND	2,722.59	62,556.18	65,278.77
0077	BUSINESS IMPROVEMENT AREA #1	201.00	0.00	201.00
0092	WATER FUND	4,468.73	134,360.26	138,828.99
0093	WATER TREATMENT WQA-EPA FUND	0.00	28,541.64	28,541.64
0094	WATER TREATMENT CITY FUND	0.00	835.00	835.00
0109	OPA PROPOSITION A	124.51	94,507.33	94,631.84
0110	MEASURE R FUND	0.00	6,020.00	6,020.00
0112	MEASURE M FUND	0.00	2,454.85	2,454.85
0136	POST	715.48	0.00	715.48
0152	HOME HOUSING PROGRAM	1.15	0.00	1.15
0159	RECREATION FUND	3,477.35	566.46	4,043.81
0160	ASSET FORFEITURE-JUSTICE	6,021.53	3,549.10	9,570.63
0165	AIR QUALITY IMPROVEMENT FUND	0.00	5,931.00	5,931.00
0169	CDBG FUND	123.51	0.00	123.51
0184	USED OIL RECYCLING BLOCK GRANT	0.00	546.25	546.25
0229	BULLETPROOF VEST POLICE GRANT	4,930.51	0.00	4,930.51
0344	MAINTENANCE GRANT (075)	0.00	1,300.00	1,300.00
0364	SELECTIVE TRAFFIC ENFORCE (6)	477.50	4,228.19	4,705.69
TOTAL		83,698.64	977,387.30	1,061,085.94



City Council Staff Report

DATE: November 20, 2019

AGENDA ITEM NO: Consent Calendar
Agenda Item 3-C.

TO: The Honorable Mayor and City Council
FROM: Joseph Leon, City Treasurer
SUBJECT: Monthly Investment Report – October 2019

RECOMMENDATION: It is recommended that the City Council:

- (1) Receive and file the monthly investment report; and
- (2) Take such additional, related, action that may be desirable.

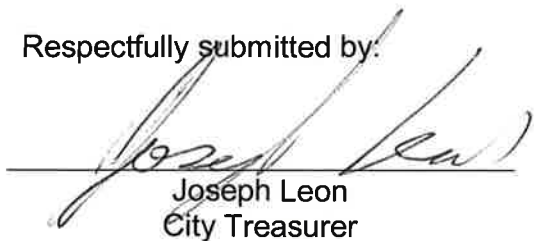
EXECUTIVE SUMMARY:

As of October 31, 2019 invested funds for the City of Monterey Park is \$86,134,727.42.

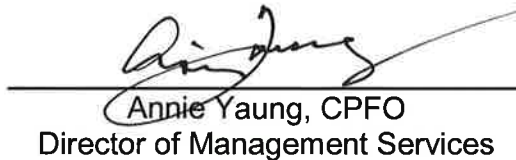
BACKGROUND:

In accordance with the City's Investment Policy, a monthly investment report is presented to the City Council showing the types of investments, dates of maturities, amounts of deposits, rates of interest, and the current market values for securities with maturity more than 12 months. The attached monthly investment report includes a summary investment report for the LA County Pooled Investment Fund, which displays the composition by type for the entire pooled investment fund.

Respectfully submitted by:


Joseph Leon
City Treasurer

Prepared by:


Annie Yaung, CPFO
Director of Management Services

Approved by:


Ron Bow
City Manager

**CITY OF MONTEREY PARK
INVESTMENT REPORT
AS OF OCTOBER 31, 2019**

INVESTMENTS PORTFOLIO PROFILE:

TOTAL BALANCE AT 10/31/19 **\$ 86,134,727.42**

INVESTMENT COMPOSITION

(1) **LA COUNTY POOLED INVESTMENT FUND** ON DEMAND 2.040% **\$ 1,738,626.14**
(See Schedule A for LA County Pool Composition)

(2) **LOCAL AGENCY INVESTMENT FUND** ON DEMAND 2.190% **\$ 64,203,101.28**

(3) <u>U.S. GOVERNMENT TREASURY BILLS</u>	<u>Purchase Date</u>	<u>Maturity Date</u>	<u>Interest Rate</u>	
	11/14/18	11/07/19	2.50%	2,000,000
	05/23/19	11/21/19	2.22%	1,000,000
	11/27/18	11/07/19	2.49%	1,500,000
	11/30/18	11/07/19	2.49%	2,000,000
	12/21/18	12/05/19	2.44%	2,000,000
	12/28/18	12/05/19	2.39%	2,000,000
			2.42%	<u>\$ 10,500,000</u>

(4) <u>CERTIFICATES OF DEPOSIT</u>	<u>Purchase Date</u>	<u>Maturity Date</u>	<u>Interest Rate</u>	
PREFERRED BANK	09/30/19	09/03/20	2.00%	140,000
ROYAL BUSINESS BANK	06/23/19	06/22/20	2.45%	250,000
ALLY BANK MIDVALE	10/06/17	10/05/20	1.95%	245,000
AMERICAN EXPRESS BANK	05/03/17	05/04/20	1.80%	245,000
BANK OF HOPE	05/26/17	11/26/19	1.70%	245,000
BANKUNITED NA	02/09/18	02/10/20	2.20%	245,000
BMW BK NORTH AMERICA	09/21/17	03/16/20	1.85%	238,000
CAPITAL ONE NATL BANK	10/25/17	10/26/20	2.00%	245,000
CITIBANK NATIONAL BANK	02/07/19	02/08/21	2.65%	245,000
CITIZENS COMMUNITY FED NATIONAL ASSN	03/06/19	03/06/20	2.45%	245,000
COMMERCIAL BANK	06/21/18	06/22/20	2.75%	245,000
CONGRESSIONAL BANK	03/01/19	03/02/20	2.45%	245,000
CUSTOMERS BANK	06/19/19	06/19/20	2.40%	245,000
DIRECT CFED CREDIT UNION	11/22/17	11/23/20	2.00%	245,000
DISCOVER BANK	09/01/17	09/01/20	1.90%	245,000
ELGA CREDIT UNION	09/19/18	03/19/20	2.70%	245,000
ENVISION CREDIT UNION	06/07/19	06/07/21	2.50%	245,000
FIRST FED SAVINGS & LOAN	12/22/17	12/20/19	2.05%	245,000
FIRST SOURCE FED CREDIT UNION	10/08/19	03/26/21	1.95%	245,000
GARRETT BANK	05/09/18	05/11/20	2.55%	245,000
GOLDMAN SACHS BANK	10/18/17	10/19/20	1.95%	245,000
GRAND RIVER BANK	11/28/17	05/28/20	1.80%	245,000
GUARANTY BANK	03/15/18	09/15/20	2.40%	245,000
IBERIABANK	05/30/18	11/30/20	2.70%	245,000
JP MORGAN CHASE BANK	09/30/19	09/30/20	1.85%	245,000
KEESLER FEDERAL CREDIT UNION	12/21/18	06/22/20	3.00%	245,000
LAKESIDE BANK CHICAGO	05/10/17	05/11/20	1.65%	245,000

**CITY OF MONTEREY PARK
INVESTMENT REPORT
AS OF OCTOBER 31, 2019**

MB FINANCIAL BANK	08/24/17	02/24/20	1.75%	245,000
MORGAN STANLEY	12/28/17	12/30/19	2.05%	245,000
MORGAN STANLEY BANK	11/30/17	12/02/19	1.90%	245,000
NATIONWIDE BANK	11/30/17	08/31/20	2.00%	245,000
NEW YORK COMMUNITY BANK	02/28/19	02/28/20	2.45%	245,000
STEARNS BANK	05/31/18	05/29/20	2.70%	245,000
SYNCHRONY BK RETAIL	04/27/18	04/27/20	2.55%	245,000
THIRD FED SAVINGS & LOAN	12/21/17	12/21/20	2.10%	245,000
UNITED BANKERS BANK	05/11/18	11/12/19	2.30%	245,000
UNIVERSITY IOWA CMNTY	04/30/18	04/30/21	2.75%	245,000
VIBRANT CREDIT UNION	12/21/18	06/22/20	2.95%	245,000
WELLS FARGO BANK	02/13/19	02/16/21	2.65%	245,000
WEX BANK	06/02/17	06/02/20	1.80%	245,000

<i>Total CDs (40)</i>	2.240%	<u>\$ 9,693,000.00</u>
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OTHER INFORMATION:

BANK BALANCE: ⁽¹⁾	<u>\$ 3,322,846.97</u>
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AVERAGE MATURITY DAYS	33
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AVERAGE INTEREST RATE FOR THE MONTH	2.426%
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THE CITY'S INVESTMENT HAS SUFFICIENT LIQUIDITY TO MEET THE CITY'S EXPENDITURE REQUIREMENTS FOR THE NEXT 180 DAYS. THE 180-DAY LIQUIDITY DISCLOSURE IS REQUIRED PER GOVERNMENT CODE 53646.

INTEREST EARNINGS FOR 1ST QUARTER 2019-2020 (ESTIMATED)	<u>\$ 59,367.11</u>
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THERE HAVE BEEN NO VARIANCES TO THE INVESTMENT POLICY.

(1) Bank balance is maintained to cover outstanding warrants, payroll checks and on-going operating costs.

POOLED SURPLUS AND SPECIFIC PURPOSE INVESTMENTS
AS OF SEPTEMBER 30, 2019

SCHEDULE A

<u>PORTFOLIO PROFILE</u>	<u>Pooled Surplus Investments</u>	<u>Specific Purpose Investments</u>
Inventory Balance at 09/30/19		
At Cost	\$ 27,326,880,946	\$ 169,540,135
At Market	\$ 27,312,365,703	\$ 171,605,000
Repurchase Agreements	\$ -	\$ -
Reverse Repurchase Agreements	\$ -	\$ -
Composition by Security Type:		
Certificates of Deposit	6.04%	11.80%
United States Government and Agency Obligations	66.01%	60.94%
Bankers Acceptances	0.00%	0.00%
Commercial Paper	27.40%	0.00%
Municipal Obligations	0.18%	2.23%
Corporate and Deposit Notes	0.37%	0.00%
Repurchase Agreements	0.00%	0.00%
Asset-Backed	0.00%	0.00%
Other	0.00%	25.03%
1-60 days	35.56%	0.00%
61 days-1 year	15.33%	57.84%
Over 1 year	49.11%	42.16%
Weighted Average Days to Maturity	539	



City Council Staff Report

DATE: November 20, 2019

AGENDA ITEM NO: Consent Calendar
Agenda Item 3-D.

TO: The Honorable Mayor and City Council

FROM: Vincent D. Chang, City Clerk

SUBJECT: Minutes

RECOMMENDATION:

It is recommended that the City Council and the City Council (acting on behalf of the Successor Agency)

- (1) Approve the minutes from the regular meetings of August 21, 2019, September 4, 2019, and September 18, 2019, and the special meetings of August 21, 2019; and
- (2) Take such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

None.

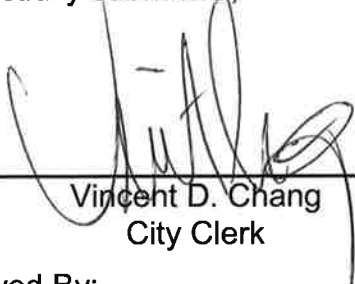
BACKGROUND:

None.

FISCAL IMPACT:

None.

Respectfully submitted,



Vincent D. Chang
City Clerk

Prepared by:



Henry Lu
Minutes Clerk

Approved By:



Ron Bow
City Manager

Attachments: Minutes

ATTACHMENT 1

Minutes

**MINUTES
MONTEREY PARK CITY COUNCIL
SUCCESSOR AGENCY (SA)
SPECIAL MEETING
AUGUST 21, 2019**

The City Council of the City of Monterey Park held a Special Meeting of the Council in Room 266, Second Floor of City Hall, located at 320 West Newmark Avenue in the City of Monterey Park, Wednesday, August 21, 2019 at 6:00 p.m.

CALL TO ORDER:

Mayor Liang called the meeting to order at 6:03 p.m.

ROLL CALL:

City Manager Ron Bow called the roll:

Council Members Present: Peter Chan, Mitchell Ing, Stephen Lam, Hans Liang, Teresa Real Sebastian

ALSO PRESENT:

City Manager Ron Bow, Assistant City Attorney Karl Berger, Director of Human Resources and Risk Management Tom Cody

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

None.

ORAL & WRITTEN COMMUNICATIONS

None.

CLOSED SESSION

The City Council adjourned to Closed Session at 6:04 p.m.

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Government Code § 54956.9(d)(1)): Number of Cases: Two

Ruhu Lin v. Los Angeles County MTA, et al. (August 22, 2018) LASC Case No. BC 719108.

Douglas Archibald v. City of Monterey Park (filed March 30, 2017) WCAB No: ADJ11317606

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Threat of litigation pursuant to Government Code § 54956.9(d)(2)): 1 matter

FACTS AND CIRCUMSTANCES: Liping Lei, City Claim No. 2097-CL, filed July 12, 2018 (Claim available at the City Clerk's office).

MISSION STATEMENT

The mission of the City of Monterey Park is to provide excellent services to enhance the quality of life for our entire community

**3. CONFERENCE WITH LABOR NEGOTIATORS, PURSUANT TO CALIFORNIA
GOVERNMENT CODE § 54957.6**

City Negotiators: Ron Bow, City Manager; Tom Cody, Human Resources
Director

Employee Organizations: Monterey Park Professional Chief Officers' Association
(PCOA).

RECONVENE & ADJOURNMENT

The City Council reconvened from Closed Session with all Council Members. The meeting was adjourned at 6:27 p.m.

Action Taken: No reportable action taken in Closed Session.

Vincent D. Chang
City Clerk

**MINUTES
MONTEREY PARK CITY COUNCIL
SUCCESSOR AGENCY (SA)
AUGUST 21, 2019**

The City Council of the City of Monterey Park held a Regular Meeting of the Council in the Council Chamber, located at 320 West Newmark Avenue in the City of Monterey Park, Wednesday, August 21, 2019 at 7:00 p.m.

The minutes include items considered by the City Council acting on behalf of the Successor Agency of the former Monterey Park Redevelopment Agency, which dissolved February 1, 2012. Successor Agency matters will include the notation of "SA" next to the Agenda Item Number.

CALL TO ORDER:

Mayor Liang called the meeting to order at 7:02 p.m.

FLAG SALUTE:

Mayor Liang

ROLL CALL:

City Clerk Vincent Chang called the roll:

Council Members Present: Peter Chan, Mitchell Ing, Stephen Lam, Hans Liang,
Teresa Real Sebastian

ALSO PRESENT: City Manager Ron Bow, Assistant City Attorney Karl Berger, Fire Chief Scott Haberle, Director of Public Works Mark McAvoy, Director of Recreation & Community Services Inez Alvarez, Director of Human Resources and Risk Management Tom Cody, City Librarian Diana Garcia, Assistant City Engineer Frank Lopez, Financial Services Manager Harry Wong

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

Council Member Real Sebastian requested that the meeting be dedicated to Mike A. Hernandez, owner of Camino Real Chevrolet, who passed away on August 11, 2019 after a 7 year battle with cancer.

ORAL AND WRITTEN COMMUNICATIONS

- Maychelle Yee said she did not agree with the timing of agenda Item No. 6A. She also spoke in favor of the current recall efforts of Council Member Chan and Mayor Liang.
- Paul Isozaki spoke about the recall efforts. He voiced his opinion on the reasons behind the recall and asked the public to sign the petition.

MISSION STATEMENT

The mission of the City of Monterey Park is to provide excellent services to enhance
the quality of life for our entire community

- Delario Robinson, Planning Commissioner, said he represents the diversity of the community. He mentioned that he also served as president of the Los Angeles Council of Churches. He spoke highly of some Council Members and urged the public not to sign the recall petition.

1. PRESENTATION

1A. AIR QUALITY UPDATE - PRESENTED BY MICHAEL CACCIOTTI FROM SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Michael Cacciotti, Council Member of South Pasadena and Member of South Coast Air Quality Management District (AQMD) along with Dan May, American Green Zone Alliance presented information regarding the current air quality in the San Gabriel Valley as well as rebates available to both cities and residents.

The City Council directed City Manager Bow to work with Mr. Cacciotti to place a monitoring device to detect air quality levels due to low flying aircraft.

2. OLD BUSINESS

None.

3. CONSENT CALENDAR ITEMS NOS. 3A-3G

Matters listed under consent calendar are considered to be routine, ongoing business and are enacted by one motion unless specified.

Action Taken: The City Council and the City Council, acting on behalf of the Successor Agency, approved and adopted Item Nos. 3A, 3B, 3C and 3F and excluding Item Nos. 3D, 3E, and 3G which were pulled for separate discussion.

Motion: Moved by Council Member Chan and seconded by Council Member Real Sebastian motion carried by the following vote:

Ayes:	Council Members:	Lam, Real Sebastian, Ing, Liang, Chan
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None

3A. WARRANT REGISTER FOR SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY OF AUGUST 21, 2019

Disbursements will be made from the funds referenced in the attached Resolution to the staff report in Warrant numbered 381.

Action Taken: The City Council and the City Council, acting on behalf of the Successor Agency, approved payment of warrants and adopted Resolution No. SA-171 of the Successor Agency to the former Monterey Park Redevelopment Agency allowing certain claims and demands per warrant register dated August 21, 2019 totaling \$41.31 and specifying the funds out of which the same are to be paid on Consent Calendar.

Resolution No. SA-171, entitled:

A RESOLUTION OF THE SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY (SA) ALLOWING CERTAIN CLAIMS AND DEMANDS PER WARRANT REGISTER DATED 21st OF AUGUST 2019 TOTALING \$41.31 AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

3B. WARRANT REGISTER FOR THE CITY OF MONTEREY PARK OF AUGUST 21, 2019

Disbursements will be made from the funds referenced in the attached Resolution to the staff report in Warrants numbered 324716-324913 and ACH numbered 000736-000768.

Action Taken: The City Council approved payment of warrants and adopted Resolution No. 12097 allowing certain claims and demands per Warrant Register dated August 21, 2019 totaling \$1,534,002.99 specifying the funds out of which the same are to be paid on Consent Calendar.

Resolution No. 12097, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA ALLOWING CERTAIN CLAIMS AND DEMANDS PER WARRANT REGISTER DATED 21st OF AUGUST 2019 TOTALING \$1,534,002.99 SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

3C. MONTHLY INVESTMENT REPORT – JULY 2019

As of July 31, 2019 invested funds for the City of Monterey Park is \$91,038,440.64.

Action Taken: The City Council received and filed the monthly investment report on Consent Calendar.

3D. 2018-2019 ANNUAL INVESTMENT REPORT

The City's Investment Policy requires an annual investment report and a statement of investment policy to be submitted to the City Council for review within 60 days after the fiscal year-end. The attached annual report to the staff report shows that all investment activities during 2018-19 were conducted according to the City's Investment Policy.

Action Taken: The City Council received and filed the 2018-19 Annual Investment report; and adopted Resolution No. 12098 and SA-172 authorizing the Treasurer to implement the City's Investment Policy for FY 2019-20.

Motion: Moved by Council Member Real Sebastian and seconded by Mayor Pro Tem Ing motion carried by the following vote:

Ayes: Council Members: Lam, Real Sebastian, Ing, Liang, Chan
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

Resolution No. 12098 & SA-172, entitled:

A JOINT RESOLUTION OF THE CITY OF MONTEREY PARK AND SUCCESSOR AGENCY TO THE MONTEREY PARK REDEVELOPMENT AGENCY ADOPTING AN INVESTMENT POLICY AND AUTHORIZING THE TREASURER TO IMPLEMENT THE POLICY

3E. FOOTHILL COMMUNICATIONS INC. – APPROVAL OF AGREEMENT

City Council approved the FY 2019-2020 budget, which includes the purchase of radios for the Verdugo Fire Emergency Communication System Upgrade. Staff seeks Council consideration to authorize the City Manager to execute an agreement, in a form approved by the City Attorney, to Foothill Communications, Inc. for the purchase of multi band and single band radios for an amount not to exceed \$68,772.97, funded in the FY 2019-2020 budget.

Action Taken: The City Council authorized the City Manager to execute a one year agreement, in a form approved by the City Attorney, with Foothill Communications, Inc. for an amount not to exceed \$68,772.97, for the purchase of multi band and single band radios.

Motion: Moved by Council Member Real Sebastian and seconded by Mayor Pro Tem Ing motion carried by the following vote:

Ayes: Council Members: Lam, Real Sebastian, Ing, Liang, Chan
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

3F. PROFESSIONAL SERVICE AGREEMENTS FOR ON-CALL PLAN CHECK AND INSPECTION SERVICES

The agreements for On-Call Plan Check and Inspection Services to supplement the City's technical services provided to the community will expire on August 10, 2019. The two firms under contract have provided exceptional services in plan review and the occasional temporary staffing needs over the past three years. Their level of involvement at times requires that they travel from their regional locations to City Hall to meet with design professionals and staff to assist in resolving issues expeditiously. Staff recommends extending the existing agreements for an additional 2 years. The contract amount will remain and is not to exceed \$50,000 annually. A budget of \$100,000 was allocated for this fiscal year in account # 0010-801-4214-31950.

Action Taken: The City Council authorized the City Manager to execute a 2-year professional service agreement extension with The Code Group and Interwest Consulting Group to provide On-Call Plan Check and Inspection Services in a form approved by the City Attorney on Consent Calendar.

3G. FINAL MAP NO. 75007 (320 & 322 S MOORE AVENUE)

Pursuant to Government Code § 66458 (d) and Monterey Park Municipal Code §20.20.010, the City Engineer, surveyor, or other designated official must review the final map. The final map was thoroughly reviewed by the City's consultant Surveyor, George Boghossian & Associates, for mathematical accuracy, survey analysis, title information, and compliance with the Subdivision Map Act, Conditions of Approval and applicable Monterey Park Municipal Code provisions.

To obtain final map approval, the property owner seeks to execute a Subdivision Improvement Agreement with the City and post bonds to guarantee construction of the required public improvements such as new curb, gutter, sidewalk and driveway aprons will be constructed in the street right-of-way. Additionally, all utility services will be placed underground, and new trees, parkway landscaping and irrigation system will be installed.

CEQA (CALIFORNIA ENVIRONMENTAL QUALITY ACT):

As determined by the Planning Commission via Resolution No. 9-17, adopted September 12, 2017, the Project is categorically exempt from additional environmental review pursuant to CEQA Guidelines § 15315 as a Class 32 categorical exemption (Infill Developments).

Action Taken: The City Council adopted a Resolution No. 12099 approving Final Map No. 75007 and authorizing the City Manager to execute a Subdivision Improvement Agreement in a form approved by the City Attorney.

Motion: Moved by Council Member Real Sebastian and seconded by Council Member Lam motion carried by the following vote:

Ayes: Council Members: Lam, Real Sebastian, Ing, Liang, Chan
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

Resolution No. 12099, entitled:

A RESOLUTION APPROVING FINAL MAP NO. 75007 FOR A SIX-UNIT RESIDENTIAL CONDOMINIUM PROJECT AT 320-322 SOUTH MOORE AVENUE

4. PUBLIC HEARING

None.

5. NEW BUSINESS

5A. LA COUNTY UPDATE TO BALLOT PROPOSITION TO IMPOSE A ¾ CENT SALES TAX

The staff report includes updates to current taxation trends in LA County, as well as whether other cities in the area specifically in the LA County, that recently proposed sales tax hikes during the November 2018 and March 2019 elections for the City Council's consideration to place a special sale tax measure on the upcoming March 2020 ballot.

Recommendation: The City Council (1) Receive and file the LA County update to ballot proposition to impose a ¾ cent sales tax; (2) Take such additional, related, action that may be desirable.

Action Taken: The City Council by consensus continued this item to the next regular City Council meeting.

RECESSED AND RECONVENED

The City Council recessed at 8:38 p.m. and reconvened with all Council Members present at 8:48 p.m.

5B. APPROVAL OF EAST LOS ANGELES SUSTAINABLE MEDIAN STORMWATER CAPTURE PROJECT

In April 2017, the County of Los Angeles (County) proposed a multi-jurisdiction stormwater capture project that will improve stormwater quality by preventing pollutants from discharging into the Los Angeles River. This project partnership can potentially benefit a disadvantaged neighborhood in an unincorporated area of East Los Angeles.

The project has a tributary area of 2,900 acres of drainage area and a Water Quality treatment capacity of 22.6 acre-feet. Of the total treatment capacity Monterey Park will claim 2.6 acre-feet by funding a fixed amount of \$2,400,000 using the City's future Measure W funds. This project will assist the City in its compliance efforts under the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit Order No. R4-2012-0175. Staff is requesting the City Council's approval to enter into this partnership agreement. Funding is from Measure W funds for a total of \$2,400,000 with \$18,000 a year from O&M expenditure budget in the future.

CEQA (California Environmental Quality Act):

The project is categorically exempt from additional environmental review pursuant to CEQA Guidelines Sections 15262, 15306, 15307, and 15308. The project consists of comprehensive data collection efforts to monitor the aquatic toxicity that is present in downstream receiving waters. The purpose of the project is to determine if possible actions are necessary to protect natural resources and the environment.

Public Speakers:

- John L. Hunter, Hunter and Associates, answered questions and inquires raised by the City Council.

Action Taken: The City Council authorized the City Manager to execute the Partnership Agreement, in a form approved by the City Attorney, to cooperatively share costs with County of Los Angeles and City of Montebello in the implementation of the East Los Angeles Sustainable Median Stormwater Capture Project as amended to direct the City Attorney to work with the County and/or Central Basin to include language regarding credit back to the City.

Motion: Moved by Council Member Real Sebastian and seconded by Council Member Chan motion carried by the following vote:

Ayes:	Council Members:	Lam, Real Sebastian, Ing, Liang, Chan
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None

6. **COUNCIL COMMUNICATIONS AND MAYOR/COUNCIL AND AGENCY MATTERS**

6A. CODE OF CONDUCT; MEETING PROCEDURES; HEALTHY WORKPLACE ENVIRONMENT – REQUESTED BY MAYOR LIANG

At my mayoral installation, I announced several initiatives that I hoped to implement during my tenure as the City's Mayor. Among other things, I believe that it is imperative that Councilmembers lead by example while serving in positions of public trust. This extends not just to their service to constituents, but also to the hard-working men and women who serve the public's needs as City employees. Accordingly, I suggest that the City Council adopt a Code of Conduct along with a Healthy Workplace Environment policy to help facilitate professional, dedicated, and reliable public service.

Public Speakers:

- Nancy Arcuri thanked the Mayor for bringing the item for consideration. She spoke about her personal negative experience with previous council members and the incident regarding a gift received by a former city manager.

Recommendation: (1) Adopting a Resolution amending the City Council's existing policies and procedures to:

- a. Add a Code of Conduct for elected and appointed public officials;
- b. Adopt a Healthy Workplace Environment policy; and

(2) Taking such additional, related, action that may be desirable.

Action Taken: The City Council by consensus continued the item to a future meeting.

COUNCIL COMMUNICATIONS

Council Member Chan stated that he was elected to the Metro Service Committee, representing three cities; Monterey Park, Montebello, and Rosemead. He reported that he attended an emergency San Gabriel Valley Council of Governments (SGVCOG) meeting where a topic for discussion was the \$126 million Foothill Gold Line Extension (the extension would pick up from Azusa to Pomona, as it currently starts in Monterey Park, to Downtown Union Station, to Pasadena and along the 210 Freeway, to Azusa). He recommended that there be a loop (from Pomona back down the SR60) and the group approved the idea so the SR60 (along Pomona Freeway with a stop at Garfield Avenue and Market Place shopping plaza) option is still open for discussion.

Council Member Lam had nothing to report.

Council Member Real Sebastian provided background about her term on the SGVCOG. She also stated that she attended Mr. Hernandez's funeral service.

Mayor Pro Ing announced that he celebrated his 30th wedding anniversary.

Mayor Liang had nothing to report.

City Clerk Chang informed the public on the various events being held by the City Clerk's office regarding the County's new vote system and the city's change to district based elections.

7. **CLOSED SESSION**

None.

ADJOURNMENT

There being no further business for consideration, the meeting was adjourned at 10:56 p.m. in memory of Mike A. Hernandez.

Vincent D. Chang
City Clerk

**MINUTES
MONTEREY PARK CITY COUNCIL
SUCCESSOR AGENCY (SA)
SEPTEMBER 4, 2019**

The City Council of the City of Monterey Park held a Regular Meeting of the Council in the Council Chamber, located at 320 West Newmark Avenue in the City of Monterey Park, Wednesday, September 4, 2019 at 7:00 p.m.

The minutes include items considered by the City Council acting on behalf of the Successor Agency of the former Monterey Park Redevelopment Agency, which dissolved February 1, 2012. Successor Agency matters will include the notation of "SA" next to the Agenda Item Number.

CALL TO ORDER:

Mayor Liang called the meeting to order at 7:03 p.m.

FLAG SALUTE:

The Monterey Park Fire Explorers

ROLL CALL:

City Clerk Vincent Chang called the roll:

Council Members Present: Peter Chan, Mitchell Ing, Stephen Lam, Hans Liang,
Teresa Real Sebastian

ALSO PRESENT: City Manager Ron Bow, Assistant City Attorney Karl Berger, Director of Management Services Annie Yaung, Director of Public Works Mark McAvoy, Director of Recreation & Community Services Inez Alvarez, Director of Human Resources and Risk Management Tom Cody, City Librarian Diana Garcia, Police Chief Jim Smith, Fire Division Chief Ken Leasure

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

None.

ORAL AND WRITTEN COMMUNICATIONS

- Sarkis Antonian spoke of MOD Pizza's grand opening event that occurred and requested the city to hold another grand opening event with presence of the Council. He also spoke about Jewish concentration camps and shows photos of his friend's parents who were in the camps.
- Maychelle Yee voiced her opinion on the current divided City Council. She spoke about the current recall process of Council Member Chan and Mayor Liang.

MISSION STATEMENT

The mission of the City of Monterey Park is to provide excellent services to enhance
the quality of life for our entire community

- Paul Isozaki spoke about the current recall petition and stated that all the public needs to do is sign the petition. He invited the public to attend a signing event at his house at 1468 Arriba Drive for the next two Saturdays.
- Nancy Arcuri spoke about the city's article of incorporation and about the current Council recall.
- Carla Boggs, representative of Senator Susan Rubio, invited the public to attend a citizenship workshop on September 14, 2019 at the Rosemead Community Center and to call (626) 430-2499 for more information.
- Inez Alvarez, Director of Recreation and Community Services, invited the community to upcoming city events; September 11th at 8:30 a.m. in front of City Hall; and the 6th Annual Geranium Festival on October 12th 5:00 p.m. – 10:00 p.m. at Barnes Park.
- Theresa Amador, representing the Monterey Park Library Gala Foundation, informed the public and the Council that the Foundation was able to sell all their tables and have changed their venue this year to Almansor Court. She also asked the City Attorney and City Manager if the Council approved any marijuana business in the city.
- David Barron spoke of when he was elected as the City Clerk of Monterey Park back in 1988. He said the city was also going through a recall process due to certain Council Members wanting to remove Chinese language books from the Library. He asked everyone to keep comments truthful and civil. He requested that the city make its official flower the plumeria. He expressed his concern regarding a petition for parking on Nicholson.
- Delario Robinson spoke highly of Council Members Lam and Chan and Mayor Liang. He talked about the Code of Conduct for the Planning Commission and that the Commission follows Roberts Rule of Order to conduct their business. He wanted the City Manager to provide more insight into; Marijuana facility on Monterey Pass Road, One Legacy, and the Chandler Senior Housing Project.
- Maychell Yee stated that the prior speaker, Delario Robinson, is on the city's Planning Commission and that she found that he is Facebook friends with the One Legacy developer. She voiced her opinion that it was inappropriate. Speaker Gregory Moss yielded his time to her.

1. PRESENTATION

1A. LA COUNTY VOTE CENTER AND DISTRICT ELECTION – INFORMATIONAL UPDATE

City Clerk Chang presented a PowerPoint presentation on the new Los Angeles County Vote Center as well as provided information on the city's District based Election commencing with the March 2020 election.

RECESSED AND RECONVENED

The City Council recessed at 9:07 p.m. and reconvened with all council members present at 9:17 p.m.

2. OLD BUSINESS

2A. LA COUNTY UPDATE TO BALLOT PROPOSITION TO IMPOSE A ¾ CENT SALES TAX

At the August 21, 2019 City Council meeting, staff presented a report to the City Council that includes updates to current taxation trends in LA County, as well as whether other cities in the area specifically in the LA County, that recently proposed sales tax hikes during the November 2018 and March 2019 elections for the City Council's consideration to place a special sale tax measure on the upcoming March 2020 ballot. Staff is bringing this item back to the City Council for discussion.

Action Taken: The City Council received and filed the LA County update to ballot proposition to impose a ¾ cent sales tax. The Council requested that the ballot proposition be a general tax with option for triggering mechanism, and to conduct outreach meetings, including placing information in the Cascades and water bill, and to inform the public on how funds will be spent.

Motion: Moved by Council Member Lam and seconded by Council Member Real Sebastian carried by the following vote:

Ayes:	Council Members:	Chan, Lam, Real Sebastian, Ing, Liang
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None

3. CONSENT CALENDAR ITEMS NOS. 3A-3D

Matters listed under consent calendar are considered to be routine, ongoing business and are enacted by one motion unless specified.

Action Taken: The City Council and the City Council, acting on behalf of the Successor Agency, approved and adopted Item Nos. 3A and 3D and excluding Item Nos. 3B and 3C which were pulled for separate discussion.

Motion: Moved by Council Member Lam and seconded by Council Member Chan motion carried by the following vote:

Ayes: Council Members: Chan, Lam, Real Sebastian, Ing, Liang
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

3A. WARRANT REGISTER FOR THE CITY OF MONTEREY PARK OF SEPTEMBER 4, 2019

Disbursements will be made from the funds referenced in the attached Resolution to the staff report in Warrants numbered 324914-325089 and ACH numbered 000769-000807.

Action Taken: The City Council approved payment of warrants and adopted Resolution No. 12100 allowing certain claims and demands per Warrant Register dated September 4, 2019 totaling \$1,053,029.75 specifying the funds out of which the same are to be paid on Consent Calendar.

Resolution No. 12100, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA ALLOWING CERTAIN CLAIMS AND DEMANDS PER WARRANT REGISTER DATED SEPTEMBER 4, 2019 TOTALING \$1,053,029.75 SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

3B. POLICE DEPARTMENT LOCKER ROOM REMODEL – AUTHORIZATION TO ADVERTISE

Staff prepared bid specifications for the Police Locker Room Remodel project and is requesting the City Council's authorization to advertise the project for construction bids.

CEQA (California Environmental Quality Act):

Since the proposed work is a minor alteration to an existing public facility, this project is Class 1 Categorically Exempt pursuant to the California Environmental Quality Act (CEQA).

This item was heard after Item No. 3C

Action Taken: The City Council adopted Resolution No. 12102 approving the design and plans for the Police Locker Room Remodel and authorized solicitation of bids.

Motion: Moved by Council Member Real Sebastian and seconded by Council Member Chan motion carried by the following vote:

Ayes: Council Members: Chan, Lam, Real Sebastian, Ing, Liang
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

Resolution No. 12102, entitled:

A RESOLUTION APPROVING THE DESIGN AND PLANS FOR THE POLICE LOCKER ROOM REMODEL PROJECT PURSUANT TO GOVERNMENT CODE § 830.6 AND ESTABLISHING A PROJECT PAYMENT ACCOUNT

3C. ONE-YEAR TIME EXTENSION (EX-19-01) FOR TENTATIVE MAP NO. 76041 (TM-17-06) TO SUBDIVIDE ONE LOT INTO TWO LOTS – 620 CADIZ STREET/623 HERMOSA VISTA STREET

On August 14, 2019, Jack Lau, submitted an application pursuant to Title 20 of the Monterey Park Municipal Code (“MPMC”) requesting approval of a one-year time extension for Tentative Map No. 76041 (TM-17-06) to subdivide one lot into two lots at 620 Cadiz Street/623 Hermosa Vista Street (“Project”). Pursuant to MPMC § 20.10.020, the City Council “shall grant the extension and any subsequent extensions; provided, that it finds good cause for doing so and that such extensions do not exceed an aggregate of three years.” It is recommended that the City Council determine whether good cause for the extension exists.

CEQA (California Environmental Quality Act):

The Project is categorically exempt from additional environmental review pursuant to CEQA Guidelines § 15315 as a Class 15 categorical exemption (Minor Land Divisions). The Project consists of the division of property in an urbanized area that is zoned for residential use. The Project conforms to the General Plan because, according to the Land Use Element, the Single-Family Residential land use category allows for low density residential units, traditionally single-family homes with one dwelling permitted per legal lot. The Project is the subdivision of one lot into two lots for the construction of one two-story single-family residence. The Project is consistent with zoning. Furthermore, the Project does not require any variances or exceptions, all services and access to the proposed parcels are available (to the City’s standards), the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.

This item was heard after Consent Calendar.

Action Taken: The City Council adopted Resolution No. 12101 approving a Time Extension (EX-19-01) for Tentative Map No. 76041 (TM-17-06).

Motion: Moved by Council Member Real Sebastian and seconded by Council Member Lam motion carried by the following vote:

Ayes: Council Members: Chan, Lam, Real Sebastian, Ing, Liang
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

Resolution No. 12101, entitled:

A RESOLUTION APPROVING A ONE-YEAR EXTENSION OF TIME (EX-19-01) FOR TENTATIVE MAP NO. 76041 (TM-17-06) TO SUBDIVIDE ONE LOT INTO TWO LOTS AT 620 CADIZ STREET/623 HERMOSA VISTA STREET

3D. AUTHORIZE THE CITY MANAGER TO EXECUTE A RENEWAL AGREEMENT BETWEEN THE CITY OF MONTEREY PARK AND EFFICIENT JANITORIAL SERVICE

On November 2, 2016, City Council approved a contract with Efficient Janitorial Service to provide custodial services to the Monterey Park City Jail. Efficient Janitorial has provided exceptional service to the City of Monterey Park during the last three years of the contract.

The contract allows for a mutually agreed upon two year extension of custodial services with Efficient Janitorial Services.

Efficient Janitorial Services submitted a renewal proposal of a 5% per year rate increase, for a total of 10% rate increase over a two year renewal period. Staff negotiated the following terms with Efficient Janitorial Services: two year extension of current contract with a rate increase of 3.5% per year. The rate was based on the Consumer Price Index ("CPI") for the immediately preceding twelve-month (12-month) reporting period. The CPI for the immediate twelve-month period was 3.3%. "CPI" means the consumer price index for all urban consumers, for Los Angeles-Riverside-Orange county area.

Funds are appropriated in the approved 2019-2020 Fiscal Year budget within budget line item 0010-801-3113-38250

Action Taken: The City Council authorized the City Manager to execute an agreement, in a form approved by the City Attorney, with Efficient Janitorial Services on Consent Calendar.

4. PUBLIC HEARING

4A. A PUBLIC HEARING TO CONSIDER THE DRAFT 2018-2019 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER).

As a condition of receiving federal grant funding, Federal Regulations require the City to submit a CAPER to the Department of Housing and Urban Development (HUD). The CAPER provides information to HUD documenting the City's progress in meeting its Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) program goals.

The CAPER must be submitted to HUD by the end of September 2019. Federal regulations require the CAPER to be comprised of specific statistics and narratives showing the expenditure of funds and the accomplishments achieved. Additionally, narratives are required on the CDBG and HOME funds. Required narratives also include the status of various strategies such as: the Fair Housing Strategy, the Lead-Based Paint Hazard Reduction Strategy, and the Continuum-of-Care Strategy for the homeless and the Poverty Reduction Strategy.

A copy of the draft CAPER was made available for public review on August 16, 2019 through September 3, 2019. All comments will be incorporated into the final CAPER. The CAPER is attached to the staff report for Council's review.

Public Speakers:

- Priscilla Davila, Consultant from Priscilla Davila & Associates, Inc., provided a brief report on the CAPER and was available for questions.

Action Taken: The City Council (1) opened the public hearing at 10:41 p.m. to receive public comment and; there being no speakers, closed the public hearing at 10:47 p.m.; (2) approved the draft 2018-2019 Consolidated Annual Performance and Evaluation Report (CAPER); and (3) authorized the City Manager, or designee, to execute and submit the necessary documents to HUD for its review and approval.

Motion: Moved by Council Member Real Sebastian and seconded by Mayor Pro Tem Ing motion carried by the following vote:

Ayes:	Council Members:	Chan, Lam, Real Sebastian, Ing, Liang
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None

EXTENSION OF COUNCIL MEETING

Action Taken: The City Council made a motion to extend the council meeting to 11:10 p.m.

Motion: Moved by Mayor Pro Tem Ing and seconded by Council Member Chan, motion carried by the following vote:

Ayes:	Council Members:	Chan, Lam, Real Sebastian, Ing
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	Liang

5. NEW BUSINESS

5A. LAND USE ELEMENT UPDATE AND NEXT STEPS

In 2018, the City Council directed staff to begin comprehensive updates to the Monterey Park General Plan. The first element to be considered is the Land Use Element ("LUE") which was last updated in 2011. Early in 2019, the City Council appointed a General Plan Advisory Committee ("GPAC") to assist in soliciting public input for the LUE. Since that time, there were four GPAC meetings; a booth at the Cherry Blossom Festival in April; online solicitations for input; a survey; and one special meeting of the City Council regarding the LUE. A public hearing is now scheduled for the September 24, 2019 Planning Commission to consider the Draft Environmental Impact Report ("DEIR") and draft LUE reviewed by the GPAC. It is anticipated that the City Council will begin considering the matter in October so that a proposition may be placed onto the March 2020 ballot regarding the LUE.

Action Taken: The City Council received and filed this report.

Motion: Moved by Council Member Chan and seconded by Council Member Lam motion carried by the following vote:

Ayes:	Council Members:	Chan, Lam, Real Sebastian, Ing, Liang
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None

6. COUNCIL COMMUNICATIONS AND MAYOR/COUNCIL AND AGENCY MATTERS

Council Member Chan reported that he attended the Army Career Center Press Conference on August 22. Council Member Chan stated that he was invited to the Army's 9/11 event and will not be able to attend the city's event. He said that on August 27th, he along with City Manager Bow had an orientation meeting with the

Executive Director for the Council of Governments (COG). Council Member Chan stated that he was invited to the Transportation Committee and reported that the discussion on the State Route 60(SR60) is still pending.

Council Member Lam reported that he met with a California National Guard Representative regarding an immigration program by the California National Guard to help undocumented citizens obtain green cards by serving in the California National Guard. If the public is interested in the program they are free to contact Council Member Lam at (626) 375-2608.

Council Member Real Sebastian reported that she attended the Southern California Association of Governments (SCAG) where they discussed the city's Regional Housing Needs Assessment (RHNA) & Housing numbers. She stated that base on their formula's Monterey Park would be allocated (1) 4,400 units, (2) 5,258 units, (3) 1,701 units. Council Member Real Sebastian also provided an updated on the extended downwind approach of aircrafts in the city. She requested an update from the City Manager on the Budget Session which gave the City Manager an option to hire an Assistant City Manager or an Assistant to the City Manager.

Mayor Pro Tem Ing requested to place on a future agenda an item regarding food trucks.

Mayor Liang requested that the meeting be adjourned in the memory of Dr. Gilbert Hung who was a resident of Monterey Park for over 50 years and served in the Air Force Reserve from 1962-1968. Dr. Gilbert Hung and his Wife Mary, have 3 children and 5 grandchildren which he was very proud of. Mayor Liang was able to attend his final services the past Sunday.

EXTENSION OF COUNCIL MEETING

Action Taken: The City Council made a motion to extend the council meeting to 11:20 p.m.

Motion: Moved by Council Member Ing and seconded by Mayor Liang, motion carried by the following vote:

Ayes:	Council Members:	Chan, Lam, Real Sebastian, Ing, Liang
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None

7. CLOSED SESSION

None.

ADJOURNMENT

There being no further business for consideration, the meeting was adjourned at 11:14 p.m. in memory of Dr. Gilbert Hung.

Vincent D. Chang
City Clerk

**MINUTES
MONTEREY PARK CITY COUNCIL
SUCCESSOR AGENCY (SA)
SEPTEMBER 18, 2019**

The City Council of the City of Monterey Park held a Regular Meeting of the Council in the Council Chamber, located at 320 West Newmark Avenue in the City of Monterey Park, Wednesday, September 18, 2019 at 7:00 p.m.

The minutes include items considered by the City Council acting on behalf of the Successor Agency of the former Monterey Park Redevelopment Agency, which dissolved February 1, 2012. Successor Agency matters will include the notation of "SA" next to the Agenda Item Number.

CALL TO ORDER:

Mayor Liang called the meeting to order at 7:00 p.m.

FLAG SALUTE:

The Monterey Park Police Explorers

ROLL CALL:

City Clerk Vincent Chang called the roll:

Council Members Present: Peter Chan, Mitchell Ing, Stephen Lam, Hans Liang,
Teresa Real Sebastian

ALSO PRESENT: City Manager Ron Bow, Assistant City Attorney Karl Berger, Director of Management Services Annie Yaung, Director of Public Works Mark McAvoy, Director of Recreation & Community Services Inez Alvarez, Director of Human Resources and Risk Management Tom Cody, City Librarian Diana Garcia, Fire Chief Scott Haberle, Police Captain Kelly Gordon, Recreation Manager Robert Aguirre, Support Services Manager Tim Shay

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

Assistant City Attorney Berger announced that Item No. 3D will be continued to the next City Council meeting.

ORAL AND WRITTEN COMMUNICATIONS

- Nancy Arcuri stated that Maychell Yee and Paul Isozaki are the public figures of the current City Council recall. She expressed her point of view on the current recall process.
- Annie Park, resident and Public Relations Director for Gracias Music Foundation, invited the Council and public to attend the Gracias Music Foundation's 2019 Gracias Christmas Cantata on September 29, 2019 at the Terrace Theater in Long Beach.

MISSION STATEMENT

The mission of the City of Monterey Park is to provide excellent services to enhance
the quality of life for our entire community

- Delario Robinson voiced his opinion on the current recall process. He stated that he would like to see the city move forward. He also requested a stop sign near the senior facility on Kenton Drive.
- Phil Smith, provided the City Clerk and Council with a written communication. He expressed his opinion of every Council Members; spoke about his view on the recall process, he stated there is no factual reason for the recall. He stated that he would like to see the airplane noise issue on the ballot, discussion on a possible dog park and cannabis as a revenue source for the city.
- Cindy Yee spoke about her past accomplishment. She also expressed her views on the reasons for the recall process.
- Maychelle Yee thanked the public for their support in signing the petition. She spoke about the funding sources of both parties involved in the recall process.
- Paul Isozaki spoke about the recall process, Measure EE, term limits, and marijuana facilities in the city.
- Margaret Leung requested clarification regarding a rumored marijuana facility on Monterey Pass Road. She read a letter she wrote to the City Council about her attendance at a local group meeting regarding cannabis tax as a potential revenue source. Andy Li yielded his time but was allowed to translate her letter in Chinese. She also requested for the meeting minutes from the Long Beach cannabis event.
- Kelly Gordon, Monterey Park Police Captain, presented items the Police Department will be selling with proceeds going to the City of Hope to promote breast cancer awareness.
- Vincent Chang, Board Member of the Greater Monterey Park Chamber of Commerce, invited the public to attend the Chambers event this Sunday at City Hall promoting National Drive Electric.

The City Council addressed comments made by speakers. Council Member Real Sebastian requested that agenda Item No. 4A from April 17, 2019 be brought back at the 2nd City Council meeting in October for reconsideration. Council Member Ing seconded her request.

1. **PRESENTATION**
None.
2. **OLD BUSINESS**
None.

RECESSED AND RECONVENED

Action Taken: The City Council made a motion to take a 10 minute break at 8:30 p.m.

Motion: Moved by Council Member Real Sebastian and seconded by Council Member Ing motion failed by the following vote:

Ayes: Council Members: Real Sebastian, Ing
Noes: Council Members: Chan, Lam, Liang
Absent: Council Members: None
Abstain: Council Members: None

3. CONSENT CALENDAR ITEMS NOS. 3A-3D

Matters listed under consent calendar are considered to be routine, ongoing business and are enacted by one motion unless specified.

This item was heard after Agenda Item No. 5A.

Action Taken: The City Council did not approve any items on Consent Calendar.

3A. WARRANT REGISTER FOR THE CITY OF MONTEREY PARK OF SEPTEMBER 18, 2019

Disbursements will be made from the funds referenced in the attached Resolution to the staff report in Warrants numbered 325090-325208 and ACH numbered 000808-000840.

Action Taken: The City Council approved payment of warrants and adopted Resolution No. 12103 allowing certain claims and demands per Warrant Register dated September 18, 2019 totaling \$1,766,266.95 specifying the funds out of which the same are to be paid.

Motion: Moved by Council Member Real Sebastian and seconded by Council Member Lam motion carried by the following vote:

Ayes: Council Members: Chan, Lam, Real Sebastian, Ing, Liang
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

Resolution No. 12103, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA ALLOWING CERTAIN CLAIMS AND DEMANDS PER WARRANT REGISTER DATED SEPTEMBER 18, 2019 TOTALING \$1,766,266.95 SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

3B. MONTHLY INVESTMENT REPORT – AUGUST 2019

As of August 31, 2019 invested funds for the City of Monterey Park is \$88,313,440.64.

Action Taken: The City Council received and filed the monthly investment report.

Motion: Moved by Council Member Lam and seconded by Council Member Real Sebastian motion carried by the following vote:

Ayes: Council Members: Chan, Lam, Real Sebastian, Ing, Liang
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

3C. SECOND READING AND ADOPTION: AN ORDINANCE AMENDING THE CITY'S CALPERS CONTRACT CAUSING MEMBERS OF THE MONTEREY PARK POLICE OFFICERS' ASSOCIATION ("POA") TO MAKE ADDITIONAL PAYMENTS TOWARD CALPERS COST AS FOLLOWS: AN ADDITIONAL 3% BY CLASSIC EMPLOYEES; AND 0.5% FOR PEPRA EMPLOYEES

On August 7, 2019, the City Council introduced and waived the first reading of an ordinance amending the City's CalPERS contract. The staff report from that meeting is attached to the staff report for reference.

Second reading and adoption of the attached ordinance is recommended; the ordinance will become effective 30 days after adoption.

Action Taken: The City waived the second reading and adopted Ordinance No. 2164.

Motion: Moved by Council Member Lam and seconded by Council Member Real Sebastian motion carried by the following vote:

Ayes: Council Members: Chan, Lam, Real Sebastian, Ing, Liang
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

Ordinance No. 2164, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF MONTEREY PARK AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

3D. FY 2018 ASSISTANCE TO FIREFIGHTERS GRANTS PROGRAM

Monterey Park Fire Department received notification on September 6, 2019 of the FY 2018 Assistance to Firefighters Grants ("AFG") Program to fund cancer screening exams for 51 firefighters. The total budget is \$25,500.00, which includes the federal award amount of \$23,181.81 (90%) and the city applicant share match of \$2,318.19 (10%). Staff must accept this award by October 5, 2019 to ensure receipt of the grant, therefore staff seeks City Council consideration and approval of the grant acceptance and authorization of funding the City applicant share match requirement.

Recommendation: The City Council (1) Approving the proposed grant project to fund cancer screening exams for firefighters in the amount of \$23,181.81 in Federal grant funds; (2) Authorizing the City Finance Department to allocate \$2,318.19 from the FY 2019-2020 budget to fund the applicant cost share; (3) Adopting a resolution authorizing the City Manager, or designee, to apply for, receive, and appropriate grant funds for the FY 2018 Assistance to Firefighters Grants Program; and (4) Taking such additional, related, action that may be desirable.

Action Taken: This item was continued to the next City Council meeting.

4. PUBLIC HEARING None.

5. NEW BUSINESS

5A. AUTHORIZE THE CITY MANAGER TO EXECUTE TWO LICENSE AGREEMENTS FOR BINGO CONDUCTED AT THE LANGLEY SENIOR CENTER

Bingo has been held at Langley Center for many years and is a popular leisure activity for senior citizens. Participants have been playing bingo as a hobby at the Center for years and look forward to playing and socializing with friends each week. There are two organizations that operate bingo games at the Langley Senior Center. Each organization is required to obtain a bingo game permit at a cost of \$50 per year. The application process in the Monterey Park Municipal Code also requires, "the address of the premises where the bingo games will be conducted, and proof that such premises are owned or leased by the applicant organization and are used for an office or for performance of the purposes for which the organization is organized." Therefore, the City would like to establish license agreements with the Monterey Park Senior Citizen Club and the Friends of the Seniors, Langley Senior Citizens' Center. Attachment 1 to the staff report is a sample of the license agreements.

This item was heard before Consent Calendar items.

Public Speakers:

- Rolf Weyermann, representing the Monterey Park Senior Citizens Center provided a brief history on the organization and was available to answer questions.
- John Wong, representing Friends of the Seniors, stated that charitable donations the organization has were donated to the Senior Center and other organizations. He requested this item be tabled and not brought back for consideration. He was available to answer questions. At the conclusion of the item Mr. Wong informed the City Council that his organization will cease all services including bingo at the senior center.

Discussion: The City Council directed staff to discontinue the organizations from using the Langley Senior Center address as their entity address.

Action Taken: The City Council authorized the City Manager to execute two license agreements, in a form approved by the City Attorney for Bingo at the Langley Center, as amended to waive the license fee if the organizations operate within the senior center hours and directed staff to negotiate a percentage of the net profit and those funds be earmarked for used only at the Langley Senior Center within 60 days.

Motion: Moved by Council Member Real Sebastian and seconded by Council Member Chan motion carried by the following vote:

Ayes:	Council Members:	Chan, Lam, Real Sebastian, Ing, Liang
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None

RECESSED AND RECONVENED

The City Council recessed at 9:35 p.m. and reconvened with all council members present at 9:42 p.m.

6. COUNCIL COMMUNICATIONS AND MAYOR/COUNCIL AND AGENCY MATTERS

Council Member Chan reported he attended the Monterey Park Library Foundation Masquerade Gala and a meeting with the US Air Force. He reported that he missed the city's 9/11 event due to attending the US Army event.

Council Member Lam reported he attended the Monterey Park Library Foundation Masquerade Gala event as well and thank all those involved for setting up the event.

Council Member Real Sebastian reported she could not attend the Monterey Park Library Foundation Masquerade Gala event due to having a birthday event already planned. She provided updates on the Southern California Association of Governments (SCAG) meeting regarding the Regional Housing Needs Assessment (RHNA) numbers that may be allocated to Monterey Park. She also reminded residents of the Geranium Festival & Artwalk on Saturday October 12, 2019 from 5 p.m. – 10 p.m. and provided information on the event.

Mayor Pro Tem Ing had nothing to report

Mayor Liang reported he also attended the Monterey Park Library Foundation Masquerade Gala event and the 9/11 Patriotic Day event. He thanked the Police and Fire Department for working with Recreation and Community Services Department for coming up with the great idea of recognizing someone who had to make the ultimate sacrifice during that time.

7. CLOSED SESSION

None.

ADJOURNMENT

There being no further business for consideration, the meeting was adjourned at 10:09 p.m.

Vincent D. Chang
City Clerk



City Council Staff Report

DATE: November 20, 2019

AGENDA ITEM NO: Consent Calendar
Agenda Item 3-E.

TO: The Honorable Mayor and City Council
FROM: Tom Cody, Director of Human Resources and Risk Management
SUBJECT: Approve the recommended Personnel Board Applicant to the Personnel Board

RECOMMENDATION:

It is recommended that the City Council:

1. Approve a recommendation to appoint Ms. Grace Yeh to the Personnel Board;
and
2. Take such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

The vacant Personnel Board seat was advertised and the City Clerk's office forwarded one (1) application that was received from one (1) resident interested in serving on the Personnel Board. Members of the Personnel Board are appointed pursuant to the following Municipal Code section:

2.28.050 Personnel Board -- Appointment.

(a) The city council shall appoint the members of the Personnel Board in the following manner: One member from a list of three persons nominated by the personnel of the Monterey Park fire and police departments, one member from a list of three persons nominated by the remaining employees of the city, two members from the community at large, and one member from a list of three persons nominated by a majority of the four previously appointed members. A majority vote of the city council shall be required to appoint a member of the Personnel Board.

(b) Nominations as required in subsection (a) of this section shall be made to the council within thirty days following notification by the council that such nominations are required. In the event nominations are not received within the thirty-day period, the council may proceed to fill the vacancies by appointment from the community at large.

The Personnel Board vacant seat (which was occupied by Ms. Pauline Lemire) was eligible to be nominated by the “remaining employees of the city” or the general employees. The Director of Human Resources solicited the general employee associations and did not receive any nominations. Therefore the vacant seat becomes an “at-large seat.”

BACKGROUND:

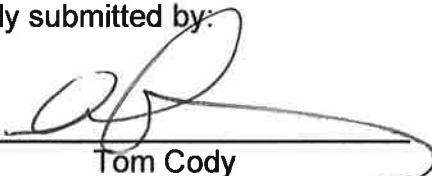
Pauline Lemire was the longest serving Personnel Board member on the roster with 25 years of participating. She decided to step down earlier this year, leaving the “remaining employees of the city” seat vacant.

After first soliciting the three general employee associations for nominations, the City began advertising to the community for interested parties for the Personnel Board seat approximately June of 2019.

The City received one application from a resident who is interested in the vacant Personnel Board seat. Ms. Grace Yeh is an accomplished retired attorney who worked with Exxon Mobil Corporation for thirty years and now established a one-person law practice in Monterey Park. Ms. Yeh has enjoyed volunteering in many capacities and would like this opportunity to give back to the City of Monterey Park.

Ms. Yeh met with the Director of Human Resources and Risk Management and was orientated as to the work, duties and responsibilities of Personnel Board members. The new nominee also attended and introduced herself as a nominee to the Personnel Board at its regular October 9, 2019 Personnel Board meeting and observed its proceedings. Ms. Yeh is here tonight and available to introduce herself to the Council and to answer any questions or inquiries the Council may have.

Respectfully submitted by:



Tom Cody
Director of Human Resources &
Risk Management

Approved by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
Assistant City Attorney

ATTACHMENT(S):

1. Personnel Board Applicant Application

ATTACHMENT 1
Personnel Board Applicant Application



CITY OF MONTEREY PARK

320 West Newmark Ave.
Monterey Park, CA 91754
(626) 307-1362
www.montereypark.ca.gov

CITY CLERK OFFICE

2019 JUL 18 A 8:56

Application for Civic Service City Commissions/Boards/Committees

The Monterey Park City Council seeks citizens to serve on duly constituted Boards, Commissions, and Committees to assist and advise City Council on specific assigned matters. No citizen may serve on more than one standing Board, Commission, or Committee at one time. Applications will be kept on file for one (1) year from the date received. For certain boards, annual residency verification is required in accordance to MPMC 2.82. This is a public document and is subject to disclosure. Please return completed application and proof of residency (if required) to the City Clerk's office in person, by mail or email at mpclerk@montereypark.ca.gov.

Name Grace C. Yeh

Commission/Committee or Board on which you want to serve (You may list more than one)

1) Personnel Board ☐

3) Community Participation Commission ☐

2) Economic Development Advisory Commission ☐

4) Planning Commission ☐

Home Address 704 Kingsford Street

City Monterey Park

Zip Code 91754

If resident of the City of Monterey Park, how long? 5 years

E-Mail Address 2018gcy@gmail.com

Telephone 626-715-0558

Occupation Attorney

Business Name Law Offices of Grace C. Yeh

Business Address 704 Kingsford Street

Zip Code 91754 Telephone 626-715-0558

Have you ever been convicted of a felony? Yes ☐ No ☒

If so, please state the nature of offense, state and disposition on a separate sheet of paper. Convictions will not necessarily result in automatic disqualification, however, failure to give complete and accurate information may be grounds for rejection and/or removal from office.

Prior Community Involvement/Activities

I've been an extremely grateful participant in the various community events
organized by the City of Monterey Park. I'm applying for a volunteer position on
the boards/commissions listed above because I'd like to play a more active role
supporting our wonderful City.

Grace C. Yeh
Application for Civic Service City Commissions/Boards/Committees
Attachment

Background/Education ¹

I retired from Exxon Mobil Corporation in 2018 after working in the Law Department for over 30 years progressing through assignments, domestic and international, of increasing responsibility. Since then, I've established my one-person law practice in Monterey Park.

I graduated from the University of California, Berkeley with a Bachelor of Arts in Political Science and obtained my Juris Doctor from the University of California, Los Angeles. While working for ExxonMobil in Thousand Oaks, CA, I also earned my MBA from Cal Lutheran University.

Volunteer Experience

I'm a lawyer by training, but my passion is volunteering. I've actively volunteered in every community I've lived. Some of the more notable positions are as follows:

- President, Board of Directors, of the Torrance Cultural Arts Foundation (2012-2016)
- UCLA Alumni Representative, Board of Trustees, UniCamp (2012 – 2014)
- Member, YMCA Board of Directors; Board Development Committee; Major Gifts Campaign co-captain (2002 – 2013)
- Member, Board of Directors, Healthcare and Elder Law Programs (2005 – 2008)

I also love the arts, especially visual and performance arts. I volunteer as a Gallery Docent at the J. Paul Getty Museum, leading public tours of the permanent collection and special exhibitions (2006 – present). I have also produced 2 bilingual stage plays performed in English with Chinese subtitles projected onscreen in the background.

Qualifications/Interest in Serving the City

I feel blessed to be living in the City of Monterey Park. While my career and travels have taken me to destinations far and wide, there are very few places that can compete with our city as a place to live and thrive. In introducing our city to others, I tell people it has small town charm with big city convenience. I have frequently stopped by City Hall for one reason or another and overwhelmingly found the staff helpful and user friendly. Being a lawyer for one of the largest corporations, I've dealt with a myriad of human resources issues through the years. I hope to bring that skillset to the Personnel Commission if appointed.

¹ More information is available on my LinkedIn page: www.linkedin.com/in/gracecyeh



City Council Staff Report

DATE: November 20, 2019

AGENDA ITEM NO: Consent Calendar
Agenda Item 3-F.

TO: Honorable Mayor and Members of the City Council
FROM: Mark McAvoy, Director of Public Works/City Engineer/City Planner
Scott Haberle, Fire Chief
SUBJECT: Second Reading and Adoption: An ordinance amending Titles 16 and 17 of the Monterey Park Municipal Code by adopting the 2019 Edition of The California Building Standards Code and the Monterey Park Amendments to the California Building Standards Code

RECOMMENDATION:

It is recommended that the City Council consider:

1. Waiving further reading and adopting the proposed ordinance; and
2. Taking such additional related action that may be desirable.

EXECUTIVE SUMMARY:

On November 6, 2019, the City Council introduced and waived the first reading of an ordinance amending Titles 16 and 17 of the Monterey Park Municipal Code by adopting the 2019 Edition of The California Building Standards Code and the Monterey Park Amendments to the California Building Standards Code.¹ Second reading and adoption of this ordinance is recommended. If adopted, the ordinance will take effect in 30 days.

ATTACHMENTS:

1. City Council Staff Report – November 6, 2019
2. Proposed Ordinance and Exhibit "A" - Local Amendments to the 2019 California Building Standards Code

¹ The staff report from the November 6, 2019 meeting is attached for reference.

Respectfully submitted by:

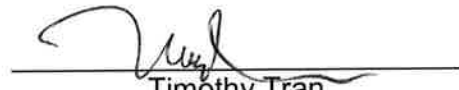


Mark A. McAvoy
Director of Public Works/City
Engineer/City Planner



Scott Haberle
Fire Chief

Prepared by:



Timothy Tran
Building Official



Chris Gomez
Fire Marshal



Frank Lopez
Assistant City Engineer

Approved by:



Ron Bow
City Manager

Reviewed by:



Natalie C. Karpeles
Deputy City Attorney

ATTACHMENT1
City Council Staff Report –
November 6, 2019



City Council Staff Report

DATE: November 6, 2019

AGENDA ITEM NO:

**New Business
Agenda Item 5-A**

TO: The Honorable Mayor and City Council

FROM: Mark McAvoy, Director of Public Works/City Engineer/City Planner
Scott Haberle, Fire Chief

SUBJECT: Ordinance amending Titles 16 and 17 of the Monterey Park Municipal Code by adopting the 2019 Edition of The California Building Standards Code and the Monterey Park Amendments to the California Building Standards Code

RECOMMENDATION:

It is recommended that the City Council:

1. Waive further reading, and introduce an ordinance Title 16 and 17 of the Monterey Park Municipal Code for adoption;
2. Scheduling a public hearing on November 20, 2019 for the second reading and adoption of the Ordinance; and/or
3. Take such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

The 2019 California Building Standards Code takes effect on January 1, 2020 ("CBSC"). These are part of the uniform codes imposed by the California Legislature every three years via Title 24 of the California Code of Regulations. Health and Safety Code §17958 allows local governments to amend the CBSC based upon local climatic, topographical, and geological conditions, or for administrative reasons.

The Public Works and Fire Departments are proposing amendments to the Monterey Park Municipal Code relating to building code regulations for the purpose of complying with State requirements and to update current administrative and technical standards. The last code adoption with amendments to the Monterey Park Municipal Code relating to building code regulations was November 16, 2016.

This ordinance would amend portions of the proposed 2019 CBSC and adopt the 2019 Edition of the CBSC.

TYPE OF ACTION (LEGISLATIVE)

The recommended action includes amending Titles 16 and 17 of the Monterey Park Municipal Code by adopting the 2019 Edition of the CBSC. In considering such action,

the City Council acts in its discretionary legislative capacity (formulating rules that apply to all future cases). For the proposed amendments, the City Council must find that they are reasonably necessary because of local climatic, geological or topographical conditions (Health and Safety Code § 17958.7). These findings, and the facts upon which they rely, are included within the draft Ordinance.

BACKGROUND:

The California Building Standards Commission is authorized by the California Building Standards Law (Health and Safety Code §§ 18901 through 18949.31) to administer the processes related to the adoption, approval, publication, and implementation of California's building codes.

California Code of Regulations ("CCR"), Title 24, also known as the CBSC, is a compilation of three types of building criteria from three origins:

- Building standards that have been adopted by state agencies with change from building standards contained in national model codes;
- Building standards that have been adopted and adapted from the national model code standards to meet California conditions; and
- Building standards, authorized by the California legislature, that constitute extensive additions not covered by the model codes that have been adopted to address particular California concerns.

Since 1989, the Commission has published triennial editions of Title 24 in their entirety. These building codes are comprised of 12 parts containing the regulations that govern and serve as the basis for the design and construction of all buildings and structures in California.

California law requires that the City Council conduct a public hearing before second reading of ordinances that adopt the CBSC by reference. Staff recommends that the City Council set a Public Hearing for the second reading of the Ordinance at its November 20, 2019 meeting.

FISCAL IMPACT:

The recommended actions will result in no financial impact to the City's General Fund. The cost to administer this process is captured through various building, fire, and engineering permits and fees.

CEQA:

This ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, et seq., the "CEQA Guidelines") because it consists only of minor revisions and clarifications to an

existing code of construction-related regulations and specification of related procedures. These will not have the effect of deleting or substantially changing any regulatory standards or findings. Accordingly, the Ordinance (by itself) does not have the potential to cause significant effects on the environment. This Ordinance is also an action being taken for enhanced protection of the environment and is exempt from further review under CEQA Guidelines § 15308.

Respectfully submitted by:


Mark A. McAvoy
Director of Public Works/City
Engineer/City Planner


Scott Haberle
Fire Chief

Prepared by:


Timothy Tran
Building Official

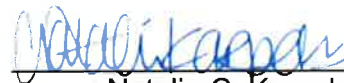

Chris Gomez
Fire Marshal


Frank Lopez
Assistant City Engineer

Approved by:


Ron Bow
City Manager

Reviewed by:


Natalie C. Karpeles
Deputy City Attorney

ATTACHMENT(S):

1. Draft Ordinance and Exhibit "A" - Local Amendments to the 2019 California Building Standards Code

ATTACHMENT 1

Draft Ordinance

ORDINANCE NO. _____

AN ORDINANCE ADOPTING THE 2019 EDITIONS OF THE CALIFORNIA BUILDING CODE, THE CALIFORNIA RESIDENTIAL CODE, THE CALIFORNIA ELECTRICAL CODE, THE CALIFORNIA MECHANICAL CODE, THE CALIFORNIA PLUMBING CODE, THE CALIFORNIA ENERGY CODE, THE CALIFORNIA HISTORICAL CODE, THE CALIFORNIA FIRE CODE, THE CALIFORNIA EXISTING BUILDING CODE, THE CALIFORNIA GREEN BUILDING STANDARDS CODE, THE CALIFORNIA REFERENCED STANDARDS CODE, THE CALIFORNIA BUILDING STANDARDS ADMINISTRATIVE CODE, AND THE 2018 EDITION OF THE INTERNATIONAL POOL AND SPA CODE; MAKING CERTAIN AMENDMENTS BASED UPON LOCAL CONDITIONS; AND AMENDING THE MONTEREY PARK MUNICIPAL CODE TO REFLECT SUCH CHANGES.

The City Council for the City of Monterey Park does ordain as follows:

SECTION 1: Findings. The City Council finds as follows:

- A. The City may adopt model codes by reference pursuant to Government Code §§ 50022.2, *et seq.*;
- B. Health and Safety Code § 17958 requires the City to adopt certain codes that are set forth in Health and Safety Code § 17922 and published in the California Code of Regulations;
- C. In accordance with Health and Safety Code § 17958.7, it is in the public interest to adopt the most recent codes published by the California Building Standards Commission;
- D. Notice of public hearing to consider the adoption of the codes was published pursuant to Government Code § 6066 and a duly noticed public hearing was held on Enter Date, regarding the adoption of the Codes;
- E. Pursuant to § 50022.6 of the Government Code, at least one copy of all codes adopted by reference were filed with the City Clerk of the City and were available for public inspection for at least fifteen (15) days preceding the date of the hearing;
- F. Pursuant to Government Code § 50022.9, the City Council intends to adopt by reference, with local amendments, the following 2019 codes in their entirety as if set forth in full herein:
 - 1. The California Building Code, 2019 Edition - Vol. I & II as published in Title 24, Part 2 of the California Code of Regulations;
 - 2. The California Residential Code, 2019 Edition, as published in Title 24, Part 2.5 of the California Code of Regulations;
 - 3. The California Electrical Code, 2019 Edition, as published in Title 24,

Part 3 of the California Code of Regulations;

4. The California Mechanical Code, 2019 Edition, as published in Title 24, Part 4 of the California Code of Regulations;
5. The California Plumbing Code, 2019 Edition, as published in Title 24, Part 5 of the California Code of Regulations;
6. The California Energy Code, 2019 Edition, as published in Title 24, Part 6 of the California Code of Regulations;
7. The California Historical Building Code, 2019 Edition, as published in Title 24, Part 8 of the California Code of Regulations;
8. The California Fire Code, 2019 Edition, as published in Title 24, Part 9 of the California Code of Regulations;
9. The California Existing Building Code, 2019 Edition, as published in Title 24, Part 10 of the California Code of Regulations;
10. The California Green Building Standards Code, 2019 Edition, as published in Title 24, Part 11 of the California Code of Regulations;
11. The California Referenced Standards Code, 2019 Edition, as published at Title 24, Part 12, of the California Code of Regulations;
12. The International Pool and Spa Code, 2018 Edition, as published by the International Code Council.

SECTION 2: In accordance with Health and Safety Code § 17958.7, the City Council finds that there are local climatic, geographic, and topographic conditions justifying the various local amendments to the California Building Standards Code as set forth in attached Exhibit "A," which is adopted by the City Council and incorporated by reference.

SECTION 3: Chapter 16.01 of the Monterey Park Municipal Code ("MPMC") is amended in its entirety to read as follows:

**"Chapter 16.01 ADOPTION OF TECHNICAL BUILDING CODES AND
ADMINISTRATIVE PROVISIONS**

16.01.010 Adoption of specific Codes; Copies on file.

- A. Except as otherwise provided in this chapter, the following Codes are adopted by reference:
 1. The 2019 California Building Code including Appendices B, F, H, I and J;
 2. The 2019 California Residential Code including Appendices F, H,

O, and V;

3. The 2019 California Electrical Code;
4. The 2019 California Mechanical Code including Appendix D;
5. The 2019 California Plumbing Code including Appendices A, C, D, E, G, I, and K;
6. The 2019 California Energy Code;
7. The 2019 California Historical Building Code;
8. The 2019 California Existing Building Code;
9. The 2019 California Green Building Standards;
10. The 2019 California Referenced Standards Code; and
11. The 2018 International Pool and Spa Code.

- B. In accordance with Health and Safety Code § 18942, one copy of the above-referenced Codes will remain on file in the office of the City Clerk.

16.01.020 Definition of terms.

Unless the contrary is stated or clearly appears from the context, the following definitions govern the construction of the words and phrases used in this Title. Words and phrases not defined by this chapter have the meanings set forth in the applicable Code as set forth in Title 24 of the Code of California Regulations. If the definition of any term contained in this Title conflicts with the definition of the same term in the applicable Code, then the definition contained in this Title governs.

“Building and Safety Division” means the Building Division, Public Works Department of the City of Monterey Park.

“Code” or “Codes” means the applicable 2019 code adopted by reference in this Title.

“Health office” means the Los Angeles County Department of Health Services.

16.01.030 Resolution of conflicts in application.

In the event of any conflict or ambiguity between any provision contained in the Codes and this Title, this Title will govern.

16.01.040 Administrative provisions

Add Chapter 1, Administrative Provisions to read as follows:

Chapter 1 ADMINISTRATIVE PROVISIONS

PART 1 CONTENTS

Section 101 General
Section 102 Applicability
Section 103 Building and Safety
Section 104 Duties and Powers of Building Official
Section 105 Permits
Section 106 Floor and Design Loads
Section 107 Construction Documents
Section 108 Temporary Structures and Uses
Section 109 Fees
Section 110 Inspections
Section 111 Certificate of Occupancy
Section 112 Service Utilities
Section 113 Board of Appeals – Planning Commission
Section 114 Violations and Penalties
Section 115 Stop Work Order
Section 116 Unsafe Structures and Buildings

SECTION 101 GENERAL

101.1 Title. These regulations may be referred to as the Administrative Provisions of the California Building Codes of the State of California and other Codes as adopted by Title 16 and 17 of the Monterey Park Municipal Code.

101.2 Scope. The provisions of the codes apply to the construction, alteration, relocation, enlargement, replacement, repair, equipment, used and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Exception: Detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with a separate means of egress, and their accessory structures not more than three stories above grade plane in height, must comply with the California Building Code or the California Residential Code.

101.2.1 Appendices. Provisions in the appendices of the codes, do not apply unless specifically adopted.

101.3 Intent. The purpose of the codes is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to firefighters and emergency responders during emergency operations.

101.4 Referenced codes. Codes listed in Sections 101.4.1 through 101.4.11 and referenced elsewhere in the codes are part of the requirements of the codes to the prescribed extent of each such reference.

101.4.1 Building Code. The provision of the California Building Code as adopted in Section 16.01.010 apply to the construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such building or structure other than those meeting the scoping limitations contained in the California Residential Code.

101.4.2 Residential Code. The provisions of the California Residential Code as adopted in Section 16.01.010 apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with a separate means of egress and their accessory structures not more than three stories above grade plane in height.

101.4.3 Electrical Code. The provisions of the California Electrical Code as adopted in Section 16.01.010 apply to the installation and removal of electrical conductors, equipment, and raceways; signaling and communications conductors, equipment, and raceways; and optical fiber cables and raceways for the following: (1) Public and private premises, including buildings, structures, mobile homes, recreational vehicles, and floating buildings; (2) Yards, lots, parking lots, carnivals, and industrial substations; (3) Installations of conductors and equipment that connect to the supply of electricity; and (4) Installations used by the electric utility, such as office buildings, warehouses, garages, machine shops, and recreational buildings, that are not an integral part of a generating plant, substation, or control center.

101.4.4 Mechanical Code. The provisions of the California Mechanical Code as adopted in Section 16.01.010 apply to the erection, installation, alteration, repair, relocation, replacement, addition to, use, or maintenance of mechanical systems.

101.4.5 Plumbing Code. The provisions of the California Plumbing Code as adopted in Section 16.01.010 apply to the erection, installation, alteration, repair, relocation, replacement, addition to, use, and maintenance of plumbing systems.

101.4.6 Energy Code. The provisions of the California Energy Code as adopted in Section 16.01.010 apply to all buildings: (1) That are occupancy Group A, B, E, F, H, I, M, R, S or U; (2) For which an application for a building permit or renewal of an existing permit is filed, or which are constructed by a governmental agency; and (3) That are unconditioned, or indirectly or directly conditioned, or process spaces.

101.4.7 Historical Building Code. The provisions of the California Historical Building Code as adopted in Section 16.01.010 apply to all issues regarding code compliance to provide solutions to facilitate the preservation of qualified historical buildings or properties.

101.4.8 Existing Building Code. The provisions of the California Existing Building Code as adopted in Section 16.01.010 apply to the repair, alteration, change of occupancy, addition to and relocation of existing buildings.

101.4.9 Green Building Standards Code. The mandatory provisions of the California Green Building Standards Code as adopted in Section 16.01.010 apply to the planning, design, operation, construction, use and occupancy of every newly constructed building or structure.

101.4.10 Referenced Standards Code. The provisions of the California Referenced Standards Code as adopted in Section 16.01.010 apply to all buildings and structures.

101.4.11 Pool and Spa Code. The mandatory provisions of the International Pool and Spa Code as adopted in Section 16.01.010 apply to the construction, alteration, renovation, replacement, repair and maintenance of aquatic recreation facilities, pools and spas.

101.4.12 Fire. The provisions of the Fire Code of the City of Monterey Park apply to matters affecting or relating to structures, processes and premises from (i) the hazard of fire and explosion arising from storage, handling or use of structures, materials or devices, (ii) conditions hazardous to life, property or public welfare in the occupancy of structures or premises, and (iii) the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

SECTION 102 APPLICABILITY

102.1 General. Where there is a conflict between a general requirement and a specific requirement, the specific requirement applies. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive governs.

102.2 Other laws. The provisions of the codes cannot be deemed to nullify any provisions of local, state or federal law.

102.3 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number are construed to refer to such chapter, section or provision of the codes.

102.4 Referenced codes and standards. The codes and standards referenced in the codes are considered part of the requirements of the codes to the prescribed extent of each such reference. Where conflicts occur between provisions of the codes and referenced codes and standards, the provisions of the codes apply.

102.5 Partial invalidity. In the event that any part or provision of the codes is held to be illegal or void, this does not have the effect of making void or illegal any of the other parts or provisions.

102.6 Existing structures. The legal occupancy of any structure existing on the date of adoption of the codes may continue without change, except as is specifically covered in the codes or as is deemed necessary by the Building Official for the general safety and welfare of the occupants and the public.

SECTION 103 BUILDING AND SAFETY

103.1 [INTENTIONALLY BLANK]

103.2 Appointment. The Building Official is appointed by the City Manager, or designee. More than one Building Official may be appointed by the City Manager, or designee, in his or her discretion.

103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the City Manager, or designee, the Building Official may appoint a deputy Building Official, the related technical officers, inspectors, plan examiners and other agents. Such appointed agents have powers as delegated by the Building Official.

SECTION 104 DUTIES AND POWERS OF BUILDING OFFICIAL

104.1 General. The Building Official is authorized and directed to enforce the provisions of the codes. The Building Official has the authority to render interpretations of the codes and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures must be in compliance with the intent and purpose of the codes. Such policies and procedures do not have the effect of waiving requirements specifically provided for in the codes.

104.2 Applications and permits. The Building Official will receive applications, review construction documents and issue permits for the erection, and alteration, demolition and moving of buildings and structures, inspect the premises for which such permits are issued and enforce compliance with the provisions of the codes.

104.3 Notices and orders. The Building Official is authorized to issue all necessary notices or orders to ensure compliance with the codes.

104.4 Inspections. The Building Official is authorized to make all of the required inspections and the Building Official has authority to accept reports of inspection by approved agencies or individuals. Reports of such inspections must be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The Building Official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

104.5 Identification. The Building Official and appointees must carry proper identification when inspecting structures or premises in the performance of duties under the codes.

104.6 Right of entry. Where it is necessary to make an inspection to enforce the provisions of the codes or where the Building Official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in

violation of the codes which makes the structure or premises unsafe, dangerous or hazardous, the Building Official is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by the codes, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the Building Official must first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the Building Official may take additional legal actions to obtain entry to the premises.

104.7 Department records. The Building Official must keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records must be retained in the official records for the period required for retention of public records.

104.8 Liability. The Building Official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the City in good faith and without malice in the discharge of the duties required by the codes or other pertinent law or ordinance, will not thereby be civilly or criminally rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties.

104.8.1 Legal Defense. Any suit or criminal complaint instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of the codes must be defended by legal representatives of the City until the final termination of the proceedings. The Building Official or any subordinate will not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of the codes.

104.9 Approved materials and equipment. Materials, equipment and devices approved by the Building Official must be constructed and installed in accordance with such approval.

104.9.1 Used materials and equipment. The use of used materials which meet the requirements of the codes for new materials is permitted. Used equipment and devices cannot be reused unless approved by the Building Official.

104.10 Modifications. Where there are practical difficulties involved in carrying out the provisions of the codes, the Building Official has the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the Building Official must first find that special individual reason makes the strict letter of the codes impractical and the modification is in compliance with the intent and purpose of the codes and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications must be recorded and entered in the City's files.

104.11 Alternative materials, design and methods of construction and equipment. The provisions of the codes are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by the codes, provided that any such alternative has been approved. An alternative material, design or

method of construction may be approved where the Building Official finds that the proposed design is satisfactory and complies with the intent of the provisions of the codes, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in the codes in quality, strength, effectiveness, fire resistance, durability and safety. Where the alternative material, design or method of construction is not approved, the Building Official must respond in writing, stating the reasons why the alternative was not approved.

104.11.1 Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in the codes, consists of valid research reports from approved sources.

104.11.2 Tests. Whenever there is insufficient evidence of compliance with the provisions of the codes, or evidence that a material or method does not conform to the requirements of the codes, or in order to substantiate claims for alternative materials or methods, the Building Official has the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods are as specified in the codes or by other recognized test standards. In the absence of recognized and accepted test methods, the Building Official may approve the testing procedures. Tests must be performed by an approved agency. Reports of such tests must be retained by the Building Official for the period required for retention of public records.

SECTION 105 PERMITS

105.1 Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by the codes, or to cause any such work to be done, must obtain a valid permit from the Building Official.

Work performed without a permit is a misdemeanor. In addition, any such work constitutes a public nuisance and may be abated in accordance with the MPMC.

105.1.1 Time-based permit. In lieu of an individual permit for each alteration to an already approved electrical, gas, mechanical or plumbing installation, the Building Official is authorized to issue a permit, valid for a specific time period not exceeding one year, upon application therefore to any person, firm or corporation regularly employing one or more qualified trade persons in the building, structure or on the premises owned or operated by the applicant for the permit.

The Building Official may detail the scope, parameters and conditions of this permit. The permit may be revoked when it is determined by the Building Official that the outlined scope, parameters, conditions or intent of the codes is not upheld by the permittee. The Building Official has access to such records at all times and such records must be filed with the Building Official as designated.

105.2 Work exempt from permit. Exemptions from permit requirements of the codes are not deemed to grant authorization for any work to be done in any manner in violation of the provisions of the codes or any other applicable law or policy. Except when otherwise

subject to City review and approval or when otherwise required by State or local laws, regulations or standards, permits are not required for the following:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet and conforms to the zoning regulations of the MPMC.
2. Fences not over 6 feet high.
3. Retaining walls that are not over 4 feet in height measured from the bottom of the footing to the top of the wall.
4. Oil derricks.
5. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width is not greater than 2:1.
6. Sidewalks and driveways that are not more than 30 inches above adjacent grade, not over any basement or story below, not part of an accessible route and not part of a commercial site.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 18 inches deep, do not exceed 5,000 gallons and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
11. Swings and other playground equipment accessory to detached one-and two-family dwellings.
12. Window awnings supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support of Group R-3 and U occupancies.
13. Non-fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches in height.

Electrical:

1. Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

2. Radio and television transmitting stations: The provisions of the codes must not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.
3. Temporary testing systems: A permit must not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

Gas:

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by the codes.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with the new material, such work is considered new work and a permit must be obtained and inspection made as provided in the codes.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

105.2.1 Emergency repairs. Where equipment replacements and repairs are performed in an emergency situation, the permit application must be submitted within the next working business day to the Building Official.

105.2.2 Public service agencies. A permit is not required for installation, alteration or repair of generation, transmission, distribution or metering or other related equipment that is under the ownership and control of public service agencies by established right.

105.3 Application for permit. To obtain a permit, the applicant must first file an application therefore in writing on a form furnished by the Building Official for that purpose. Such application must:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use and occupancy for which the proposed work is intended.
4. Be accompanied by construction documents and other information as required in Section 106.
5. State the valuation of the proposed work.
6. Be signed by the applicant, or the applicant's authorized agent.
7. Give such other data and information as required by the Building Official.

105.3.1 Action on application. The Building Official will examine or cause to be examined applications for permits and amendments within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of applicable law, the Building Official must reject such application in writing.

No building permit or other similar applicable permit bearing on property development or use including additions, modifications or revisions may be issued unless and until the review and approval of all other departments and agencies having legal authority for review of construction projects have found the construction project to be in compliance with all applicable code provisions or entitlements.

When the Building Official is satisfied that the proposed work conforms to the requirements of applicable law, the Building Official must issue a permit in accordance with applicable law.

105.3.2 Time limitation of application. An application for a permit for any proposed work is deemed expired 180 days after the completion of any submittal review unless a permit has been issued. The Building Official is authorized to grant one extension of time of an unexpired application for additional periods not exceeding 90 days. The extension must be requested in writing and justifiable cause demonstrated.

For the purpose of this section, contact by a City representative indicating the review is completed is deemed completion of any submittal review.

Expired application, plans and other data submitted may be returned to the applicant; or when not stamped as "REVIEWED FOR CODE COMPLIANCE" may be destroyed by the Building Official.

105.4 Permit issuance. The application, plans, specifications, computations, and other data filed by an applicant for a permit will be reviewed by the Building Official. Such plans may be reviewed by other City officials to verify compliance with applicable law. If the Building Official finds that the work described in an application for a permit and the plans, specifications and other data filed therewith conform to applicable law, and that the specified fees have been paid, the permit must be issued.

When the Building Official issues the permit where plans are required, they must endorse in writing or stamp the plans and specifications "REVIEWED FOR CODE COMPLIANCE." Such approved plans and specifications cannot be changed, modified or altered without authorization from the Building Official, and all work regulated by the codes must be done in accordance with the approved plans.

105.5 Validity of permit. Issuing a permit or approving plans, specifications, and computations cannot be construed to be a permit for, or an approval of, any violation of applicable law. Permits presuming to give authority to violate or cancel the provisions of the codes or other ordinances of the City are not valid.

Issuing a permit based on construction documents and other data does not prevent the Building Official from requiring the correction of errors in the construction document and other data. Any addition to or alteration of approved construction documents must be approved in advance by the Building Official, as evidenced by the issuance of a new or amended permit. The Building Official is also authorized to prevent occupancy or use of a structure where in violation of the codes or of any other ordinances of this City.

105.6 Expiration. Every permit issued by the Building Official under the provisions of the codes will expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days, or within 365 days for residential project, from the date of permit issuance, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be commenced or recommenced, a new permit must first be issued.

For the purpose of this section, if an inspection approval is not recorded, the work authorized by the permit is deemed not commenced, suspended or abandoned.

(1) Requesting extension of an unexpired permit: Any permittee holding an unexpired permit may apply for an extension of time within which permittee may commence work under that permit when he is unable to commence or recommence work within the time required by this section for good and satisfactory reasons. The Building Official may extend the time for action by the permittee for a period not more than 180 days upon written request by the permittee showing justifiable cause beyond the control of the permittee have prevented action from being taken. Subject to approval of the Building Official, permits extended in this manner do not require additional permit fees.

- (2) Requesting reissuance of an expired permit: Any permittee holding a permit which has expired may apply for a reissuance of the permit subject to compliance with current regulations and payment of plan check and permit fees. Plans must be resubmitted for plan check.

105.7 Suspension or revocation. The Building Official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of the codes.

105.8 Placement of permit. The building permit or a copy must be kept on the site of the work until the completion of the project.

105.9 Responsibility. Every person who performs work for the installation or repair of building, structure, electrical, gas, mechanical or plumbing systems, for which this code is applicable, must comply with the codes.

105.10 Preliminary inspection. Before issuing a permit, the Building Official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

105.11 Change of contractor or of ownership. A valid permit terminates upon a change of ownership or a change of contractor regarding the building, structure or grading for which said permit was issued if the work is not complete. A new permit is required for the completion of the work. Permit and applicable State fees, will be made for issuing a new permit under such circumstances. If, however, changes have been made to the plans and specifications last submitted to the Building Official, a permit fee based upon the proposed changes may be levied.

105.12 Incomplete construction. When a permit is revoked pursuant to Section 105.7 or abandoned pursuant to Section 105.6, the incomplete construction for which the permit is issued constitute a public nuisance and must be appropriately abated as in accordance with the procedure set forth in Chapter 4.30.

105.13 Surrender of permit. If a portion of the work or construction covered by the issued permit has not been commenced, the permittee may deliver such permit and approved documents to the Building Official with request that such permit is to be canceled. The Building Official will make note on the permit with or with like wording "Canceled at the request of the Permittee." Thereupon the permit and documents becomes null and void.

105.14 Liens to be discharged. A permit cannot be issued to any person or corporation under the provision of this Title in respect to any property where the cost of any building repair or abatement has been performed and a lien is recorded by the City, unless and until the amount of said lien with interest, has been paid in full.

SECTION 106 -FLOOR AND ROOF DESIGN LOADS

106.1 Live loads posted. In commercial, institutional or industrial buildings, for each floor or portion thereof designed for live loads exceeding 50 psf, such design live loads must be conspicuously posted by the owner or the owner's authorized agent in that part of each story in which they apply, using durable signs. It is unlawful to remove or deface such notices.

106.2 Issuance of certificate of occupancy. A certificate of occupancy required by Section 111 will not be issued until the floor load signs required by 106.1 is installed.

106.3 Restrictions on loading. It is unlawful to place, or cause or permit to be placed, on any floor or roof of a building, structure or portion thereof, a load greater than is permitted by this code.

SECTION 107 CONSTRUCTION DOCUMENTS

107.1 General. Construction documents, statement of special inspections, geotechnical reports and other data must be submitted in two or more sets with each permit application. The construction documents must be prepared by a registered design professional where required by the statutes of the City in which the project is to be constructed. Where special conditions exist, the Building Official is authorized to require additional construction documents to be prepared by a registered design professional.

Exception: The Building Official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if the Building Official finds that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with the codes.

107.2 Information on construction documents. Construction documents must be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the Building Official. Construction documents must be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of the codes and relevant laws, ordinances, rules and regulations, as determined by the Building Official.

107.2.1 Fire protection system shop drawings. Shop drawings for the fire protection system(s) must be submitted to indicate conformance with the codes and the construction documents and must be approved before the start of system installation. Shop drawings must contain all information as required by the referenced installation standards in Chapter 9.

107.2.2 Means of egress. The construction documents must show in sufficient detail the location, construction, size and character of all portions of the means of egress including the path of the exit discharge to the public way in compliance with the provisions of the codes. In other than occupancies in Groups R-2, R-3, and I-I, the construction documents must designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

107.2.3 Exterior wall envelope. Construction documents for all buildings must describe the exterior wall envelope in sufficient detail to determine compliance with the codes. The

construction documents must provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membrane and details around openings.

The construction documents must include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior wall envelope. The supporting documentation must fully describe the exterior wall system which was tested, where applicable, as well as the test procedure used.

107.2.4 Exterior balconies and elevated walking surfaces. Balconies or other elevated walking surfaces that are exposed to water from direct or blowing rain, snow, or irrigation, and the structural framing is protected by an impervious moisture barrier, the construction document must include details for all elements of the impervious moisture barrier system. The construction documents must also include manufacturer's installation instructions.

107.2.5 Site plan. The construction documents submitted with the application for permit must be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades and, as applicable, flood hazard areas, floodways, and design flood elevations; and it must be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan must show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The Building Official is authorized to waive or modify the requirement for a site plan when the application for permit is for alteration or repair or when otherwise warranted.

107.2.6 Structural information. The construction documents must provide the information specified in Section 1603.

107.3 Examination of documents. The Building Official must examine or cause to be examined the accompanying construction documents and must ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of the codes and other applicable laws or ordinances.

107.3.1 Approval of construction documents. When the Building Official issues a permit, the construction documents must be approved, in writing or by stamp, as "Reviewed for Code Compliance." One set of construction documents so reviewed must be retained by the Building Official. The other set must be returned to the applicant, must be kept at the site of work and must be open to inspection by the Building Official or a duly authorized representative.

107.3.2 Previous approvals. The codes cannot require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit was previously issued or otherwise lawfully authorized, and the construction of which was pursued in good faith within 180 days after the effective date of the codes, has not been abandoned or the Building Official has not determined the permit was issued under false information.

107.3.3 Phased approval. The Building Official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements are filed complying with pertinent requirements of the codes and the MPMC. The holder of such permit for the foundation or other parts of a building or structure must proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

107.3.4 Design professional in responsible charge. When it is required that documents be prepared by a registered design professional, the Building Official is authorized to require the owner to engage and designate on the building permit application a registered design professional who must act as the registered design professional in responsible charge. If the circumstances require, the owner must designate a substitute registered design professional in responsible charge who must perform the duties required of the original registered design professional in responsible charge. The Building Official must be notified in writing by the owner if the registered design professional in responsible charge is changed or is unable to continue to perform the duties.

The registered design professional in responsible charge must be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building.

Where structural observation is required, the statement of special inspections must name the individual or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur.

107.3.4.1 Deferred submittals. For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the Building Official within a specified period.

Deferral of any submittal items must have the prior approval of the Building Official. The registered design professional in responsible charge must list the deferred submittals on the construction documents for review by the Building Official.

Documents for deferred submittal items must be submitted to the registered design professional in responsible charge who must review them and forward them to the Building Official with a notation indicating that the deferred submittal documents have been reviewed and been found to be in general conformance to the design of the building. The deferred submittal items must not be installed until the design and submittal documents have been approved by the Building Official.

107.4 Amended construction documents. Work must be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents must be resubmitted for approval as an amended set of construction documents,

107.5 Number of construction documents. One set of approved construction documents must be retained by the Building Official for a period of not less than that required by state law and the City's retention policy.

SECTION 108 TEMPORARY STRUCTURES AND USES

108.1 General. The Building Official is authorized to issue a permit for temporary structures and temporary uses. Such permits must be limited as to time of service, but cannot be permitted for more than 180 days. The Building Official is authorized to grant extensions for demonstrated good cause.

108.2 Conformance. Temporary structures and uses must conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of the codes as necessary to ensure public health, safety and general welfare.

108.3 Temporary power. The Building Official is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate must comply with the requirements specified for temporary lighting, heat or power in the California Electrical Code.

108.4 Termination of approval. The Building Official is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued.

SECTION 109 FEES

109.1 General. A fee as established by resolution of the City Council must be paid for each plan review when submitted and each permit at time of issuance.

109.2 Permit fees. A fee for each required permit must be assessed in accordance with the fee schedule adopted by City Council resolution.

Failure to pay fees and obtain a permit before commencing work is a violation of the codes, except when a program is established by the Building Official and permit conditions are defined, or it can be proven to the satisfaction of the Building Official that an emergency existed which made it impractical to first obtain the permit. A violation will result in an assessment of an investigation fee in an amount equal to the permit fee for the work undertaken without permit. Payment of a double fee does not relieve any person from fully complying with the requirements of the codes nor from any other penalties prescribed herein.

109.3 Plan review fees. When a plan or other data is ready to be submitted by Section 105.3, a plan-checking fee, in the amount as established by City Council must be paid to the Building Official at the time of submitting plans and specifications for checking. When submittal documents are incomplete or changes so as to require additional plan review or when the project involves differed submittal items an additional fee must be assessed in accordance with the fee schedule established by City Council.

109.4 Investigation fee. An investigation fee as established by Section 108.2 may be charged by the Building Official whenever work for which a permit is required by the codes has been commenced without first obtaining said permit. This fee must be paid and the investigation must be made before the issuance of any permit for said work. An investigation fee may be charged for any investigation of a building, structure, work reports, certification or any other related work requested by an owner or authorized agent of such owner.

109.5 Fee Refunds. The Building Official may authorize refunding of any fee paid hereunder which was erroneously paid or collected. The Building Official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with the codes, except that no refund will be made for less than \$100. The Building Official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is performed, except that no refund will be made for less than \$100. The Building Official cannot authorize refunding of any fee paid except on written application filed by the original permittee not later than 60 days after the date of fee payment.

Permit and plan check fees will be refunded in their entirety when inadvertently paid for a project outside the City or as duplicate fees, except that no refund will be made if 60 days have elapsed from the date of payment.

109.6 Additional plan review fees. Where plans are incomplete or changed so as to require additional plan checking, an additional plan checking fee must be paid to the Building Official based upon the value of construction of the proposed change or redesign. In establishing said fee, no allowance for a decreased valuation is permitted due to the replacement, omission or lessening of any member or portion of the building shown in the original plans. No additional fees can be charged for checking corrections required by the Building Official; except where excessive plan reviews are performed, additional fees may be levied as established by City Council.

109.7 Change of Occupancy Investigation fee. A fee as established by City Council resolution must be paid when an occupancy investigation inspection is required by the Building Official. Note: The occupancy investigation fees are in addition to other investigation fees and do not include the fees for the building permit, or fees for electrical, plumbing or mechanical permits covering the alterations and/or repairs of the occupancy conversion.

SECTION 110 INSPECTIONS

110.1 General. Construction or work for which a permit is required is subject to inspection by the Building Official and such construction or work must remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection cannot be construed to approve violations of applicable law. Inspections presuming to give authority to violate or cancel the provisions of the codes or of other ordinances of the City are not valid. It is the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the Building Official nor the City

is liable for expense entailed in the removal or replacement of any material required to allow inspection.

110.2 Preliminary inspection. Before issuing a permit, the Building Official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

110.3 Required inspections. The Building Official, upon notification, must make the inspections set forth in Sections 109.3.1 through 109.3.10.

110.3.1 Footing and foundation inspection. Footing and foundation inspections must be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms must be in place before inspection. Materials for the foundation must be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

110.3.2 Concrete slab and under-floor inspection. Concrete slab and under-floor inspections must be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

110.3.3 Lowest floor elevation. In flood hazard areas, upon placement of the lowest floor, including the basement, and before further vertical construction, the elevation certification required in Section 1612.5 must be submitted to the Building Official.

110.3.4 Frame inspection. Framing inspections must be made after the roof deck or sheathing, all framing, fire-blocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are approved.

110.3.5 Lath and gypsum board inspection. Lath and gypsum board inspections must be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished.

110.3.6 Weather-exposed balcony and walking surface waterproofing. Balconies or other elevated walking surfaces that are exposed to water from direct or blowing rain, snow or irrigation, and the structural framing is protected by an impervious moisture barrier, all elements of the impervious moisture barrier system must not be concealed until inspected and approved.

110.3.7 Fire-resistant penetrations. Protection of joints and penetrations in fire-resistance-rated assemblies, smoke barriers and smoke partitions must not be concealed from view until inspected and approved.

110.3.8 Energy efficiency inspections. Inspections must be made to determine compliance with the California Energy Code, California Green Building Standards Codes and must include, without limitation, inspections for: envelope insulation R and U-values,

fenestration U-value, duct system R-value, and HVAC and water-heating equipment efficiency.

110.3.9 Other inspections. In addition to the inspections specified in Section 109.3.1 through Section 109.3.8, the Building Official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of the codes, standards and other laws that are enforced by the City.

110.3.10 Special inspections. For special inspections, see Chapter 17 of the California Building Code.

110.3.11 Final inspection. The final inspection must be made after all work required by the building permit is completed.

110.4 Inspection agencies. The Building Official is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

110.5 Inspection requests. It is the duty of the holder of the building permit or their duly authorized agent to notify the Building Official when work is ready for inspection. It is also the duty of the permit holder to provide access to and means for inspections of such work that are required by the codes.

110.6 Approval required. Work cannot be done beyond the point indicated in each successive inspection without first obtaining the approval of the Building Official. The Building Official, upon notification, must make the requested inspections and must either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or their agent wherein the same fails to comply with the codes. Any portions that do not comply must be corrected and such portion must not be covered or concealed until authorized by the Building Official.

SECTION 111 CERTIFICATE OF OCCUPANCY

111.1 Use and occupancy. No building or structure can be used or occupied, and no change in the existing use or occupancy classification of a building or structure or portion thereof can be made until the Building Official has issued a certificate of occupancy therefore as provided herein. The Building Official cannot issue a Certificate of Occupancy to the builder upon the completion of a commercial structure where there is tenant space. Instead, a Certificate of Occupancy is issued to a business entity that is going to occupy the building or a portion thereof. Issuance of a certificate of occupancy must not be construed as an approval of a violation of the provisions of the codes or other ordinances of the City. Certificates presuming to give authority to violate or cancel the provisions of the codes or other ordinances are not valid.

Exception: The Building Official does not issue Certificate of Occupancies for single and duplex residential dwelling units and owner-occupied dwelling units, such as townhomes, condominiums and U occupancies.

111.2 Time limitation of application. An application for a certificate of occupancy is deemed abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a certificate of occupancy has been issued.

111.3 Certificate issued. After the Building Official inspects the building or structure and finds no violations of the provisions of the codes or other laws that are enforced by the City, the Building Official must issue a certificate of occupancy that contains the following:

1. The building permit number.
2. The address of the structure.
3. The name and address of the owner.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of the codes for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the Building Official.
7. The edition of the code under which the permit was issued.
8. The use and occupancy, in accordance with the provisions of Chapter 3.
9. The type of construction as defined in Chapter 6.
10. The design occupant load.
11. If an automatic sprinkler system is provided, whether the sprinkler system is required.
12. Any special stipulations and conditions of the building permit.

111.4 Temporary occupancy. The Building Official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions must be occupied safely. The Building Official must set a time period during which the temporary certificate of occupancy is valid.

In the event the building is not completed and ready for final inspection in the time prescribed by the Building Official, the building must be vacated and the utilities disconnected until such time the building is completed, final inspection is completed and a Certificate of Occupancy is issued.

111.5 Revocation. The Building Official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of the codes wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of the codes.

SECTION 112 SERVICE UTILITIES

112.1 Connection of service utilities. Connections from a utility, source of energy, fuel or power to any building or system that is regulated by the codes for which a permit is required, must not be established until released by the Building Official.

112.2 Temporary connection. The Building Official has authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power.

Temporary connections may be terminated by the Building Official in the event the permit for such work expires, temporary occupancy is terminated, or it is determined by the Building Official that conditions associated with the connected utility are not met.

112.3 Authority to disconnect service utilities. The Building Official is authorized and empowered to cause or order the disconnection or discontinuance of utility service to a building, structure, premises, system, equipment, fixture, or device that is regulated by this Code or by the referenced codes and standards set forth in Section 101.4, or elsewhere in the Monterey Park Municipal Code: (i) when necessary to eliminate or mitigate an immediate hazard to life, health, safety, or property; (ii) when such building, structure, system, equipment, fixture, or device, or any utility service thereto, has been installed, equipped, altered, or used without requisite approvals, permits, or inspections; or (iii) when such building, structure, premises, system, equipment, fixture or device is found to be an unlicensed cannabis facility. An "unlicensed cannabis facility" means any facility within the City conducting commercial cannabis activity.

The Building Official must attempt to notify the serving utility, and wherever possible the owner and occupant of the building, structure, premises, system, equipment, fixture, or device, of the decision to disconnect before taking such action; provided that the Building Official may dispense with any attempt at prior notification if, in the sole discretion of the Building Official, the nature or severity of the hazard justifies such inaction. If not notified before disconnecting, the Building Official must notify the owner or occupant of the building, structure, premises, system, equipment, fixture, or device in writing of the disconnection as soon as practical thereafter.

The utility service must remain disconnected or discontinued until the Building Official releases the utility service. The Building Official cannot release the utility service until: (i) the imminent hazard has been abated or eliminated; or (ii) all requisite approvals, permits, and inspections have been obtained for the building, structure, system, equipment, fixture, or device, or any utility service thereto.

SECTION 113 BOARD OF APPEALS – PLANNING COMMISSION

113.1 General. The Planning Commission is designated to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of this code. All references to the "Board of Appeals" means the Planning Commission.

113.2 Limitations on authority. The Board of Appeals does not have authority relative to interpretation of the administrative provisions of the codes nor is the Board empowered to waive requirements of the codes. The application for appeal must be based on a claim that the true intent of the codes or the rules legally adopted thereunder have been incorrectly interpreted where the provision of the codes do not fully apply, or where an equally good or better form of construction is proposed.

113.3 Applications, fees and findings. Any person appealing the decision of the Building Official must file with the Building Official a written application accompanied by a filing fee in accordance with the fee schedule adopted by City Council resolution at any time not more than 20 calendar days after the decision of the Building Official.

The application must set forth and include any information as the Building Official may require.

Upon the filing of a verified application, the Building Official must transmit said application forthwith to the Board of Appeals, and such Board must investigate, examine, review, hear testimony, from and on behalf of the applicant, and render findings and decisions on the matter in writing to the applicant with a duplicate copy to the Building Official within 20 days after the conclusion of its proceedings, the Building Official must make all findings and decisions available to the public without fees.

SECTION 114 VIOLATIONS AND PENALTIES

114.1 General. Violation of the codes constitutes a misdemeanor. In addition, such violation constitutes a public nuisance subject to abatement in accordance with applicable law.

114.2 Notice of violation. The Building Official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of the codes, or in violation of a permit or certificate issued under the provisions of the codes. Such order must direct the discontinuance of the illegal action or condition and the abatement of the violation.

114.3 Compliance with Notice and prosecution of violation. If the notice of violation is not complied with promptly, the Building Official is authorized to request the City Attorney to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of the codes or of the order or direction made pursuant thereto. No person may remain in or enter any building or structure that has been posted with a red tag by the Building Official. Notwithstanding the foregoing, a person may enter the building or structure to repair, demolish or remove such building or structure pursuant to a duly issued permit. No person may remove or deface any order issued by the Building Official including, without limitation, a red tag, after it is posted until the required repairs, demolition or removal have been completed and a certificate of occupancy has been issued, where applicable.

114.4 Violation penalties. Any person who violates a provision of the codes or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the Building Official, or of a permit or certificate issued under the provisions of the codes, is subjected to penalties as prescribed by law.

SECTION 115 STOP WORK ORDER

115.1 Authority. Whenever the Building Official finds any work regulated by the codes being performed in a manner either contrary to the provisions of the codes or dangerous or unsafe, the Building Official is authorized to issue a stop work order.

115.2 Issuance. The stop work order must be in writing and must be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the identified work must immediately cease. The stop work order must state the reason for the order, and the conditions under which the cited work will be permitted to resume.

115.3 Unlawful continuance. Any person who continues any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, is subjected to penalties as prescribed by law.

SECTION 116 UNSAFE STRUCTURES AND BUILDINGS

116.1 General. All buildings, structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, are, for the purpose of this section, unsafe conditions. All such unsafe buildings or conditions are public nuisances and must be abated by repair, rehabilitation, improvement, removal, or demolition, in whole or part. A vacant building or structure that is not secure against entry is deemed "unsafe."

116.2 Placards and tags relating to occupancy of unsafe structures and buildings. Pursuant to the completion of a visual, nondestructive examination to determine the condition for continued occupancy, the building official or designee is authorized to designate the condition of the unsafe building or structure with a placard or tag, as follows:

1. A "yellow tag" denotes restricted use and is to be posted on each building or structure that has been damaged wherein the damage has resulted in some form of restriction to the continued occupancy. The individual who posts this placard will note in general terms the type of damage encountered and will clearly note the restrictions on continued occupancy.
2. A "red tag" denotes that the building or structure is so damaged that continued occupancy poses a threat to life safety. Buildings or structures posted with this placard may not be entered under any circumstance except as authorized in writing by the building official or designee. Safety assessment teams are authorized to enter these buildings at any time. This

placard is not to be used or considered as a demolition order. The individual who posts this placard will note in general terms the type of damage encountered.

The appropriate placard must be posted at each entry point to a building or structure. Once it has been attached to a building or structure, a placard is not to be removed, altered or covered until done so by an authorized representative of the building official. It is unlawful for any person, firm or corporation to alter, cover or deface a placard pursuant to this section.

116.3 Notice. If an unsafe condition is found, the building official must serve on the owner, agent or person in control of the structure, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be demolished within a reasonable time. Such notice will be deemed properly served when made in conjunction with section 1.04.080 of the Monterey Park Municipal Code.

SECTION 4: Chapter 16.05 of the MPMC is amended in its entirety to read as follows:

“Chapter 16.05 BUILDING CODE

Sec. 16.05.010 Document adopted by reference.

Pursuant to Government Code § 50022.9, the City Council incorporates by reference the California Building Code, 2019 Edition, as published in Title 24, Parts 2, Volume 1 and 2 of the California Code of Regulations.

Sec. 16.05.020. Chapter 1, Division II Scope and Administration amended.

The text within Chapter 1 Division II is amended in its entirety to read as follows:

Division II Administrative Provisions

Section 101. For administrative provisions for this Code, see Section 16.01.040.

Sec. 16.05.030. Section 202 amended.

The alphabetized list of definitions in Section 202 is amended to add a definition for “intermodal shipping container” to read as follows:

Intermodal Shipping Container. A six- sided steel unit originally constructed as a general cargo container used for the transport of good and materials.

The definition of “swimming pool” in Section 202 is amended in its entirety to read as follows:

Swimming Pool. Any structure intended for swimming, recreational bathing or wading that contains water over 18 inches deep. This includes in-ground, above ground and on-

ground pools; hot tubs; spas and fixed-in-place wading pools.

Sec. 16.05.040. Section 903.1.2 added.

Section 903.1.2 is added to read as follows:

903.1.2 Partial Automatic Fire Suppression Systems Prohibited. Whenever an automatic fire suppression system is installed for any portion of any building or structure, an automatic fire suppression system must be installed for the entire building or structure.

16.05.050. Section 903.2 amended.

Section 903.2 is amended to read as follows:

903.2 Where required. Approved automatic extinguishing systems must be installed:

1. In all new buildings regardless of the type of construction or occupancy.

Exceptions:

- 1.1. Detached Group U occupancies, providing the floor area does not exceed 1000 square feet.

- 1.2. ~~Other minor buildings and/or occupancies as approved by the Fire Chief.~~ Unmanned facilities and/or minor buildings and/or occupancies as approved by the Fire Chief.

2. In existing buildings with new occupancies as required by other sections of the Fire Code.

16.05.060. Section 903.3.1.1 amended.

Section 903.3.1.1 is amended to read as follows:

903.3.1.1 NFPA 13 sprinkler systems. In other than Group R buildings that are not over two stories in height, automatic sprinkler systems will be designed and installed in accordance with the NFPA 13, 2019 Edition as amended in Chapter 35 except as provided in Section 903.3.1.1.1 and 903.3.1.1.2.

16.05.070. Section 903.3.1.1.3 added.

Section ~~903.3.1.1.2~~ **903.3.1.1.3** is added to read as follows:

~~**903.3.1.1.2**~~ **903.3.1.1.3 Riser room location.** In structures over three stories in height or served by more than two fire sprinkler risers, a dedicated Fire Sprinkler Riser Room must be provided at an approved location. The riser room must be accessible to emergency personnel from the exterior of the building.

16.05.080. Section 903.3.1.2 amended.

Section 903.3.1.2 is amended to read as follows:

903.3.1.2. NFPA 13R sprinkler systems. Where allowed in buildings of Group R, up to and including two stories in height, automatic sprinkler systems will be installed throughout in accordance with NFPA 13R, 2019 Edition as amended in Chapter 35.

Sec. 16.05.090. Section 903.3.1.2.4 added.

Add Section 903.3.1.2.4 to read as follows:

903.3.1.2.4 Basement spaces. In residential buildings with automatic sprinkler systems designed and installed in accordance with NFPA 13R, basements used for living or storage purposes must be fully sprinklered with residential type heads.

Sec. 16.05.100. Section 903.3.1.3 amended.

Section 903.3.1.3 is amended to read as follows:

903.3.1.3. NFPA 13D sprinkler systems. Where allowed, automatic sprinkler systems will be installed in one- and two-family dwellings will be installed throughout in accordance with NFPA 13D, 2019 Edition as amended in Chapter 35.

Sec. 16.05.110. Section 903.3.1.3.1 added.

Section 903.3.1.3.1 is added to read as follows:

903.3.1.3.1. Detailed requirements. Automatic sprinkler system protection for one and two-family dwellings will be designed and installed in accordance with NFPA 13D, 2016 Edition with the following modifications:

1. A local water flow alarm must be provided for all sprinkler systems.
2. Attics and basements used for storage purposes must be fully sprinklered with residential type heads.
3. Overhead piping must be hydrostatically tested for leakage at 200 psi for two hours and inspected before drywall or insulation installation.
4. A minimum of three spare representative sprinkler heads and installation wrench must be provided at an approved location.

Sec. 16.05.120. Section 903.3.5 amended.

Section 903.3.5 is amended to read as follows:

903.3.5 Water Supplies. Water supplies for automatic sprinkler systems must comply with this section and the standards referenced in section 903.3.1. The potable water

supply must be protected against backflow in accordance with the *Health and Safety Code* and the Monterey Park Municipal Code. Hydraulic calculations for systems designed per NFPA 13, 13D, or 13R will include a ten percent (10%) reduction from the available supply source.

Sec. 16.05.130. Section 903.6 added.

Section 903.6 is added to read as follows:

903.6 Existing Occupancies. An automatic sprinkler system will be installed in existing occupancies as follows:

1. In all commercial and industrial buildings greater than 5000 square feet in area when enlarged by an addition to the existing structure or as required by the Fire Chief.
2. In all commercial and industrial buildings equal to or less than 5000 square feet in area, when enlarged by an addition to the existing structure, exceeds 5000 square feet or as required by the Fire Chief.
3. In all commercial and industrial buildings when an addition to the existing area exceeds fifty percent (50%) within any twelvemonth period.
4. In all residential occupancies when an addition to the existing living area exceeds fifty percent (50%) within any twelvemonth period.
5. As required by the Fire Code due to a change in occupancy.
6. As required by the Fire Code in Chapter 11.

Sec. 16.05.140. Section 907.1.6 added.

Section 907.1.6 is added to read as follows:

907.1.6 Multiple Fire Alarm Systems. Multiple fire alarm systems within single protected premises must be interconnected and must transmit signals as one system.

Sec. 16.05.150. Table 1505.1 amended.

Table 1505.1 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

MINIMUM ROOF COVERING CLASSIFICATIONS

TYPES OF CONSTRUCTION								
IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
A	A	A	A	A	A	A	A	A

Sec. 16.05.160. Section 1505.1.3 amended.

Section 1505.1.3 is amended to read 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, will be a fire-retardant roof covering that is at least Class A.

Sec. 16.05.170. Section 1507.3.1 amended.

Section 1507.3.1 is amended to read as follows:

1507.3.1 Deck requirements. Concrete and clay tile must be installed only over solid sheathing or spaced structural sheathing boards.

Sec. 16.05.180. Section 1613.5 and 1613.5.1 added.

Section 1613.5 and 1613.5.1 are added to read as follows:

1613.5 Amendments to ASCE 7. The provision of Section 1613.5 is permitted as an amendment to the relevant provisions of ASCE 7.

1613.5.1 Values for vertical combinations. Modify ASCE 7 Section 12.2.3.1 Exception 3 as follows:

3. Detached one- and two-family dwellings up to two stories in height of light frame construction.

Sec. 16.05.190 Section 1613.5.2 added.

Section 1613.5.2 is added as follows:

1613.5.-2 Wood Diaphragms. Modify ASCE 7 Section 12.11.2.3 as follows:

12.11.2.2.3 Wood Diaphragms. The anchorage of concrete or masonry structural walls to wood diaphragms must be in accordance with AWC SDPWS 4.1.5.1 and this section. Continuous ties required by this section are in addition to the diaphragm sheathing. Anchorage must not be accomplished by use of toenails or nails subject to withdrawal, nor will wood ledgers or framing be used in cross-grain bending or cross-grain tension. The diaphragm sheathing must not be considered effective for providing the ties or struts required by this section.

For structures assigned to Seismic Design Category D, E or F, wood diaphragms supporting concrete or masonry walls must comply with the following:

1. The spacing of continuous ties is not to exceed 40 feet. Added chords of diaphragms may be used to form subdiaphragms to transmit the anchorage forces to the main continuous crossties.
2. The maximum diaphragm shear used to determine the depth of the subdiaphragm must not exceed 75% of the maximum diaphragm shear.

Sec. 16.05.200 Section 1613.5.3 added.

Section 1613.5.3 is added to read as follows:

1613.5.3 Structural Separation. Modify ASCE 7 Section 12.12.3 Equation 12.12-1 as follows:

$$\delta_M = \frac{C_d \delta_{xe}}{I_E} \quad (12.12-1)$$

Sec. 16.05.210. Section 1613.6 added.

Section 1613.6 is added as follows:

1613.6 Seismic design provisions for hillside buildings.

1613.6.1 Purpose. The purpose of this section is to establish minimum regulations for the design and construction of new buildings and additions to existing buildings when constructing such buildings on or into slopes steeper than one unit vertical in three units horizontal (33.3%). These regulations establish minimum standards for seismic force resistance to reduce the risk of injury or loss of life in the event of earthquakes.

1613.6.2 Scope. The provisions of this section apply to the design of the lateral-force-resisting system for hillside buildings at and below the base level diaphragm. The design of the lateral-force-resisting system above the base level diaphragm must be in accordance with the provisions for seismic and wind design as required elsewhere in this division.

Exception: Non-habitable accessory buildings and decks not supporting or supported from the main building are exempt from these regulations.

1613.6.3 Definitions. For the purposes of this section certain terms are defined as follows:

BASE LEVEL DIAPHRAGM is the floor at, or closest to, the top of the highest level of the foundation.

DIAPHRAGM ANCHORS are assemblies that connect a diaphragm to the adjacent foundation at the uphill diaphragm edge.

DOWNHILL DIRECTION is the descending direction of the slope approximately perpendicular to the slope contours.

FOUNDATION is concrete or masonry which supports a building, including footings, stem walls, retaining walls, and grade beams.

FOUNDATION EXTENDING IN THE DOWNHILL DIRECTION is a foundation running downhill and approximately perpendicular to the uphill foundation.

HILLSIDE BUILDING is any building or portion thereof constructed on or into a slope steeper than one unit vertical in three units horizontal (33.3%). If only a portion of the building is supported on or into the slope, these regulations apply to the entire building.

PRIMARY ANCHORS are diaphragm anchors designed for and providing a direct connection as described in Sections 1613.6.5 and 1613.6.7.3 between the diaphragm and the uphill foundation.

SECONDARY ANCHORS are diaphragm anchors designed for and providing a redundant diaphragm to foundation connection, as described in Sections 1613.6.6 and 1613.6.7.4.

UPHILL DIAPHRAGM EDGE is the edge of the diaphragm adjacent and closest to the highest ground level at the perimeter of the diaphragm.

UPHILL FOUNDATION is the foundation parallel and closest to the uphill diaphragm edge.

1613.6.4 Analysis and design.

1613.6.4.1 General. Every hillside building within the scope of this section must be analyzed, designed, and constructed in accordance with the provisions of this division. When the code-prescribed wind design produces greater effects, the wind design will govern, but detailing requirements and limitations prescribed in this and referenced sections must be followed.

1613.6.4.2 Base level diaphragm-downhill direction. The following provisions apply to the seismic analysis and design of the connections for the base level diaphragm in the downhill direction.

1613.6.4.2.1 Base for lateral force design defined. For seismic forces acting in the downhill direction, the base of the building is the floor at or closest to the top of the highest level of the foundation.

1613.6.4.2.2 Base shear. In developing the base shear for seismic design, the response modification coefficient (R) must not exceed 5 for bearing wall and building frame systems. The total base shear must include the forces tributary to the base level diaphragm including forces from the base level diaphragm.

1613.6.5 Base shear resistance-primary anchors.

1613.6.5.1 General. The base shear in the downhill direction must be resisted through primary anchors from diaphragm struts provided in the base level diaphragm to the foundation.

1613.6.5.2 Location of primary anchors. A primary anchor and diaphragm strut must be provided in line with each foundation extending in the downhill direction. Primary anchors and diaphragm struts must also be provided where interior vertical lateral-force-resisting elements occur above and in contact with the base level diaphragm. The spacing of primary anchors and diaphragm struts or collectors must not exceed 30 feet.

1613.6.5.3 Design of primary anchors and diaphragm struts. Primary anchors and diaphragm struts must be designed in accordance with the requirements of Section 1613.6.8.

1613.6.5.4 Limitations. The following lateral-force-resisting elements must not be designed to resist seismic forces below the base level diaphragm in the downhill direction:

1. Wood structural panel wall sheathing,
2. Cement plaster and lath,
3. Gypsum wallboard, and
4. Tension only braced frames.

1613.6.6 Base shear resistance-secondary anchors.

1613.6.6.1 General. In addition to the primary anchors required by Section 1613.6.5, the base shear in the downhill direction must be resisted through secondary anchors in the uphill foundation connected to diaphragm struts in the base level diaphragm.

Exception: Secondary anchors are not required where foundations extending in the downhill direction spaced at not more than 30 feet on center extend up to and are directly connected to the base level diaphragm for at least 70% of the diaphragm depth.

1613.6.6.2 Secondary anchor capacity and spacing. Secondary anchors at the base level diaphragm must be designed for a minimum force equal to the base shear, including forces tributary to the base level diaphragm, but not less than 600 pounds per lineal foot based on Allowable Stress Design (ASD) levels. The secondary anchors must be uniformly distributed along the uphill diaphragm edge and must be spaced a maximum of 4 feet on center.

1613.6.6.3 Design. Secondary anchors and diaphragm struts must be designed in accordance with Section 1613.6.8.

1613.6.7 Diaphragms below the base level-downhill direction. The following provisions will apply to the lateral analysis and design of the connections for all diaphragms below the base level diaphragm in the downhill direction.

1613.6.7.1 Diaphragm defined. Every floor level below the base level diaphragm must be designed as a diaphragm.

1613.6.7.2 Design force. Each diaphragm below the base level diaphragm must be designed for all tributary loads at that level using a minimum seismic force factor not less than the base shear coefficient.

1613.6.7.3 Design force resistance-primary anchors. The design force described in Section 1613.6.7.2 must be resisted through primary anchors from diaphragm struts provided in each diaphragm to the foundation. Primary anchors must be provided and designed in accordance with the requirements and limitations of Section 1613.6.5.

1613.6.7.4 Design force resistance-secondary anchors.

1613.6.7.4.1 General. In addition to the primary anchors required in Section 1613.6.7.3, the design force in the downhill direction must be resisted through secondary anchors in the uphill foundation connected to diaphragm struts in each diaphragm below the base level.

Exception: Secondary anchors are not required where foundations extending in the downhill direction, spaced at not more than 30 feet on center, extend up to and are directly connected to each diaphragm below the base level for at least 70% of the diaphragm depth.

1613.6.7.4.2 Secondary anchor capacity. Secondary anchors at each diaphragm below the base level diaphragm must be designed for a minimum force equal to the design force but not less than 300 pounds per lineal foot based on Allowable Stress Design (ASD) levels. The secondary anchors must be uniformly distributed along the uphill diaphragm edge and shall be spaced a maximum of 4 feet on center.

1613.6.7.4.3 Design. Secondary anchors and diaphragm struts must be designed in accordance with Section 1613.6.8.

1613.6.8 Primary and secondary anchorage and diaphragm strut design. Primary and secondary anchors and diaphragm struts must be designed in accordance with the following provisions:

- 1. Fasteners.** All bolted fasteners used to develop connections to wood members must be provided with square plate washers at all bolt heads and nuts. Washers must be minimum 0.229 inch by 3 inches by 3 inches in size. Nuts must be tightened to finger tight plus one half (1/2) wrench turn prior to covering the framing.
- 2. Fastening.** The diaphragm to foundation anchorage cannot be accomplished by the use of toenailing, nails subject to withdrawal, or wood in cross-grain bending or cross-grain tension.
- 3. Size of Wood Members.** Wood diaphragm struts, collectors, and other wood members connected to primary anchors must not be less than 3 inch nominal width. The effects of eccentricity on wood members must be evaluated as required per Item 9.

4. Design. Primary and secondary anchorage, including diaphragm struts, splices, and collectors must be designed for 125% of the tributary force.
5. Allowable Stress Increase. The one-third allowable stress increase permitted under Section 1605.3.2 is not permitted when the working (allowable) stress design method is used.
6. Steel Element of Structural Wall Anchorage System. The strength design forces for steel elements of the structural wall anchorage system, with the exception of anchor bolts and reinforcing steel, must be increased by 1.4 times the forces otherwise required.
7. Primary Anchors. The load path for primary anchors and diaphragm struts must be fully developed into the diaphragm and into the foundation. The foundation must be shown to be adequate to resist the concentrated loads from the primary anchors.
8. Secondary Anchors. The load path for secondary anchors and diaphragm struts must be fully developed in the diaphragm but need not be developed beyond the connection to the foundation.
9. Symmetry. All lateral force foundation anchorage and diaphragm strut connections must be symmetrical. Eccentric connections may be permitted when demonstrated by calculation or tests that all components of force have been provided for in the structural analysis or tests.
10. Wood Ledgers. Wood ledgers cannot be used to resist cross-grain bending or cross-grain tension.

1613.6.9 Lateral-force-resisting elements normal to the downhill direction.

1613.6.9.1 General. In the direction normal to the downhill direction, lateral-force-resisting elements must be designed in accordance with the requirements of this section.

1613.6.9.2 Base shear. In developing the base shear for seismic design, the response modification coefficient (R) cannot exceed 5 for bearing wall and building frame systems.

1613.6.9.3 Vertical distribution of seismic forces. For seismic forces acting normal to the downhill direction the distribution of seismic forces over the height of the building using Section 12.8.3 of ASCE 7 must be determined using the height measured from the top of the lowest level of the building foundation.

1613.6.9.4 Drift limitations. The story drift below the base level diaphragm cannot exceed 0.007 times the story height at strength design force level. The total drift from the base level diaphragm to the top of the foundation cannot exceed 3/4 inch. Where the story height or the height from the base level diaphragm to the top of the foundation varies because of a stepped footing or story offset, the height must be measured from the average height of the top of the foundation. The story drift cannot be reduced by the effect of horizontal diaphragm stiffness.

1613.6.9.5 Distribution of lateral forces.

1613.6.9.5.1 General. The design lateral force must be distributed to lateral-force-resisting elements of varying heights in accordance with the stiffness of each individual element.

1613.6.9.5.2 Wood structural panel sheathed walls. The stiffness of a stepped wood structural panel shear wall may be determined by dividing the wall into adjacent rectangular elements, subject to the same top of wall deflection. Deflections of shear walls may be estimated by AWC SDPWS Section 4.3.2. Sheathing and fastening requirements for the stiffest section must be used for the entire wall. Each section of wall must be anchored for shear and uplift at each step. The minimum horizontal length of a step is 8 feet and the maximum vertical height of a step is 2 feet 8 inches.

1613.6.9.5.3 Reinforced concrete or masonry shear walls. Reinforced concrete or masonry shear walls must have forces distributed in proportion to the rigidity of each section of the wall.

1613.6.9.6 Limitations. The following lateral force-resisting-elements cannot be designed to resist lateral forces below the base level diaphragm in the direction normal to the downhill direction:

1. Cement plaster and lath,
2. Gypsum wallboard, and
3. Tension-only braced frames.

Braced frames designed in accordance with the requirements of Section 2205.2.1.2 of this Code may be designed as lateral-force-resisting elements in the direction normal to the downhill direction, provided lateral forces do not induce flexural stresses in any member of the frame. Deflections of frames must account for the variation in slope of diagonal members when the frame is not rectangular.

1613.6.10 Specific design provisions.

1613.6.10.1 Footings and grade beams. All footings and grade beams must comply with the following:

1. Grade beams must extend at least 12 inches below the lowest adjacent grade and provide a minimum 24 inch distance horizontally from the bottom outside face of the grade beam to the face of the descending slope.
2. Continuous footings must be reinforced with at least two No. 4 reinforcing bars at the top and two No. 4 reinforcing bars at the bottom.
3. All main footing and grade beam reinforcement steel must be bent into the intersecting footing and fully developed around each corner and intersection.
4. All concrete stem walls must extend from the foundation and reinforced as required for concrete or masonry walls.

1613.6.10.2 Protection against decay and termites. All wood to earth separation must comply with the following:

1. Where a footing or grade beam extends across a descending slope, the stem wall, grade beam, or footing must extend up to a minimum 18 inches above the highest adjacent grade.

Exception: At paved garage and doorway entrances to the building, the stem wall need only extend to the finished concrete slab, provided the wood framing is protected with a moisture proof barrier.

2. Wood ledgers supporting a vertical load of more than 100 pounds per lineal foot based on Allowable Stress Design (ASD) levels and located within 48 inches of adjacent grade are prohibited. Galvanized steel ledgers and anchor bolts, with or without wood nailers, or treated or decay resistant sill plates supported on a concrete or masonry seat, may be used.

1613.6.10.3 Sill plates. All sill plates and anchorage must comply with the following:

1. All wood framed walls, including nonbearing walls, when resting on a footing, foundation, or grade beam stem wall, must be supported on wood sill plates bearing on a level surface.
2. Power-driven fasteners cannot be used to anchor sill plates except at interior nonbearing walls not designed as shear walls.

1613.6.10.4 Column base plate anchorage. The base of isolated wood posts (not framed into a stud wall) supporting a vertical load of 4,000 pounds based on Allowable Stress Design (ASD) levels or more and the base plate for a steel column must comply with the following:

1. When the post or column is supported on a pedestal extending above the top of a footing or grade beam, the pedestal must be designed and reinforced as required for concrete or masonry columns. The pedestal must be reinforced with a minimum of four No. 4 bars extending to the bottom of the footing or grade beam. The top of exterior pedestals must be sloped for positive drainage.
2. The base plate anchor bolts or the embedded portion of the post base, and the vertical reinforcing bars for the pedestal, must be confined with two No. 4 or three No. 3 ties within the top 5 inches of the concrete or masonry pedestal. The base plate anchor bolts must be embedded a minimum of 20 bolt diameters into the concrete or masonry pedestal. The base plate anchor bolts and post bases must be galvanized and each anchor bolt must have at least 2 galvanized nuts above the base plate.

1613.6.10.5 Steel beam to column supports. All steel beams to column supports must be positively braced in each direction. Steel beams must have stiffener plates installed on each side of the beam web at the column. The stiffener plates must be welded to each

beam flange and the beam web. Each brace connection or structural member must consist of at least two 5/8 inch diameter machine bolts.

Sec. 16.05.220. Section 1613.7 added.

Section 1613.7 is added as follows:

1613.7 Suspended ceilings. Minimum design and installation standards for suspended ceilings must be determined in accordance with the requirements of Section 2506.2.1 of this Code and this section.

1613.7.1 Scope. This part contains special requirements for suspended ceilings and lighting systems. Provisions of Section 13.5.6 of ASCE 7 will apply except as modified herein.

1613.7.2 General. The suspended ceilings and lighting systems must be limited to 6 feet below the structural deck unless the lateral bracing is designed by a licensed engineer or architect.

1613.7.3 Sprinkler heads. All sprinkler heads (drops) except fire-resistance-rated floor/ceiling or roof/ceiling assemblies, must be designed to allow for free movement of the sprinkler pipes with oversize rings, sleeves or adaptors through the ceiling tile. Sprinkler heads and other penetrations must have a 2 inch oversize ring, sleeve, or adapter through the ceiling tile to allow for free movement of at least 1 inch in all horizontal directions. Alternatively, a swing joint that can accommodate 1 inch of ceiling movement in all horizontal directions is permitted to be provided at the top of the sprinkler head extension.

Sprinkler heads penetrating fire-resistance-rated floor/ceiling or roof/ceiling assemblies must comply with Section 714 of this Code.

1613.7.4 Special requirements for means of egress. Suspended ceiling assemblies located along means of egress serving an occupant load of 30 or more must comply with the following provisions.

1613.7.4.1 General. Ceiling suspension systems must be connected and braced with vertical hangers attached directly to the structural deck along the means of egress serving an occupant load of 30 or more and at lobbies accessory to Group A Occupancies. Spacing of vertical hangers must not exceed 2 feet on center along the entire length of the suspended ceiling assembly located along the means of egress or at the lobby.

1613.7.4.2 Assembly device. All lay-in panels must be secured to the suspension ceiling assembly with two hold-down clips minimum for each tile within a 4-foot radius of the exit lights and exit signs.

1613.7.4.3 Emergency systems. Independent supports and braces must be provided for light fixtures required for exit illumination. Power supply for exit illumination must comply with the requirements of Section 1008.3 of this Code.

1613.7.4.4 Supports for appendage. Separate support from the structural deck must be provided for all appendages such as light fixtures, air diffusers, exit signs, and similar elements.

Sec. 16.05.230. Section 1704.6 amended.

Section 1704.6 is amended as follows:

1704.6 Structural observations. Where required by the provisions of Section 1704.6.1, 1704.6.2 or 1704.6.3, the owner or the owner's authorized agent must employ a ~~registered design professional~~ structural observer to perform structural observations. Structural observation does not include or waive the responsibility for the inspections in Section 110 or the special inspections in Section 1705 or other sections of this code. The structural observer must be one of the following individuals:

1. The registered design professional responsible for the structural design, or
2. A registered design professional designated by the registered design professional responsible for the structural design.

Prior to the commencement of observations, the structural observer must submit to the building official a written statement identifying the frequency and extent of structural observations.

~~At the conclusion of the work included in the permit, the structural observer shall submit to the building official a written statement that the site visits have been made and identify any reported deficiencies that, to the best of the structural observer's knowledge, have not been resolved.~~

The owner or owner's authorized agent must coordinate and call a preconstruction meeting between the structural observer, contractors, affected subcontractors and special inspectors. The structural observer must preside over the meeting. The purpose of the meeting is to identify the major structural elements and connections that affect the vertical and lateral load resisting systems of the structure and to review scheduling of the required observations. A record of the meeting must be included in the report submitted to the building official.

Observed deficiencies must be reported in writing to the owner or owner's authorized agent, special inspector, contractor and the building official. Upon the form prescribed by the building official, the structural observer must submit to the building official a written statement at each significant construction stage stating that the site visits have been made and identifying any reported deficiencies which, to the best of the structural observer's knowledge, have not been resolved. A final report by the structural observer which states that all observed deficiencies have been resolved is required before acceptance of the work by the building official.

Sec. 16.05.240. Section 1704.6.2 amended.

Section 1704.6.2 is amended as follows:

1704.6.2 Structural observations for seismic resistance. Structural observations must be provided for those structures assigned to Seismic Design Category D, E or F where one or more of the following conditions exist:

1. The structure is classified as Risk Category III or IV.
2. The structure ~~is assigned to Seismic Design Category E,~~ is classified as Risk Category I or II, and is greater than two stories above the grade plane a lateral design is required for the structure or portion thereof.

Exception: One-story wood framed Group R-3 and Group U Occupancies less than 2,000 square feet in area, provided the adjacent grade is not steeper than 1 unit vertical in 10 units horizontal (10% sloped), assigned to Seismic Design Category D.

Sec. 16.05.250. Section 1705.3 amended.

Section 1705.3 is amended as follows:

1705.3 Concrete Construction. The special inspections and tests for concrete construction must be performed in accordance with this section and Table 1705.3.

Exceptions: Special inspections and tests are not required for:

1. Isolated spread concrete footings of buildings three stories or less above grade plane that are fully supported on earth or rock, where the structural design of the footing is based on a specified compressive strength, f'_c , no greater than 2,500 pounds per square inch (psi) regardless of the compressive strength specified in the construction documents or used in the footing construction.
2. Continuous concrete footings supporting walls of buildings three stories or less above grade plane that are fully supported on earth or rock where:
 - 2.1 The footings support walls of light-frame construction;
 - 2.2 The footings are designed in accordance with Table 1809.7; or
 - 2.3 The structural design of the footing is based on a specified compressive strength, f'_c , no greater than 2,500 pounds per square inch (psi), regardless of the compressive strength specified in the construction documents or used in the footing construction.
3. Nonstructural concrete slabs supported directly on the ground, including prestressed slabs on grade, where the effective prestress in the concrete is less than 150 psi.
- ~~4. Concrete foundation walls constructed in accordance with Table 1807.1.6.2.~~
54. Concrete patios, driveways and sidewalks, on grade.

Sec. 16.05.260. Exception 3 of Section 1705.12 amended.

Exception 3 of Section 1705.12 is amended as follows:

3. The structure is a detached one- or two-family dwelling not exceeding two stories above grade plane, is not assigned to Seismic Design Category D, E or F and does not have any of the following horizontal or vertical irregularities in accordance with Section 12.3 of ASCE 7:

Sec. 16.05.270. Section 1807.1.4 amended.

Section 1807.1.4 is amended as follows:

1807.1.4 Permanent wood foundation systems. Permanent wood foundation systems must be designed and installed in accordance with AWC PWF. Lumber and plywood must be treated in accordance with AWPA U1 (Commodity Specification A, Use Category 4B and Section 5.2) and must be identified in accordance with Section 2303.1.9.1. Permanent wood foundation systems must not be used for structures assigned to Seismic Design Category D, E or F.

Sec. 16.05.280. Section 1807.1.6 amended.

Section 1807.1.6 is amended as follows:

1807.1.6 Prescriptive design of concrete and masonry foundation walls. Concrete and masonry foundation walls that are laterally supported at the top and bottom is permitted to be designed and constructed in accordance with this section. Prescriptive design of foundation walls cannot to be used for structures assigned to Seismic Design Category D, E or F.

Sec. 16.05.290. Section 1807.2 amended.

Section 1807.2 is amended as follows:

1807.2 Retaining walls. Retaining walls must be designed in accordance with Section 1807.2.1 through 1807.2.3. Retaining walls assigned to Seismic Design Category D, E or F cannot be partially or wholly constructed of wood.

Sec. 16.05.300. Section 1807.3.1 amended.

Section 1807.3.1 is amended as follows:

1807.3.1 Limitations. The design procedures outlined in this section are subject to the following limitations:

1. The frictional resistance for structural walls and slabs on silts and clays is limited to one-half of the normal force imposed on the soils by the weight of the footing or slab.

2. Posts embedded in earth cannot be used to provide lateral support for structural or nonstructural materials such as plaster, masonry or concrete unless bracing is provided that develops the limited deflection required.

Wood poles must be treated in accordance with AWP A U1 for sawn timber posts (Commodity Specification A, Use Category 4B) and for round timber posts (Commodity Specification B, Use Category 4B). Wood poles and posts embedded in direct contact with soil cannot be used for structures assigned to Seismic Design Category D, E or F.

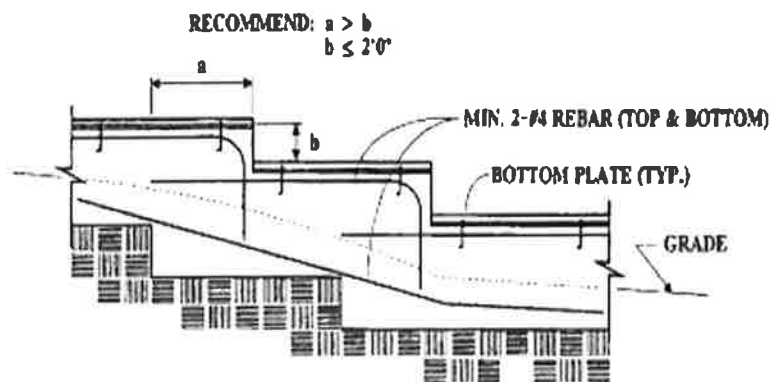
Exception: Wood poles and posts embedded in direct contact with soil may be used to support nonhabitable, nonoccupiable structures such as fences when approved by the building official.

Sec. 16.05.310. Section 1809.3 amended.

Section 1809.3 is amended as follows:

1809.3 Stepped footings. The top surface of footings must be level. The bottom surface of footings must be permitted to have a slope not exceeding one unit vertical in 10 units horizontal (10-percent slope). Footings must be stepped where it is necessary to change the elevation of the top surface of the footing or where the surface of the ground slopes more than one unit vertical in 10 units horizontal (10-percent slope).

For structures assigned to Seismic Design Category D, E or F, the stepping requirement will also apply to the top surface of grade beams supporting walls. Footings must be reinforced with four No. 4 bars. Two bars must be placed at the top and bottom of the footings as shown in Figure 1809.3.



STEPPED FOUNDATIONS

**FIGURE 1809.3
STEPPED FOOTING**

Sec. 16.05.320. Section 1809.7 and Table 1809.7 amended.

Section 1809.7 and Table 1809.7 is amended as follows:

1809.7 Prescriptive footings for light-frame construction. Where a specific design is not provided, concrete or masonry-unit footings supporting walls of light-frame construction is permitted to be designed in accordance with Table 1809.7. Light-frame construction using prescriptive footings in Table 1809.7 cannot exceed one story above grade plane for structures assigned to Seismic Design Category D, E or F.

TABLE 1809.7
PREScriptive FOOTINGS SUPPORTING WALLS OF
LIGHT-FRAME CONSTRUCTION ^{a, b, c, d, e}

NUMBER OF FLOORS SUPPORTED BY THE FOOTING ^f	WIDTH OF FOOTING (inches)	THICKNESS OF FOOTING (inches)
1	12	6
2	15	6
3	18	8 ^g

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm

- Depth of footings shall be in accordance with Section 1809.4.
- The ground under the floor shall be permitted to be excavated to the elevation of the top of the footing.
- ~~Interior stud bearing walls shall be permitted to be supported by isolated footings. The footing width and length shall be twice the width shown in this table, and footings shall be spaced not more than 6 feet on center. Not Adopted.~~
- See Section 1908 for additional requirements for concrete footings of structures assigned to Seismic Design Category C, D, E or F.
- For thickness of foundation walls, see Section 1807.1.6.
- Footings shall be permitted to support a roof addition to the stipulated number of floors. Footings supporting roof only shall be as required for supporting one floor.
- ~~Plain concrete footings for Group R-3 occupancies shall be permitted to be 6 inches thick.~~

Sec. 16.05.330. Section 1809.12 amended.

Section 1809.12 is amended as follows:

1809.12 Timber footings. Timber footings is permitted for buildings of Type V construction and as otherwise approved by the Building Official. Such footings must be treated in accordance with AWP A U1 (Commodity Specification A, Use Category 4B). Treated timbers are not required where placed entirely below permanent water level, or where used as capping for wood piles that project above the water level over submerged or marsh lands. The compressive stresses perpendicular to grain in untreated timber footing supported upon treated piles is not to exceed 70 percent of the allowable stresses for the species and grade of timber as specified in the ANSI/AWC NDS. Timber footings cannot be used in structures assigned to Seismic Design Category D, E or F.

Sec. 16.05.340. Section 1810.3.2.4 amended.

Section 1810.3.2.4 is amended as follows:

1810.3.2.4 Timber. Timber deep foundation elements must be designed as piles or poles in accordance with ANSI/AWC_NDS. Round timber elements must conform to ASTM D 25. Sawn timber elements must conform to DOC PS-20. Timber deep foundation elements cannot be used in structures assigned to Seismic Design Category D, E or F.

Sec. 16.05.350. Section 1905.1.7 amended.

Section 1905.1.7 is amended as follows:

1905.1.7 ACI 318, Section 14.1.4. Delete ACI 318, Section 14.1.4, and replace with the following:

14.1.4 – Plain concrete in structures assigned to Seismic Design Category C, D, E or F.

14.1.4.1 – Structures assigned to Seismic Design Category C, D, E or F cannot have elements of structural plain concrete, except as follows:

1.1. ~~Structural plain concrete basement, foundation or other walls below the base as defined in ASCE 7 are permitted in detached one- and two-family dwellings three stories or less in height constructed with stud-bearing walls. In dwellings assigned to Seismic Design Category D or E, the height of the wall may not exceed 8 feet (2438 mm), the thickness may not be less than 7½ inches (190 mm), and the wall shall retain no more than 4 feet (1219 mm) of unbalanced fill. Walls must have reinforcement in accordance with 14.6.1. Concrete used for fill with a minimum cement content of two (2) sacks of Portland cement or cementitious material per cubic yard.~~

1.2. Isolated footings of plain concrete supporting pedestals or columns are permitted, provided the projection of the footing beyond the face of the supported member does not exceed the footing thickness.

~~Exception: In detached one- and two-family dwellings three stories or less in height, the projection of the footing beyond the face of the supported member is permitted to exceed the footing thickness.~~

1.3. Plain concrete footings supporting walls are permitted provided the footings have at least two continuous longitudinal reinforcing bars. Bars must not be smaller than No. 4 and have a total area of not less than 0.002 times the gross cross-sectional area of the footing. ~~For footings that exceed 8 inches (203 mm) in thickness, a~~ minimum of one bar must be provided at the top and bottom of the footing. Continuity of reinforcement must be provided at corners and intersections.

Exceptions:

1. ~~In Seismic Design Categories A, B and C, Detached one- and two-family dwellings three stories or less in height and constructed with stud-bearing walls, are permitted to have plain concrete footings without longitudinal reinforcement~~ with at least two continuous longitudinal reinforcing bars not smaller than No. 4 are permitted to have a total area of less than 0.002 times the gross cross-sectional area of the footing.
2. ~~For foundation systems consisting of a plain concrete footing and a plain concrete stemwall, a minimum of one bar must be provided at the top of the stemwall and at the bottom of the are footing.~~
3. ~~Where a slab on ground is cast monolithically with the footing, one No. 5 bar is permitted to be located at either the top of the slab or bottom of the footing.~~

Sec. 16.05.360. Section 1905.1 amended and Sections 1905.1.9 through 1905.1.11 added.

Section 1905.1 is amended and Sections 1905.1.9 through 1905.1.11 are added to read as follows:

1905.1 General. The text of ACI 318 will be modified as indicated in Sections 1905.1.1 through ~~1908.1.8~~ 1905.1.11.

1905.1.9 ACI 318, Section 18.7.5. Modify ACI 318, Section 18.7.5, by adding Section 18.7.5.7 and 18.7.5.8 as follows:

18.7.5.7 Where the calculated point of contraflexure is not within the middle half of the member clear height, provide transverse reinforcement as specified in ACI 318 Sections 18.7.5.1, Items (a) through (c), over the full height of the member.

18.7.5.8 – At any section where the design strength, ϕP_n , of the column is less than the sum of the shears V_e computed in accordance with ACI 318 Sections 18.7.6.1 and 18.6.5.1 for all the beams framing into the column above the level under consideration, transverse reinforcement as specified in ACI 318 Sections 18.7.5.1 through 18.7.5.3 must be provided. For beams framing into opposite sides of the column, the moment components are permitted to be assumed to be of opposite sign. For the determination of the design strength, ϕP_n , of the column, these moments are permitted to be assumed to result from the deformation of the frame in any one principal axis.

1905.1.10 ACI 318, Section 18.10.4. Modify ACI 318, Section 18.10.4, by adding Section 18.10.4.6 as follows:

18.10.4.6 – Walls and portions of walls with $P_u > 0.35P_o$ cannot be considered to contribute to the calculated shear strength of the structure for resisting earthquake-induced forces. Such walls must conform to the requirements of ACI 318 Section 18.14.

1905.1.11 ACI 318, Section 18.12.6. Modify ACI 318, by adding Section 18.12.6.2 as follows:

18.12.6.2 Collector and boundary elements in topping slabs placed over precast floor and roof elements must not be less than 3 inches (76 mm) or $6 d_b$ in thickness, where d_b is the diameter of the largest reinforcement in the topping slab.

Sec. 16.05.370. Section 2304.10.1 amended.

Section 2304.10.1 is amended as follows:

2304.10.1 Fastener requirements. Connections for wood members must be designed in accordance with the appropriate methodology in Section 2301.2. The number and size of fasteners connecting wood members cannot be less than that set forth in Table 2304.10.1. Staple fasteners in Table 2304.10.1 cannot be used to resist or transfer seismic forces in structures assigned to Seismic Design Category D, E or F.

Exception: Staples may be used to resist or transfer seismic forces when the allowable shear values are substantiated by cyclic testing and approved by the Building Official.

Sec. 16.05.380. Section 2304.10.2.1 added.

Section 2304.10.2.1 is added to read follows:

2304.10.2.1 Quality of nails. In Seismic Design Category D, E or F, mechanically driven nails used in wood structural panel shear walls must meet the same dimensions as that required for hand-driven nails, including diameter, minimum length and minimum head diameter. Clipped head or box nails are not permitted in new construction. The allowable design value for clipped head nails in existing construction may be taken at no more than the nail-head-area ratio of that of the same size hand-driven nails.

Sec. 16.05.390. Section 2304.12.5 amended.

Section 2304.12.5 is amended as follows:

2304.12.5 Wood used in retaining walls and cribs. Wood installed in retaining or crib walls must be preservative treated in accordance with AWPA U1 for soil and fresh water use. Wood cannot be used in retaining or crib walls for structures assigned to Seismic Design Category D, E or F.

Sec. 16.05.400. Section 2305.4 added.

Section 2305.4 is added as follows:

2305.4 Hold-down connectors. In Seismic Design Category D, E or F, hold-down connectors must be designed to resist shear wall overturning moments using approved cyclic load values or 75 percent of the allowable seismic load values that do not consider cyclic loading of the product. Connector bolts into wood framing require steel plate washers on the post on the opposite side of the anchorage device. Plate size must be a minimum of 0.229 inch by 3 inches by 3 inches in size. Hold-down connectors must be tightened to finger tight plus one half (1/2) wrench turn just before covering the wall framing.

Sec. 16.05.410. Section 2306.2 amended.

Section 2306.2 is amended to read as follows:

2306.2 Wood-frame diaphragms. Wood-frame diaphragms must be designed and constructed in accordance with AWC SDPWS. Where panels are fastened to framing members with staples, requirements and limitations of AWC SDPWS must be met and the allowable shear values set forth in Table 2306.2(1) or 2306.2(2) will only be permitted for structures assigned to Seismic Design Category A, B, or C.

Exception: Allowable shear values where panels are fastened to framing members with staples may be used if such values are substantiated by cyclic testing and approved by the Building Official.

The allowable shear values in Tables 2306.2(1) and 2306.2(2) are permitted to be increased 40 percent for wind design.

Wood structural panel diaphragms used to resist seismic forces in structures assigned to Seismic Design Category D, E or F must be applied directly to the framing members.

Exception: Wood structural panel diaphragms are permitted to be fastened over solid lumber planking or laminated decking, provided the panel joints and lumber planking or laminated decking joints do not coincide.

Sec. 16.05.420. Section 2306.3 amended.

Section 2306.3 is amended to read as follows:

2306.3 Wood-frame shear walls. Wood-frame shear walls must be designed and constructed in accordance with AWC SDPWS. For structures assigned to Seismic Design Category D, E, or F, application of Tables 4.3A and 4.3B of AWC SDPWS must include the following:

1. Wood structural panel thickness for shear walls cannot be less than 3/8 inch thick and studs cannot be spaced at more than 16 inches on center.
2. The maximum nominal unit shear capacities for 3/8 inch wood structural panels resisting seismic forces in structures assigned to Seismic Design Category D, E or F is 400 pounds per linear foot (plf).

Exception: Other nominal unit shear capacities may be permitted if such values are substantiated by cyclic testing and approved by the Building Official.

3. Nails must be placed not less than 1/2 inch in from the panel edges and not less than 3/8 inch from the edge of the connecting members for shear greater than 350 plf using ASD or 500 plf using LRFD. Nails must be placed not less than 3/8 inch from panel edges and not less than 1/4 inch from the edge of the connecting members for shears of 350 plf or less using ASD or 500 plf or less using LRFD.
4. Table 4.3B application is not allowed for structures assigned to Seismic Design Category D, E, or F.

For structures assigned to Seismic Design Category D, application of Table 4.3C of AWC SDPWS cannot be used below the top level in a multi-level building.

Where panels are fastened to framing members with staples, requirements and limitations of AWC SDPWS must be met and the allowable shear values set forth in Table 2306.3(1), 2306.3(2) or 2306.3(3) are only permitted for structures assigned to Seismic Design Category A, B, or C.

Exception: Allowable shear values where panels are fastened to framing members with staples may be used if such values are substantiated by cyclic testing and approved by the Building Official.

The allowable shear values in Tables 2306.3(1) and 2306.3(2) are permitted to be increased 40 percent for wind design. Panels complying with ANSI/APA PRP-210 must be permitted to use design values for Plywood Siding in the AWC SDPWS.

Sec. 16.05.430. Section 2307.2 added.

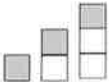
Section 2307.2 is added to read as follows:

2307.2 Wood-frame shear walls. Wood-frame shear walls must be designed and constructed in accordance with Section 2306.3 as applicable.

Sec. 16.05.440. Table 2308.6.1 amended.

Table 2308.6.1 is amended to read as follows:

TABLE 2308.6.1^a
WALL BRACING REQUIREMENTS

SEISMIC DESIGN CATEGORY	STORY CONDITION (SEE SECTION 2308.2)	MAXIMUM SPACING OF BRACED WALL LINES	BRACED PANEL LOCATION, SPACING (O.C.) AND MINIMUM PERCENTAGE (X)			MAXIMUM DISTANCE OF BRACED WALL PANELS FROM EACH END OF BRACED WALL LINE
			Bracing method ^b			
			LIB	DWB, WSP	SFB, PBS, PCP, HPS, GB ^{c, d}	
A and B		35'- 0"	Each end and ≤ 25'- 0" o.c.	Each end and ≤ 25'- 0" o.c.	Each end and ≤ 25'- 0" o.c.	12'- 6"
		35'- 0"	Each end and ≤ 25'- 0" o.c.	Each end and ≤ 25'- 0" o.c.	Each end and ≤ 25'- 0" o.c.	12'- 6"
		35'- 0"	NP	Each end and ≤ 25'- 0" o.c.	Each end and ≤ 25'- 0" o.c.	12'- 6"
C		35'- 0"	NP	Each end and ≤ 25'- 0" o.c.	Each end and ≤ 25'- 0" o.c.	12'- 6"
		35'- 0"	NP	Each end and ≤ 25'- 0" o.c. (minimum 25% of wall length) ^e	Each end and ≤ 25'- 0" o.c. (minimum 25% of wall length) ^e	12'- 6"
D and E ^{f, g, h}		25'- 0"	NP	$S_{DS} < 0.50$: Each end and ≤ 25'- 0" o.c. (minimum 21% of wall length) ^e	$S_{DS} < 0.50$: Each end and ≤ 25'- 0" o.c. (minimum 43% of wall length) ^e	8'- 0"
				$0.5 \leq S_{DS} < 0.75$: Each end and ≤ 25'- 0" o.c. (minimum 32% of wall length) ^e	$0.5 \leq S_{DS} < 0.75$: Each end and ≤ 25'- 0" o.c. (minimum 59% of wall length) ^e	
				$0.75 \leq S_{DS} \leq 1.00$: Each end and ≤ 25'- 0" o.c. (minimum 37% of wall length) ^e	$0.75 \leq S_{DS} \leq 1.00$: Each end and ≤ 25'- 0" o.c. (minimum 75% of wall length)	
				$S_{DS} > 1.00$: Each end and ≤ 25'- 0" o.c. (minimum 48% of wall length) ^e	$S_{DS} > 1.00$: Each end and ≤ 25'- 0" o.c. (minimum 100% of wall length) ^e	

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

NP = Not Permitted.

a. This table specifies minimum requirements for braced wall panels along interior or exterior braced wall lines.

b. See Section 2308.6.3 for full description of bracing methods.

c. For Method GB, gypsum wallboard applied to framing supports that are spaced at 16 inches on center.

d. The required lengths shall be doubled for gypsum board applied to only one face of a braced wall panel.

e. Percentage shown represents the minimum amount of bracing required along the building length (or wall length if the structure has an irregular shape).

f. DWB, SFB, PBS, and HPS wall braces are not permitted in Seismic Design Categories D or E.

g. Minimum length of panel bracing of one face of the wall for WSP sheathing shall be at least 4'-0" long or both faces of the wall for GB or PCP sheathing shall be at least 8'-0" long; h/v ratio shall not exceed 2:1. Wall framing to which sheathing used for bracing is applied shall be nominal 2 inch wide (actual 1 1/2 inch (38 mm) or larger members and spaced a maximum of 16 inches on center. Braced wall panel construction types shall not be mixed within a braced wall line.

h. WSP sheathing shall be a minimum of 15/32" thick nailed with 8d common placed 3/8 inches from panel edges and spaced not more than 6 inches on center and 12 inches on center along intermediate framing members.

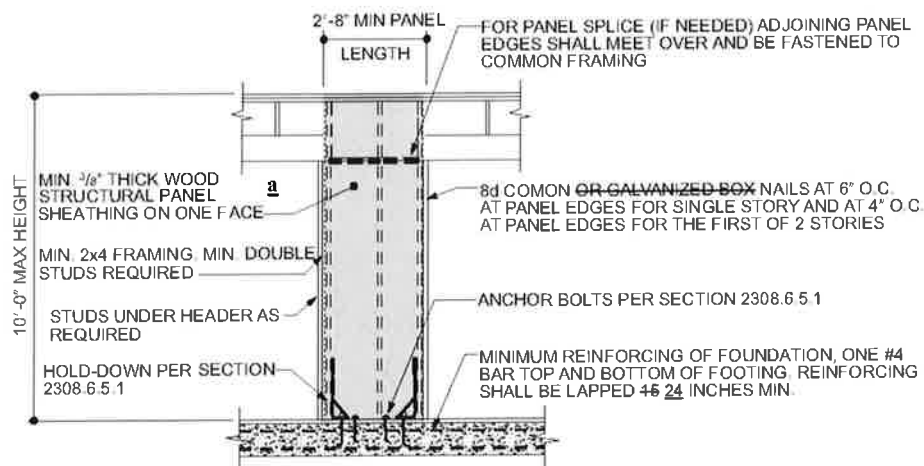
Sec. 16.05.450. Section 2308.6.5, 2308.6.5.1 and 2308.6.5.2 and Figure 2308.6.5.1 and Figure 2308.6.5.2 amended.

Section 2308.6.5, 2308.6.5.1 and 2308.6.5.2 and Figure 2308.6.5.1 and Figure 2308.6.5.2 are amended to read as follows:

2308.6.5 Alternative bracing. An alternate braced wall (ABW) or a portal frame with hold-downs (PFH) described in this section is permitted to substitute for a 48-inch braced wall panel of Method DWB, WSP, SFB, PBS, PCP or HPS. For Method GB, each 96-inch section (applied to one face) or 48-inch section (applied to both faces) or portion thereof required by Table 2308.6.1 is permitted to be replaced by one panel constructed in accordance with Method ABW or PFH.

2308.6.5.1 Alternate braced wall (ABW). An ABW must be constructed in accordance with this section and Figure 2308.6.5.1. In one-story buildings, each panel must have a length of not less than 2 feet 8 inches and a height of not more than 10 feet. Each panel must be sheathed on one face with 3/8-inch minimum-thickness wood structural panel sheathing nailed with 8d common or galvanized box nails in accordance with Table 2304.10.1 and blocked at wood structural panel edges. For structures assigned to Seismic Design Category D or E, each panel must be sheathed on one face with 15/32-inch-minimum-thickness wood structural panel sheathing nailed with 8d common nails spaced 3 inches on panel edges, 3 inches at intermediate supports. Two anchor bolts installed in accordance with Section 2308.3.1 must be provided in each panel. Anchor bolts must be placed at each panel outside quarter points. Each panel end stud must have a hold-down device fastened to the foundation, capable of providing an approved uplift capacity of not less than 1,800 pounds. The hold-down device must be installed in accordance with the manufacturer's recommendations. The ABW must be supported directly on a foundation or on floor framing supported directly on a foundation that is continuous across the entire length of the braced wall line. This foundation must be reinforced with not less than one No. 4 bar top and bottom. Where the continuous foundation is required to have a depth greater than 12 inches, a minimum 12-inch by 12-inch continuous footing ~~or turned-down slab edge~~ is permitted at door openings in the braced wall line. This continuous footing ~~or turned-down slab edge~~ must be reinforced with not less than one No. 4 bar top and bottom. This reinforcement must be lapped ~~45~~ 24 inches with the reinforcement required in the continuous foundation located directly under the braced wall line.

Where the ABW is installed at the first story of two-story buildings, the wood structural panel sheathing must be provided on both faces, three anchor bolts must be placed at one-quarter points and tie-down device uplift capacity must be not less than 3,000 pounds.



For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

a. For structures assigned to Seismic Design Category D or E, sheathed on one face with 15/32-inch-minimum-thickness (11.9 mm) wood structural panel sheathing.

**FIGURE 2308.6.5.1
ALTERNATE BRACED WALL PANEL (ABW)**

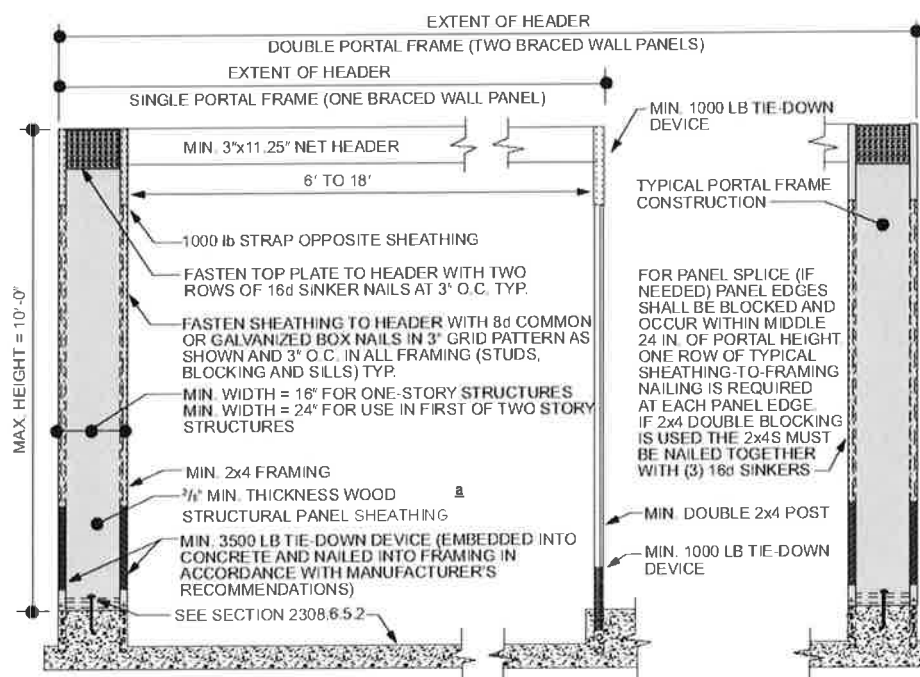
2308.6.5.2 Portal frame with hold-downs (PFH). A PFH must be constructed in accordance with this section and Figure 2308.6.5.2. The adjacent door or window opening must have a full-length header.

In one-story buildings, each panel must have a length of not less than 16 inches and a height of not more than 10 feet. Each panel must be sheathed on one face with a single layer of 3/8-inch minimum-thickness wood structural panel sheathing nailed with 8d common or galvanized box nails in accordance with Figure 2308.6.5.2. For structures assigned to Seismic Design Category D or E, each panel must be sheathed on one face with 15/32-inch-minimum-thickness wood structural panel sheathing nailed with 8d common nails spaced 3 inches on panel edges, 3 inches at intermediate supports and in accordance with Figure 2308.6.5.2. The wood structural panel sheathing must extend up over the solid sawn or glued-laminated header and must be nailed in accordance with Figure 2308.6.5.2. A built-up header consisting of at least two 2-inch by 12-inch boards, fastened in accordance with Item 24 of Table 2304.10.1 must be permitted to be used. A spacer, if used, must be placed on the side of the built-up beam opposite the wood structural panel sheathing. The header must extend between the inside faces of the first full-length outer studs of each panel. The clear span of the header between the inner studs of each panel must be not less than 6 feet and not more than 18 feet in length. A strap with an uplift capacity of not less than 1,000 pounds must fasten the header to the inner studs opposite the sheathing. One anchor bolt not less than 5/8 inch diameter and installed in accordance with Section 2308.3.1 must be provided in the center of each sill plate. The studs at each end of the panel must have a hold-down device fastened to the foundation with an uplift capacity of not less than 3,500 pounds.

Where a panel is located on one side of the opening, the header must extend between the inside face of the first full-length stud of the panel and the bearing studs at the other end of the opening. A strap with an uplift capacity of not less than 1,000 pounds must fasten the header to the bearing studs. The bearing studs must also have a hold-down device fastened to the foundation with an uplift capacity of not less than 1,000 pounds. The hold-down devices must be an embedded strap type, installed in accordance with

the manufacturer's recommendations. The PFH panels must be supported directly on a foundation that is continuous across the entire length of the braced wall line. This foundation must be reinforced with not less than one No. 4 bar top and bottom. Where the continuous foundation is required to have a depth greater than 12 inches, a minimum 12-inch by 12-inch continuous footing ~~or turned-down slab edge~~ is permitted at door openings in the braced wall line. This continuous footing ~~or turned-down slab edge~~ must be reinforced with not less than one No. 4 bar top and bottom. This reinforcement must be lapped not less than ~~45~~ 24 inches with the reinforcement required in the continuous foundation located directly under the braced wall line.

Where a PFH is installed at the first story of two-story buildings, each panel must have a length of not less than 24 inches.



For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm, 1 pound = 4.448 N.

a. For structures assigned to Seismic Design Category D or E, sheathed on one face with 15/32-inch-minimum-thickness (11.9 mm) wood structural panel sheathing.

FIGURE 2308.6.5.2
PORTAL FRAME WITH HOLD-DOWNS (PFH)

Sec. 16.05.460. Section 2308.6.8.1 amended.

Section 2308.6.8.1 is amended to read as follows:

2308.6.8.1 Foundation requirements. Braced wall lines must be supported by continuous foundations.

Exception: For structures with a maximum plan dimension not more than 50 feet, continuous foundations are required at exterior walls only for structures assigned to Seismic Design Category A, B, or C.

For structures in Seismic Design Categories D and E, exterior braced wall panels must be in the same plane vertically with the foundation or the portion of the structure containing the offset must be designed in accordance with accepted engineering practice and Section 2308.1.1.

Exceptions:

1. ~~Exterior braced wall panels must be permitted to be located not more than 4 feet (1219 mm) from the foundation below where supported by a floor constructed in accordance with all of the following:~~
 - 1.1. ~~Cantilevers or setbacks may not exceed four times the nominal depth of the floor joists.~~
 - 1.2. ~~Floor joists must be 2 inches by 10 inches or larger and spaced not more than 16 inches on center.~~
 - 1.3. ~~The ratio of the back span to the cantilever must be not less than 2 to 1.~~
 - 1.4. ~~Floor joists at ends of braced wall panels must be doubled.~~
 - 1.5. ~~A continuous rim joist must be connected to the ends of cantilevered joists. The rim joist is permitted to be spliced using a metal tie not less than 0.058 inch (16 galvanized gage) and 1 1/2 inches in width fastened with six 16d common nails on each side. The metal tie must have a yield stress not less than 33,000 psi.~~
 - 1.6. ~~Joists at setbacks or the end of cantilevered joists may not carry gravity loads from more than a single story having uniform wall and roof loads nor carry the reactions from headers having a span of 8 feet or more.~~
 - 1.7. ~~The end of a required braced wall panel must be allowed to extend not more than 1 foot over an opening in the wall below. This requirement is applicable to braced wall panels offset in plane and braced wall panels offset out of plane as permitted by Exception 1. Braced wall panels are permitted to extend over an opening not more than 8 feet in width where the header is a 4-inch by 12-inch or larger member.~~

Sec. 16.05.470. Section 2308.6.9 amended.

Section 2308.6.9 is amended to read as follows:

2308.6.9 Attachment of sheathing. Fastening of braced wall panel sheathing cannot be less than that prescribed in Tables 2308.6.1 or 2304.10.1. Wall sheathing cannot be attached to framing members by adhesives. Staple fasteners in Table 2304.10.1 cannot be used to resist or transfer seismic forces in structures assigned to Seismic Design Category D, E or F.

Exception: Staples may be used to resist or transfer seismic forces when the allowable shear values are substantiated by cyclic testing and approved by the Building Official.

All braced wall panels must extend to the roof sheathing and must be attached to parallel roof rafters or blocking above with framing clips (18 gauge minimum) spaced at maximum 24 inches on center with four 8d nails per leg (total eight 8d nails per clip). Braced wall panels must be laterally braced at each top corner and at maximum 24 inches intervals along the top plate of discontinuous vertical framing.

Sec. 16.05.480. Section 3101.1 amended.

Section 3101.1 is amended to read as follows:

3101.1 Scope. The provisions of this chapter will govern special building construction including membrane structures, temporary structures, pedestrian walkways and tunnels, automatic vehicular gates, awnings and canopies, marquees, signs, towers, antennas, relocatable buildings, swimming pool enclosures and safety devices, and solar energy systems, and intermodal shipping containers.

SECTION 3114
INTERMODAL SHIPPING CONTAINERS

3114.1 General. The provisions of Section 3114 and other applicable sections of this code will apply to intermodal shipping containers that are repurposed for use as buildings or structures or as a part of buildings or structures.

Exceptions:

1. Stationary storage battery arrays located in intermodal shipping containers complying with Chapter 12 of the California Fire Code.
2. Intermodal shipping containers that are listed as equipment complying with the standard for equipment, such as air chillers, engine generators, modular datacenters, and other similar equipment.
3. Intermodal shipping containers housing or supporting experimental equipment are exempt from the requirements of Section 3114 provided they comply with all of the following:
 - 3.1. Single-unit stand-alone intermodal shipping containers must be supported at grade level and used only for occupancies as specified under Risk Category I in Table 1604.5;
 - 3.2. Single-unit stand-alone intermodal shipping containers must be located a minimum of 8 feet from adjacent structures and are not connected to a fuel gas system or fuel gas utility; and

3.3. In hurricane-prone regions and flood hazard areas, single-unit stand-alone intermodal shipping containers are designed in accordance with the applicable provisions of Chapter 16.

4. Intermodal shipping containers approved as temporary structures complying with Section 3103.

5. Single-unit stand-alone intermodal shipping containers used as temporary storage or construction trailer on active construction sites. Construction support facilities for uses and activities not directly associated with the actual processes of construction, including but not limited to, offices, meeting rooms, plan rooms, other administrative or support functions will not be exempt from Section 3114.

3114.2 Construction documents. The construction documents must contain information to verify the dimensions and establish the physical properties of the steel components, and wood floor components, of the intermodal shipping container in addition to the information required by Sections 107 and 1603.

3114.2.1 Fire protection. All intermodal shipping containers used for sleeping purposes shall be provided with the following:

- 1) A fire sprinkler system designed per 2019 NFPA 13D as amended by the Monterey Park Municipal Code.
- 2) A hard-wired single station smoke alarm.

3114.3 Intermodal shipping container information. Intermodal shipping containers must bear the manufacturer's existing data plate containing the following information as required by ISO 6346 and verified by an approved agency. A report of the verification process and findings must be provided to the building owner.

1. Manufacturer's name or identification number
2. Date manufactured
3. Safety approval number
4. Identification number
5. Maximum operating gross mass or weight (kg) (lbs)
6. Allowable stacking load for 1.8G (kg) (lbs)
7. Transverse racking test force (Newtons)
8. Valid maintenance examination date

Where approved by the building official, the markings and manufacturer's existing data plate are permitted to be removed from the intermodal shipping containers before they are repurposed for use as buildings or structures or as part of buildings or structures.

3114.4 Protection against decay and termites. Wood structural floors of intermodal shipping containers must be protected from decay and termites in accordance with the applicable provisions of Section 2304.12.1.1.

3114.5 Under-floor ventilation. The space between the bottom of the floor joists and the earth under any intermodal shipping container, except spaces occupied by basements and cellars, must be provided with ventilation in accordance with Section 1202.4.

3114.6 Roof assemblies. Intermodal shipping container roof assemblies must comply with the applicable requirements of Chapter 15.

Exception: Single-unit stand-alone intermodal shipping containers not attached to, or stacked vertically over, other intermodal shipping containers, buildings or structures.

3114.7 Joints and voids. Joints and voids that create concealed spaces between intermodal shipping containers, that are connected or stacked, at fire-resistance-rated walls, floor or floor/ceiling assemblies and roofs or roof/ceiling assemblies must be protected by an approved fire-resistant joint system in accordance with Section 715.

3114.8 Structural. Intermodal shipping containers that conform to ISO 1496-1 and are repurposed for use as buildings or structures, or as a part of buildings or structures, must be designed in accordance with Chapter 16 and this section.

3114.8.1 Foundations. Intermodal shipping containers repurposed for use as a permanent building or structure must be supported on foundations or other supporting structures designed and constructed in accordance with Chapters 16 through 23.

3114.8.1.1 Anchorage. Intermodal shipping containers must be anchored to foundations or other supporting structures as necessary to provide a continuous load path for all applicable design and environmental loads in accordance with Chapter 16.

3114.8.2 Welds. All new welds and connections must be equal to or greater than the original connections.

3114.8.3 Openings in containers. Where openings are made in container walls, floors, and roofs for doors, windows and other similar openings:

1. The openings must be framed with steel elements that are designed in accordance with Chapter 16 and Chapter 22.
2. The cross section and material grade of any new steel element must be equal to or greater than the steel element removed.

3114.8.4 Detailed structural design procedure. A structural analysis meeting the requirements of this section must be provided to the building official to demonstrate the structural adequacy of the intermodal shipping containers.

Exception: Intermodal shipping containers that meet the limitation of Section 3114.8.5.1 and designed in **accordance** with the simplified procedure in Section 3114.8.5.

3114.8.4.1 Material properties. Structural material properties for existing intermodal shipping container steel components must be established by material testing where the steel grade and composition cannot be identified by the manufacturer's designation as to manufacture and mill test.

3114.8.4.2 Seismic design parameters. The seismic force-resisting system must be designed and detailed in accordance with one of the following:

1. Where all or portions of the intermodal shipping container sides are considered to be the seismic force-resisting system, design and detailing must be in accordance with the ASCE 7 Table 12.2-1 requirements for light-frame bearing-wall systems with shear panels of all other materials.
2. Where portions of intermodal shipping container sides are retained, but are not considered to be the seismic force-resisting system, an independent seismic force-resisting system must be selected, designed and detailed in accordance with ASCE 7 Table 12.2-1, or
3. Where portions of the intermodal shipping container sides are retained and integrated into a seismic force-resisting system other than as permitted by Section 3114.8.4.2 Item 1, seismic design parameters must be developed from testing and analysis in accordance with Section 104.11 and ASCE 7 Section 12.2.1.1 or 12.2.1.2.

3114.8.4.3 Allowable shear value. The allowable shear values for the intermodal shipping container side walls and end walls must be demonstrated by testing and analysis in accordance with Section 104.11. Where penetrations are made in the side walls or end walls designated as part of the lateral force-resisting system, the penetrations must be substantiated by rational analysis.

3114.8.5 Simplified structural design procedure of single-unit containers. Single-unit intermodal shipping containers conforming to the limitations of Section 3114.8.5.1 is permitted to be designed in accordance with Sections 3114.8.5.2 and 3114.8.5.3.

3114.8.5.1 Limitations. Use of Section 3114.8.5 is subject to all the following limitations:

1. The intermodal shipping container must be a single stand-alone unit supported on a foundation and cannot be in contact with or supporting any other shipping container or other structure.
2. The intermodal shipping container's top and bottom rails, corner castings, and columns or any portion thereof cannot be notched, cut, or removed in any manner.
3. The intermodal shipping container must be erected in a level and horizontal position with the floor located at the bottom.

3114.8.5.2 Structural design. Where permitted by Section 3114.8.5.1, single-unit stand-alone intermodal shipping containers must be designed using the following assumptions for the side walls and end walls:

1. The appropriate detailing requirements contained in Chapters 16 through 23.
2. Response modification coefficient, $R = 2$.
3. Over strength factor, $\Omega_0 = 2.5$.
4. Deflection amplification factor, $C_d = 2$, and
5. Limits on structural height, $h_n = 9.5$ feet (2900 mm).

3114.8.5.3 Allowable shear value. The allowable shear values for the intermodal shipping container side walls (longitudinal) and end walls (transverse) for wind design and seismic design using the coefficients of Section 3114.8.5.2 may be in accordance with Table 3114.8.5.3, provided that all of the following conditions are met:

1. The total linear length of all openings in any individual side walls or end walls is limited to not more than 50 percent of the length of that side walls or end walls, as shown in Figure 3114.8.5.3(1).
2. Any full height wall length, or portion thereof, less than 4 feet long is not considered as a portion of the lateral force-resisting system, as shown in Figure 3114.8.5.3(2).
3. All side walls or end walls used as part of the lateral force-resisting system have an existing or new boundary element on all sides to form a continuous load path, or paths, with adequate strength and stiffness to transfer all forces from the point of application to the final point of resistance, as shown in Figure 3114.8.5.3(3).
4. A maximum of one penetration not greater than a 6-inch diameter hole for conduits, pipes, tubes or vents, or not greater than 16 square inches for electrical boxes, is permitted for each individual 8 feet length lateral force resisting wall. Penetrations located in walls that are not part of the wall lateral force resisting system is not limited in size or quantity. Existing intermodal shipping container's vents is not considered a penetration, as shown in Figure 3114.8.5.3(4).
5. End wall door or doors designated as part of the lateral force-resisting system is welded closed.

TABLE 3114.8.5.3
ALLOWABLE SHEAR VALUES FOR INTERMODAL SHIPPING CONTAINER
SIDE WALLS AND END WALLS FOR WIND OR SEISMIC LOADING

<u>CONTAINER DESIGNATION</u> ²	<u>CONTAINER DIMENSION (Nominal Length)</u>	<u>CONTAINER DIMENSION (Nominal Height)</u>	<u>ALLOWABLE SHEAR VALUES (PLF)</u> ^{1,3}	
			<u>Side Wall</u>	<u>End Wall</u>
<u>1EEE</u>	<u>45 feet (13.7 M)</u>	<u>9.5 feet (2896 mm)</u>	<u>75</u>	<u>843</u>
<u>1EE</u>		<u>8.6 feet (2591 mm)</u>		
<u>1AAA</u>	<u>40 feet (12.2 M)</u>	<u>9.5 feet (2896 mm)</u>	<u>84</u>	
<u>1AA</u>		<u>8.5 feet (2592 mm)</u>		
<u>1A</u>		<u>8.0 feet (2438 mm)</u>		
<u>1AX</u>		<u><8.0 feet (2483 mm)</u>		
<u>1BBB</u>	<u>30 feet (9.1 M)</u>	<u>9.5 feet (2896 mm)</u>	<u>112</u>	
<u>1BB</u>		<u>8.5 feet (2591 mm)</u>		
<u>1B</u>		<u>8.0 feet (2438 mm)</u>		
<u>1BX</u>		<u><8.0 feet (2438 mm)</u>		
<u>1CC</u>	<u>20 feet (9.1 M)</u>	<u>8.5 feet (2591 mm)</u>	<u>168</u>	
<u>1C</u>		<u>8.0 feet (2438 mm)</u>		
<u>1CX</u>		<u><8.0 feet (2438 mm)</u>		

1. The allowable strength for the side walls and end walls of the intermodal shipping containers are derived from ISO 1496-1 and reduced by a factor of safety of 5.
2. Container designation type is derived from ISO 668.
3. Limitations of Sections 3114.8.5.1 and 3114.8.5.3 shall apply.

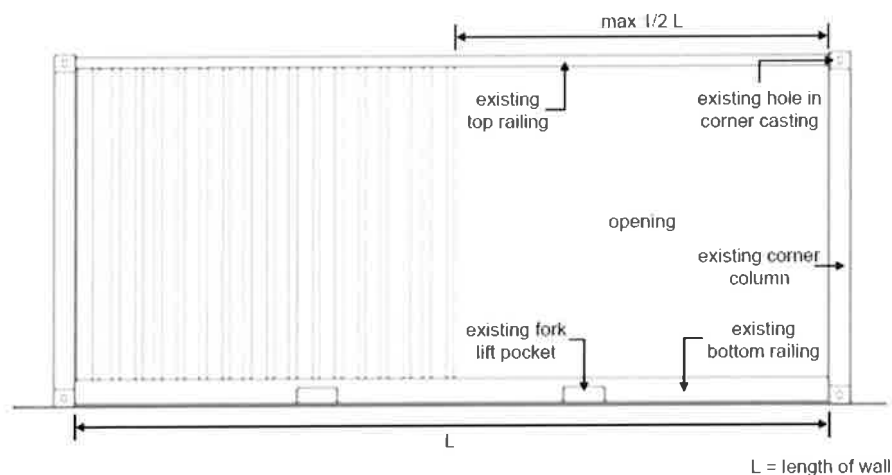


FIGURE 3114.8.5.3(1)
Bracing Unit Distribution – Maximum Linear Length

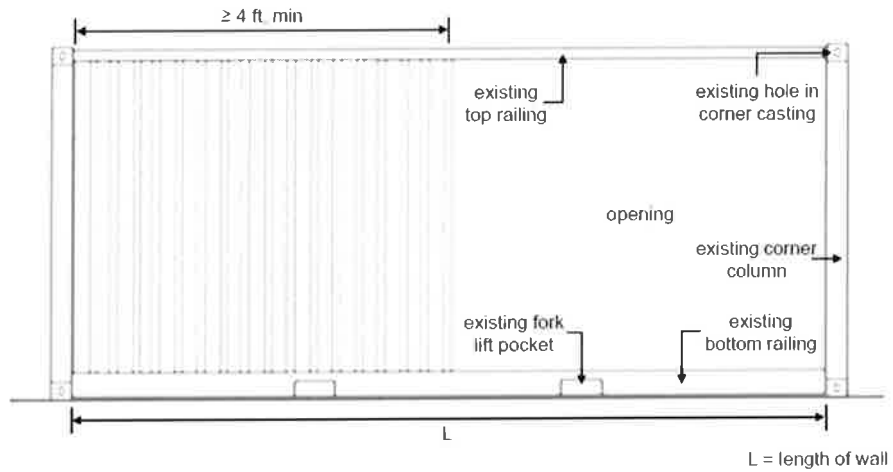


FIGURE 3114.8.5.3(2)
Bracing Unit Distribution – Minimum Linear Length

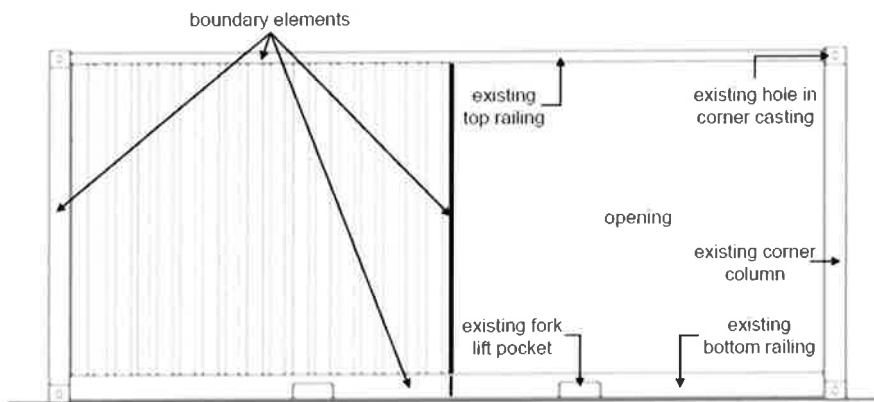


FIGURE 3114.8.5.3(3)
Bracing Unit Distribution – Boundary Elements

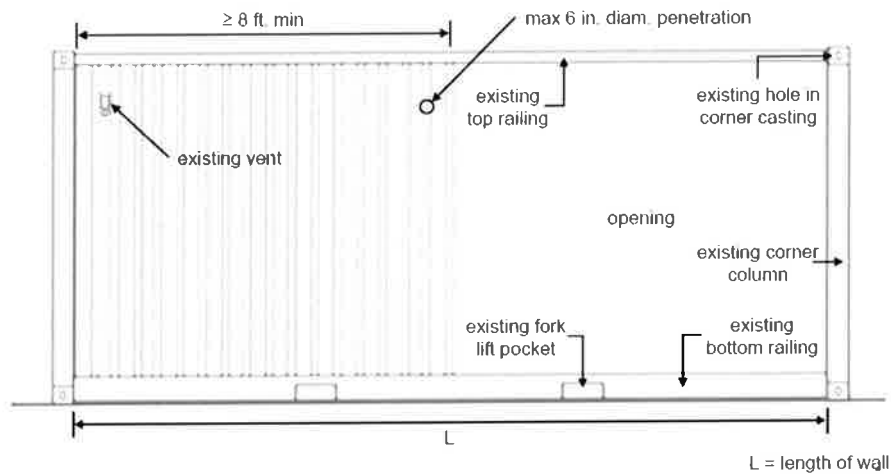


FIGURE 3114.8.5.3(4)
Bracing Unit Distribution – Penetrating Limitations

Sec. 16.05.490. Chapter 35 amended.

Chapter 35, ISO referenced standard is added as follows:

CHAPTER 35 REFERENCED STANDARDS

ISO	International Organization for Standardization ISO Central Secretariat 1 ch, de la Voie-Creuse, Casa Postale 566 CH-1211 Geneva 20, Switzerland	
Standard Reference Number	Title	Referenced in code section number
ISO 1496-1:2013	Series 1 Freight Containers – Specification and Testing – Part 1: General Cargo Containers for General Purposes	3114.8, Table 3114.8.5.3
ISO 6346:1995, with Amendment 3: 2012	Freight Containers – Coding, Identification and marking	3114.3
ISO 668:2013	Series 1 Freight Containers – Classifications, dimensions and ratings.	Table 3114.8.5.3

SECTION 5: Chapter 16.06 of the MPMC is amended in its entirety to read as follows:

“Chapter 16.06 RESIDENTIAL CODE

16.06.010 Document adopted by reference.

Pursuant to Government Code § 50022.9, the City Council incorporates by reference the California Residential Building Code, 2019 Edition, as published in Title 24, Part 2.5 of the California Code of Regulations.

16.06.020. Chapter 1 Division II amended.

The text within Chapter 1 Division II is deleted and replaced with the following:

**Chapter 1 Division II
Administrative Provisions**

For administrative provisions for this Code, see Section 16.01.040.

16.06.030. Section R301.1.3.2 amended.

Section R301.1.3.2 is amended to read as follows:

R301.1.3.2 Woodframe structures ~~greater than two stories~~. The Building Official requires construction documents to be approved and stamped by a California licensed architect or engineer for all dwellings of woodframe construction more than two stories and basement in height located in Seismic Design Category A, B or C. Notwithstanding other sections of law; the law establishing these provisions is found in Business and Professions Code Section 5537 and 6737.1.

The Building Official requires construction documents to be approved and stamped by a California licensed architect or engineer for all dwellings of woodframe construction more than one story in height or with a basement located in Seismic Design Category D₀, D₁, D₂.

16.06.040. Section R301.1.4 added.

Section R301.1.4 is added as follows:

R301.1.4 Seismic design provisions for buildings constructed on or into slopes steeper than one unit vertical in three units horizontal (33.3 percent slope). The design and construction of new buildings and additions to existing buildings when constructed on or into slopes steeper than one unit vertical in three units horizontal (33.3 percent slope) must comply with Section 1613.6 of the Building Code.

16.06.050. Table R301.2(1) amended.

Table R301.2(1) is amended to read as follows:

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

GROUND SNOW LOAD	WIND DESIGN				SEISMIC DESIGN CATEGORY ⁱ	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP ^o	ICE BARRIER UNDERLAYMENT REQUIRED ^h	FLOOD HAZARDS ^g	AIR FREEZING INDEX ⁱ	MEAN ANNUAL TEMP ^j
	Speed ^d (mph)	Topographic Effects ^k	Special Wind Region ^l	Wind- borne Debris Zone ^m		Weathering ^a	Frost Line Depth ^b	Termite ^c					
Zero	95	No	No	1	E	Negligible	0"	Moderate	48°F	NO	NO	0	64°F

MANUAL J DESIGN CRITERIA ⁿ							
Elevation	Latitude	Winter heating	Summer Cooling	Altitude correction factor	Indoor design temperature	Design temperature cooling	Heating temperature difference
380	N34	37	91	0.988	68	75	31
Cooling temperature difference	Wind velocity heating	Wind velocity cooling	Coincident wet bulb	Daily range	Winter humidity	Summer humidity	
16	-	-	69	23	20	50	

16.06.060. Section R301.2.2.6 amended.

Items 1, 3 and 5 of Section R301.2.2.6 are amended to read as follows:

1. **Shear wall or braced wall offsets out of plane.** Conditions where exterior shear wall lines or braced wall panels are not in one plane vertically from the foundation to the uppermost story in which they are required.

Exception: ~~For wood light frame construction, floors with cantilevers or setbacks not exceeding four times the nominal depth of the wood floor joists are permitted to support braced wall panels that are out of plane with braced wall panels below provided that all of the following are satisfied:~~

- ~~1. Floor joists are nominal 2 inches by 10 inches (51 mm by 254 mm) or larger and spaced not more than 16 inches (406 mm) on center.~~
- ~~2. The ratio of the back span to the cantilever is not less than 2 to 1.~~
- ~~3. Floor joists at ends of braced wall panels are doubled.~~
- ~~4. For wood frame construction, a continuous rim joist is connected to ends of cantilever joists. When spliced, the rim joists shall be spliced using a galvanized metal tie not less than 0.058 inch (1.5 mm) (16 gage) and 1 1/2 inches (38 mm) wide fastened with six 16d nails on each side of the splice or a block of the same size as the rim joist of sufficient length to fit securely between the joist space at which the splice occurs fastened with eight 16d nails on each side of the splice; and~~
- ~~5. Gravity loads carried at the end of cantilevered joists are limited to uniform wall and roof loads and the reactions from headers having a span of 8 feet (2438 mm) or less.~~

3. **Shear wall or braced wall offsets in plane.** Conditions where the end of a braced wall panel occurs over an opening in the wall below, and ends at a horizontal distance greater than 1 foot (305 mm) from the edge of the opening. This provision

~~is applicable to shear walls and braced wall panels offset in plane and to braced wall panels offset out of plane as permitted by the exception to item 1.~~

~~Exception: For wood light frame wall construction, one end of a braced wall panel shall be permitted to extend more than one foot (305 mm) over an opening not more than 8 feet (2438 mm) in width in the wall below provided that the opening includes a header in accordance with all of the following:~~

~~1. The building width, loading condition and framing member species limitations of Table R602.7(1) shall apply.~~

~~3. The header is composed of:~~

~~2.1. Not less than one 2x12 or two 2x10 for an opening not more than 4 feet (1219 mm) wide.~~

~~2.2. Not less than two 2x12 or three 2x10 for an opening not more than 6 feet (1829 mm) in width.~~

~~2.3. Not less than three 2x12 or four 2x10 for an opening not more than 8 feet (2438 mm) in width.~~

~~3. The entire length of the braced wall panel does not occur over an opening in the wall below.~~

5. **Floor level** offset. Conditions where portions of a floor level are vertically offset.

Exceptions:

~~1. Framing supported directly by continuous foundations at the perimeter of the building.~~

~~2. For wood light frame construction, floors shall be permitted to be vertically offset where the floor framing is lapped or tied together as required by section R502.6.1.~~

16.06.070. Section R301.2.2.11 added.

Section R301.2.2.11 is added as follows:

R301.2.2.11 Anchorage of mechanical, electrical, or plumbing components and equipment. Mechanical, electrical, or plumbing components and equipment must be anchored to the structure. Anchorage of the components and equipment must be designed to resist loads in accordance with the California Building Code and ASCE 7, except where the component is positively attached to the structure and flexible connections are provided between the component and associated ductwork, piping, and conduit; and either

1. The component weighs 400 lb or less and has a center of mass located 4 ft or less above the supporting structure; or

2. The component weighs 20 lb or less or, in the case of a distributed system, 5 lb/ft or less.

16.06.072. Section R309.6 exception amended.

Section R309.6 exception is amended as follows:

Exception: An automatic residential fire sprinkler system must 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 903.6.

16.06.073. Section R313.1 exception amended.

Section R313.1 exception is amended as follows:

Exception: An automatic residential fire sprinkler system must 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 903.6.

16.06.074. Section R313.2 exception amended.

Section R313.2 exception is amended as follows:

Exception: An automatic residential fire sprinkler system must not be required for additions or alterations to existing buildings that are not already provided with an automatic sprinkler system unless a sprinkler system is required in accordance with California Fire Code Section 903.6.

16.06.075. Section R313.3.6.2 amended.

Section R313.3.6.2 is amended as follows:

Section R313.3.6.2 Calculation procedure. Determination of the required size for water distribution piping must be in accordance with the following procedure and California Fire Code Sections 903.3.1.3.1 and 903.3.5.

16.06.080. Section R401.1 amended.

Section R401.1 is amended to read as follows:

R401.1 Application. The provisions of this chapter control the design and construction of the foundation and foundation spaces for buildings. In addition to the provisions of this chapter, the design and construction of foundations in flood hazard areas as established by Table R301.2(1) must meet the provisions of Section R322. Wood foundations must be designed and installed in accordance with AWC PWF.

Exception: The provisions of this chapter are permitted to be used for wood foundations only in the following situations:

1. In buildings that have no more than two floors and a roof.

2. When interior basement and foundation walls are constructed at intervals not exceeding 50 feet.

Wood foundations in Seismic Design Category D₀, D₁ or D₂ ~~designed in accordance with accepted engineering practice~~ is not permitted.

Exception: In non-occupied, single-story, detached storage sheds and similar uses other than carport or garage, provided the gross floor area does not exceed 200 square feet, the plate height does not exceed 12 feet in height above the grade plane at any point, and the maximum roof projection does not exceed 24 inches.

16.06.090. Sections R403.1.2, R403.1.3.6 and R403.1.5 amended.

Sections R403.1.2, R403.1.3.6 and R403.1.5 are amended to read as follows:

R403.1.2 Continuous footing in Seismic Design Categories D₀, D₁ and D₂. Exterior walls of buildings located in Seismic Design Categories D₀, D₁ and D₂ must be supported by continuous solid or fully grouted masonry or concrete footings. ~~Other footing materials or systems must be designed in accordance with accepted engineering practice.~~ All required interior braced wall panels in buildings located in Seismic Design Categories D₀, D₁ and D₂ ~~with plan dimensions greater than 50 feet (15 240 mm) must be supported by continuous solid or fully grouted masonry or concrete footings in accordance with Section R403.1.3.4, except for two-story buildings in Seismic Design Category D₂, in which all braced wall panels, interior and exterior, must be supported on continuous foundations.~~

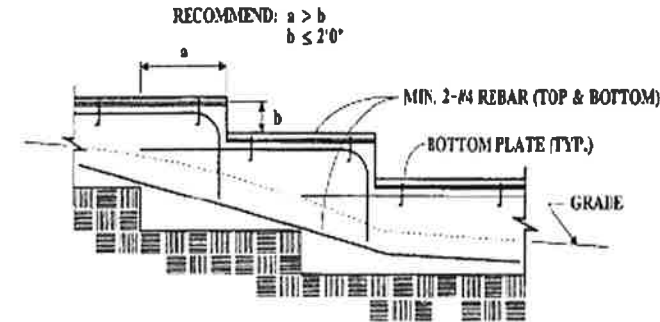
Exception: ~~Two-story buildings must be permitted to have interior braced wall panels supported on continuous foundations at intervals not exceeding 50 feet (15 240 mm) provided that:~~

1. ~~The height of cripple walls does not exceed 4 feet (1219 mm).~~
2. ~~First floor braced wall panels are supported on doubled floor joists, continuous blocking or floor beams.~~
3. ~~The distance between bracing lines does not exceed twice the building width measured parallel to the braced wall line.~~

R403.1.3.6 Isolated concrete footings. In detached one- and two-family dwellings located in Seismic Design Category A, B, or C that are three stories or less in height and constructed with stud bearing walls, isolated plain concrete footings supporting columns or pedestals are permitted.

R403.1.5 Slope. The top surface of footings must be level. The bottom surface of footings cannot have a slope exceeding one unit vertical in 10 units horizontal (10-percent slope). Footings must be stepped where it is necessary to change the elevation of the top surface of the footings or where the slope of the bottom surface of the footings will exceed one unit vertical in 10 units horizontal (10-percent slope).

For structures located in Seismic Design Categories D₀, D₁ or D₂, stepped footings must be reinforced with four No. 4 rebar. Two bars must be placed at the top and bottom of the footings as shown in Figure R403.1.5.



STEPPED FOUNDATIONS

FIGURE R403.1.5
STEPPED FOOTING

16.06.100. Section R404.2 amended.

Section R404.2 is amended to read as follows:

R404.2 Wood foundation walls. Wood foundation walls must be constructed in accordance with the provisions of Sections R404.2.1 through R404.2.6 and with the details shown in Figures R403.1(2) and R403.1(3). Wood foundation walls is not permitted for structures located in Seismic Design Category D₀, D₁ or D₂.

16.06.110. Section R501.1 amended.

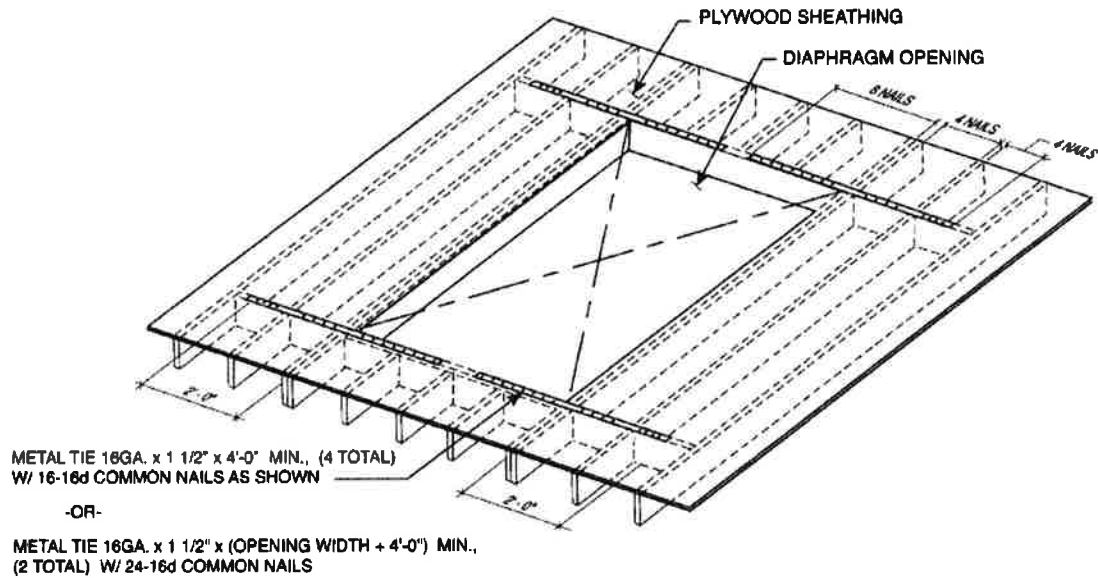
Section R501.1 is amended to read as follows:

R501.1 Application. The provisions of this chapter control the design and construction of the floors for buildings, including the floors of attic spaces used to house mechanical or plumbing fixtures and equipment. Mechanical or plumbing fixtures and equipment must be attached (or anchored) to the structure in accordance with Section R301.2.2.11.

16.06.120. Section R503.2.4 added.

Section R503.2.4 is added as follows:

R503.2.4 Openings in horizontal diaphragms. Openings in horizontal diaphragms with a dimension perpendicular to the joist that is greater than 4 feet must be constructed in accordance with Figure R503.2.4.



For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

- Blockings shall be provided beyond headers.
- Metal ties not less than 0.058 inch [1.47 mm (16 galvanized gage)] by 1.5 inches (38 mm) wide with eight 16d common nails on each side of the header-joist intersection. The metal ties shall have a minimum yield of 33,000 psi (227 MPa).
- Openings in diaphragms shall be further limited in accordance with Section R301.2.2.6.

FIGURE R503.2.4 **OPENINGS IN HORIZONTAL DIAPHRAGMS**

16.06.130. Table R602.3(1) amended.

Lines 19, 20, 23, and 33-36 of Table R602.3(1) are amended to read as follows:

ITEM	DESCRIPTION OF BUILDING ELEMENTS	NUMBER AND TYPE OF FASTENER ^{a, b, c}	SPACING AND LOCATION
19 ^k	1" x 6" sheathing to each bearing	3-8d box (2 1/2" x 0.113"); or 2-8d common (2 1/2" x 0.131"); or 2-10d box (3" x 0.128"); or 2 staples, 1" crown, 16 ga., 1 3/4" long	Face nail

20 k	1" × 8" and wider sheathing to each bearing	3-8d box (2½" × 0.113"); or 3-8d common (2½" × 0.131"); or 3-10d box (3" × 0.128"); or 3 staples, 1" crown, 16 ga., 1¾" long	Face nail	
		Wider than 1" × 8" 4-8d box (2½" × 0.113"); or 3-8d common (2½" × 0.131"); or 3-10d box (3" × 0.128"); or 4 staples, 1" crown, 16 ga., 1¾" long		
Floor				
23 k	1" × 6" subfloor or less to each joist	3-8d box (2½" × 0.113"); or 2-8d common (2½" × 0.131"); or 3-10d box (3" × 0.128"); or 2 staples, 1" crown, 16 ga., 1¾" long	Face nail	
Other wall sheathing ^a				
33 k	½" structural cellulosic fiberboard sheathing	1½" galvanized roofing nail, 7/16" head diameter, or 1¼" long 16 ga. staple with 7/16" or 1" crown	3	6
34 k	25/32" structural cellulosic fiberboard sheathing	1¾" galvanized roofing nail, 7/16" head diameter, or 1½" long 16 ga. staple with 7/16" or 1" crown	3	6
35 k	½" gypsum sheathing ^d	1½" galvanized roofing nail; staple galvanized, 1½" long; 1¼" screws, Type W or S	7	7
36 k	5/8" gypsum sheathing ^d	1¾" galvanized roofing nail; staple galvanized, 1½" long; 15/8" screws, Type W or S	7	7

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm, 1 mile per hour = 0.447 m/s; 1 ksi = 6.895 MPa.

TABLE R602.3(1)—continued
FASTENING SCHEDULE

- a. Nails are smooth-common, box or deformed shanks except where otherwise stated. Nails used for framing and sheathing connections shall have minimum average bending yield strengths as shown: 80 ksi for shank diameter of 0.192 inch (20d common nail), 90 ksi for shank diameters larger than 0.142 inch but not larger than 0.177 inch, and 100 ksi for shank diameters of 0.142 inch or less.
- b. Staples are 16 gage wire and have a minimum 7/16-inch on diameter crown width.
- c. Nails shall be spaced at not more than 6 inches on center at all supports where spans are 48 inches or greater.
- d. Four-foot by 8-foot or 4-foot by 9-foot panels shall be applied vertically.
- e. Spacing of fasteners not included in this table shall be based on Table R602.3(2).
- f. For wood structural panel roof sheathing attached to gable end roof framing and to intermediate supports within 48 inches of roof edges and ridges, nails shall be spaced at 6 inches on center where the ultimate design wind speed is less than 130 mph and shall be spaced 4 inches on center where the ultimate design wind speed is 130 mph or greater but less than 140 mph.
- g. Gypsum sheathing shall conform to ASTM C1396 and shall be installed in accordance with GA 253. Fiberboard sheathing shall conform to ASTM C208.
- h. Spacing of fasteners on floor sheathing panel edges applies to panel edges supported by framing members and required blocking and at floor perimeters only. Spacing of fasteners on roof sheathing panel edges applies to panel edges supported by framing members and required blocking. Blocking of roof or floor sheathing panel edges perpendicular to the framing members need not be provided except as required by other provisions of this code. Floor perimeter shall be supported by framing members or solid blocking.
- i. Where a rafter is fastened to an adjacent parallel ceiling joist in accordance with this schedule, provide two toe nails on one side of the rafter and toe nails from the ceiling joist to top plate in accordance with this schedule. The toe nail on the opposite side of the rafter shall not be required.
- j. RSRS-01 is a Roof Sheathing Ring Shank nail meeting the specifications in ASTM F1667.
- k. Use of staples in braced wall panels shall be prohibited in Seismic Design Category D₀, D₁, or D₂.

16.06.140. Exception of Section R602.3.2 and Table R602.3.2 amended.

Exception of Section R602.3.2 and Table R602.3.2 are amended to read as follows:

Exception: A In other than Seismic Design Category D₀, D₁ or D₂, a single top plate used as an alternative to a double top plate must comply with the following:

1. The single top plate must be tied at corners, intersecting walls, and at in-line splices in straight wall lines in accordance with Table R602.3.2.

2. The rafters or joists must be centered over the studs with a tolerance of not more than 1 inch.
3. Omission of the top plate is permitted over headers where the headers are adequately tied to adjacent wall sections in accordance with Table R602.3.2.

**TABLE R602.3.2
SINGLE TOP-PLATE SPLICE CONNECTION DETAILS**

CONDITION	TOP-PLATE SPLICE LOCATION			
	Corners and intersecting walls		Butt joints in straight walls	
	Splice plate size	Minimum nails each side of joint	Splice plate size	Minimum nails each side of joint
Structures in SDC A-C; and in SDC D ₀ , D ₁ , and D ₂ with braced wall line spacing less than 25 feet	3" × 6" × 0.036" galvanized steel plate or equivalent	(6) 8d box (2 1/2" × 0.113") nails	3' × 12" × 0.036" galvanized steel plate or equivalent	(12) 8d box (2 1/2" × 0.113") nails
Structures in SDC D ₀ , D ₁ , and D ₂ with braced wall line spacing greater than or equal to 25 feet	3" × 8" × 0.036" galvanized steel plate or equivalent	(9) 8d box (2 1/2" × 0.113") nails	3' × 16" × 0.036" galvanized steel plate or equivalent	(18) 8d box (2 1/2" × 0.113") nails

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

16.06.150. Footnote "b" of Table R602.3(2) amended.

Footnote "b" of Table R602.3(2) is amended to read as follows:

- b. Staples must have a minimum crown width of 7/16-inch on diameter except as noted. Use of staples in roof, floor, subfloor, and braced wall panels is prohibited in Seismic Design Category D₀, D₁, or D₂.

16.06.160. Section R602.10.2.3 amended.

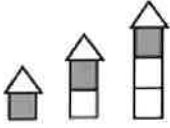
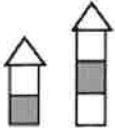
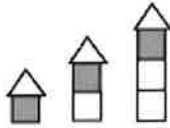
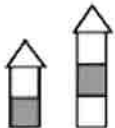
Section R602.10.2.3 is amended to read as follows:

R602.10.2.3 Minimum number of braced wall panels. Braced wall lines with a length of 16 feet or less must have a minimum of two braced wall panels of any length or one braced wall panel equal to 48 inches or more. Braced wall lines greater than 16 feet must have a minimum of two braced wall panels. Braced wall panel cannot be less than 48 inches in length in Seismic Design Category D₀, D₁, or D₂.

16.06.170. Table R602.10.3(3) amended.

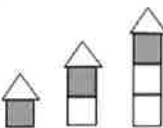
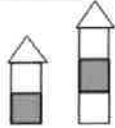
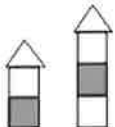
Table R602.10.3(3) is amended to read as follows:

TABLE R602.10.3(3)
BRACING REQUIREMENTS BASED ON SEISMIC DESIGN CATEGORY

• SOIL CLASS D^b • WALL HEIGHT = 10 FEET • 10 PSF FLOOR DEAD LOAD • 15 PSF ROOF/CEILING DEAD LOAD • BRACED WALL LINE SPACING ≤ 25 FEET			MINIMUM TOTAL LENGTH (FEET) OF BRACED WALL PANELS REQUIRED ALONG EACH BRACED WALL LINE ^c				
Seismic Design Category	Story Location	Braced Wall Line Length (feet) ^c	Method LIB ^a	Method GB ^f	Methods DWB, SFB, PBS, PCP, HPS, CS-SFG ^{e,j}	Method WSP	Methods CS-WSP, CS-G
C (townhouses only)		10	2.5	2.5	2.5	1.6	1.4
		20	5.0	5.0	5.0	3.2	2.7
		30	7.5	7.5	7.5	4.8	4.1
		40	10.0	10.0	10.0	6.4	5.4
		50	12.5	12.5	12.5	8.0	6.8
		10	NP	4.5	4.5	3.0	2.6
		20	NP	9.0	9.0	6.0	5.1
		30	NP	13.5	13.5	9.0	7.7
		40	NP	18.0	18.0	12.0	10.2
		50	NP	22.5	22.5	15.0	12.8
		10	NP	6.0	6.0	4.5	3.8
		20	NP	12.0	12.0	9.0	7.7
		30	NP	18.0	18.0	13.5	11.5
		40	NP	24.0	24.0	18.0	15.3
		50	NP	30.0	30.0	22.5	19.1
D _s		10	NP	2.5 5.6	2.5 5.6	1.8	1.6
		20	NP	5.0 11.0	5.0 11.0	3.6	3.1
		30	NP	7.5 16.6	7.5 16.6	5.4	4.6
		40	NP	10.0 22.0	10.0 22.0	7.2	6.1
		50	NP	12.5 27.6	12.5 27.6	9.0	7.7
		10	NP	4.5 NP	4.5 NP	3.8	3.2
		20	NP	9.0 NP	9.0 NP	7.5	6.4
		30	NP	13.5 NP	13.5 NP	11.3	9.6
		40	NP	18.0 NP	18.0 NP	15.0	12.8
		50	NP	22.5 NP	22.5 NP	18.8	16.0
		10	NP	6.0 NP	6.0 NP	5.3	4.5
		20	NP	12.0 NP	12.0 NP	10.5	9.0
		30	NP	18.0 NP	18.0 NP	15.8	13.4
		40	NP	24.0 NP	24.0 NP	21.0	17.9
		50	NP	30.0 NP	30.0 NP	26.3	22.3

(continued)

TABLE R602.10.3(3)—continued
BRACING REQUIREMENTS BASED ON SEISMIC DESIGN CATEGORY

SOIL CLASS D^a WALL HEIGHT = 10 FEET 10 PSF FLOOR DEAD LOAD 15 PSF ROOF/CEILING DEAD LOAD BRACED WALL LINE SPACING ≤ 25 FEET			MINIMUM TOTAL LENGTH (FEET) OF BRACED WALL PANELS REQUIRED ALONG EACH BRACED WALL LINE^c				
Seismic Design Category	Story Location	Braced Wall Line Length (feet) ^f	Method LIB ^d	Method GB &	Methods DWB, SFB, PBS, PCP, HPS, CS-SFB ^e	Method WSP	Methods CS-WSP, CS-G, CS-PF
D ₁		10	NP	3.0 <u>6.0</u>	3.0 <u>6.0</u>	2.0	1.7
		20	NP	6.0 <u>12.0</u>	6.0 <u>12.0</u>	4.0	3.4
		30	NP	9.0 <u>18.0</u>	9.0 <u>18.0</u>	6.0	5.1
		40	NP	12.0 <u>24.0</u>	12.0 <u>24.0</u>	8.0	6.8
		50	NP	15.0 <u>30.0</u>	15.0 <u>30.0</u>	10.0	8.5
		10	NP	6.0 <u>NP</u>	6.0 <u>NP</u>	4.5	3.8
		20	NP	12.0 <u>NP</u>	12.0 <u>NP</u>	9.0	7.7
		30	NP	18.0 <u>NP</u>	18.0 <u>NP</u>	13.5	11.5
		40	NP	24.0 <u>NP</u>	24.0 <u>NP</u>	18.0	15.3
		50	NP	30.0 <u>NP</u>	30.0 <u>NP</u>	22.5	19.1
		10	NP	8.5 <u>NP</u>	8.5 <u>NP</u>	6.0	5.1
		20	NP	17.0 <u>NP</u>	17.0 <u>NP</u>	12.0	10.2
		30	NP	25.5 <u>NP</u>	25.5 <u>NP</u>	18.0	15.3
		40	NP	34.0 <u>NP</u>	34.0 <u>NP</u>	24.0	20.4
		50	NP	42.5 <u>NP</u>	42.5 <u>NP</u>	30.0	25.5
D ₂		10	NP	4.0 <u>8.0</u>	4.0 <u>8.0</u>	2.5	2.1
		20	NP	8.0 <u>16.0</u>	8.0 <u>16.0</u>	5.0	4.3
		30	NP	12.0 <u>24.0</u>	12.0 <u>24.0</u>	7.5	6.4
		40	NP	16.0 <u>32.0</u>	16.0 <u>32.0</u>	10.0	8.5
		50	NP	20.0 <u>40.0</u>	20.0 <u>40.0</u>	12.5	10.6
		10	NP	7.5 <u>NP</u>	7.5 <u>NP</u>	5.5	4.7
		20	NP	15.0 <u>NP</u>	15.0 <u>NP</u>	11.0	9.4
		30	NP	22.5 <u>NP</u>	22.5 <u>NP</u>	16.5	14.0
		40	NP	30.0 <u>NP</u>	30.0 <u>NP</u>	22.0	18.7
		50	NP	37.5 <u>NP</u>	37.5 <u>NP</u>	27.5	23.4
		10	NP	NP	NP	NP	NP
		20	NP	NP	NP	NP	NP
		30	NP	NP	NP	NP	NP
		40	NP	NP	NP	NP	NP
		50	NP	NP	NP	NP	NP
	Cripple wall below one- or two-story dwelling	10	NP	NP	NP	7.5	6.4
		20	NP	NP	NP	15.0	12.8
		30	NP	NP	NP	22.5	19.1
		40	NP	NP	NP	30.0	25.5
		50	NP	NP	NP	37.5	31.9

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm, 1 pound per square foot = 0.0479 kPa.

NP = Not Permitted.

- Linear interpolation shall be permitted.
- Wall bracing lengths are based on a soil site class "D." Interpolation of bracing length between the S_{ds} values associated with the seismic design categories shall be permitted when a site-specific S_{ds} value is determined in accordance with Section 1613.2 of the *California Building Code*.
- Where the braced wall line length is greater than 50 feet, braced wall lines shall be permitted to be divided into shorter segments having lengths of 50 feet or less, and the amount of bracing within each segment shall be in accordance with this table.
- Method LIB shall have gypsum board fastened to not less than one side with nails or screws in accordance with Table R602.3(1) for exterior sheathing or Table R702.3.5 for interior gypsum board. Spacing of fasteners at panel edges shall not exceed 8 inches.
- Methods PFG and CS-SFB do not apply in Seismic Design Categories D₀, D₁ and D₂.
- Where more than one bracing method is used, mixing methods shall be in accordance with Section R602.10.4.1.
- Methods GB and PCP braced wall panel h/w ratio shall not exceed 1:1 in SDC D₀, D₁ and D₂. Methods DWB, SFB, PBS, and HPS are not permitted in D₀, D₁ and D₂.

16.06.180. Table R602.10.4 amended.

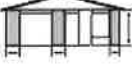
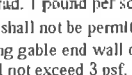
Table R602.10.4 is amended to read as follows:

**TABLE R602.10.4
BRACING METHODS ¹**

METHODS, MATERIAL	MINIMUM THICKNESS	FIGURE	CONNECTION CRITERIA ^a	
			Fasteners	Spacing
Intermittent Bracing Methods	L1B Let-in-bracing		Wood: 2-8d common nails or 3-8d (2 1/2" long x 0.113" dia.) nails	Wood: per stud and top and bottom plates
			Metal strap: per manufacturer	Metal: per manufacturer
	DWB Diagonal wood boards		2-8d (2 1/2" long x 0.113" dia.) nails or 2 - 1 1/4" long staples	Per stud
	WSP Wood structural panel (See Section R604)		8d common (2 1/2" x 0.131") nails 3/8" edge distance to panel edge Exterior sheathing per Table R602.3(3)	6" edges 12" field
			8d common (2 1/2" x 0.131") nails 3/8" edge distance to panel edge Interior sheathing per Table R602.3(1) or R602.3(2)	Varies by fastener 6" edges 12" field
	RV-WSP Wood structural panels with stone or masonry veneer (See Section R602.10.6.5)	See Figure R602.10.6.5	8d common (2 1/2" x 0.131") nails	4" at panel edges 12" at intermediate supports 4" at braced wall panel end posts
	SFB Structural fiberboard sheathing		1 1/2" long x 0.12" dia. (for 1/2" thick sheathing) 1 1/4" long x 0.12" dia. (for 5/16" thick sheathing) galvanized roofing nails	3" edges 6" field
	GB Gypsum board		Nails or screws per Table R602.3(1) for exterior locations Nails or screws per Table R702.3.5 for interior locations	For all braced wall panel locations: 7" edges (including top and bottom plates) 7" field
	PBS Particleboard sheathing (See Section R605)		For 1/4", 6d common (2" long x 0.113" dia.) nails For 1/2", 8d common (2 1/2" long x 0.131" dia.) nails	3" edges 6" field
	PCP Portland cement plaster		1 1/2" long, 11 gage, 3/16" dia. head nails or 3/4" long, 16 gage staples ²	6" o.c. on all framing members
	HPS Hardboard panel siding		0.092" dia., 0.225" dia. head nails with length to accommodate 1 1/2" penetration into studs	4" edges 8" field
	ABW Alternate braced wall		See Section R602.10.6.1	See Section R602.10.6.1

(continued)

**TABLE R602.10.4—continued
BRACING METHODS¹**

METHODS, MATERIAL	MINIMUM THICKNESS	FIGURE	CONNECTION CRITERIA ²	
			Fasteners	Spacing
Intermittent Bracing Methods	PFF Portal frame with hold-downs		See Section R602.10.6.2	See Section R602.10.6.2
	PFG Portal frame at garage		See Section R602.10.6.3	See Section R602.10.6.3
Continuous Sheathing Methods	CS-WSP Continuously sheathed wood structural panel		8d common (2 1/2"x0.131) nails 3/8" edge distance to panel edge Exterior sheathing per Table R602.3(3) Interior sheathing per Table R602.3(1) or R602.3(2)	6" edges 12" field Varies by fastener 6" edges 12" field
	CS-G³ Continuously sheathed wood structural panel adjacent to garage openings		8d common (2 1/2"x0.131) nails 3/8" edge distance to panel edge	See Method CS-WSP
	CS-PF Continuously sheathed portal frame			See Section R602.10.6.4
	CS-SFB⁴ Continuously sheathed structural fiberboard		1 1/2" long x 0.12" dia. (for 1/2" thick sheathing) 1 3/4" long x 0.12" dia. (for 3/4" thick sheathing) galvanized roofing nails	3" edges 6" field

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm, 1 degree = 0.0175 rad, 1 pound per square foot = 47.8 N/m², 1 mile per hour = 0.447 m/s.

- Adhesive attachment of wall sheathing, including Method GB, shall not be permitted in Seismic Design Categories C, D₀, D₁ and D₂.
- Applies to panels next to garage door opening where supporting gable end wall or roof load only. Shall only be used on one wall of the garage. In Seismic Design Categories D₀, D₁ and D₂, roof covering dead load shall not exceed 3 psf.
- Garage openings adjacent to a Method CS-G panel shall be provided with a header in accordance with Table R602.5(1). A full-height clear opening shall not be permitted adjacent to a Method CS-G panel.
- Method CS-SFB does not apply in Seismic Design Categories D₀, D₁ and D₂.
- Method applies to detached one- and two-family dwellings in Seismic Design Categories D₀ through D₂ only.
- Methods GB and PCP braced wall panel h/w ratio shall not exceed 1:1 in SDC D₀, D₁, or D₂. Methods LIB, DWB, SFB, PBS, HPS, and PFG are not permitted in SDC D₀, D₁, or D₂.
- Use of staples in braced wall panels shall be prohibited in SDC D₀, D₁, or D₂.

16.06.190. Table R602.10.5 amended.

Table R602.10.5 is amended to read as follows:

**Table R602.10.5
MINIMUM LENGTH OF BRACED WALL PANELS**

METHOD (See Table R602.10.4)		MINIMUM LENGTH* (inches)					CONTRIBUTING LENGTH (inches)
		Wall Height					
		8 feet	9 feet	10 feet	11 feet	12 feet	
DWB, WSP, SFB, PBS, PCP, HPS, BV-WSP		48	48	48	53	58	Actual ^b
GB		48	48	48	53	58	Double sided = Actual Single sided = 0.5 × Actual
LIB		55	62	69	NP	NP	Actual ^b
ABW	SDC A, B and C, ultimate design wind speed < 140 mph	28	32	34	38	42	48
	SDC D ₀ , D ₁ and D ₂ , ultimate design wind speed < 140 mph	32	32	34	NP	NP	
CS-G		24	27	30	33	36	Actual ^b
CS-WSP, CS-SFB	Adjacent clear opening height (inches)						Actual ^b
	≤ 64	24	27	30	33	36	
	68	26	27	30	33	36	
	72	27	27	30	33	36	
	76	30	29	30	33	36	
	80	32	30	30	33	36	
	84	35	32	32	33	36	
	88	38	35	33	33	36	
	92	43	37	35	35	36	
	96	48	41	38	36	36	
	100	—	44	40	38	38	
	104	—	49	43	40	39	
	108	—	54	46	43	41	
	112	—	—	50	45	43	
	116	—	—	55	48	45	
	120	—	—	60	52	48	
	124	—	—	—	56	51	
	128	—	—	—	61	54	
	132	—	—	—	66	58	
	136	—	—	—	—	62	
	140	—	—	—	—	66	
	144	—	—	—	—	72	
METHOD (See Table R602.10.4)		Portal header height					
		8 feet	9 feet	10 feet	11 feet	12 feet	
PFH	Supporting roof only	16 24	16 24	16 24	Note c	Note c	48
	Supporting one story and roof	24	24	24	Note c	Note c	
PFG		24	27	30	Note d	Note d	1.5 × Actual ^b
CS-PF	SDC A, B and C	16	18	20	Note e	Note e	1.5 × Actual ^b
	SDC D ₀ , D ₁ and D ₂	16 24	18 24	20 24	Note e	Note e	Actual ^b

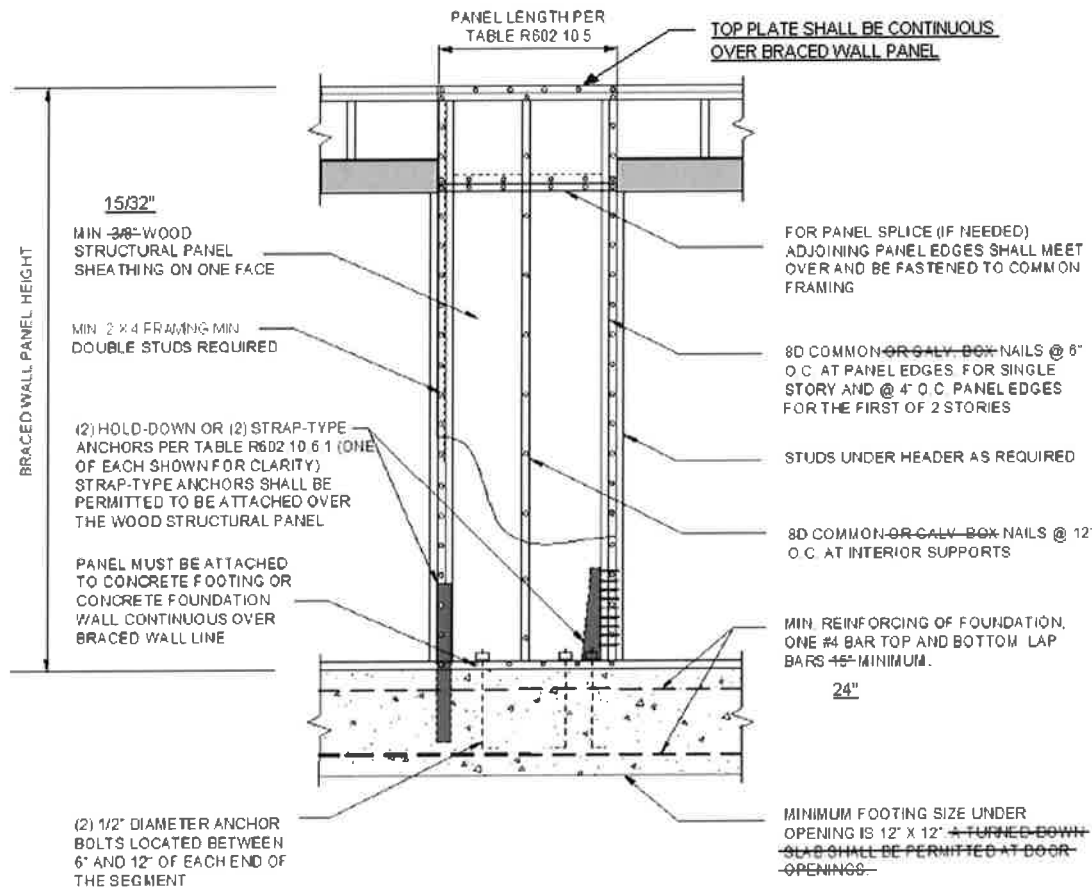
For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm, 1 mile per hour = 0.447 m/s.

NP = Not Permitted.

- Linear interpolation shall be permitted.
- Use the actual length where it is greater than or equal to the minimum length.
- Maximum header height for PFH is 10 feet in accordance with Figure R602.10.6.2, but wall height shall be permitted to be increased to 12 feet with pony wall.
- Maximum header height for PFG is 10 feet in accordance with Figure R602.10.6.3, but wall height shall be permitted to be increased to 12 feet with pony wall.
- Maximum header height for CS-PF is 10 feet in accordance with Figure R602.10.6.4, but wall height shall be permitted to be increased to 12 feet with pony wall.

16.06.200. Figure R602.10.6.1 amended.

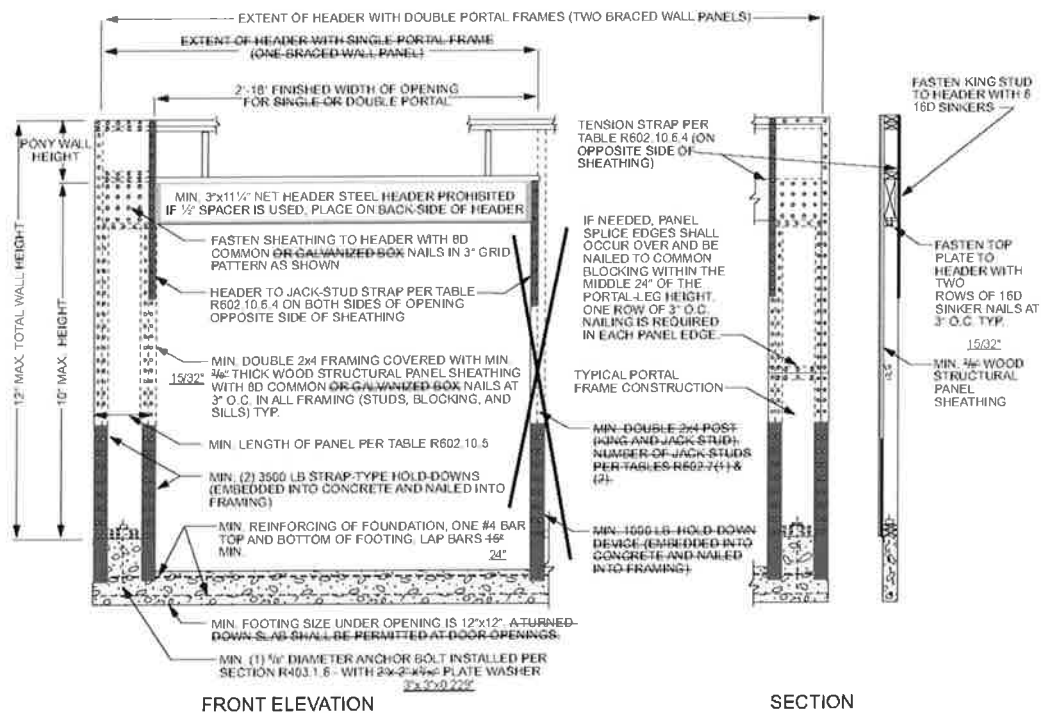
Figure R602.10.6.1 is amended to read as follows:



**FIGURE R602.10.6.1
METHOD ABW—ALTERNATE BRACED WALL PANEL**

16.06.210. Figure R602.10.6.2 amended.

Figure R602.10.6.2 is amended to read as follows:

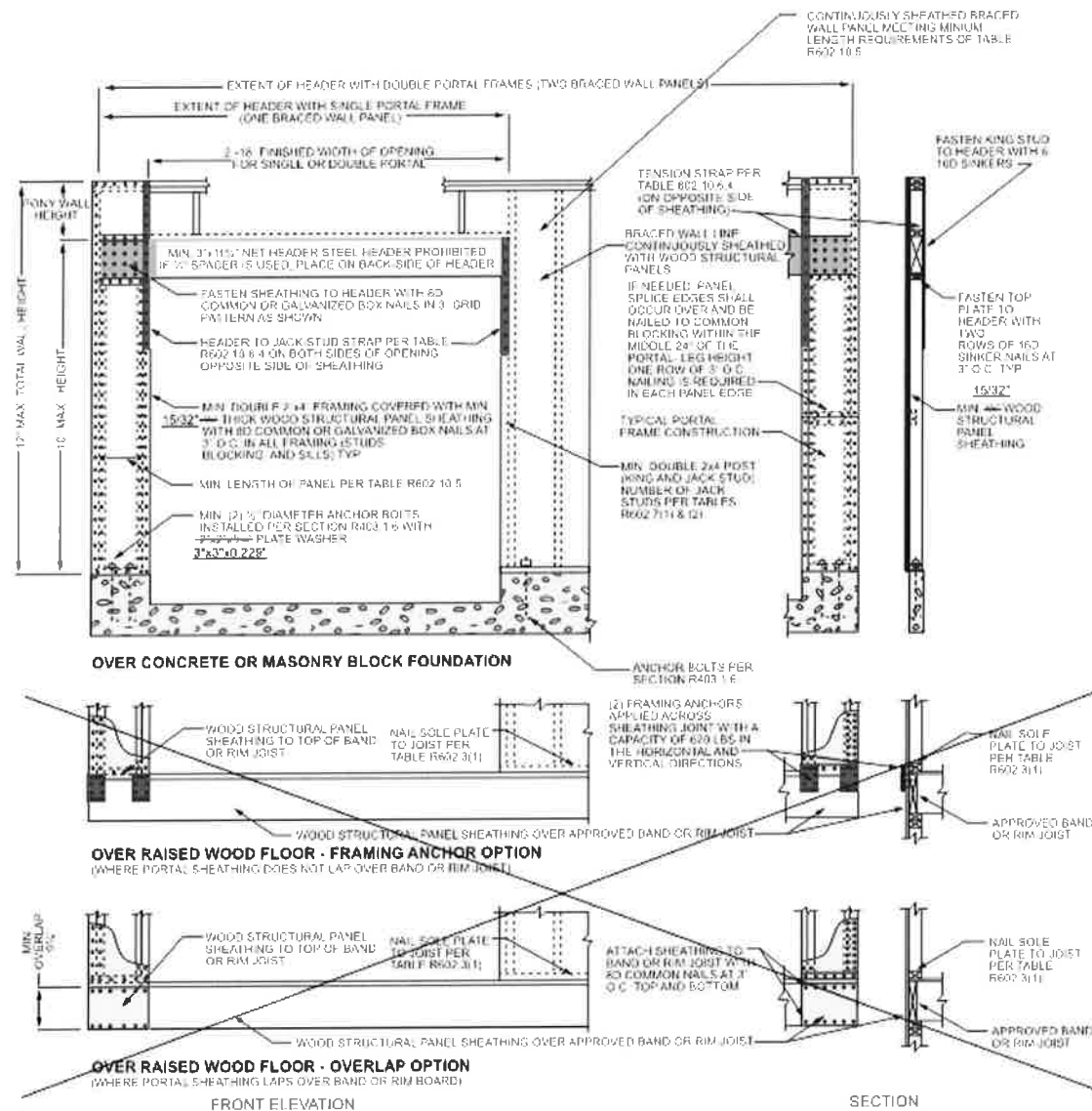


For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

FIGURE R602.10.6.2
METHOD PFH—PORTAL FRAME WITH HOLD-DOWNS
AT DETACHED GARAGE DOOR OPENINGS

16.06.220. Figure R602.10.6.4 amended.

Figure R602.10.6.4 is amended to read as follows:



For SF: 1 inch = 25.4 mm, 1 foot = 304.8 mm

FIGURE R602.10.6.4
METHOD CS-PF—CONTINUOUSLY SHEATHED PORTAL FRAME PANEL CONSTRUCTION

16.06.230. Section R606.4.4 amended.

Section R606.4.4 is amended to read as follows:

R606.4.4 Parapet walls. Unreinforced solid masonry parapet walls must not be less than 8 inches thick and their height must not exceed four times their thickness. Unreinforced hollow unit masonry parapet walls must not be less than 8 inches thick, and their height must not exceed three times their thickness. Masonry parapet walls in areas subject to wind loads of 30 pounds per square foot or located in Seismic Design Category D₀, D₁ or

D₂, or on townhouses in Seismic Design Category C must be reinforced in accordance with Section R606.12.

16.06.240. Section R606.12.2.2.3 amended.

Section R606.12.2.2.3 is amended to read as follows:

R606.12.2.2.3 Reinforcement requirements for masonry elements. Masonry elements listed in Section R606.12.2.2 must be reinforced in either the horizontal or vertical direction as shown in Figure ~~R606.11(2)~~ R606.11(3) and in accordance with the following:

1. Horizontal reinforcement. Horizontal joint reinforcement consists of ~~at least two longitudinal W1.7 wires spaced not more than 16 inches for walls greater than 4 inches in width and at least one longitudinal W1.7 wire spaced not more than 16 inches for walls not exceeding 4 inches in width; or at least one No. 4 bar spaced not more than 48 inches. Where two longitudinal wires of joint reinforcement are used, the space between these wires must be the widest that the mortar joint will accommodate.~~ Horizontal reinforcement must be provided within 16 inches of the top and bottom of these masonry elements.
2. Vertical reinforcement. Vertical reinforcement consists of at least one No. 4 bar spaced not more than 48 inches. Vertical reinforcement must be within ~~46~~ 8 inches of the ends of masonry walls.

16.06.250. Section R803.2.4 added.

Section R803.2.4 is added as follows:

R803.2.4 Openings in horizontal diaphragms. Openings in horizontal diaphragms must conform with Section R503.2.4.

16.06.260. Section R902.1 amended.

Section R902.1 is amended to read as follows:

R902.1 Roofing covering materials. Roofs must be covered with materials as set forth in Sections R904 and R905. A minimum Class A roofing must be installed in all areas designated by this section. Class A roofing required to be listed by this section must be tested in accordance with UL 790 or ASTM E108.

Exceptions:

1. Class A roof assemblies include those with coverings of brick, masonry, and exposed concrete deck.
2. Class A roof assemblies include ferrous or copper shingles or sheets, metal sheets and shingles, clay or concrete roof tile or slate installed on noncombustible decks.
3. Class A roof assemblies include minimum 16 ounces per square foot copper sheets installed over combustible decks.

4. Class A roof assemblies include slate installed over underlayment over combustible decks.

16.06.270. Section R902.1.3 amended.

Section R902.1.3 is amended to read as follows:

R902.1.3 Roof coverings in 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, will be a fire-retardant roof covering that is at least Class A."

16.06.280. Section 905.3.1 amended.

Section R905.3.1 is amended to read as follows:

R905.3.1 Deck requirements. Concrete and clay tile must be installed only over solid sheathing ~~or spaced structural sheathing boards.~~

Exception: Spaced lumber is be permitted in Seismic Design Categories A, B, and C.

16.06.290. Section R1001.3.1 amended.

Section R1001.3.1 of the 2016 Edition of the California Residential Code is amended to read as follows:

R1001.3.1 Vertical reinforcing. For chimneys up to 40 inches wide, four No. 4 continuous vertical bars adequately anchored into the concrete foundation must be placed between wythes of solid masonry or within the cells of hollow unit masonry and grouted in accordance with Section R606. Grout must be prevented from bonding with the flue liner so that the flue liner is free to move with thermal expansion. For chimneys more than 40 inches wide, two additional No. 4 vertical bars adequately anchored into the concrete foundation must be provided for each additional flue incorporated into the chimney or for each additional 40 inches in width or fraction thereof.

SECTION 6: Chapter 16.07 of the MPMC is amended in its entirety to read as follows:

"Chapter 16.07 ELECTRICAL CODE

16.07.010 Document adopted by reference.

Pursuant to Government Code § 50022.9, the City Council incorporates by reference the California Electrical Code, 2019 Edition, as published in Title 24, Part 3 of the California Code of Regulations.

16.07.020. Article 91 added.

Article 91 is added to read in its entirety, as follows:

Article 91
Administrative Provisions

For administrative provisions for this Code, see Section 16.01.040."

SECTION 7: Chapter 16.08 of the MPMC is amended in its entirety to read as follows:

"Chapter 16.08 MECHANICAL CODE

16.08.010 Document adopted by reference.

Pursuant to Government Code § 50022.9, the City Council incorporates by reference the California Mechanical Code, 2019 Edition, as published in Title 24, Part 4 of the California Code of Regulations.

16.08.020. Chapter 1 Division II amended.

The text within Chapter 1 Division II is amended to read as follows:

Chapter 1 Division II
Administrative Provisions

For administrative provisions for this Code, see Section 16.01.040."

SECTION 8: Chapter 16.09 of the MPMC is amended in its entirety to read as follows:

"Chapter 16.09 PLUMBING CODE

16.09.010 Document adopted by reference.

Pursuant to Government Code § 50022.9, the City Council incorporates by reference the California Plumbing Code, 2019 Edition, as published in Title 24, Part 5 of the California Code of Regulations.

16.09.020. Chapter 1 Division II amended.

Chapter 1 Division II is amended in its entirety read as follows:

Chapter 1 Division II
Administrative Provisions

For administrative provisions for this Code, see Section 16.01.040."

SECTION 9: Chapter 16.10 of the MPMC is amended in its entirety to read as follows:

"Chapter 16.10 ENERGY CODE

16.10.010 Document adopted by reference.

Pursuant to Government Code § 50022.9, the City Council incorporates by reference the California Energy Code, 2019 Edition, as published in Title 24, Part 6 of the California Code of Regulations.

16.10.020. Section 100.2 of Subchapter 1 added.

Section 100.2 is added to Subchapter 1 to read as follows:

Section 100.01
Administrative Provisions

For administrative provisions for this Code, see Section 16.01.040.”

SECTION 10: Chapter 16.11 of the MPMC is amended in its entirety to read as follows:

“Chapter 16.11 HISTORICAL BUILDING CODE

16.11.010 Document adopted by reference.

Pursuant to Government Code § 50022.9, the City Council incorporates by reference the California Historical Building Code, 2019 Edition, as published in Title 24, Part 8 of the California Code of Regulations.

16.11.020. Chapter 8-1(1) added.

Chapter 8-1(1) is added to read as follows:

Chapter 8-1(1)
Administrative Provisions

For administrative provisions for this Code, see Section 16.01.040.”

SECTION 11: Chapter 16.12 of the MPMC is amended in its entirety to read as follows:

“Chapter 16.12 EXISTING BUILDING CODE

16.12.010 Document adopted by reference.

Pursuant to Government Code § 50022.9, the City Council incorporates by reference the California Existing Building Code, 2019 Edition, as published in Title 24, Part 10, of the California Code of Regulations.

16.12.020. Chapter 1 Division 2 amended.

Chapter 1 of Division 2 is amended in its entirety to read as follows:

Chapter 1 Part 2
Administrative Provisions

For administrative provisions for this Code, see Section 16.01.040."

SECTION 12: Chapter 16.13 of the MPMC is amended in its entirety to read as follows:

"Chapter 16.13 GREEN BUILDING STANDARDS CODE

16.13.010 Document adopted by reference.

Pursuant to Government Code § 50022.9, the City Council incorporates by reference the California Green Building Standards Code, 2019 Edition, as published in Title 24, Part 11, of the California Code of Regulations.

16.13.020. Chapter 1-1 added.

Chapter 1-1 is added to read as follows:

Chapter 1-1
Administrative Provisions

For administrative provisions for this Code, see Section 16.01.040."

SECTION 13: Chapter 16.14 of the MPMC is amended in its entirety to read as follows:

"Chapter 16.14 REFERENCED STANDARDS CODE

16.14.010 Document adopted by reference.

Pursuant to Government Code § 50022.9, the City Council incorporates by reference the California Referenced Standards Code, 2019 Edition, as published in Title 24, Part 12, of the California Code of Regulations."

SECTION 14: Chapter 16.15 of the MPMC is amended in its entirety to read as follows:

"Chapter 16.15 POOL AND SPA CODE

16.15.010 Document adopted by reference.

Pursuant to Government Code § 50022.9, the City Council incorporates by reference the International Pool and Spa Code, 2015 Edition, as published by the International Code Council, Inc.

16.15.020. Chapter 1, Part 2 Administration and Enforcement amended.

Chapter 1 of Part 2 is amended in its entirety to read as follows:

Chapter 1, Part 2

Administrative Provisions

For administrative provisions for this Code, see Section 16.01.040."

SECTION 15: Chapter 16.21 of the MPMC is amended to read as follows:

"Chapter 16.21 EXCAVATION AND GRADING CODE

16.21.010 Document adopted by reference.

Pursuant to Government Code § 50022.9, the City Council incorporates by reference the California Building Code, 2019 Edition, as published in Title 24, Part 2, Volume 2, Appendix J of the California Code of Regulations.

Appendix J of that certain document, known and designated as the California Building Code, 2019 Edition, published by the California Building Standards Commission is incorporated herein by reference, subject to the additions, deletions and amendments specified in this chapter, and shall be known as the Monterey Park Excavation and Grading Code."

Section 16: Chapters 17.01 and 17.02 of the MPMC are amended in their entirety to read as follows:

"Chapter 17.01. CALIFORNIA FIRE CODE

17.01.010 Adoption of the California Fire Code

Pursuant to Government Code § 50022.9, the City Council incorporates by reference the California Fire Code, 2019 Edition ("CFC"), as published at Title 24, Part 9, of the California Code of Regulations. The CFC, as adopted by the MPMC, includes Appendices Chapter 4, B, C, D, and O.

Chapter 17.02 LOCAL AMENDMENTS TO CALIFORNIA FIRE CODE

17.02.010 Amendment—Application of Residential Code.

Section 102.5 is amended to read as follows:

102.5 Application of Residential Code. Where structures are designed and constructed in accordance with the International Residential Code, the provisions of this code apply as follows:

1. Construction and designed provisions: Provisions of this code pertaining to the exterior of the structure will apply including, without limitation, premises identification, fire apparatus access and water supplies. Provisions of this code pertaining to the interior of the structure when specifically required by this code including, without limitation, Section 903.4 903 where interior or exterior systems or devices are installed, construction permits required by Section 105.7 of this code will also apply.
2. Administrative, operational, and maintenance provisions: All such provisions of this code will apply.

17.02.020 Addition—Police Powers.

Section 103.5 is added to read as follows:

103.5 Police Powers. The fire code official and deputies have the powers of police officers in performing their duties under this code. When requested to do so by the fire code official, the chief of police of the jurisdiction is authorized to assign such available police officers as necessary to assist the fire code official in enforcing the provisions of this code.

17.02.030 Deletion – Mobile food preparation vehicles.

Section 105.6.30 is deleted in its entirety.

17.02.040 Amendment—Appeals.

Section 109, including its subparts is amended in its entirety to reads as follows:

109.1 Grounds for Appeal. Any aggrieved party may appeal any of the following decisions of the Fire Chief:

1. Disapproval of any application.
2. Refusal to grant any permit applied for when it is claimed that the provisions of this California Fire Code do not apply.
3. Interpretation of this California Fire Code.
4. Determination of suitability of alternate materials or types of construction or materials to types of construction or methods.

109.2 Written Decision. Any such decision must be in writing and a copy thereof will be served upon the applicant, if any, by mail. Any such decision will be final, unless an appeal will be filed there from, within the time and in the manner prescribed by this section.

109.3 Appeal Procedure. Any person dissatisfied with any such determination or decision of the Fire Chief has the right of appeal via the Administrative Civil Review Process established under the provisions of Chapter 5.48 of the Monterey Park Municipal Code.

109.4 Notice of Appeal. Any person desiring to take such an appeal must, within five days after receipt of the written decision of the Fire Chief, file a written notice of appeal with the Fire Chief for further review through an Administrative Hearing. Such written notice of appeal must be on a form provided by the Monterey Park Fire Department and contain such information as may be required for the Administrative Review.

109.5 Hearing. Each such appeal will be set for hearing for the Administrative Review. Not less than five days before the date of such hearing, written notice of the time and place of the hearing will be given to the applicant.

109.6 Hearing Procedure. At the time of the hearing, the Hearing Examiner will consider the evidence of the appellant, of the Fire Chief, or their authorized representative, and any other evidence, which may be presented.

109.7 Final Decision. At or after the conclusion of the hearing, the Hearing Examiner will render its findings of fact and its decision in writing, and will furnish a copy thereof to the Fire Chief, and will also serve a copy thereof upon the appellant by mail.

17.02.050 Amendment—Definition added.

Section 202 is amended by adding the following definition:

ALL WEATHER SURFACE. A road surface constructed to the minimum standards approved by the jurisdiction capable of supporting loads of 80,000 pounds.

17.02.060 Amendment—Definitions revised.

Section 202 is amended by revising the following definitions:

FIRE CHIEF. The Chief Officer of the City of Monterey Park Fire Department.

FIRE CODE OFFICIAL. The Fire Chief or other member of the fire service appointed by the Fire Chief, charged with the administration and enforcement of the Code.

17.02.070. Amendment—Combustible Waste Material.

Section 304.1.2 is amended to read as follows:

304.1.2 Vegetation. Weeds, grass, vines or other growth that is capable of being ignited and endangering property, must be cut down and removed by the owner or occupant of the premises. Vegetation clearance requirements in areas deemed a fire hazard by the Fire Chief or Fire Code Official must maintain a defensible space around all buildings and structures as follows:

~~(b)~~ Ground clearance. The space surrounding every building or structure must be maintained in accordance with the following:

Any person that owns, leases, controls, operates, or maintains any building or structure in, upon, or adjoining any mountainous area or forest-covered lands, brush covered lands, or grass-covered lands, or any land which is covered with flammable material, must at all times do the following:

- (1) Maintain around and adjacent to such building or structure a firebreak made by removing and clearing away, for a distance of not less than 30 feet on each side thereof or to the property line, whichever is nearer, all flammable vegetation or other combustible growth. This section does not apply to single specimens of trees, ornamental shrubbery, or similar plants which are used as ground cover, if they do not form a means of rapidly transmitting fire from the native growth to any building or structure.

- (2) Maintain around and adjacent to any such building or structure additional fire protection or fire-break made by removing all bush, flammable vegetation, or combustible growth which is located from 30 to 100 feet from such building or structure or to the property line, whichever is nearer, as required by the enforcing agency if he finds that, because of extra hazardous conditions, a fire break of only 30 feet around such building or structure is not sufficient to provide reasonable fire safety. Grass and other vegetation located more than 30 feet from such building or structure and less than 18 inches in height above the ground may be maintained where necessary to stabilize the soil and prevent erosion.

17.02.080 Amendment—Open burning.

Section 307.1 is amended to read as follows:

307.1 Bonfires, Weed Abatement, Religious Burning, and Outdoor Rubbish Fires.

No person may build, light, maintain, or cause or permit to be built, lighted or maintained, any open or outdoor fire; use, or cause or permit to be used, any fire for clearing land; burn or cause or permit to be burned, any brush, trash, rubbish, stubble, or other flammable or combustible material, unless he complies with the regulations set forth in this section as follows:

1. Applicant must first secure from the Fire Chief, or their authorized representative, a written permit for such burning.
2. Such burning must be in accordance with the following:
 - a. Each recipient of a written permit for burning must follow all rules shown. Acceptance of a burning permit will constitute an agreement that the holder will be responsible for all damages resulting from burning.
 - b. Any such fire must be maintained in one small pile or area that can be readily controlled.
 - c. At least one adult person must be in actual attendance and in charge of such fire at all times during its burning. He/she must have on hand at all such times water, garden hose, shovels, or other fire extinguishing equipment.
 - d. Such burning will be permitted only at a safe distance from all structures or other combustible material.
 - e. Burning will be permitted only if there is no appreciable wind.
 - f. Upon completion of any such burning, all resultant embers must be extinguished and hot ashes must be thoroughly wet down.
3. The Fire Chief may prohibit any or all outdoor fires or burning at any time he/she deems that atmospheric conditions or local circumstances will make such a fire hazardous.

17.02.090 Deletion – Mobile Food Preparation Vehicles

Section 319 is deleted in its entirety.

17.02.100 Amendment—Automatic sprinkler systems.

Section 903 is amended as follows:

Amend Section 903.1.2 to read as follows:

903.1.2 Partial Automatic Fire Suppression Systems Prohibited.

Whenever an automatic fire suppression system is installed for any portion of any building or structure, an automatic fire suppression system must be installed for the entire building or structure.

Amend Section 903.2 to read as follows:

903.2 Where required. Approved automatic extinguishing systems must be installed:

1. In all new buildings regardless of the type of construction or occupancy.

Exceptions:

A) Detached Group U occupancies, providing the floor area does not exceed 1000 square feet.

~~B) Other minor buildings and/or occupancies as approved by the Fire Chief.~~
Unmanned facilities and/or minor buildings and/or occupancies as approved by the Fire Chief.

2. In existing buildings with an occupancy change as required by other sections of the Fire Code.

Amend Section 903.6 as follows:

903.6 Existing Occupancies. An automatic sprinkler system will be installed in existing occupancies as follows:

1. In all commercial and industrial buildings greater than 5000 square feet in area when enlarged by an addition to the existing structure or as required by the Fire Chief.
2. In all commercial and industrial buildings equal to or less than 5000 square feet in area, when enlarged by an addition to the existing structure, exceeds 5000 square feet or as required by the Fire Chief.
3. In all commercial and industrial buildings when an addition to the existing area exceeds fifty percent (50%) within any twelve-month period.
4. In all residential occupancies when an addition to the existing living area exceeds fifty percent (50%) within any twelve-month period.
5. As required by the Fire Code due to a change in occupancy.
6. As required by the Fire Code in Chapter 11.

Amend Section 903.3.1.1 as follows:

903.3.1.1 NFPA 13 sprinkler systems. In other than Group R buildings that are not over two stories in height, automatic sprinkler systems will be designed and installed in accordance with the NFPA 13, 2019 Edition as amended in Chapter 80 except as provided in Sections 903.3.1.1.1 and 903.3.1.1.2.

Add Section 903.3.1.1.3 to read as follows:

903.3.1.1.3 Riser room location. In structures over three stories in height or served by more than two fire sprinkler risers, a dedicated Fire Sprinkler Riser Room must be provided at an approved location. The riser room must be accessible to emergency personnel from the exterior of the building.

Amend Section 903.3.1.2 as follows:

903.3.1.2. NFPA 13R sprinkler systems. Where allowed in buildings of Group R, up to and including two stories in height, automatic sprinkler systems will be installed throughout in accordance with NFPA 13R, 2019 Edition as amended in Chapter 80.

Add Section 903.3.1.2.4 to read as follows:

903.3.1.2.4 Basement spaces. In residential buildings with automatic sprinkler systems designed and installed in accordance with NFPA 13R, basements used for living or storage purposes must be fully sprinklered with residential type heads.

Add Section 903.3.1.3 to read as follows:

903.3.1.3. NFPA 13D sprinkler systems. Where allowed, automatic sprinkler systems will be installed in one- and two-family dwellings will be installed throughout in accordance with NFPA 13D, 2019 Edition as amended in Chapter 80.

Add Section 903.3.1.3.1 to read as follows:

903.3.1.3.1. Detailed requirements. Automatic sprinkler system protection for one and two-family dwellings will be designed and installed in accordance with NFPA 13D, 2019 Edition with the following modifications:

1. A local water flow alarm must be provided for all sprinkler systems.
2. Attics and basements used for storage purposes must be fully sprinklered with residential type heads.
3. Overhead piping must be hydrostatically tested for leakage at 200 psi for two hours and inspected before drywall or insulation installation.
4. A minimum of three spare representative sprinkler heads and installation wrench must be provided at an approved location.

Amend Section 903.3.5 as follows:

903.3.5 Water Supplies. Water supplies for automatic sprinkler systems must comply

with this section and the standards referenced in section 903.3.1. The potable water supply must be protected against backflow in accordance with the *Health and Safety Code* and the Monterey Park Municipal Code. Hydraulic calculations for systems designed per NFPA 13, 13D, or 13R will include a ten percent (10%) reduction from the available supply source.

17.02.110 Addition—Multiple fire alarm and detection systems.

Section 907.1.6 is added to read as follows:

907.1.6 Multiple Fire Alarm Systems. Multiple fire alarm systems within single protected premises must be interconnected and must transmit signals as one system.

17.02.120 Amendment—Emergency Responder Radio Coverage

Section 1103.2 is amended to read as follows:

1103.2 Emergency responder radio coverage in existing buildings. Existing buildings that do not have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building, must be equipped with such coverage according to one of the following:

1. Whenever an existing wired communication system cannot be repaired or is being replaced, or where not approved in accordance with Section 5101, Exception 1.
2. Whenever total additions result in an increase of more than 6,000 square feet in the total floor area, including mezzanines or additional stories, regardless of ownership. Additions must be cumulative with each application for a building permit from January 1, 2011.
3. Whenever the value of alternations requiring permits exceed \$500,000 in valuation. Alterations values must be cumulative with each application for a building permit from January 1, 2011.

17.02.130 Amendment—Explosive materials.

Sections 5601.2 and 5601.3 are amended to read as follows:

5601.2 The manufacture, possession, storage, sale, transportation and use of explosive materials will be prohibited, unless it is authorized by the State Fire Marshal. This will not apply to hand loading of small arms ammunition for personal use when not for resale.

5601.3 Non explosive materials must be bolts, explosive rivets or cartridges for explosive-actuated power tasks in quantities involving less than 500 pounds.

17.02.140 Addition—Fireworks display.

Sections 5608.1.2 and 5608.1.3 are added to read as follows:

5608.1.2 Permits. It is unlawful for any person to present or conduct any public display of fireworks within the City of Monterey Park without first having obtained a permit there from the Fire Chief or their representative.

5608.1.3 Detailed Requirements. The public display of fireworks within the City of Monterey Park must be in accordance with Section 5608.1 of this Code and all of the following:

1. The Fire Chief is authorized to grant permits for supervised public displays of fireworks to be conducted by the city or by other organizations. Every such display must be personally supervised by a competent, licensed pyrotechnic operator approved by the Fire Chief. Each such display must be held at an approved location and must be so discharged or fired as, in the opinion of the Fire Chief after proper investigation, not to be hazardous to property or to endanger any person.
2. Applications for permit must be made in writing at least ten days in advance of the date of the display. After such permit will have been granted, the sale, possession, use, and/or distribution of fireworks for such display will be lawful for the permitted activity and time frame only. No permit granted under this code will be transferable.
3. The permittee must furnish a bond or certificate of insurance in an amount deemed adequate by the Fire Chief for the payment of all damages which may be caused either to a person or persons or to property by reason of the permitted display and arising from any acts of the permittee, agents, employees, or subcontractors.
4. When required by the Chief, the pyrotechnic operator will employ and provide additional personnel whose sole duty will be the enforcement of crowd control around the display area. Unauthorized persons will not be allowed to enter the discharge site until the site has been inspected and cleared after conclusion of the display by the pyrotechnic operator.
5. The Fire Chief is authorized to require rope barriers, fences, signs or other devices to be installed around the display area to aid in crowd control.
6. The Fire Chief is authorized to adopt such additional rules and regulations not inconsistent herewith as are reasonably required to prevent injury to persons and/or property, including without limitation the requirement for standby fire personnel or apparatus at the firing site.
7. If the Fire Chief or appointed designee determines that there is a lack of crowd control or that the crowd is in danger, the display will be immediately discontinued. If at any time high winds or wet weather creates a danger, the display will be postponed until weather conditions are acceptable to the Chief.
8. The entire firing site must be inspected immediately following a display and before allowing public access for the purpose of locating unexploded aerial shells and/or hazardous debris. Unexploded shells will not be handled within 15 minutes after the time of their firing. Such shells must then be doused thoroughly with water, allowed to stand for at least 5 minutes, and then be submersed in a full bucket of water.

17.02.150 Addition—Fireworks manufacturing.

Section 5614 is added to read as follows:

**SECTION 5614
FIREWORKS MANUFACTURING**

5614.1 It is unlawful to manufacture fireworks within the City of Monterey Park.

5614.2 The Chief is authorized to seize, take, remove or cause to be removed, at the expense of the owner, all stocks of fireworks or explosives offered or exposed for sale, or stored or held in violation of this section.

17.02.160 Addition—Sale of fireworks.

Section 5615 is added to read as follows:

**SECTION 5615
SALE OF FIREWORKS**

5615.1 Sales of Fireworks. The sale of "Safe and Sane" fireworks within the City of Monterey Park city limits will be in accordance with Section 3301 of the Code, Chapter 5.48 of the Monterey Park Municipal Code, and all of the following:

5615.1.1 It is unlawful for any person to sell, or to cause or permit to be sold, within the city, any fireworks at retail without first securing a permit to do so from the Fire Chief. A separate permit must be obtained for each separate or distinct place of business or stand. Any person having a permit, who fails to comply with the conditions of the permit as provided for by this section, will be deemed to be operating without a permit. Application must be made no earlier than April 1 and no later than May 15 of each calendar year.

5615.1.2 The maximum number of permits, which may be issued will be (20) during any one calendar year.

If the number of applications exceed the number of permits to be issued, the permittees, who did not violate any requirements of this chapter during the preceding year, will have first priority for the available permits until April 15, provided each permittee represents the same participating organization which operated under the permit during the preceding year.

If there are any additional permits available, such additional permits will be granted by a drawing supervised by the license officer, or other municipal officer designated by the City Council.

1. The following qualifications must be met by each application for a permit:
 - a. No permit will be issued to any person, firm, or corporation, except any veterans organization or any auxiliary of such organization chartered by the Congress of the United States, maintaining a charter and meeting place in the City whose membership is composed of members now and/or heretofore serving in the armed forces of the United States; or, any nonprofit associations or corporations organized primarily for civic betterment or youth activities, charitable, or religious purposes.
 - b. Each such organization must have its principal and permanent meeting place within the city limits of Monterey Park, and must have been organized and established within the city limits of Monterey Park, and must have been organized and established within such city limits for a minimum of one year continuously preceding the filing of an application for a permit.
 - c. No organization may receive more than one permit for fireworks sales during any one calendar year.

- d. No stand will be within 500 feet of another stand.
2. Each applicant for a permit must take out and maintain in force, while any such fireworks stand is open, public liability insurance in an amount of not less than \$1,000,000 for injury to one person, and not less than \$1,000,000 for any one occurrence, and one million dollars (\$1,000,000) for damage to property. The City of Monterey Park must be named as "additional insured" on all policies required hereunder. Before the issuance of a permit hereunder, each applicant must furnish evidence satisfactory in form and substance to the city that such insurance is in force, and adequate legal assurance that the carrier will give the city at least thirty days' prior written notice of the cancellation of the policy, during the effective period of the permit.
3. Applicants for a permit hereunder must pay a permit fee in accordance with the City of Monterey Park Master Schedule of Fees and Charges for each fireworks stand.
4. It will be unlawful for any person to sell at retail "dangerous fireworks," as defined in the California State Fireworks Law.
5. No "safe and sane" fireworks, as defined in the California State Fireworks Law, will be sold or offered for sale at retail within the City, except from 12:00 noon on June 28 to 9:00 p.m. on July 4 of each year. In addition, the discharge of fireworks is limited to 10 a.m. to 10 p.m. on only July 4.
6. No "safe and sane" fireworks will be sold or offered for sale at retail unless the fuses or other igniting devices are protected by approved protective caps, or each item or group of items is enclosed or sealed in a package bearing the California State Fire Marshal's Seal of Registration, upon which the wholesaler's license number appears.
7. The Fire Chief is authorized to promulgate reasonable additional rules and regulations for the operation of fireworks stands, in order to eliminate or reduce to a minimum the risk of fire or injury to persons or damage to property. A copy of any such rules and regulations must be posted in a prominent place in each fireworks stand. Failure to comply with said rules and regulations will be grounds for the immediate revocation of any permit granted under this section.

17.02.170 Amendment—Locations where aboveground tanks are prohibited.

Section 5704.2.9.6.1 is amended to read as follows:

5704.2.9.6.1 The storage of Class I and II liquids in above ground tanks outside of buildings is prohibited within the limits established by law as the limits of districts in which such storage is prohibited.

1. Class I and II liquids must be stored in above ground tanks outside of buildings only at locations in the city zoned or used for Manufacturing purposes, as designated in the Monterey Park Municipal Code and the zoning map of the City of Monterey Park.
Exception: Above ground storage tanks dispensing Class I and II liquids will not be allowed in motor fuel service stations.
2. The storage of Class I and II liquids in above ground tanks may be permitted in other zones if the Fire Chief finds that such use in a particular installation will not create an unreasonable risk of injury to person or property after consideration of special factors; such as, topographical conditions, nature of occupancy and proximity to buildings or adjoining property, and height and character of

construction of such buildings, capacity and construction of proposed tanks and character of liquids to be stored, degree of private fire protection to be provided, and facilities of the Fire Department available to cope with flammable or combustible liquid fires.

17.02.180 Amendment—Liquefied petroleum gases—Location of containers.

Section 6104.2 is amended to read as follows:

6104.2 Liquefied petroleum gas may be stored only at locations zoned or used for Manufacturing Development purposes, as designated in the Monterey Park Municipal Code and the zoning map of the City of Monterey Park.

Such storage, however, may be permitted in other zones if the fire code official finds that such use in a particular installation will not create an unreasonable risk of injury to person or property, after consideration of the special features; such as, topographical conditions, nature of occupancy and proximity to building or adjoining property and height and character of construction of such buildings, capacity and construction of proposed tanks, and character of liquids to be stored, degree of private fire protection to be provided, and facilities of the Fire Department to cope with flammable or combustible liquid fires.

17.02.190 Amendment—Appendix Chapter D Dead ends.

Section D103.4 of Appendix Chapter D is amended to read as follows:

D103.4 Dead Ends. Dead-end fire apparatus access roads in excess of 150 feet must be provided with width and turnaround provisions to the minimum standards adopted by the jurisdiction.

17.02.200 Amendment — Appendix Chapter O Haunted Houses

Section O101.2 of Appendix Chapter O is amended to read as follows:

O101.2 Permits. An operational permit must be required for haunted houses, ghost walks, or similar amusement uses in accordance with Appendix O101.2.

EXCEPTION: Haunted houses, ghost walks, or similar amusement uses in Group R-3 occupancies.

SECTION 17: ***Construction.*** This Ordinance must be broadly construed in order to achieve the purposes stated in this Ordinance. It is the City Council's intent that the provisions of this Ordinance be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Ordinance.

SECTION 18: ***Enforceability.*** Repeal of any provision of the Monterey Park Municipal Code does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this

Ordinance.

SECTION 19: *Validity of Previous Code Sections.* If this entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal or amendment of the MPMC or other city ordinance by this Ordinance will be rendered void and cause such previous MPMC provision or other the city ordinance to remain in full force and effect for all purposes.

SECTION 20: *Environmental Assessment.* The City Council finds that adoption of this Ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, et seq., the "State CEQA Guidelines") because it consists only of minor revisions and clarifications to an existing code of construction-related regulations and specification of procedures related thereto and will not have the effect of deleting or substantially changing any regulatory standards or findings required therefor, and therefore does not have the potential to cause significant effects on the environment. In addition, this ordinance is an action being taken for enhanced protection of the environment and is exempt from further review under CEQA Guidelines § 15308.

SECTION 21: *Severability.* If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the city council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 22: *Publication.* The City Clerk is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Monterey Park's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 23: *Effective Date.* This Ordinance will become effective on the thirty-first (31st) day following its passage and adoption.

SECTION 24: *Filing with Building Standards Commission.* The City Clerk must file a certified copy of this Ordinance with the California Building Standards Commission.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Monterey Park, held on the ____ day of _____, 2019.

Hans Liang, Mayor

ATTEST:

Vincent D. Chang, City Clerk

I HEREBY CERTIFY that the above and foregoing ordinance was duly passed and adopted by the Monterey Park City Council at its regular meeting held on ____ of ____, 2019, by the following vote, to wit:

AYES;
NOES;
ABSENT:

APPROVED AS TO FORM:
MARK D. HENSLEY, City Attorney

By: 
Natalie C. Karpeles, Deputy City Attorney

EXHIBIT A

Local Amendments To The 2019 California Building Standards Code

The City Council finds as follows:

SECTION 1: Pursuant to the requirements of Health and Safety Code §17958.7, the City Council finds that there are local climatic, geographic, and topographic conditions justifying the various local amendments to the California Building Standards Code as set forth herein.

SECTION 2: Specifically, the City Council finds:

A. Climatic Conditions

1. The City of Monterey Park is a densely populated area within a climate system capable of producing major winds, fire and rain related disasters, including but not limited to those caused by the Santa Ana winds and El Niño (or La Niña) subtropical-like weather. This region is especially susceptible to more active termite and wood attacking insects and microorganisms.
2. Hot, dry Santa Ana winds are common to all areas within the City of Monterey Park. These winds, which can cause small fires which spread quickly, are a contributing factor to the high fire danger in the area, and create the need for an increased level of fire protection. This added protection will supplement normal fire department response available and provide immediate protection for life and safety of multiple occupancy occupants during fire occurrences.
3. Los Angeles County and the City of Monterey Park are located in a semi-arid Mediterranean type climate which predisposes all fuels, including wood shingles to rapid ignition and spread of fire. Therefore, there exists a need for additional fire protection measures.
4. The warm, dry climate is conducive to swimming pools which creates a higher probability of child drowning where pools are unprotected.

B. Geological Conditions

1. The City of Monterey Park is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the 1994 Northridge Earthquake, the 1987 Whittier Narrows Earthquake, the 1971 San Fernando Earthquake and the

1933 Long Beach Earthquake.

2. The October 17, 1989, Santa Cruz earthquake resulted in only one major San Francisco fire in the Marina district. But, when combined with the 34 other fires and over 500 responses, the department was taxed to its full capabilities. The Marina fire was difficult to contain because mains supplying water to the district burst during the earthquake. If more fires had been ignited by the earthquake, it would have been difficult for the fire department to contain them. This situation creates the need for both additional fire protection measures and automatic on-site fire protection for building occupants since a multitude of fires may result from breakage of gas and electric lines as a result of an earthquake. As noted by "Planning Scenario on a Major Earthquake Department on of the Newport-Inglewood Fault Zone, 1988, State Conservation," "unfortunately meeting the minimum earthquake standards of building codes barely places a building on the verge of being legally unsafe."
3. Traffic and circulation congestion presently existing in the City of Monterey Park often challenges fire department response times. This condition will be exacerbated by any major disaster, including any earthquake wherein damage to the highway system will occur. This condition makes the need for additional on-site protection for property occupants necessary.
4. Placement of multiple occupancy buildings, location of arterial roads, and fire department staffing constraints due to recent revenue-limiting state legislation have made it difficult for the fire department to locate additional fire stations and provide manpower sufficient to concentrate fire companies and personnel to control fires in high density apartment or condominium buildings. Fire Department equipment does not allow easy access to areas of buildings greater than 55 feet above the level of Fire Department vehicle access. These conditions create the need for built-in onsite fire protection systems to protect occupants and property until firefighting apparatus and personnel arrive on the scene.
5. The City of Monterey Park is located in an area subject to a climatic condition of high winds and low humidity. This combination of events creates an environment which is conducive to rapidly spreading fires. Control of such fires requires rapid response. 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, ASCE-7, Section 6, Figure 6 - 2 Height Adjustment Table identifies a significant increase in the amount of wind force at 60 feet above the ground. Use of aerial type firefighting apparatus above this height would place rescue personnel at increased risk of injury.

6. The City of Monterey Park is located in the middle of a seismically active area. The viability of the public water system would be questionable at best after a major seismic event. This would leave tall buildings vulnerable to uncontrolled fires due to a lack of available water and an inability to pump sufficient quantities of any available water to floors above the 55-foot level. 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.
7. 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.

C. Topographic Conditions

1. The City of Monterey Park is in an area that has a high percentage of structures on hillsides. Access for fire or rescue response and staging for firefighting are made challenging and difficult due to the terrain.

SECTION 3: Because of the local climatic, geologic and topographic conditions, the following local amendments are needed:

2019 California Building Code		
Code Section	Topic	Finding
Chapter 1, Division II	Administrative Provisions	Administrative
Section 202	Definition	Administrative
Section 903.1.2	Partial Automatic Suppression Systems	A-1, A-2, B-4, C-1
Section 903.2	Automatic Sprinkler Systems Required	A-1, A-2, B-4, C-1
Section 903.3.1.1	NFPA 13 Sprinkler Systems	A-1, A-2, B-4, C-1
Section 903.3.1.1.3	Riser Room Location	A-1, A-2, B-4, C-1
Section 903.3.1.2	NFPA 13R Sprinkler Systems	A-1, A-2, B-4, C-1
Section 903.3.1.2.4	Basement Spaces	A-1, A-2, B-4, C-1
Section 903.3.1.3	NFPA 13D Sprinkler Systems	A-1, A-2, B-4, C-1
Section 903.3.1.3.1	Detailed Requirements	A-1, A-2, B-4, C-1
Section 903.3.5	Water Supplies	A-1, A-2, B-4, C-1
Section 903.6	Existing Occupancies	A-1, A-2, B-4, C-1

Section 907.1.6	Multiple Fire Alarm Systems	A-1, A-2, B-4, C-1
Table 1505.1	Roof Covering	A-1, A-2, B-4, C-1
1505.1.3	Roof Covering	A-1, A-2, B-4, C-1

Section 1507.3.1	Deck Requirements	B-1
Section 1613.5 and 1613.5.1	Values for Vertical Combinations	B-1
Section 1613.5.2	Wood Diaphragms	B-1
Section 1613.5.3	Structural Separation	B-1
Section 1613.6	Seismic Design Provisions for Hillside Buildings	B-1
Section 1613.7	Suspended Ceilings	B-1
Section 1704.6	Structural Observations	B-1
Section 1704.6.2	Structural Observations For Seismic Resistance	B-1
Section 1705.3	Concrete Construction	B-1
Section 1705.12	Special Inspections For Seismic Resistance	B-1
Section 1807.1.4	Permanent Wood Foundation Systems	A-1, B-1
Section 1807.1.6	Prescriptive Design Of Concrete And Masonry Foundation Walls	B-1
Section 1807.2	Retaining Walls	
Section 1807.3.1	Limitations	
Section 1809.3	Stepped Footings	B-1
Section 1809.7 and Table 1809.7	Prescriptive Footings For Light-Frame Construction	B-1
Section 1809.12	Timber Footings	A-1, B-1
Section 1810.3.2.4	Timber	A-1, B-1
Section 1905.1.7	Minimum Reinforcement	B-1
Section 1905.1 to Add Sections 1905.1.9 through 1905.1.11	Reinforcement	B-1
Section 2304.10.1	Fastener Requirements	B-1
Section 2304.10.2.1	Quality of Nails	
Section 2304.12.5	Wood Used In Retaining Walls And Cribs	A-1, B-1
Section 2305.4	Hold-down Connectors	B-1
Section 2306.2	Wood-Frame Diaphragms	B-1
Section 2306.3	Wood-Frame Shear Walls	B-1
Section 2307.2	Wood-frame shear walls	B-1
Table 2308.6.1	Wall Bracing Requirements	B-1
Section 2308.6.5, 2308.6.5.1 and 2308.6.5.2,	Alternate Bracing	B-1

and Figures 2308.6.5.1 and 2308.6.5.2		
Section 2308.6.8.1	Foundation Requirements	B-1
Section 2308.6.9	Attachment Of Sheathing	B-1
Section 3101.1	Scope	B-1
Section 3114	Intermodal Shipping Containers	B-1

2019 California Residential Code		
Code Section	Topic	Finding
Chapter 1, Division II	Administrative Provisions	Administrative
Section R301.1.3.2	Woodframe Structures	B-1
Section R301.1.4	Seismic Design Provisions for Buildings on Slopes Steeper than 33%	B-1, C-1
Table R301.2(1)	Design Criteria	Administrative
Section R301.2.2.6	Irregular Buildings	B-1
Section R301.2.2.11	Anchorage Of Mechanical, Electrical, Or Plumbing Components And Equipment	B-1

Section R309.6	Fire Sprinklers	A-1, A-2, B-4, C-1
Section R313.1	Fire Sprinklers	A-1, A-2, B-4, C-1
Section R313.2	Fire Sprinklers	A-1, A-2, B-4, C-1
Section R313.3.6.2	Fire Sprinklers	A-1, A-2, B-4, C-1

Section R401.1	Application	A-1, B-1
Section R403.1.2, R403.1.3.6 and R403.1.5	General Footings	B-1
Section R404.2	Wood Foundation Walls	A-1, B-1
Section R501.1	Application	B-1
Section R503.2.4	Openings In Horizontal Diaphragms	B-1
Table R602.3(1)	Fastening Schedule	B-1
Section R602.3.2 and Table R602.3.2	Top Plate	B-1
Table R602.3(2)	Alternate Attachments to Table R602.3(1)	B-1
Section R602.10.2.3	Minimum Number Of Braced Wall Panels	B-1
Table R602.10.3(3)	Bracing Requirements Based on Seismic Design Category	B-1
Table R602.10.4	Bracing Methods	B-1
Table R602.10.5	Minimum Length of Braced Wall Panels	B-1

Figure R602.10.6.1	Method ABW	B-1
Figure R602.10.6.2	Method PFH	B-1
Figure R602.10.6.4	Method CS-PF- Continuously Sheathed Portal Frame Panel Construction	B-1
Section R606.4.4	Parapet Walls	B-1
Section R606.12.2.2.3	Reinforcement Requirements For Masonry Elements	B-1
Section R803.2.4	Openings In Horizontal Diaphragms	B-1

Section R902.1	Roof Covering	A-1, A-2, B-4, C-1
Section R902.1.3	Roof Covering	A-1, A-2, B-4, C-1

Section R905.3.1	Deck Requirements	B-1
Section R1001.3.1	Vertical Reinforcing	B-1

2019 California Electrical Code		
Code Section	Topic	Finding
Article 91	Administrative Provisions	Administrative

2019 California Mechanical Code		
Code Section	Topic	Finding
Chapter 1, Division II	Administrative Provisions	Administrative

2019 California Plumbing Code		
Code Section	Topic	Finding
Chapter 1, Division II	Administrative Provisions	Administrative

2019 California Energy Code		
Code Section	Topic	Finding
Chapter 100.2	Administrative Provisions	Administrative

2019 California Historical Building Code		
Code Section	Topic	Finding
Chapter 8-1(1)	Administrative Provisions	Administrative

2019 California Existing Building Code		
Code Section	Topic	Finding
Chapter 1, Division II	Administrative Provisions	Administrative

2019 California Green Building Standards Code		
Code Section	Topic	Finding
Chapter 1-1	Administrative Provisions	Administrative

2018 International Pool and Spa Code		
Code Section	Topic	Finding
Chapter 1, Part 2	Administrative Provisions	Administrative

2019 California Fire Code		
Code Section	Topic	Finding
102.5	Application of Residential Code	Administrative
103.5	Police Powers	Administrative
105.6.30	Mobile Food Preparation Vehicles	Administrative
109	A	Administrative
202	Definitions	Administrative
304.1.2	Vegetation	A-1, A-2, B-4, C-1
307.1	Open Burning	A-1, A-2, B-4, C-1
319	Mobile Food Preparation Vehicles	Administrative
903	Fire Sprinklers	A-1, A-2, B-4, C-1
907.1.6	Multiple Fire Alarm and Detections Systems	A-1, A-2, B-4, C-1
1103.2	Emergency Radios	A-1, A-2, B-4, C-1
5601.2 and 5601.3	Explosive Materials	A-1, A-2, B-4, C-1
5608.1.2 and 5608.1.3	Fireworks Displays	A-1, A-2, B-4, C-1
5614	Fireworks Manufacturing	A-1, A-2, B-4, C-1
5615	Fireworks Sales	A-1, A-2, B-4, C-1
5704.2.9.6.1	Above Ground Tanks	A-1, A-2, B-4, C-1
6104.2	Liquefied Petroleum Gases	A-1, A-2, B-4, C-1
D103.4	Dead Ends	A-1, A-2, B-4, C-1
O101.2	Haunted Houses	A-1, A-2, B-4, C-1

California Building Code	
<i>Section</i>	<i>Rationale</i>
1507.3.1	Section 1507.3.1 is amended to require concrete and clay tiles to be installed only over solid sheathing. The change is necessary because there were numerous observations of tile roofs pulling away from wood framed buildings following the 1994 Northridge Earthquake. The SEAOSC/LA City Post Northridge Earthquake committee findings indicated significant problems with tile roofs was due to inadequate design and/or construction.
1613.5 and 1613.5.1	Observed damages to one- and two-family dwellings of light frame construction after the Northridge Earthquake may have been partially attributed to vertical irregularities common to this type of occupancy and construction. In an effort to improve quality of construction and incorporate lesson learned from studies after the Northridge Earthquake, the proposed modification to ASCE 7-16 Section 12.2.3.1 Exception 3 by limiting the number of stories and height of the structure to two stories will significantly minimize the impact of vertical irregularities and concentration of inelastic behavior from mixed structural systems.
1613.5.2	A joint Structural Engineers Association of Southern California (SEAOSC), Los Angeles County and Los Angeles City Task Force investigated the performance of concrete and masonry construction with flexible wood diaphragm failures after the Northridge earthquake. It was concluded at that time that continuous ties are needed at specified spacing to control cross grain tension in the interior of the diaphragm. Additionally, there was a need to limit subdiaphragm allowable shear loads to control combined orthogonal stresses within the diaphragm. Recognizing the importance and need to continue the recommendation made by the task force while taking into consideration the improve performances and standards for diaphragm construction today, this proposal increases the continuous tie spacing limit to 40 ft in lieu of 25 ft and to use 75% of the allowable code diaphragm shear to determine the depth of the sub-diaphragm in lieu of the 300 plf and is deemed appropriate and acceptable. Due to the frequency of this type of failure during the past significant earthquakes, various jurisdictions within the Los Angeles region have taken this additional step to prevent roof or floor diaphragms from pulling away from concrete or masonry walls.
1613.5.3	The inclusion of the importance factor in this equation has the unintended consequence of reducing the minimum seismic separation distance for important facilities such as hospitals, schools, police and fire stations from adjoining structures. The proposal to omit the importance factor from Equation 12.12-1 will ensure that a safe seismic separation distance is provided.
1613.6	Due to the difficulty of fire suppression vehicles accessing winding and narrow hillside properties and the probabilities for future earthquakes in the Los Angeles region, this technical amendment is required to address the special needs for buildings constructed on hillside locations. A joint Structural Engineers Association of

	Southern California (SEAOSC) and both the Los Angeles County and Los Angeles City Task Force investigated the performance of hillside building failures after the Northridge earthquake. Numerous hillside failures resulted in loss of life and millions of dollars in damage. These criteria were developed to minimize the damage to these structures and have been in use by both the City and County of Los Angeles for several years with much success.
1613.7	The California Building Code has little to no information regarding the safe design and construction requirements for ceiling suspension systems subject to seismic loads. It is through the experience of prior earthquakes, such as the Northridge Earthquake, that this amendment is proposed so as to minimize the amount of bodily and building damage within the spaces in which this type of ceiling will be installed. This proposed amendment complements ASCE 7-16 Chapter 13 Section 13.5.6.2.2 and the cited reference to ASTM E580.
1704.6	The language in Section 1704.6 of the California Building Code permits the owner to employ any registered design professional to perform structural observations with minimum guideline. However, it is important to recognize that the registered design professional responsible for the structural design has thorough knowledge of the building he/she designed. By requiring the registered design professional responsible for the structural design or their designee who were involved with the design to observe the construction, the quality of the observation for major structural elements and connections that affect the vertical and lateral load resisting systems of the structure will greatly be increased. Additional requirements are provided to help clarify the role and duties of the structural observer and the method of reporting and correcting observed deficiencies to the building official.
1704.6.2	With the higher seismic demand placed on buildings and structures in this region, the language in Section 1704.6.2 of the California Building Code would permit many low-rise buildings and structures with complex structural elements to be constructed without the benefit of a structural observation. By requiring a registered design professional to observe the construction, the quality of the observation for major structural elements and connections that affect the vertical and lateral load resisting systems of the structure will greatly be increased. An exception is provided to permit simple structures and buildings to be excluded.
1705.3	Results from studies after the 1994 Northridge Earthquake indicated that a lot of the damage was attributed to a lack of quality control during construction resulting in poor performance of the building or structure. Therefore, the proposed amendment requires special inspection for concrete with a compressive strength greater than 2,500 pounds per square inch.
1705.12	In Southern California, very few detached one- or two-family dwellings not exceeding two stories above grade plane are built as "box-type" structures, especially those in hillside areas and near the

	oceanfront. Many steel moment frames or braced frames and/or cantilevered columns within buildings can still be shown as “regular” structures by calculations. With the higher seismic demand placed on buildings and structures in this region, the language in Section 1705.12 Exception 3 of the California Building Code would permit many detached one- or two-family dwellings not exceeding two stories above grade plane with complex structural elements to be constructed without the benefit of special inspections. By requiring special inspections, the quality of major structural elements and connections that affect the vertical and lateral load resisting systems of the structure will greatly be increased. The exception should only be allowed for detached one- or two-family dwellings not exceeding two stories above grade plane assigned to Seismic Design Category A, B and C.
1807.1.4	No substantiating data has been provided to show that wood foundation systems are effective in supporting buildings and structures during a seismic event while being subject to deterioration caused by the combined detrimental effects of constant moisture in the soil and wood-destroying organisms. Wood foundation systems not properly treated and protected against deterioration, have performed very poorly and have led to slope failures. Most contractors are typically accustomed to construction in dry and temperate weather in the Southern California region and are not generally familiar with the necessary precautions and treatment of wood that makes it suitable for both seismic events and wet applications. The proposed amendment takes the precautionary steps to reduce or eliminate potential problems that may result in using wood foundation systems that experience relatively rapid decay due to the fact that the region does not experience temperatures cold enough to destroy or retard the growth and proliferation of wood-destroying organisms.
1807.1.6	With the higher seismic demand placed on buildings and structures in this region, it is deemed necessary to take precautionary steps to reduce or eliminate potential problems that may result by following prescriptive design provisions that does not take into consideration the surrounding environment. Plain concrete performs poorly in withstanding the cyclic forces resulting from seismic events. In addition, no substantiating data has been provided to show that under-reinforced foundation walls are effective in resisting seismic loads and may potentially lead to a higher risk of failure. It is important that the benefit and expertise of a registered design professional be obtained to properly analyze the structure and take these issues into consideration.
1807.2	No substantiating data has been provided to show that wood foundation systems are effective in supporting buildings and structures during a seismic event while being subject to deterioration caused by the combined detrimental effects of constant moisture in the soil and wood-destroying organisms. Wood foundation systems not properly treated and protected against

	deterioration, have performed very poorly and have led to slope failures. Most contractors are typically accustomed to construction in dry and temperate weather in the Southern California region and are not generally familiar with the necessary precautions and treatment of wood that makes it suitable for both seismic events and wet applications. The proposed amendment takes the precautionary steps to reduce or eliminate potential problems that may result in using wood foundation systems that experience relatively rapid decay due to the fact that the region does not experience temperatures cold enough to destroy or retard the growth and proliferation of wood-destroying organisms.
1807.3.1	No substantiating data has been provided to show that wood foundation systems are effective in supporting buildings and structures during a seismic event while being subject to deterioration caused by the combined detrimental effects of constant moisture in the soil and wood-destroying organisms. Wood foundation systems not properly treated and protected against deterioration, have performed very poorly and have led to slope failures. Most contractors are typically accustomed to construction in dry and temperate weather in the Southern California region and are not generally familiar with the necessary precautions and treatment of wood that makes it suitable for both seismic events and wet applications. The proposed amendment takes the precautionary steps to reduce or eliminate potential problems that may result in using wood foundation systems that experience relatively rapid decay due to the fact that the region does not experience temperatures cold enough to destroy or retard the growth and proliferation of wood-destroying organisms.
1809.3	With the higher seismic demand placed on buildings and structures in this region, precautionary steps are proposed to reduce or eliminate potential problems that may result for under reinforced footings located on sloped surfaces. Requiring minimum reinforcement for stepped footings is intended to address the problem of poor performance of plain or under-reinforced footings during a seismic event.
1809.7	No substantiating data has been provided to show that under-reinforced footings are effective in resisting seismic loads and may potentially lead to a higher risk of failure. Therefore, this proposed amendment requires minimum reinforcement in continuous footings to address the problem of poor performance of plain or under-reinforced footings during a seismic event. With the higher seismic demand placed on buildings and structures in this region, precautionary steps are proposed to reduce or eliminate potential problems that may result by following prescriptive design provisions for footing that does not take into consideration the surrounding environment. It was important that the benefit and expertise of a registered design professional be obtained to properly analyze the structure and take these issues into consideration. This amendment reflects the recommendations by the Structural Engineers

	Association of Southern California (SEAOSC) and the Los Angeles City Task Force that investigated the poor performance observed in the 1994 Northridge Earthquake.
1809.12	No substantiating data has been provided to show that timber footings are effective in supporting buildings and structures during a seismic event, especially while being subjected to deterioration caused by the combined detrimental effects of moisture in the soil and wood-destroying organisms. Timber footings, when they are not properly treated and protected against deterioration, have performed very poorly. Most contractors are typically accustomed to construction in dry and temperate weather in the Southern California region and are not generally familiar with the necessary precautions and treatment of wood that makes it suitable for both seismic event and wet applications. The proposed amendment takes the precautionary steps to reduce or eliminate potential problems that may result by using timber footings that experience relatively rapid decay due to the fact that the region does not experience temperatures cold enough to destroy or retard the growth and proliferation of wood-destroying organisms.
1810.3.2.4	No substantiating data has been provided to show that timber deep foundation is effective in supporting buildings and structures during a seismic event while being subject to deterioration caused by the combined detrimental effect of constant moisture in the soil and wood-destroying organisms. Timber deep foundation, when they are not properly treated and protected against deterioration, has performed very poorly. Most contractors are typically accustomed to construction in dry and temperate weather in the Southern California region and are not generally familiar with the necessary precautions and treatment of wood that makes it suitable for both seismic event and wet applications. The proposed amendment takes the precautionary steps to reduce or eliminate potential problems that may result by using timber deep foundation that experience relatively rapid decay due to the fact that the region does not experience temperatures cold enough to destroy or retard the growth and proliferation of wood-destroying organisms.
1905.1.7	This proposed amendment requires minimum reinforcement in continuous footings to address the problem of poor performance of plain or under-reinforced footings during a seismic event. This amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance observed in 1994 Northridge Earthquake.
1905.1	This amendment is intended to carry over critical provisions for the design of concrete columns in moment frames from the legacy 1997 Uniform Building Code. Increased confinement is critical to the integrity of such columns and these modifications ensure that it is provided when certain thresholds are exceeded.

	In addition, this amendment carries over from the legacy 1997 Uniform Building Code a critical provision for the design of concrete shear walls. It essentially limits the use of very highly gravity-loaded walls in being included in the seismic load resisting system, since their failure could have catastrophic effect on the building. Furthermore, this amendment was incorporated in the code based on observations from the 1994 Northridge Earthquake. Rebar placed in very thin concrete topping slabs have been observed in some instances to have popped out of the slab due to insufficient concrete coverage. This modification ensures that critical boundary and collector rebars are placed in sufficiently thick topping slab to prevent buckling of such reinforcements.
2304.10.1	Due to the high geologic activities in the Southern California area and the expected higher level of performance on buildings and structures, this proposed local amendment limit the use of staple fasteners in resisting or transferring seismic forces. In September 2007, limited cyclic testing data was provided to the ICC Los Angeles Chapter Structural Code Committee showing that stapled wood structural shear panels do not exhibit the same behavior as the nailed wood structural shear panels. The test results of the stapled wood structural shear panels appeared much lower in strength and drift than the nailed wood structural shear panel test results. Therefore, the use of staples as fasteners to resist or transfer seismic forces may not be permitted without being substantiated by cyclic testing.
2304.10.2.1	The overdriving of nails into the structural wood panel still remains a concern when pneumatic nail guns are used for wood structural panel shear wall nailing. Box nails were observed to cause massive and multiple failures of the typical 3/8-inch thick plywood during the 1994 Northridge Earthquake. The use of clipped head nails as allowed in Table A1 of AFPA SDPWS footnote referencing to ASTM F1667, continues to be restricted from being used in wood structural panel shear walls where the minimum nail head size must be maintained in order to minimize nails from pulling through sheathing materials. Clipped or mechanically driven nails used in wood structural panel shear wall construction were found to perform much less in previous wood structural panel shear wall testing done at the University of California Irvine. The existing test results indicated that, under cyclic loading, the wood structural panel shear walls were less energy absorbent and less ductile. The panels reached ultimate load capacity and failed at substantially less lateral deflection than those using same size hand-driven nails. This amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance observed in 1994 Northridge Earthquake.
2304.12.5	No substantiating data has been provided to show that wood used in retaining or crib walls are effective in supporting buildings and

	structures during a seismic event while being subject to deterioration caused by the combined detrimental effect of constant moisture in the soil and wood-destroying organisms. Wood used in retaining or crib walls, when they are not properly treated and protected against deterioration, have performed very poorly. Most contractors are typically accustomed to construction in dry and temperate weather in the Southern California region and are not generally familiar with the necessary precautions and treatment of wood that makes it suitable for both seismic event and wet applications. The proposed amendment takes the precautionary steps to reduce or eliminate potential problems that may result by using wood in retaining or crib walls that experience relatively rapid decay due to the fact that the region does not experience temperatures cold enough to destroy or retard the growth and proliferation of wood-destroying organisms.
2305.4	ICC-ES AC 155 Acceptance Criteria for Hold-downs (Tie-Downs) Attached to Wood Members is widely used to establish allowable values for hold-down connectors in evaluation reports. AC 155 uses monotonic loading to establish allowable values. Yet, cyclic and dynamic forces imparted on buildings and structures by seismic activity cause more damage than equivalent forces that are applied in a monotonic manner. However, the engineering, regulatory and manufacturing industries have not reached consensus on the appropriate cyclic or dynamic testing protocols. This condition is expected to continue for some time. In the interim, this proposed amendment continues to limit the allowable capacity to 75% of the evaluation report value to provide an additional factor of safety for statically tested anchorage devices. Steel plate washers will reduce the additional damage that can result when hold-down connectors are fastened to wood framing members. This amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance observed in 1994 Northridge Earthquake. This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles with additional editorial revisions for clarification.
2306.2	The Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the damages to buildings and structures during the 1994 Northridge Earthquake recommended reducing allowable shear values in wood structural panel shear walls or diaphragms that were not substantiated by cyclic testing. That recommendation was consistent with a report to the Governor from the Seismic Safety Commission of the State of California recommending that code requirements be "more thoroughly substantiated with testing." The allowable shear values for wood structural panel shear walls or diaphragms fastened with staples are based on monotonic testing and does not take into consideration that earthquake forces load shear wall or diaphragm in a repeating and fully reversible manner.

	In September 2007, limited cyclic testing was conducted by a private engineering firm to determine if wood structural panels fastened with staples would exhibit the same behavior as the wood structural panels fastened with common nails. The test result revealed that wood structural panel fastened with staples appeared to be much lower in strength and stiffness than wood structural panels fastened with common nails. It was recommended that the use of staples as fasteners for wood structural panel shear walls or diaphragms not be permitted to resist seismic forces in structures assigned to Seismic Design Category D, E and F unless it can be substantiated by cyclic testing. Furthermore, the cities and county within the Los Angeles region has taken extra measures to maintain the structural integrity of the framing of shear walls and diaphragms designed for high levels of seismic forces by requiring wood sheathing be applied directly over the framing members and prohibiting the use of panels placed over gypsum sheathing. This proposed amendment is intended to prevent the undesirable performance of nails when gypsum board softens due to cyclic earthquake displacements and the nail ultimately does not have any engagement in a solid material within the thickness of the gypsum board.
2306.3	The Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the damages to buildings and structures during the 1994 Northridge Earthquake recommended reducing allowable shear values in wood structural panel shear walls or diaphragms that were not substantiated by cyclic testing. That recommendation was consistent with a report to the Governor from the Seismic Safety Commission of the State of California recommending that code requirements be "more thoroughly substantiated with testing." The allowable shear values for wood structural panel shear walls or diaphragms fastened with stapled nails are based on monotonic testing and does not take into consideration that earthquake forces load shear wall or diaphragm in a repeating and fully reversible manner. In September 2007, limited cyclic testing was conducted by a private engineering firm to determine if wood structural panels fastened with stapled nails would exhibit the same behavior as the wood structural panels fastened with common nails. The test result revealed that wood structural panel fastened with stapled nails appeared to be much lower in strength and stiffness than wood structural panels fastened with common nails. It was recommended that the use of stapled nail as fasteners for wood structural panel shear walls or diaphragms not be permitted to resist seismic forces in structures assigned to Seismic Design Category D, E and F unless it can be substantiated by cyclic testing.

	Furthermore, the cities and county within the Los Angeles region has taken extra measures to maintain the structural integrity of the framing of shear walls and diaphragms designed for high levels of seismic forces by requiring wood sheathing be applied directly over the framing members and prohibiting the use of panels placed over gypsum sheathing. This proposed amendment is intended to prevent the undesirable performance of nails when gypsum board softens due to cyclic earthquake displacements and the nail ultimately does not have any engagement in a solid material within the thickness of the gypsum board.
2307.2	The Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the damages to buildings and structures during the 1994 Northridge Earthquake recommended reducing allowable shear values in wood structural panel shear walls or diaphragms that were not substantiated by cyclic testing. That recommendation was consistent with a report to the Governor from the Seismic Safety Commission of the State of California recommending that code requirements be "more thoroughly substantiated with testing." The allowable shear values for wood structural panel shear walls or diaphragms fastened with stapled nails are based on monotonic testing and does not take into consideration that earthquake forces load shear wall or diaphragm in a repeating and fully reversible manner. In September 2007, limited cyclic testing was conducted by a private engineering firm to determine if wood structural panels fastened with stapled nails would exhibit the same behavior as the wood structural panels fastened with common nails. The test result revealed that wood structural panel fastened with stapled nails appeared to be much lower in strength and stiffness than wood structural panels fastened with common nails. It was recommended that the use of stapled nail as fasteners for wood structural panel shear walls or diaphragms not be permitted to resist seismic forces in structures assigned to Seismic Design Category D, E and F unless it can be substantiated by cyclic testing. Furthermore, the cities and county within the Los Angeles region has taken extra measures to maintain the structural integrity of the framing of shear walls and diaphragms designed for high levels of seismic forces by requiring wood sheathing be applied directly over the framing members and prohibiting the use of panels placed over gypsum sheathing. This proposed amendment is intended to prevent the undesirable performance of nails when gypsum board softens due to cyclic earthquake displacements and the nail ultimately does not have any engagement in a solid material within the thickness of the gypsum board.

Table 2308.6.1	This proposed amendment specifies minimum sheathing thickness and nail size and spacing so as to provide a uniform standard of construction for designers and buildings to follow. This is intended to improve the performance level of buildings and structures that are subject to the higher seismic demands placed on buildings or structure in this region. This proposed amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance observed in 1994 Northridge Earthquake.
2308.6.5	3/8" thick, 3 ply-plywood shear walls experienced many failures during the Northridge Earthquake. Box nails were observed to cause massive and multiple failures of the typical 3/8" thick 3-ply plywood during the Northridge Earthquake. This proposed amendment specifies minimum sheathing thickness, nail size and spacing so as to provide a uniform standard of construction for designers and buildings to follow. This is intended to improve the performance level of buildings and structures that are subject to the higher seismic demands and reduce and limit potential damages to property.
2308.6.8.1	With the higher seismic demand placed on buildings and structures in this region, interior walls can easily be called upon to resist over half of the seismic loading imposed on simple buildings or structures. Without a continuous foundation to support the braced wall line, seismic loads would be transferred through other elements such as non-structural concrete slab floors, wood floors, etc. The proposed change is to limit the use of the exception to structures assigned to Seismic Design Category A, B or C where lower seismic demands are expected. Requiring interior braced walls be supported by continuous foundations is intended to reduce or eliminate the poor performance of buildings or structures.
2308.6.9	This proposed amendment is intended to improve the performance level of buildings and structures that are subject to the higher seismic demands placed on buildings or structure in this region. This proposed amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance observed in 1994 Northridge Earthquake.
3114	Due to the US trade deficit with other countries, there is an abundant supply of unused intermodal shipping containers, particularly in jurisdictions that have ports, that have created negative impacts on the environment. This results in more materials that are not recycled and increases energy consumption required to melt down and recycle others that are. The repurposing of existing intermodal shipping containers will help to reduce the environmental impact and improve the sustainability of the community by being less reliant on traditional construction material.

	This amendment is based on a similar code provision adopted into the 2021 Edition of the International Building Code. It is intended to assist code officials address the environmental impact of unused materials, reduce consumption of traditional raw materials, minimize non-industrial wastes, and ensure minimum design and safety standards associated with the repurposing of existing intermodal shipping containers as buildings or structures or component of buildings and structures are achieved.
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California Residential Code	
<i>Section</i>	<i>Rationale</i>
R301.1.3.2	After the 1994 Northridge Earthquake, the Wood Frame Construction Joint Task Force recommended that the quality of wood frame construction need to be greatly improved. One such recommendation identified by the Task Force is to improve the quality and organization of structural plans prepared by the engineer or architect so that plan examiners, building inspectors, contractors and special inspectors may logically follow and construct the presentation of the seismic force-resisting systems in the construction documents. For buildings or structures located in Seismic Design Category D₀, D₁, D₂ or E that are subject to a greater level of seismic forces, the requirement to have a California licensed architect or engineer prepare the construction documents is intended to minimize or reduce structural deficiencies that may cause excessive damage or injuries in wood frame buildings. Structural deficiencies such as plan and vertical irregularities, improper shear transfer of the seismic force-resisting system, missed details or connections important to the structural system, and the improper application of the prescriptive requirements of the California Residential Code can be readily addressed by a registered design professional.
R301.1.4	Due to the difficulty of fire suppression vehicles accessing winding and narrow hillside properties and the probabilities for future earthquakes in the Los Angeles region, this technical amendment is required to address the special needs for buildings constructed on hillside locations. A joint Structural Engineers Association of Southern California (SEAOSC) and both the Los Angeles County and Los Angeles City Task Force investigated the performance of hillside building failures after the Northridge earthquake. Numerous hillside failures resulted in loss of life and millions of dollars in damage. These criteria were developed to minimize the damage to these structures and have been in use by both the City and County of Los Angeles for several years with much success.
Item 1, 3 and 5 of Section R301.2.2.6	With the higher seismic demand placed on buildings and structures in this region, precautionary steps are proposed to reduce or eliminate potential problems that may result by limiting the type of irregular conditions specified in the California Residential Code. Such limitations are intended to reduce the potential structural damage expected in the event of an earthquake. The cities and

	county of the Los Angeles region has taken extra measures to maintain the structural integrity of the framing of the shear walls and all associated elements when designed for high levels of seismic loads.
R301.2.2.11	There is no limitation for weight of mechanical and plumbing fixtures and equipment in the California Residential Code. Requirements from ASCE 7 and the California Building Code would permit equipment weighing up to 400 lbs. when mounted at 4 feet or less above the floor or attic level without engineering design. Where equipment exceeds this requirement, it is the intent of this proposed amendment that a registered design professional be required to analyze if the floor support is adequate and structurally sound.
R401.1	No substantiating data has been provided to show that wood foundation is effective in supporting buildings and structures during a seismic event while being subject to deterioration caused by the combined detrimental effect of constant moisture in the soil and wood-destroying organisms. Wood foundation, when they are not properly treated and protected against deterioration, have performed very poorly and have led to slope failures. Most contractors are typically accustomed to construction in dry and temperate weather in the Southern California region and are not generally familiar with the necessary precautions and treatment of wood that makes it suitable for both seismic event and wet applications. The proposed amendment takes the precautionary steps to reduce or eliminate potential problems that may result in using wood foundation that experience relatively rapid decay due to the fact that the region does not experience temperatures cold enough to destroy or retard the growth and proliferation of wood-destroying organisms. However, an exception is made for non-occupied, single-story storage structures that pose significantly less risk to human safety and may utilize the wood foundation guidelines specified in this Chapter.
R403.1.2	With the higher seismic demand placed on buildings and structures in this region, precautionary steps are proposed to reduce or eliminate potential problems that may result for under-reinforced footings located on sloped surfaces. Requiring minimum reinforcement for stepped footings is intended to address the problem of poor performance of plain or under-reinforced footings during a seismic event. Furthermore, interior walls can easily be called upon to resist over half of the seismic loading imposed on simple buildings or structures. Without a continuous foundation to support the braced wall line, seismic loads would be transferred through other elements such as non-structural concrete slab floors, wood floors, etc. The proposed change is to limit the use of the exception to structures assigned to Seismic Design Category A, B or C where lower seismic demands are expected. Requiring interior braced walls be supported by continuous foundations is intended to reduce or eliminate the poor performance of buildings or structures.

R404.2	No substantiating data has been provided to show that wood foundation wall is effective in supporting buildings and structures during a seismic event while being subject to deterioration caused by the combined detrimental effect of constant moisture in the soil and wood-destroying organisms. Wood foundation walls, when they are not properly treated and protected against deterioration, have performed very poorly and have led to slope failures. Most contractors are typically accustomed to construction in dry and temperate weather in the Southern California region and are not generally familiar with the necessary precautions and treatment of wood that makes it suitable for both seismic event and wet applications. The proposed amendment takes the precautionary steps to reduce or eliminate potential problems that may result in using wood foundation walls that experience relatively rapid decay due to the fact that the region does not experience temperatures cold enough to destroy or retard the growth and proliferation of wood-destroying organisms.
R501.1	There is no limitation for weight of mechanical and plumbing fixtures and equipment in the California Residential Code. Requirements from ASCE 7 and the California Building Code would permit equipment weighing up to 400 lbs. when mounted at 4 feet or less above the floor or attic level without engineering design. Where equipment exceeds this requirement, it is the intent of this proposed amendment that a registered design professional is required to analyze if the floor support is adequate and structurally sound.
R503.2.4	Section R502.10 of the Code does not provide any prescriptive criteria to limit the maximum floor opening size nor does Section R503 provide any details to address the issue of shear transfer near larger floor openings. With the higher seismic demand placed on buildings and structures in this region, it is important to ensure that a complete load path is provided to reduce or eliminate potential damages caused by seismic forces. Requiring blocking with metal ties around larger floor openings and limiting opening size is consistent with the requirements of Section R301.2.2.2.6.
Lines 19, 20, 23 and 33 - 36 of Table R602.3(1)	The Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the damages to buildings and structures during the 1994 Northridge Earthquake recommended reducing allowable shear values in wood structural panel shear walls or diaphragms that were not substantiated by cyclic testing. That recommendation was consistent with a report to the Governor from the Seismic Safety Commission of the State of California recommending that code requirements be "more thoroughly substantiated with testing." The allowable shear values for wood structural panel shear walls or diaphragms fastened with staples are based on monotonic testing and does not take into consideration that earthquake forces load shear wall or diaphragm in a repeating and fully reversible manner.

	In September 2007, limited cyclic testing was conducted by a private engineering firm to determine if wood structural panels fastened with staples would exhibit the same behavior as the wood structural panels fastened with common nails. The test result revealed that wood structural panel fastened with staples appeared to be much lower in strength and stiffness than wood structural panels fastened with common nails. It was recommended that the use of staples as fasteners for wood structural panel shear walls or diaphragms not be permitted to resist seismic forces in structures assigned to Seismic Design Category D₀, D₁ and D₂ unless it can be substantiated by cyclic testing.
Exception of Section R602.3.2	The cities and county of the Los Angeles region have taken extra measures to maintain the structural integrity of the framing of the shear wall system for buildings and structures subject to high seismic loads by eliminating single top plate construction. The performance of modern day braced wall panel construction is directly related to an adequate load path extending from the roof diaphragm to the foundation system. A single top plate is likely to be over nailed due to the nailing requirements at a rafter, stud, top plate splice, and braced wall panel edge in a single location. In addition, notching on a single top plate for plumbing, ventilation and electrical wiring may reduce the load transfer capacity of the plate without proper detailing. A majority of buildings and structures designed and built per the California Residential Code with a single top plate may not need structural observation and special inspections. The potential construction mistakes mentioned above could not be caught and corrected by knowledgeable engineers and inspectors, and could jeopardize structural performance of buildings and structures located in high seismic areas.
Footnote "b" of Table R602.3(2)	The Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the damages to buildings and structures during the 1994 Northridge Earthquake recommended reducing allowable shear values in wood structural panel shear walls or diaphragms that were not substantiated by cyclic testing. That recommendation was consistent with a report to the Governor from the Seismic Safety Commission of the State of California recommending that code requirements be "more thoroughly substantiated with testing." The allowable shear values for wood structural panel shear walls or diaphragms fastened with staples are based on monotonic testing and does not take into consideration that earthquake forces load shear wall or diaphragm in a repeating and fully reversible manner. In September 2007, limited cyclic testing was conducted by a private engineering firm to determine if wood structural panels fastened with staples would exhibit the same behavior as the wood structural panels fastened with common nails. The test result revealed that wood structural panel fastened with staples appeared to be much lower in strength and stiffness than wood structural

	panels fastened with common nails. It was recommended that the use of staples as fasteners for wood structural panel shear walls or diaphragms not be permitted to resist seismic forces in structures assigned to Seismic Design Category D ₀ , D ₁ and D ₂ unless it can be substantiated by cyclic testing.
R602.10.2.3	Plywood shear walls with high aspect ratio experienced many failures during the Northridge Earthquake. This proposed amendment specifies a minimum braced wall length to meet an aspect ratio consistent with other sections of the Residential Code as to provide a uniform standard of construction for designers and buildings to follow. This is intended to improve the performance level of buildings and structures that are subject to the higher seismic demands and reduce and limit potential damages to property. This proposed amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance observed in 1994 Northridge Earthquake.
Table R602.10.3(3)	Due to the high geologic activities in the Southern California area and the expected higher level of performance on buildings and structures, this proposed local amendment increase the length and limits the location where shear walls sheathed with lath, plaster or gypsum board are used in multi-level buildings. In addition, shear walls sheathed with other materials are prohibited in Seismic Design Category D ₀ , D ₁ and D ₂ to be consistent with the design limitation for similar shear walls found in the California Building Code. The poor performance of such shear walls in the 1994 Northridge Earthquake was investigated by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Task Force and formed the basis for this proposed amendment. Considering that shear walls sheathed with lath, plaster or gypsum board are less ductile than steel moment frames or wood structural panel shear walls, the cities and county of the Los Angeles region has taken the necessary measures to limit the potential structural damage that may be caused by the use of such walls at the lower level of multi-level building that are subject to higher levels of seismic loads.
Table R602.10.4	3/8" thick 3 ply-plywood shear walls experienced many failures during the Northridge Earthquake. Box nails were observed to cause massive and multiple failures of the typical 3/8" thick 3-ply plywood during the Northridge Earthquake. This proposed amendment specifies minimum sheathing thickness, nail size and spacing so as to provide a uniform standard of construction for designers and buildings to follow. This is intended to improve the performance level of buildings and structures that are subject to the higher seismic demands and reduce and limit potential damages to property. This proposed amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that

	investigated the poor performance observed in 1994 Northridge Earthquake. In September 2007, limited cyclic testing was conducted by a private engineering firm to determine if wood structural panels fastened with staples would exhibit the same behavior as the wood structural panels fastened with common nails. The test result revealed that wood structural panel fastened with staples appeared to be much lower in strength and stiffness than wood structural panels fastened with common nails. It was recommended that the use of staples as fasteners for wood structural panel shear walls or diaphragms not be permitted to resist seismic forces in structures assigned to Seismic Design Category D₀, D₁ and D₂ unless it can be substantiated by cyclic testing.
Table R602.10.5	It was observed by the Structural Engineer Association of Southern California (SEAOSC) and the Los Angeles City Task Force that high aspect ratio shear walls experienced many failures during the 1994 Northridge Earthquake. This proposed amendment provides a uniform standard of construction for designers and buildings to follow. This is intended to improve the performance level of buildings and structures that are subject to the higher seismic demands and reduce and limit potential damages to property.
Figure R602.10.6.1	3/8" thick 3 ply-plywood shear walls experienced many failures during the Northridge Earthquake. Box nails were observed to cause massive and multiple failures of the typical 3/8" thick 3-ply plywood during the Northridge Earthquake. This proposed amendment specifies minimum sheathing thickness, nail size and spacing so as to provide a uniform standard of construction for designers and buildings to follow. This is intended to improve the performance level of buildings and structures that are subject to the higher seismic demands and reduce and limit potential damages to property. This proposed amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance observed in 1994 Northridge Earthquake.
Figure R602.10.6.2	3/8" thick 3 ply-plywood shear walls experienced many failures during the Northridge Earthquake. Box nails were observed to cause massive and multiple failures of the typical 3/8" thick 3-ply plywood during the Northridge Earthquake. This proposed amendment specifies minimum sheathing thickness, nail size and spacing so as to provide a uniform standard of construction for designers and buildings to follow. This is intended to improve the performance level of buildings and structures that are subject to the higher seismic demands and reduce and limit potential damages to property. This proposed amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that

	investigated the poor performance observed in 1994 Northridge Earthquake.
Figure R602.10.6.4	3/8" thick 3 ply-plywood shear walls experienced many failures during the Northridge Earthquake. Box nails were observed to cause massive and multiple failures of the typical 3/8" thick 3-ply plywood during the Northridge Earthquake. This proposed amendment specifies minimum sheathing thickness, nail size and spacing so as to provide a uniform standard of construction for designers and buildings to follow. This is intended to improve the performance level of buildings and structures that are subject to the higher seismic demands and reduce and limit potential damages to property. This proposed amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance observed in 1994 Northridge Earthquake.
R606.4.4	The addition of the word "or" will prevent the use of unreinforced parapets in Seismic Design Category D ₀ , D ₁ or D ₂ , or on townhouses in Seismic Design Category C.
R606.12.2.2.3	Reinforcement using longitudinal wires for buildings and structures located in high seismic areas are deficient and not as ductile as deformed rebar. Having vertical reinforcement closer to the ends of masonry walls help to improve the seismic performance of masonry buildings and structures.
R803.2.4	Section R802 of the Code does not provide any prescriptive criteria to limit the maximum roof opening size nor does Section R803 provide any details to address the issue of shear transfer near larger roof openings. With the higher seismic demand placed on buildings and structures in this region, it is important to ensure that a complete load path is provided to reduce or eliminate potential damages caused by seismic forces. Requiring blocking with metal ties around larger roof openings and limiting opening size is consistent with the requirements of Section R301.2.2.2.6.
R905.3.1	Section R905.3.1 is amended to require concrete and clay tiles to be installed only over solid sheathing. The change is necessary because there were numerous observations of tile roofs pulling away from wood framed buildings following the 1994 Northridge Earthquake. The SEAOSC/LA City Post Northridge Earthquake committee findings indicated significant problems with tile roofs was due to inadequate design and/or construction. Therefore, the amendment is needed to minimize such occurrences in the event of future significant earthquakes.
R1001.3.1	The performance of fireplace/chimney without anchorage to the foundation has been observed to be inadequate during major earthquakes. The lack of anchorage to the foundation can result in the overturning or displacement of the fireplace/chimney.

California Fire Code	
Section	Finding

102.5	Administrative
103.5	Administrative
105.6.30	Administrative
109	Administrative
202	Administrative
304.1.2	Hot, dry Santa Ana winds are common to all areas within the City of Monterey Park. These winds, which can cause small fires which spread quickly, are a contributing factor to the high fire danger in the area, and create the need for control of dry vegetation.
307.1	Los Angeles County and the City of Monterey Park are located in a semi-arid Mediterranean type climate which predisposes all fuels, including wood shingles to rapid ignition and spread of fire. Therefore, there exists a need for control of open burning.
319	Administrative
903	The October 17, 1989, Santa Cruz earthquake resulted in only one major San Francisco fire in the Marina district. But, when combined with the 34 other fires and over 500 responses, the department was taxed to its full capabilities. The Marina fire was difficult to contain because mains supplying water to the district burst during the earthquake. If more fires had been ignited by the earthquake, it would have been difficult for the fire department to contain them. This situation creates the need for both additional fire protection measures and automatic on-site fire protection for building occupants since a multitude of fires may result from breakage of gas and electric lines as a result of an earthquake.
907.1.6	Traffic and circulation congestion presently existing in the City of Monterey Park often challenges fire department response times. This condition will be exacerbated by any major disaster, including any earthquake wherein damage to the highway system will occur. This condition makes the need for accurate fire alarm notification necessary.
1103.2	City of Monterey Park and the greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes including, without limitation, the 1994 Northridge Earthquake. This situation creates the need a dependable means of interior communication for emergency personnel in case of an earthquake.
5601.2 and 5601.3	Traffic and circulation congestion presently existing in the City of Monterey Park often challenges fire department response times. This condition will be exacerbated by any major disaster, including any earthquake wherein damage to the highway system will occur. The control of explosive materials are a necessity for property occupant protection.
5608	Los Angeles County and the City of Monterey Park are located in a semi-arid Mediterranean type climate which predisposes all fuels, including wood shingles to rapid ignition and spread of fire. Therefore, there exists a need for control of firework displays.

5614	Los Angeles County and the City of Monterey Park are located in a semi-arid Mediterranean type climate which predisposes all fuels, including wood shingles to rapid ignition and spread of fire. Therefore, there exists a need for control of firework manufacturing.
5615	Los Angeles County and the City of Monterey Park are located in a semi-arid Mediterranean type climate which predisposes all fuels, including wood shingles to rapid ignition and spread of fire. Therefore, there exists a need for control of firework sales.
5704.2.9.6.	The October 17, 1989, Santa Cruz earthquake resulted in only one major San Francisco fire in the Marina district. But, when combined with the 34 other fires and over 500 responses, the department was taxed to its full capabilities. The Marina fire was difficult to contain because mains supplying water to the district burst during the earthquake. If more fires had been ignited by the earthquake, it would have been difficult for the fire department to contain them. This situation creates the need to control the amount of flammable liquid tanks that may be damaged as a result of an earthquake.
6104.2	The October 17, 1989, Santa Cruz earthquake resulted in only one major San Francisco fire in the Marina district. But, when combined with the 34 other fires and over 500 responses, the department was taxed to its full capabilities. The Marina fire was difficult to contain because mains supplying water to the district burst during the earthquake. If more fires had been ignited by the earthquake, it would have been difficult for the fire department to contain them. This situation creates the need to control the amount of liquefied petroleum storage tanks that may be damaged as a result of an earthquake.
D103.4	Traffic and circulation congestion presently existing in the City of Monterey Park often challenges fire department response times. This condition will be exacerbated by any major disaster, including any earthquake wherein damage to the highway system will occur. This condition makes the need for additional on-site protection for property occupants necessary.
O101.2	Administrative – clarifies scope of permit issuance.

ATTACHMENT 2

Draft Ordinance

ORDINANCE NO. _____

AN ORDINANCE ADOPTING THE 2019 EDITIONS OF THE CALIFORNIA BUILDING CODE, THE CALIFORNIA RESIDENTIAL CODE, THE CALIFORNIA ELECTRICAL CODE, THE CALIFORNIA MECHANICAL CODE, THE CALIFORNIA PLUMBING CODE, THE CALIFORNIA ENERGY CODE, THE CALIFORNIA HISTORICAL CODE, THE CALIFORNIA FIRE CODE, THE CALIFORNIA EXISTING BUILDING CODE, THE CALIFORNIA GREEN BUILDING STANDARDS CODE, THE CALIFORNIA REFERENCED STANDARDS CODE, THE CALIFORNIA BUILDING STANDARDS ADMINISTRATIVE CODE, AND THE 2018 EDITION OF THE INTERNATIONAL POOL AND SPA CODE; MAKING CERTAIN AMENDMENTS BASED UPON LOCAL CONDITIONS; AND AMENDING THE MONTEREY PARK MUNICIPAL CODE TO REFLECT SUCH CHANGES.

The City Council for the City of Monterey Park does ordain as follows:

SECTION 1: Findings. The City Council finds as follows:

- A. The City may adopt model codes by reference pursuant to Government Code §§ 50022.2, *et seq.*;
- B. Health and Safety Code § 17958 requires the City to adopt certain codes that are set forth in Health and Safety Code § 17922 and published in the California Code of Regulations;
- C. In accordance with Health and Safety Code § 17958.7, it is in the public interest to adopt the most recent codes published by the California Building Standards Commission;
- D. Notice of public hearing to consider the adoption of the codes was published pursuant to Government Code § 6066 and a duly noticed public hearing was held on Enter Date, regarding the adoption of the Codes;
- E. Pursuant to § 50022.6 of the Government Code, at least one copy of all codes adopted by reference were filed with the City Clerk of the City and were available for public inspection for at least fifteen (15) days preceding the date of the hearing;
- F. Pursuant to Government Code § 50022.9, the City Council intends to adopt by reference, with local amendments, the following 2019 codes in their entirety as if set forth in full herein:
 - 1. The California Building Code, 2019 Edition - Vol. I & II as published in Title 24, Part 2 of the California Code of Regulations;
 - 2. The California Residential Code, 2019 Edition, as published in Title 24, Part 2.5 of the California Code of Regulations;
 - 3. The California Electrical Code, 2019 Edition, as published in Title 24,

Part 3 of the California Code of Regulations;

4. The California Mechanical Code, 2019 Edition, as published in Title 24, Part 4 of the California Code of Regulations;
5. The California Plumbing Code, 2019 Edition, as published in Title 24, Part 5 of the California Code of Regulations;
6. The California Energy Code, 2019 Edition, as published in Title 24, Part 6 of the California Code of Regulations;
7. The California Historical Building Code, 2019 Edition, as published in Title 24, Part 8 of the California Code of Regulations;
8. The California Fire Code, 2019 Edition, as published in Title 24, Part 9 of the California Code of Regulations;
9. The California Existing Building Code, 2019 Edition, as published in Title 24, Part 10 of the California Code of Regulations;
10. The California Green Building Standards Code, 2019 Edition, as published in Title 24, Part 11 of the California Code of Regulations;
11. The California Referenced Standards Code, 2019 Edition, as published at Title 24, Part 12, of the California Code of Regulations;
12. The International Pool and Spa Code, 2018 Edition, as published by the International Code Council.

SECTION 2: In accordance with Health and Safety Code § 17958.7, the City Council finds that there are local climatic, geographic, and topographic conditions justifying the various local amendments to the California Building Standards Code as set forth in attached Exhibit "A," which is adopted by the City Council and incorporated by reference.

SECTION 3: Chapter 16.01 of the Monterey Park Municipal Code ("MPMC") is amended in its entirety to read as follows:

**"Chapter 16.01 ADOPTION OF TECHNICAL BUILDING CODES AND
ADMINISTRATIVE PROVISIONS**

16.01.010 Adoption of specific Codes; Copies on file.

- A. Except as otherwise provided in this chapter, the following Codes are adopted by reference:
 1. The 2019 California Building Code including Appendices B, F, H, I and J;
 2. The 2019 California Residential Code including Appendices F, H,

O, and V;

3. The 2019 California Electrical Code;
4. The 2019 California Mechanical Code including Appendix D;
5. The 2019 California Plumbing Code including Appendices A, C, D, E, G, I, and K;
6. The 2019 California Energy Code;
7. The 2019 California Historical Building Code;
8. The 2019 California Existing Building Code;
9. The 2019 California Green Building Standards;
10. The 2019 California Referenced Standards Code; and
11. The 2018 International Pool and Spa Code.

- B. In accordance with Health and Safety Code § 18942, one copy of the above-referenced Codes will remain on file in the office of the City Clerk.

16.01.020 Definition of terms.

Unless the contrary is stated or clearly appears from the context, the following definitions govern the construction of the words and phrases used in this Title. Words and phrases not defined by this chapter have the meanings set forth in the applicable Code as set forth in Title 24 of the Code of California Regulations. If the definition of any term contained in this Title conflicts with the definition of the same term in the applicable Code, then the definition contained in this Title governs.

“Building and Safety Division” means the Building Division, Public Works Department of the City of Monterey Park.

“Code” or “Codes” means the applicable 2019 code adopted by reference in this Title.

“Health office” means the Los Angeles County Department of Health Services.

16.01.030 Resolution of conflicts in application.

In the event of any conflict or ambiguity between any provision contained in the Codes and this Title, this Title will govern.

16.01.040 Administrative provisions

Add Chapter 1, Administrative Provisions to read as follows:

Chapter 1 ADMINISTRATIVE PROVISIONS

PART 1 CONTENTS

Section 101 General
Section 102 Applicability
Section 103 Building and Safety
Section 104 Duties and Powers of Building Official
Section 105 Permits
Section 106 Floor and Design Loads
Section 107 Construction Documents
Section 108 Temporary Structures and Uses
Section 109 Fees
Section 110 Inspections
Section 111 Certificate of Occupancy
Section 112 Service Utilities
Section 113 Board of Appeals – Planning Commission
Section 114 Violations and Penalties
Section 115 Stop Work Order
Section 116 Unsafe Structures and Buildings

SECTION 101 GENERAL

101.1 Title. These regulations may be referred to as the Administrative Provisions of the California Building Codes of the State of California and other Codes as adopted by Title 16 and 17 of the Monterey Park Municipal Code.

101.2 Scope. The provisions of the codes apply to the construction, alteration, relocation, enlargement, replacement, repair, equipment, used and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Exception: Detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with a separate means of egress, and their accessory structures not more than three stories above grade plane in height, must comply with the California Building Code or the California Residential Code.

101.2.1 Appendices. Provisions in the appendices of the codes, do not apply unless specifically adopted.

101.3 Intent. The purpose of the codes is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to firefighters and emergency responders during emergency operations.

101.4 Referenced codes. Codes listed in Sections 101.4.1 through 101.4.11 and referenced elsewhere in the codes are part of the requirements of the codes to the prescribed extent of each such reference.

101.4.1 Building Code. The provision of the California Building Code as adopted in Section 16.01.010 apply to the construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such building or structure other than those meeting the scoping limitations contained in the California Residential Code.

101.4.2 Residential Code. The provisions of the California Residential Code as adopted in Section 16.01.010 apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with a separate means of egress and their accessory structures not more than three stories above grade plane in height.

101.4.3 Electrical Code. The provisions of the California Electrical Code as adopted in Section 16.01.010 apply to the installation and removal of electrical conductors, equipment, and raceways; signaling and communications conductors, equipment, and raceways; and optical fiber cables and raceways for the following: (1) Public and private premises, including buildings, structures, mobile homes, recreational vehicles, and floating buildings; (2) Yards, lots, parking lots, carnivals, and industrial substations; (3) Installations of conductors and equipment that connect to the supply of electricity; and (4) Installations used by the electric utility, such as office buildings, warehouses, garages, machine shops, and recreational buildings, that are not an integral part of a generating plant, substation, or control center.

101.4.4 Mechanical Code. The provisions of the California Mechanical Code as adopted in Section 16.01.010 apply to the erection, installation, alteration, repair, relocation, replacement, addition to, use, or maintenance of mechanical systems.

101.4.5 Plumbing Code. The provisions of the California Plumbing Code as adopted in Section 16.01.010 apply to the erection, installation, alteration, repair, relocation, replacement, addition to, use, and maintenance of plumbing systems.

101.4.6 Energy Code. The provisions of the California Energy Code as adopted in Section 16.01.010 apply to all buildings: (1) That are occupancy Group A, B, E, F, H, I, M, R, S or U; (2) For which an application for a building permit or renewal of an existing permit is filed, or which are constructed by a governmental agency; and (3) That are unconditioned, or indirectly or directly conditioned, or process spaces.

101.4.7 Historical Building Code. The provisions of the California Historical Building Code as adopted in Section 16.01.010 apply to all issues regarding code compliance to provide solutions to facilitate the preservation of qualified historical buildings or properties.

101.4.8 Existing Building Code. The provisions of the California Existing Building Code as adopted in Section 16.01.010 apply to the repair, alteration, change of occupancy, addition to and relocation of existing buildings.

101.4.9 Green Building Standards Code. The mandatory provisions of the California Green Building Standards Code as adopted in Section 16.01.010 apply to the planning, design, operation, construction, use and occupancy of every newly constructed building or structure.

101.4.10 Referenced Standards Code. The provisions of the California Referenced Standards Code as adopted in Section 16.01.010 apply to all buildings and structures.

101.4.11 Pool and Spa Code. The mandatory provisions of the International Pool and Spa Code as adopted in Section 16.01.010 apply to the construction, alteration, renovation, replacement, repair and maintenance of aquatic recreation facilities, pools and spas.

101.4.12 Fire. The provisions of the Fire Code of the City of Monterey Park apply to matters affecting or relating to structures, processes and premises from (i) the hazard of fire and explosion arising from storage, handling or use of structures, materials or devices, (ii) conditions hazardous to life, property or public welfare in the occupancy of structures or premises, and (iii) the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

SECTION 102 APPLICABILITY

102.1 General. Where there is a conflict between a general requirement and a specific requirement, the specific requirement applies. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive governs.

102.2 Other laws. The provisions of the codes cannot be deemed to nullify any provisions of local, state or federal law.

102.3 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number are construed to refer to such chapter, section or provision of the codes.

102.4 Referenced codes and standards. The codes and standards referenced in the codes are considered part of the requirements of the codes to the prescribed extent of each such reference. Where conflicts occur between provisions of the codes and referenced codes and standards, the provisions of the codes apply.

102.5 Partial invalidity. In the event that any part or provision of the codes is held to be illegal or void, this does not have the effect of making void or illegal any of the other parts or provisions.

102.6 Existing structures. The legal occupancy of any structure existing on the date of adoption of the codes may continue without change, except as is specifically covered in the codes or as is deemed necessary by the Building Official for the general safety and welfare of the occupants and the public.

SECTION 103 BUILDING AND SAFETY

103.1 [INTENTIONALLY BLANK]

103.2 Appointment. The Building Official is appointed by the City Manager, or designee. More than one Building Official may be appointed by the City Manager, or designee, in his or her discretion.

103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the City Manager, or designee, the Building Official may appoint a deputy Building Official, the related technical officers, inspectors, plan examiners and other agents. Such appointed agents have powers as delegated by the Building Official.

SECTION 104 DUTIES AND POWERS OF BUILDING OFFICIAL

104.1 General. The Building Official is authorized and directed to enforce the provisions of the codes. The Building Official has the authority to render interpretations of the codes and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures must be in compliance with the intent and purpose of the codes. Such policies and procedures do not have the effect of waiving requirements specifically provided for in the codes.

104.2 Applications and permits. The Building Official will receive applications, review construction documents and issue permits for the erection, and alteration, demolition and moving of buildings and structures, inspect the premises for which such permits are issued and enforce compliance with the provisions of the codes.

104.3 Notices and orders. The Building Official is authorized to issue all necessary notices or orders to ensure compliance with the codes.

104.4 Inspections. The Building Official is authorized to make all of the required inspections and the Building Official has authority to accept reports of inspection by approved agencies or individuals. Reports of such inspections must be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The Building Official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

104.5 Identification. The Building Official and appointees must carry proper identification when inspecting structures or premises in the performance of duties under the codes.

104.6 Right of entry. Where it is necessary to make an inspection to enforce the provisions of the codes or where the Building Official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in

violation of the codes which makes the structure or premises unsafe, dangerous or hazardous, the Building Official is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by the codes, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the Building Official must first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the Building Official may take additional legal actions to obtain entry to the premises.

104.7 Department records. The Building Official must keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records must be retained in the official records for the period required for retention of public records.

104.8 Liability. The Building Official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the City in good faith and without malice in the discharge of the duties required by the codes or other pertinent law or ordinance, will not thereby be civilly or criminally rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties.

104.8.1 Legal Defense. Any suit or criminal complaint instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of the codes must be defended by legal representatives of the City until the final termination of the proceedings. The Building Official or any subordinate will not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of the codes.

104.9 Approved materials and equipment. Materials, equipment and devices approved by the Building Official must be constructed and installed in accordance with such approval.

104.9.1 Used materials and equipment. The use of used materials which meet the requirements of the codes for new materials is permitted. Used equipment and devices cannot be reused unless approved by the Building Official.

104.10 Modifications. Where there are practical difficulties involved in carrying out the provisions of the codes, the Building Official has the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the Building Official must first find that special individual reason makes the strict letter of the codes impractical and the modification is in compliance with the intent and purpose of the codes and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications must be recorded and entered in the City's files.

104.11 Alternative materials, design and methods of construction and equipment. The provisions of the codes are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by the codes, provided that any such alternative has been approved. An alternative material, design or

method of construction may be approved where the Building Official finds that the proposed design is satisfactory and complies with the intent of the provisions of the codes, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in the codes in quality, strength, effectiveness, fire resistance, durability and safety. Where the alternative material, design or method of construction is not approved, the Building Official must respond in writing, stating the reasons why the alternative was not approved.

104.11.1 Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in the codes, consists of valid research reports from approved sources.

104.11.2 Tests. Whenever there is insufficient evidence of compliance with the provisions of the codes, or evidence that a material or method does not conform to the requirements of the codes, or in order to substantiate claims for alternative materials or methods, the Building Official has the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods are as specified in the codes or by other recognized test standards. In the absence of recognized and accepted test methods, the Building Official may approve the testing procedures. Tests must be performed by an approved agency. Reports of such tests must be retained by the Building Official for the period required for retention of public records.

SECTION 105 PERMITS

105.1 Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by the codes, or to cause any such work to be done, must obtain a valid permit from the Building Official.

Work performed without a permit is a misdemeanor. In addition, any such work constitutes a public nuisance and may be abated in accordance with the MPMC.

105.1.1 Time-based permit. In lieu of an individual permit for each alteration to an already approved electrical, gas, mechanical or plumbing installation, the Building Official is authorized to issue a permit, valid for a specific time period not exceeding one year, upon application therefore to any person, firm or corporation regularly employing one or more qualified trade persons in the building, structure or on the premises owned or operated by the applicant for the permit.

The Building Official may detail the scope, parameters and conditions of this permit. The permit may be revoked when it is determined by the Building Official that the outlined scope, parameters, conditions or intent of the codes is not upheld by the permittee. The Building Official has access to such records at all times and such records must be filed with the Building Official as designated.

105.2 Work exempt from permit. Exemptions from permit requirements of the codes are not deemed to grant authorization for any work to be done in any manner in violation of the provisions of the codes or any other applicable law or policy. Except when otherwise

subject to City review and approval or when otherwise required by State or local laws, regulations or standards, permits are not required for the following:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet and conforms to the zoning regulations of the MPMC.
2. Fences not over 6 feet high.
3. Retaining walls that are not over 4 feet in height measured from the bottom of the footing to the top of the wall.
4. Oil derricks.
5. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width is not greater than 2:1.
6. Sidewalks and driveways that are not more than 30 inches above adjacent grade, not over any basement or story below, not part of an accessible route and not part of a commercial site.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 18 inches deep, do not exceed 5,000 gallons and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
11. Swings and other playground equipment accessory to detached one-and two-family dwellings.
12. Window awnings supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support of Group R-3 and U occupancies.
13. Non-fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches in height.

Electrical:

1. Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

2. Radio and television transmitting stations: The provisions of the codes must not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.
3. Temporary testing systems: A permit must not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

Gas:

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by the codes.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with the new material, such work is considered new work and a permit must be obtained and inspection made as provided in the codes.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

105.2.1 Emergency repairs. Where equipment replacements and repairs are performed in an emergency situation, the permit application must be submitted within the next working business day to the Building Official.

105.2.2 Public service agencies. A permit is not required for installation, alteration or repair of generation, transmission, distribution or metering or other related equipment that is under the ownership and control of public service agencies by established right.

105.3 Application for permit. To obtain a permit, the applicant must first file an application therefore in writing on a form furnished by the Building Official for that purpose. Such application must:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use and occupancy for which the proposed work is intended.
4. Be accompanied by construction documents and other information as required in Section 106.
5. State the valuation of the proposed work.
6. Be signed by the applicant, or the applicant's authorized agent.
7. Give such other data and information as required by the Building Official.

105.3.1 Action on application. The Building Official will examine or cause to be examined applications for permits and amendments within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of applicable law, the Building Official must reject such application in writing.

No building permit or other similar applicable permit bearing on property development or use including additions, modifications or revisions may be issued unless and until the review and approval of all other departments and agencies having legal authority for review of construction projects have found the construction project to be in compliance with all applicable code provisions or entitlements.

When the Building Official is satisfied that the proposed work conforms to the requirements of applicable law, the Building Official must issue a permit in accordance with applicable law.

105.3.2 Time limitation of application. An application for a permit for any proposed work is deemed expired 180 days after the completion of any submittal review unless a permit has been issued. The Building Official is authorized to grant one extension of time of an unexpired application for additional periods not exceeding 90 days. The extension must be requested in writing and justifiable cause demonstrated.

For the purpose of this section, contact by a City representative indicating the review is completed is deemed completion of any submittal review.

Expired application, plans and other data submitted may be returned to the applicant; or when not stamped as "REVIEWED FOR CODE COMPLIANCE" may be destroyed by the Building Official.

105.4 Permit issuance. The application, plans, specifications, computations, and other data filed by an applicant for a permit will be reviewed by the Building Official. Such plans may be reviewed by other City officials to verify compliance with applicable law. If the Building Official finds that the work described in an application for a permit and the plans, specifications and other data filed therewith conform to applicable law, and that the specified fees have been paid, the permit must be issued.

When the Building Official issues the permit where plans are required, they must endorse in writing or stamp the plans and specifications "REVIEWED FOR CODE COMPLIANCE." Such approved plans and specifications cannot be changed, modified or altered without authorization from the Building Official, and all work regulated by the codes must be done in accordance with the approved plans.

105.5 Validity of permit. Issuing a permit or approving plans, specifications, and computations cannot be construed to be a permit for, or an approval of, any violation of applicable law. Permits presuming to give authority to violate or cancel the provisions of the codes or other ordinances of the City are not valid.

Issuing a permit based on construction documents and other data does not prevent the Building Official from requiring the correction of errors in the construction document and other data. Any addition to or alteration of approved construction documents must be approved in advance by the Building Official, as evidenced by the issuance of a new or amended permit. The Building Official is also authorized to prevent occupancy or use of a structure where in violation of the codes or of any other ordinances of this City.

105.6 Expiration. Every permit issued by the Building Official under the provisions of the codes will expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days, or within 365 days for residential project, from the date of permit issuance, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be commenced or recommenced, a new permit must first be issued.

For the purpose of this section, if an inspection approval is not recorded, the work authorized by the permit is deemed not commenced, suspended or abandoned.

(1) Requesting extension of an unexpired permit: Any permittee holding an unexpired permit may apply for an extension of time within which permittee may commence work under that permit when he is unable to commence or recommence work within the time required by this section for good and satisfactory reasons. The Building Official may extend the time for action by the permittee for a period not more than 180 days upon written request by the permittee showing justifiable cause beyond the control of the permittee have prevented action from being taken. Subject to approval of the Building Official, permits extended in this manner do not require additional permit fees.

- (2) Requesting reissuance of an expired permit: Any permittee holding a permit which has expired may apply for a reissuance of the permit subject to compliance with current regulations and payment of plan check and permit fees. Plans must be resubmitted for plan check.

105.7 Suspension or revocation. The Building Official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of the codes.

105.8 Placement of permit. The building permit or a copy must be kept on the site of the work until the completion of the project.

105.9 Responsibility. Every person who performs work for the installation or repair of building, structure, electrical, gas, mechanical or plumbing systems, for which this code is applicable, must comply with the codes.

105.10 Preliminary inspection. Before issuing a permit, the Building Official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

105.11 Change of contractor or of ownership. A valid permit terminates upon a change of ownership or a change of contractor regarding the building, structure or grading for which said permit was issued if the work is not complete. A new permit is required for the completion of the work. Permit and applicable State fees, will be made for issuing a new permit under such circumstances. If, however, changes have been made to the plans and specifications last submitted to the Building Official, a permit fee based upon the proposed changes may be levied.

105.12 Incomplete construction. When a permit is revoked pursuant to Section 105.7 or abandoned pursuant to Section 105.6, the incomplete construction for which the permit is issued constitute a public nuisance and must be appropriately abated as in accordance with the procedure set forth in Chapter 4.30.

105.13 Surrender of permit. If a portion of the work or construction covered by the issued permit has not been commenced, the permittee may deliver such permit and approved documents to the Building Official with request that such permit is to be canceled. The Building Official will make note on the permit with or with like wording "Canceled at the request of the Permittee." Thereupon the permit and documents becomes null and void.

105.14 Liens to be discharged. A permit cannot be issued to any person or corporation under the provision of this Title in respect to any property where the cost of any building repair or abatement has been performed and a lien is recorded by the City, unless and until the amount of said lien with interest, has been paid in full.

SECTION 106 -FLOOR AND ROOF DESIGN LOADS

106.1 Live loads posted. In commercial, institutional or industrial buildings, for each floor or portion thereof designed for live loads exceeding 50 psf, such design live loads must be conspicuously posted by the owner or the owner's authorized agent in that part of each story in which they apply, using durable signs. It is unlawful to remove or deface such notices.

106.2 Issuance of certificate of occupancy. A certificate of occupancy required by Section 111 will not be issued until the floor load signs required by 106.1 is installed.

106.3 Restrictions on loading. It is unlawful to place, or cause or permit to be placed, on any floor or roof of a building, structure or portion thereof, a load greater than is permitted by this code.

SECTION 107 CONSTRUCTION DOCUMENTS

107.1 General. Construction documents, statement of special inspections, geotechnical reports and other data must be submitted in two or more sets with each permit application. The construction documents must be prepared by a registered design professional where required by the statutes of the City in which the project is to be constructed. Where special conditions exist, the Building Official is authorized to require additional construction documents to be prepared by a registered design professional.

Exception: The Building Official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if the Building Official finds that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with the codes.

107.2 Information on construction documents. Construction documents must be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the Building Official. Construction documents must be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of the codes and relevant laws, ordinances, rules and regulations, as determined by the Building Official.

107.2.1 Fire protection system shop drawings. Shop drawings for the fire protection system(s) must be submitted to indicate conformance with the codes and the construction documents and must be approved before the start of system installation. Shop drawings must contain all information as required by the referenced installation standards in Chapter 9.

107.2.2 Means of egress. The construction documents must show in sufficient detail the location, construction, size and character of all portions of the means of egress including the path of the exit discharge to the public way in compliance with the provisions of the codes. In other than occupancies in Groups R-2, R-3, and I-I, the construction documents must designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

107.2.3 Exterior wall envelope. Construction documents for all buildings must describe the exterior wall envelope in sufficient detail to determine compliance with the codes. The

construction documents must provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membrane and details around openings.

The construction documents must include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior wall envelope. The supporting documentation must fully describe the exterior wall system which was tested, where applicable, as well as the test procedure used.

107.2.4 Exterior balconies and elevated walking surfaces. Balconies or other elevated walking surfaces that are exposed to water from direct or blowing rain, snow, or irrigation, and the structural framing is protected by an impervious moisture barrier, the construction document must include details for all elements of the impervious moisture barrier system. The construction documents must also include manufacturer's installation instructions.

107.2.5 Site plan. The construction documents submitted with the application for permit must be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades and, as applicable, flood hazard areas, floodways, and design flood elevations; and it must be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan must show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The Building Official is authorized to waive or modify the requirement for a site plan when the application for permit is for alteration or repair or when otherwise warranted.

107.2.6 Structural information. The construction documents must provide the information specified in Section 1603.

107.3 Examination of documents. The Building Official must examine or cause to be examined the accompanying construction documents and must ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of the codes and other applicable laws or ordinances.

107.3.1 Approval of construction documents. When the Building Official issues a permit, the construction documents must be approved, in writing or by stamp, as "Reviewed for Code Compliance." One set of construction documents so reviewed must be retained by the Building Official. The other set must be returned to the applicant, must be kept at the site of work and must be open to inspection by the Building Official or a duly authorized representative.

107.3.2 Previous approvals. The codes cannot require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit was previously issued or otherwise lawfully authorized, and the construction of which was pursued in good faith within 180 days after the effective date of the codes, has not been abandoned or the Building Official has not determined the permit was issued under false information.

107.3.3 Phased approval. The Building Official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements are filed complying with pertinent requirements of the codes and the MPMC. The holder of such permit for the foundation or other parts of a building or structure must proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

107.3.4 Design professional in responsible charge. When it is required that documents be prepared by a registered design professional, the Building Official is authorized to require the owner to engage and designate on the building permit application a registered design professional who must act as the registered design professional in responsible charge. If the circumstances require, the owner must designate a substitute registered design professional in responsible charge who must perform the duties required of the original registered design professional in responsible charge. The Building Official must be notified in writing by the owner if the registered design professional in responsible charge is changed or is unable to continue to perform the duties.

The registered design professional in responsible charge must be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building.

Where structural observation is required, the statement of special inspections must name the individual or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur.

107.3.4.1 Deferred submittals. For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the Building Official within a specified period.

Deferral of any submittal items must have the prior approval of the Building Official. The registered design professional in responsible charge must list the deferred submittals on the construction documents for review by the Building Official.

Documents for deferred submittal items must be submitted to the registered design professional in responsible charge who must review them and forward them to the Building Official with a notation indicating that the deferred submittal documents have been reviewed and been found to be in general conformance to the design of the building. The deferred submittal items must not be installed until the design and submittal documents have been approved by the Building Official.

107.4 Amended construction documents. Work must be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents must be resubmitted for approval as an amended set of construction documents,

107.5 Number of construction documents. One set of approved construction documents must be retained by the Building Official for a period of not less than that required by state law and the City's retention policy.

SECTION 108 TEMPORARY STRUCTURES AND USES

108.1 General. The Building Official is authorized to issue a permit for temporary structures and temporary uses. Such permits must be limited as to time of service, but cannot be permitted for more than 180 days. The Building Official is authorized to grant extensions for demonstrated good cause.

108.2 Conformance. Temporary structures and uses must conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of the codes as necessary to ensure public health, safety and general welfare.

108.3 Temporary power. The Building Official is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate must comply with the requirements specified for temporary lighting, heat or power in the California Electrical Code.

108.4 Termination of approval. The Building Official is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued.

SECTION 109 FEES

109.1 General. A fee as established by resolution of the City Council must be paid for each plan review when submitted and each permit at time of issuance.

109.2 Permit fees. A fee for each required permit must be assessed in accordance with the fee schedule adopted by City Council resolution.

Failure to pay fees and obtain a permit before commencing work is a violation of the codes, except when a program is established by the Building Official and permit conditions are defined, or it can be proven to the satisfaction of the Building Official that an emergency existed which made it impractical to first obtain the permit. A violation will result in an assessment of an investigation fee in an amount equal to the permit fee for the work undertaken without permit. Payment of a double fee does not relieve any person from fully complying with the requirements of the codes nor from any other penalties prescribed herein.

109.3 Plan review fees. When a plan or other data is ready to be submitted by Section 105.3, a plan-checking fee, in the amount as established by City Council must be paid to the Building Official at the time of submitting plans and specifications for checking. When submittal documents are incomplete or changes so as to require additional plan review or when the project involves differed submittal items an additional fee must be assessed in accordance with the fee schedule established by City Council.

109.4 Investigation fee. An investigation fee as established by Section 108.2 may be charged by the Building Official whenever work for which a permit is required by the codes has been commenced without first obtaining said permit. This fee must be paid and the investigation must be made before the issuance of any permit for said work. An investigation fee may be charged for any investigation of a building, structure, work reports, certification or any other related work requested by an owner or authorized agent of such owner.

109.5 Fee Refunds. The Building Official may authorize refunding of any fee paid hereunder which was erroneously paid or collected. The Building Official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with the codes, except that no refund will be made for less than \$100. The Building Official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is performed, except that no refund will be made for less than \$100. The Building Official cannot authorize refunding of any fee paid except on written application filed by the original permittee not later than 60 days after the date of fee payment.

Permit and plan check fees will be refunded in their entirety when inadvertently paid for a project outside the City or as duplicate fees, except that no refund will be made if 60 days have elapsed from the date of payment.

109.6 Additional plan review fees. Where plans are incomplete or changed so as to require additional plan checking, an additional plan checking fee must be paid to the Building Official based upon the value of construction of the proposed change or redesign. In establishing said fee, no allowance for a decreased valuation is permitted due to the replacement, omission or lessening of any member or portion of the building shown in the original plans. No additional fees can be charged for checking corrections required by the Building Official; except where excessive plan reviews are performed, additional fees may be levied as established by City Council.

109.7 Change of Occupancy Investigation fee. A fee as established by City Council resolution must be paid when an occupancy investigation inspection is required by the Building Official. Note: The occupancy investigation fees are in addition to other investigation fees and do not include the fees for the building permit, or fees for electrical, plumbing or mechanical permits covering the alterations and/or repairs of the occupancy conversion.

SECTION 110 INSPECTIONS

110.1 General. Construction or work for which a permit is required is subject to inspection by the Building Official and such construction or work must remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection cannot be construed to approve violations of applicable law. Inspections presuming to give authority to violate or cancel the provisions of the codes or of other ordinances of the City are not valid. It is the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the Building Official nor the City

is liable for expense entailed in the removal or replacement of any material required to allow inspection.

110.2 Preliminary inspection. Before issuing a permit, the Building Official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

110.3 Required inspections. The Building Official, upon notification, must make the inspections set forth in Sections 109.3.1 through 109.3.10.

110.3.1 Footing and foundation inspection. Footing and foundation inspections must be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms must be in place before inspection. Materials for the foundation must be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

110.3.2 Concrete slab and under-floor inspection. Concrete slab and under-floor inspections must be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

110.3.3 Lowest floor elevation. In flood hazard areas, upon placement of the lowest floor, including the basement, and before further vertical construction, the elevation certification required in Section 1612.5 must be submitted to the Building Official.

110.3.4 Frame inspection. Framing inspections must be made after the roof deck or sheathing, all framing, fire-blocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are approved.

110.3.5 Lath and gypsum board inspection. Lath and gypsum board inspections must be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished.

110.3.6 Weather-exposed balcony and walking surface waterproofing. Balconies or other elevated walking surfaces that are exposed to water from direct or blowing rain, snow or irrigation, and the structural framing is protected by an impervious moisture barrier, all elements of the impervious moisture barrier system must not be concealed until inspected and approved.

110.3.7 Fire-resistant penetrations. Protection of joints and penetrations in fire-resistance-rated assemblies, smoke barriers and smoke partitions must not be concealed from view until inspected and approved.

110.3.8 Energy efficiency inspections. Inspections must be made to determine compliance with the California Energy Code, California Green Building Standards Codes and must include, without limitation, inspections for: envelope insulation R and U-values,

fenestration U-value, duct system R-value, and HVAC and water-heating equipment efficiency.

110.3.9 Other inspections. In addition to the inspections specified in Section 109.3.1 through Section 109.3.8, the Building Official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of the codes, standards and other laws that are enforced by the City.

110.3.10 Special inspections. For special inspections, see Chapter 17 of the California Building Code.

110.3.11 Final inspection. The final inspection must be made after all work required by the building permit is completed.

110.4 Inspection agencies. The Building Official is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

110.5 Inspection requests. It is the duty of the holder of the building permit or their duly authorized agent to notify the Building Official when work is ready for inspection. It is also the duty of the permit holder to provide access to and means for inspections of such work that are required by the codes.

110.6 Approval required. Work cannot be done beyond the point indicated in each successive inspection without first obtaining the approval of the Building Official. The Building Official, upon notification, must make the requested inspections and must either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or their agent wherein the same fails to comply with the codes. Any portions that do not comply must be corrected and such portion must not be covered or concealed until authorized by the Building Official.

SECTION 111 CERTIFICATE OF OCCUPANCY

111.1 Use and occupancy. No building or structure can be used or occupied, and no change in the existing use or occupancy classification of a building or structure or portion thereof can be made until the Building Official has issued a certificate of occupancy therefore as provided herein. The Building Official cannot issue a Certificate of Occupancy to the builder upon the completion of a commercial structure where there is tenant space. Instead, a Certificate of Occupancy is issued to a business entity that is going to occupy the building or a portion thereof. Issuance of a certificate of occupancy must not be construed as an approval of a violation of the provisions of the codes or other ordinances of the City. Certificates presuming to give authority to violate or cancel the provisions of the codes or other ordinances are not valid.

Exception: The Building Official does not issue Certificate of Occupancies for single and duplex residential dwelling units and owner-occupied dwelling units, such as townhomes, condominiums and U occupancies.

111.2 Time limitation of application. An application for a certificate of occupancy is deemed abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a certificate of occupancy has been issued.

111.3 Certificate issued. After the Building Official inspects the building or structure and finds no violations of the provisions of the codes or other laws that are enforced by the City, the Building Official must issue a certificate of occupancy that contains the following:

1. The building permit number.
2. The address of the structure.
3. The name and address of the owner.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of the codes for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the Building Official.
7. The edition of the code under which the permit was issued.
8. The use and occupancy, in accordance with the provisions of Chapter 3.
9. The type of construction as defined in Chapter 6.
10. The design occupant load.
11. If an automatic sprinkler system is provided, whether the sprinkler system is required.
12. Any special stipulations and conditions of the building permit.

111.4 Temporary occupancy. The Building Official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions must be occupied safely. The Building Official must set a time period during which the temporary certificate of occupancy is valid.

In the event the building is not completed and ready for final inspection in the time prescribed by the Building Official, the building must be vacated and the utilities disconnected until such time the building is completed, final inspection is completed and a Certificate of Occupancy is issued.

111.5 Revocation. The Building Official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of the codes wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of the codes.

SECTION 112 SERVICE UTILITIES

112.1 Connection of service utilities. Connections from a utility, source of energy, fuel or power to any building or system that is regulated by the codes for which a permit is required, must not be established until released by the Building Official.

112.2 Temporary connection. The Building Official has authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power.

Temporary connections may be terminated by the Building Official in the event the permit for such work expires, temporary occupancy is terminated, or it is determined by the Building Official that conditions associated with the connected utility are not met.

112.3 Authority to disconnect service utilities. The Building Official is authorized and empowered to cause or order the disconnection or discontinuance of utility service to a building, structure, premises, system, equipment, fixture, or device that is regulated by this Code or by the referenced codes and standards set forth in Section 101.4, or elsewhere in the Monterey Park Municipal Code: (i) when necessary to eliminate or mitigate an immediate hazard to life, health, safety, or property; (ii) when such building, structure, system, equipment, fixture, or device, or any utility service thereto, has been installed, equipped, altered, or used without requisite approvals, permits, or inspections; or (iii) when such building, structure, premises, system, equipment, fixture or device is found to be an unlicensed cannabis facility. An "unlicensed cannabis facility" means any facility within the City conducting commercial cannabis activity.

The Building Official must attempt to notify the serving utility, and wherever possible the owner and occupant of the building, structure, premises, system, equipment, fixture, or device, of the decision to disconnect before taking such action; provided that the Building Official may dispense with any attempt at prior notification if, in the sole discretion of the Building Official, the nature or severity of the hazard justifies such inaction. If not notified before disconnecting, the Building Official must notify the owner or occupant of the building, structure, premises, system, equipment, fixture, or device in writing of the disconnection as soon as practical thereafter.

The utility service must remain disconnected or discontinued until the Building Official releases the utility service. The Building Official cannot release the utility service until: (i) the imminent hazard has been abated or eliminated; or (ii) all requisite approvals, permits, and inspections have been obtained for the building, structure, system, equipment, fixture, or device, or any utility service thereto.

SECTION 113 BOARD OF APPEALS – PLANNING COMMISSION

113.1 General. The Planning Commission is designated to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of this code. All references to the "Board of Appeals" means the Planning Commission.

113.2 Limitations on authority. The Board of Appeals does not have authority relative to interpretation of the administrative provisions of the codes nor is the Board empowered to waive requirements of the codes. The application for appeal must be based on a claim that the true intent of the codes or the rules legally adopted thereunder have been incorrectly interpreted where the provision of the codes do not fully apply, or where an equally good or better form of construction is proposed.

113.3 Applications, fees and findings. Any person appealing the decision of the Building Official must file with the Building Official a written application accompanied by a filing fee in accordance with the fee schedule adopted by City Council resolution at any time not more than 20 calendar days after the decision of the Building Official.

The application must set forth and include any information as the Building Official may require.

Upon the filing of a verified application, the Building Official must transmit said application forthwith to the Board of Appeals, and such Board must investigate, examine, review, hear testimony, from and on behalf of the applicant, and render findings and decisions on the matter in writing to the applicant with a duplicate copy to the Building Official within 20 days after the conclusion of its proceedings, the Building Official must make all findings and decisions available to the public without fees.

SECTION 114 VIOLATIONS AND PENALTIES

114.1 General. Violation of the codes constitutes a misdemeanor. In addition, such violation constitutes a public nuisance subject to abatement in accordance with applicable law.

114.2 Notice of violation. The Building Official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of the codes, or in violation of a permit or certificate issued under the provisions of the codes. Such order must direct the discontinuance of the illegal action or condition and the abatement of the violation.

114.3 Compliance with Notice and prosecution of violation. If the notice of violation is not complied with promptly, the Building Official is authorized to request the City Attorney to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of the codes or of the order or direction made pursuant thereto. No person may remain in or enter any building or structure that has been posted with a red tag by the Building Official. Notwithstanding the foregoing, a person may enter the building or structure to repair, demolish or remove such building or structure pursuant to a duly issued permit. No person may remove or deface any order issued by the Building Official including, without limitation, a red tag, after it is posted until the required repairs, demolition or removal have been completed and a certificate of occupancy has been issued, where applicable.

114.4 Violation penalties. Any person who violates a provision of the codes or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the Building Official, or of a permit or certificate issued under the provisions of the codes, is subjected to penalties as prescribed by law.

SECTION 115 STOP WORK ORDER

115.1 Authority. Whenever the Building Official finds any work regulated by the codes being performed in a manner either contrary to the provisions of the codes or dangerous or unsafe, the Building Official is authorized to issue a stop work order.

115.2 Issuance. The stop work order must be in writing and must be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the identified work must immediately cease. The stop work order must state the reason for the order, and the conditions under which the cited work will be permitted to resume.

115.3 Unlawful continuance. Any person who continues any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, is subjected to penalties as prescribed by law.

SECTION 116 UNSAFE STRUCTURES AND BUILDINGS

116.1 General. All buildings, structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, are, for the purpose of this section, unsafe conditions. All such unsafe buildings or conditions are public nuisances and must be abated by repair, rehabilitation, improvement, removal, or demolition, in whole or part. A vacant building or structure that is not secure against entry is deemed "unsafe."

116.2 Placards and tags relating to occupancy of unsafe structures and buildings. Pursuant to the completion of a visual, nondestructive examination to determine the condition for continued occupancy, the building official or designee is authorized to designate the condition of the unsafe building or structure with a placard or tag, as follows:

1. A "yellow tag" denotes restricted use and is to be posted on each building or structure that has been damaged wherein the damage has resulted in some form of restriction to the continued occupancy. The individual who posts this placard will note in general terms the type of damage encountered and will clearly note the restrictions on continued occupancy.
2. A "red tag" denotes that the building or structure is so damaged that continued occupancy poses a threat to life safety. Buildings or structures posted with this placard may not be entered under any circumstance except as authorized in writing by the building official or designee. Safety assessment teams are authorized to enter these buildings at any time. This

placard is not to be used or considered as a demolition order. The individual who posts this placard will note in general terms the type of damage encountered.

The appropriate placard must be posted at each entry point to a building or structure. Once it has been attached to a building or structure, a placard is not to be removed, altered or covered until done so by an authorized representative of the building official. It is unlawful for any person, firm or corporation to alter, cover or deface a placard pursuant to this section.

116.3 Notice. If an unsafe condition is found, the building official must serve on the owner, agent or person in control of the structure, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be demolished within a reasonable time. Such notice will be deemed properly served when made in conjunction with section 1.04.080 of the Monterey Park Municipal Code.

SECTION 4: Chapter 16.05 of the MPMC is amended in its entirety to read as follows:

“Chapter 16.05 BUILDING CODE

Sec. 16.05.010 Document adopted by reference.

Pursuant to Government Code § 50022.9, the City Council incorporates by reference the California Building Code, 2019 Edition, as published in Title 24, Parts 2, Volume 1 and 2 of the California Code of Regulations.

Sec. 16.05.020. Chapter 1, Division II Scope and Administration amended.

The text within Chapter 1 Division II is amended in its entirety to read as follows:

Division II Administrative Provisions

Section 101. For administrative provisions for this Code, see Section 16.01.040.

Sec. 16.05.030. Section 202 amended.

The alphabetized list of definitions in Section 202 is amended to add a definition for “intermodal shipping container” to read as follows:

Intermodal Shipping Container. A six- sided steel unit originally constructed as a general cargo container used for the transport of good and materials.

The definition of “swimming pool” in Section 202 is amended in its entirety to read as follows:

Swimming Pool. Any structure intended for swimming, recreational bathing or wading that contains water over 18 inches deep. This includes in-ground, above ground and on-

ground pools; hot tubs; spas and fixed-in-place wading pools.

Sec. 16.05.040. Section 903.1.2 added.

Section 903.1.2 is added to read as follows:

903.1.2 Partial Automatic Fire Suppression Systems Prohibited. Whenever an automatic fire suppression system is installed for any portion of any building or structure, an automatic fire suppression system must be installed for the entire building or structure.

16.05.050. Section 903.2 amended.

Section 903.2 is amended to read as follows:

903.2 Where required. Approved automatic extinguishing systems must be installed:

1. In all new buildings regardless of the type of construction or occupancy.

Exceptions:

- 1.1. Detached Group U occupancies, providing the floor area does not exceed 1000 square feet.

- 1.2. ~~Other minor buildings and/or occupancies as approved by the Fire Chief.~~ Unmanned facilities and/or minor buildings and/or occupancies as approved by the Fire Chief.

2. In existing buildings with new occupancies as required by other sections of the Fire Code.

16.05.060. Section 903.3.1.1 amended.

Section 903.3.1.1 is amended to read as follows:

903.3.1.1 NFPA 13 sprinkler systems. In other than Group R buildings that are not over two stories in height, automatic sprinkler systems will be designed and installed in accordance with the NFPA 13, 2019 Edition as amended in Chapter 35 except as provided in Section 903.3.1.1.1 and 903.3.1.1.2.

16.05.070. Section 903.3.1.1.3 added.

Section ~~903.3.1.1.2~~ **903.3.1.1.3** is added to read as follows:

~~**903.3.1.1.2**~~ **903.3.1.1.3 Riser room location.** In structures over three stories in height or served by more than two fire sprinkler risers, a dedicated Fire Sprinkler Riser Room must be provided at an approved location. The riser room must be accessible to emergency personnel from the exterior of the building.

16.05.080. Section 903.3.1.2 amended.

Section 903.3.1.2 is amended to read as follows:

903.3.1.2. NFPA 13R sprinkler systems. Where allowed in buildings of Group R, up to and including two stories in height, automatic sprinkler systems will be installed throughout in accordance with NFPA 13R, 2019 Edition as amended in Chapter 35.

Sec. 16.05.090. Section 903.3.1.2.4 added.

Add Section 903.3.1.2.4 to read as follows:

903.3.1.2.4 Basement spaces. In residential buildings with automatic sprinkler systems designed and installed in accordance with NFPA 13R, basements used for living or storage purposes must be fully sprinklered with residential type heads.

Sec. 16.05.100. Section 903.3.1.3 amended.

Section 903.3.1.3 is amended to read as follows:

903.3.1.3. NFPA 13D sprinkler systems. Where allowed, automatic sprinkler systems will be installed in one- and two-family dwellings will be installed throughout in accordance with NFPA 13D, 2019 Edition as amended in Chapter 35.

Sec. 16.05.110. Section 903.3.1.3.1 added.

Section 903.3.1.3.1 is added to read as follows:

903.3.1.3.1. Detailed requirements. Automatic sprinkler system protection for one and two-family dwellings will be designed and installed in accordance with NFPA 13D, 2016 Edition with the following modifications:

1. A local water flow alarm must be provided for all sprinkler systems.
2. Attics and basements used for storage purposes must be fully sprinklered with residential type heads.
3. Overhead piping must be hydrostatically tested for leakage at 200 psi for two hours and inspected before drywall or insulation installation.
4. A minimum of three spare representative sprinkler heads and installation wrench must be provided at an approved location.

Sec. 16.05.120. Section 903.3.5 amended.

Section 903.3.5 is amended to read as follows:

903.3.5 Water Supplies. Water supplies for automatic sprinkler systems must comply with this section and the standards referenced in section 903.3.1. The potable water

supply must be protected against backflow in accordance with the *Health and Safety Code* and the Monterey Park Municipal Code. Hydraulic calculations for systems designed per NFPA 13, 13D, or 13R will include a ten percent (10%) reduction from the available supply source.

Sec. 16.05.130. Section 903.6 added.

Section 903.6 is added to read as follows:

903.6 Existing Occupancies. An automatic sprinkler system will be installed in existing occupancies as follows:

1. In all commercial and industrial buildings greater than 5000 square feet in area when enlarged by an addition to the existing structure or as required by the Fire Chief.
2. In all commercial and industrial buildings equal to or less than 5000 square feet in area, when enlarged by an addition to the existing structure, exceeds 5000 square feet or as required by the Fire Chief.
3. In all commercial and industrial buildings when an addition to the existing area exceeds fifty percent (50%) within any twelvemonth period.
4. In all residential occupancies when an addition to the existing living area exceeds fifty percent (50%) within any twelvemonth period.
5. As required by the Fire Code due to a change in occupancy.
6. As required by the Fire Code in Chapter 11.

Sec. 16.05.140. Section 907.1.6 added.

Section 907.1.6 is added to read as follows:

907.1.6 Multiple Fire Alarm Systems. Multiple fire alarm systems within single protected premises must be interconnected and must transmit signals as one system.

Sec. 16.05.150. Table 1505.1 amended.

Table 1505.1 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

MINIMUM ROOF COVERING CLASSIFICATIONS

TYPES OF CONSTRUCTION								
IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
A	A	A	A	A	A	A	A	A

Sec. 16.05.160. Section 1505.1.3 amended.

Section 1505.1.3 is amended to read 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, will be a fire-retardant roof covering that is at least Class A.

Sec. 16.05.170. Section 1507.3.1 amended.

Section 1507.3.1 is amended to read as follows:

1507.3.1 Deck requirements. Concrete and clay tile must be installed only over solid sheathing or spaced structural sheathing boards.

Sec. 16.05.180. Section 1613.5 and 1613.5.1 added.

Section 1613.5 and 1613.5.1 are added to read as follows:

1613.5 Amendments to ASCE 7. The provision of Section 1613.5 is permitted as an amendment to the relevant provisions of ASCE 7.

1613.5.1 Values for vertical combinations. Modify ASCE 7 Section 12.2.3.1 Exception 3 as follows:

3. Detached one- and two-family dwellings up to two stories in height of light frame construction.

Sec. 16.05.190 Section 1613.5.2 added.

Section 1613.5.2 is added as follows:

1613.5.-2 Wood Diaphragms. Modify ASCE 7 Section 12.11.2.3 as follows:

12.11.2.2.3 Wood Diaphragms. The anchorage of concrete or masonry structural walls to wood diaphragms must be in accordance with AWC SDPWS 4.1.5.1 and this section. Continuous ties required by this section are in addition to the diaphragm sheathing. Anchorage must not be accomplished by use of toenails or nails subject to withdrawal, nor will wood ledgers or framing be used in cross-grain bending or cross-grain tension. The diaphragm sheathing must not be considered effective for providing the ties or struts required by this section.

For structures assigned to Seismic Design Category D, E or F, wood diaphragms supporting concrete or masonry walls must comply with the following:

1. The spacing of continuous ties is not to exceed 40 feet. Added chords of diaphragms may be used to form subdiaphragms to transmit the anchorage forces to the main continuous crossties.
2. The maximum diaphragm shear used to determine the depth of the subdiaphragm must not exceed 75% of the maximum diaphragm shear.

Sec. 16.05.200 Section 1613.5.3 added.

Section 1613.5.3 is added to read as follows:

1613.5.3 Structural Separation. Modify ASCE 7 Section 12.12.3 Equation 12.12-1 as follows:

$$\delta_M = \frac{C_d \delta_{xe}}{I_E} \quad (12.12-1)$$

Sec. 16.05.210. Section 1613.6 added.

Section 1613.6 is added as follows:

1613.6 Seismic design provisions for hillside buildings.

1613.6.1 Purpose. The purpose of this section is to establish minimum regulations for the design and construction of new buildings and additions to existing buildings when constructing such buildings on or into slopes steeper than one unit vertical in three units horizontal (33.3%). These regulations establish minimum standards for seismic force resistance to reduce the risk of injury or loss of life in the event of earthquakes.

1613.6.2 Scope. The provisions of this section apply to the design of the lateral-force-resisting system for hillside buildings at and below the base level diaphragm. The design of the lateral-force-resisting system above the base level diaphragm must be in accordance with the provisions for seismic and wind design as required elsewhere in this division.

Exception: Non-habitable accessory buildings and decks not supporting or supported from the main building are exempt from these regulations.

1613.6.3 Definitions. For the purposes of this section certain terms are defined as follows:

BASE LEVEL DIAPHRAGM is the floor at, or closest to, the top of the highest level of the foundation.

DIAPHRAGM ANCHORS are assemblies that connect a diaphragm to the adjacent foundation at the uphill diaphragm edge.

DOWNHILL DIRECTION is the descending direction of the slope approximately perpendicular to the slope contours.

FOUNDATION is concrete or masonry which supports a building, including footings, stem walls, retaining walls, and grade beams.

FOUNDATION EXTENDING IN THE DOWNHILL DIRECTION is a foundation running downhill and approximately perpendicular to the uphill foundation.

HILLSIDE BUILDING is any building or portion thereof constructed on or into a slope steeper than one unit vertical in three units horizontal (33.3%). If only a portion of the building is supported on or into the slope, these regulations apply to the entire building.

PRIMARY ANCHORS are diaphragm anchors designed for and providing a direct connection as described in Sections 1613.6.5 and 1613.6.7.3 between the diaphragm and the uphill foundation.

SECONDARY ANCHORS are diaphragm anchors designed for and providing a redundant diaphragm to foundation connection, as described in Sections 1613.6.6 and 1613.6.7.4.

UPHILL DIAPHRAGM EDGE is the edge of the diaphragm adjacent and closest to the highest ground level at the perimeter of the diaphragm.

UPHILL FOUNDATION is the foundation parallel and closest to the uphill diaphragm edge.

1613.6.4 Analysis and design.

1613.6.4.1 General. Every hillside building within the scope of this section must be analyzed, designed, and constructed in accordance with the provisions of this division. When the code-prescribed wind design produces greater effects, the wind design will govern, but detailing requirements and limitations prescribed in this and referenced sections must be followed.

1613.6.4.2 Base level diaphragm-downhill direction. The following provisions apply to the seismic analysis and design of the connections for the base level diaphragm in the downhill direction.

1613.6.4.2.1 Base for lateral force design defined. For seismic forces acting in the downhill direction, the base of the building is the floor at or closest to the top of the highest level of the foundation.

1613.6.4.2.2 Base shear. In developing the base shear for seismic design, the response modification coefficient (R) must not exceed 5 for bearing wall and building frame systems. The total base shear must include the forces tributary to the base level diaphragm including forces from the base level diaphragm.

1613.6.5 Base shear resistance-primary anchors.

1613.6.5.1 General. The base shear in the downhill direction must be resisted through primary anchors from diaphragm struts provided in the base level diaphragm to the foundation.

1613.6.5.2 Location of primary anchors. A primary anchor and diaphragm strut must be provided in line with each foundation extending in the downhill direction. Primary anchors and diaphragm struts must also be provided where interior vertical lateral-force-resisting elements occur above and in contact with the base level diaphragm. The spacing of primary anchors and diaphragm struts or collectors must not exceed 30 feet.

1613.6.5.3 Design of primary anchors and diaphragm struts. Primary anchors and diaphragm struts must be designed in accordance with the requirements of Section 1613.6.8.

1613.6.5.4 Limitations. The following lateral-force-resisting elements must not be designed to resist seismic forces below the base level diaphragm in the downhill direction:

1. Wood structural panel wall sheathing,
2. Cement plaster and lath,
3. Gypsum wallboard, and
4. Tension only braced frames.

1613.6.6 Base shear resistance-secondary anchors.

1613.6.6.1 General. In addition to the primary anchors required by Section 1613.6.5, the base shear in the downhill direction must be resisted through secondary anchors in the uphill foundation connected to diaphragm struts in the base level diaphragm.

Exception: Secondary anchors are not required where foundations extending in the downhill direction spaced at not more than 30 feet on center extend up to and are directly connected to the base level diaphragm for at least 70% of the diaphragm depth.

1613.6.6.2 Secondary anchor capacity and spacing. Secondary anchors at the base level diaphragm must be designed for a minimum force equal to the base shear, including forces tributary to the base level diaphragm, but not less than 600 pounds per lineal foot based on Allowable Stress Design (ASD) levels. The secondary anchors must be uniformly distributed along the uphill diaphragm edge and must be spaced a maximum of 4 feet on center.

1613.6.6.3 Design. Secondary anchors and diaphragm struts must be designed in accordance with Section 1613.6.8.

1613.6.7 Diaphragms below the base level-downhill direction. The following provisions will apply to the lateral analysis and design of the connections for all diaphragms below the base level diaphragm in the downhill direction.

1613.6.7.1 Diaphragm defined. Every floor level below the base level diaphragm must be designed as a diaphragm.

1613.6.7.2 Design force. Each diaphragm below the base level diaphragm must be designed for all tributary loads at that level using a minimum seismic force factor not less than the base shear coefficient.

1613.6.7.3 Design force resistance-primary anchors. The design force described in Section 1613.6.7.2 must be resisted through primary anchors from diaphragm struts provided in each diaphragm to the foundation. Primary anchors must be provided and designed in accordance with the requirements and limitations of Section 1613.6.5.

1613.6.7.4 Design force resistance-secondary anchors.

1613.6.7.4.1 General. In addition to the primary anchors required in Section 1613.6.7.3, the design force in the downhill direction must be resisted through secondary anchors in the uphill foundation connected to diaphragm struts in each diaphragm below the base level.

Exception: Secondary anchors are not required where foundations extending in the downhill direction, spaced at not more than 30 feet on center, extend up to and are directly connected to each diaphragm below the base level for at least 70% of the diaphragm depth.

1613.6.7.4.2 Secondary anchor capacity. Secondary anchors at each diaphragm below the base level diaphragm must be designed for a minimum force equal to the design force but not less than 300 pounds per lineal foot based on Allowable Stress Design (ASD) levels. The secondary anchors must be uniformly distributed along the uphill diaphragm edge and shall be spaced a maximum of 4 feet on center.

1613.6.7.4.3 Design. Secondary anchors and diaphragm struts must be designed in accordance with Section 1613.6.8.

1613.6.8 Primary and secondary anchorage and diaphragm strut design. Primary and secondary anchors and diaphragm struts must be designed in accordance with the following provisions:

- 1. Fasteners.** All bolted fasteners used to develop connections to wood members must be provided with square plate washers at all bolt heads and nuts. Washers must be minimum 0.229 inch by 3 inches by 3 inches in size. Nuts must be tightened to finger tight plus one half (1/2) wrench turn prior to covering the framing.
- 2. Fastening.** The diaphragm to foundation anchorage cannot be accomplished by the use of toenailing, nails subject to withdrawal, or wood in cross-grain bending or cross-grain tension.
- 3. Size of Wood Members.** Wood diaphragm struts, collectors, and other wood members connected to primary anchors must not be less than 3 inch nominal width. The effects of eccentricity on wood members must be evaluated as required per Item 9.

4. Design. Primary and secondary anchorage, including diaphragm struts, splices, and collectors must be designed for 125% of the tributary force.
5. Allowable Stress Increase. The one-third allowable stress increase permitted under Section 1605.3.2 is not permitted when the working (allowable) stress design method is used.
6. Steel Element of Structural Wall Anchorage System. The strength design forces for steel elements of the structural wall anchorage system, with the exception of anchor bolts and reinforcing steel, must be increased by 1.4 times the forces otherwise required.
7. Primary Anchors. The load path for primary anchors and diaphragm struts must be fully developed into the diaphragm and into the foundation. The foundation must be shown to be adequate to resist the concentrated loads from the primary anchors.
8. Secondary Anchors. The load path for secondary anchors and diaphragm struts must be fully developed in the diaphragm but need not be developed beyond the connection to the foundation.
9. Symmetry. All lateral force foundation anchorage and diaphragm strut connections must be symmetrical. Eccentric connections may be permitted when demonstrated by calculation or tests that all components of force have been provided for in the structural analysis or tests.
10. Wood Ledgers. Wood ledgers cannot be used to resist cross-grain bending or cross-grain tension.

1613.6.9 Lateral-force-resisting elements normal to the downhill direction.

1613.6.9.1 General. In the direction normal to the downhill direction, lateral-force-resisting elements must be designed in accordance with the requirements of this section.

1613.6.9.2 Base shear. In developing the base shear for seismic design, the response modification coefficient (R) cannot exceed 5 for bearing wall and building frame systems.

1613.6.9.3 Vertical distribution of seismic forces. For seismic forces acting normal to the downhill direction the distribution of seismic forces over the height of the building using Section 12.8.3 of ASCE 7 must be determined using the height measured from the top of the lowest level of the building foundation.

1613.6.9.4 Drift limitations. The story drift below the base level diaphragm cannot exceed 0.007 times the story height at strength design force level. The total drift from the base level diaphragm to the top of the foundation cannot exceed 3/4 inch. Where the story height or the height from the base level diaphragm to the top of the foundation varies because of a stepped footing or story offset, the height must be measured from the average height of the top of the foundation. The story drift cannot be reduced by the effect of horizontal diaphragm stiffness.

1613.6.9.5 Distribution of lateral forces.

1613.6.9.5.1 General. The design lateral force must be distributed to lateral-force-resisting elements of varying heights in accordance with the stiffness of each individual element.

1613.6.9.5.2 Wood structural panel sheathed walls. The stiffness of a stepped wood structural panel shear wall may be determined by dividing the wall into adjacent rectangular elements, subject to the same top of wall deflection. Deflections of shear walls may be estimated by AWC SDPWS Section 4.3.2. Sheathing and fastening requirements for the stiffest section must be used for the entire wall. Each section of wall must be anchored for shear and uplift at each step. The minimum horizontal length of a step is 8 feet and the maximum vertical height of a step is 2 feet 8 inches.

1613.6.9.5.3 Reinforced concrete or masonry shear walls. Reinforced concrete or masonry shear walls must have forces distributed in proportion to the rigidity of each section of the wall.

1613.6.9.6 Limitations. The following lateral force-resisting-elements cannot be designed to resist lateral forces below the base level diaphragm in the direction normal to the downhill direction:

1. Cement plaster and lath,
2. Gypsum wallboard, and
3. Tension-only braced frames.

Braced frames designed in accordance with the requirements of Section 2205.2.1.2 of this Code may be designed as lateral-force-resisting elements in the direction normal to the downhill direction, provided lateral forces do not induce flexural stresses in any member of the frame. Deflections of frames must account for the variation in slope of diagonal members when the frame is not rectangular.

1613.6.10 Specific design provisions.

1613.6.10.1 Footings and grade beams. All footings and grade beams must comply with the following:

1. Grade beams must extend at least 12 inches below the lowest adjacent grade and provide a minimum 24 inch distance horizontally from the bottom outside face of the grade beam to the face of the descending slope.
2. Continuous footings must be reinforced with at least two No. 4 reinforcing bars at the top and two No. 4 reinforcing bars at the bottom.
3. All main footing and grade beam reinforcement steel must be bent into the intersecting footing and fully developed around each corner and intersection.
4. All concrete stem walls must extend from the foundation and reinforced as required for concrete or masonry walls.

1613.6.10.2 Protection against decay and termites. All wood to earth separation must comply with the following:

1. Where a footing or grade beam extends across a descending slope, the stem wall, grade beam, or footing must extend up to a minimum 18 inches above the highest adjacent grade.

Exception: At paved garage and doorway entrances to the building, the stem wall need only extend to the finished concrete slab, provided the wood framing is protected with a moisture proof barrier.

2. Wood ledgers supporting a vertical load of more than 100 pounds per lineal foot based on Allowable Stress Design (ASD) levels and located within 48 inches of adjacent grade are prohibited. Galvanized steel ledgers and anchor bolts, with or without wood nailers, or treated or decay resistant sill plates supported on a concrete or masonry seat, may be used.

1613.6.10.3 Sill plates. All sill plates and anchorage must comply with the following:

1. All wood framed walls, including nonbearing walls, when resting on a footing, foundation, or grade beam stem wall, must be supported on wood sill plates bearing on a level surface.
2. Power-driven fasteners cannot be used to anchor sill plates except at interior nonbearing walls not designed as shear walls.

1613.6.10.4 Column base plate anchorage. The base of isolated wood posts (not framed into a stud wall) supporting a vertical load of 4,000 pounds based on Allowable Stress Design (ASD) levels or more and the base plate for a steel column must comply with the following:

1. When the post or column is supported on a pedestal extending above the top of a footing or grade beam, the pedestal must be designed and reinforced as required for concrete or masonry columns. The pedestal must be reinforced with a minimum of four No. 4 bars extending to the bottom of the footing or grade beam. The top of exterior pedestals must be sloped for positive drainage.
2. The base plate anchor bolts or the embedded portion of the post base, and the vertical reinforcing bars for the pedestal, must be confined with two No. 4 or three No. 3 ties within the top 5 inches of the concrete or masonry pedestal. The base plate anchor bolts must be embedded a minimum of 20 bolt diameters into the concrete or masonry pedestal. The base plate anchor bolts and post bases must be galvanized and each anchor bolt must have at least 2 galvanized nuts above the base plate.

1613.6.10.5 Steel beam to column supports. All steel beams to column supports must be positively braced in each direction. Steel beams must have stiffener plates installed on each side of the beam web at the column. The stiffener plates must be welded to each

beam flange and the beam web. Each brace connection or structural member must consist of at least two 5/8 inch diameter machine bolts.

Sec. 16.05.220. Section 1613.7 added.

Section 1613.7 is added as follows:

1613.7 Suspended ceilings. Minimum design and installation standards for suspended ceilings must be determined in accordance with the requirements of Section 2506.2.1 of this Code and this section.

1613.7.1 Scope. This part contains special requirements for suspended ceilings and lighting systems. Provisions of Section 13.5.6 of ASCE 7 will apply except as modified herein.

1613.7.2 General. The suspended ceilings and lighting systems must be limited to 6 feet below the structural deck unless the lateral bracing is designed by a licensed engineer or architect.

1613.7.3 Sprinkler heads. All sprinkler heads (drops) except fire-resistance-rated floor/ceiling or roof/ceiling assemblies, must be designed to allow for free movement of the sprinkler pipes with oversize rings, sleeves or adaptors through the ceiling tile. Sprinkler heads and other penetrations must have a 2 inch oversize ring, sleeve, or adapter through the ceiling tile to allow for free movement of at least 1 inch in all horizontal directions. Alternatively, a swing joint that can accommodate 1 inch of ceiling movement in all horizontal directions is permitted to be provided at the top of the sprinkler head extension.

Sprinkler heads penetrating fire-resistance-rated floor/ceiling or roof/ceiling assemblies must comply with Section 714 of this Code.

1613.7.4 Special requirements for means of egress. Suspended ceiling assemblies located along means of egress serving an occupant load of 30 or more must comply with the following provisions.

1613.7.4.1 General. Ceiling suspension systems must be connected and braced with vertical hangers attached directly to the structural deck along the means of egress serving an occupant load of 30 or more and at lobbies accessory to Group A Occupancies. Spacing of vertical hangers must not exceed 2 feet on center along the entire length of the suspended ceiling assembly located along the means of egress or at the lobby.

1613.7.4.2 Assembly device. All lay-in panels must be secured to the suspension ceiling assembly with two hold-down clips minimum for each tile within a 4-foot radius of the exit lights and exit signs.

1613.7.4.3 Emergency systems. Independent supports and braces must be provided for light fixtures required for exit illumination. Power supply for exit illumination must comply with the requirements of Section 1008.3 of this Code.

1613.7.4.4 Supports for appendage. Separate support from the structural deck must be provided for all appendages such as light fixtures, air diffusers, exit signs, and similar elements.

Sec. 16.05.230. Section 1704.6 amended.

Section 1704.6 is amended as follows:

1704.6 Structural observations. Where required by the provisions of Section 1704.6.1, 1704.6.2 or 1704.6.3, the owner or the owner's authorized agent must employ a ~~registered design professional~~ structural observer to perform structural observations. Structural observation does not include or waive the responsibility for the inspections in Section 110 or the special inspections in Section 1705 or other sections of this code. The structural observer must be one of the following individuals:

1. The registered design professional responsible for the structural design, or
2. A registered design professional designated by the registered design professional responsible for the structural design.

Prior to the commencement of observations, the structural observer must submit to the building official a written statement identifying the frequency and extent of structural observations.

~~At the conclusion of the work included in the permit, the structural observer shall submit to the building official a written statement that the site visits have been made and identify any reported deficiencies that, to the best of the structural observer's knowledge, have not been resolved.~~

The owner or owner's authorized agent must coordinate and call a preconstruction meeting between the structural observer, contractors, affected subcontractors and special inspectors. The structural observer must preside over the meeting. The purpose of the meeting is to identify the major structural elements and connections that affect the vertical and lateral load resisting systems of the structure and to review scheduling of the required observations. A record of the meeting must be included in the report submitted to the building official.

Observed deficiencies must be reported in writing to the owner or owner's authorized agent, special inspector, contractor and the building official. Upon the form prescribed by the building official, the structural observer must submit to the building official a written statement at each significant construction stage stating that the site visits have been made and identifying any reported deficiencies which, to the best of the structural observer's knowledge, have not been resolved. A final report by the structural observer which states that all observed deficiencies have been resolved is required before acceptance of the work by the building official.

Sec. 16.05.240. Section 1704.6.2 amended.

Section 1704.6.2 is amended as follows:

1704.6.2 Structural observations for seismic resistance. Structural observations must be provided for those structures assigned to Seismic Design Category D, E or F where one or more of the following conditions exist:

1. The structure is classified as Risk Category III or IV.
2. The structure ~~is assigned to Seismic Design Category E,~~ is classified as Risk Category I or II, and is greater than two stories above the grade plane a lateral design is required for the structure or portion thereof.

Exception: One-story wood framed Group R-3 and Group U Occupancies less than 2,000 square feet in area, provided the adjacent grade is not steeper than 1 unit vertical in 10 units horizontal (10% sloped), assigned to Seismic Design Category D.

Sec. 16.05.250. Section 1705.3 amended.

Section 1705.3 is amended as follows:

1705.3 Concrete Construction. The special inspections and tests for concrete construction must be performed in accordance with this section and Table 1705.3.

Exceptions: Special inspections and tests are not required for:

1. Isolated spread concrete footings of buildings three stories or less above grade plane that are fully supported on earth or rock, where the structural design of the footing is based on a specified compressive strength, f'_c , no greater than 2,500 pounds per square inch (psi) regardless of the compressive strength specified in the construction documents or used in the footing construction.
2. Continuous concrete footings supporting walls of buildings three stories or less above grade plane that are fully supported on earth or rock where:
 - 2.1 The footings support walls of light-frame construction;
 - 2.2 The footings are designed in accordance with Table 1809.7; or
 - 2.3 The structural design of the footing is based on a specified compressive strength, f'_c , no greater than 2,500 pounds per square inch (psi), regardless of the compressive strength specified in the construction documents or used in the footing construction.
3. Nonstructural concrete slabs supported directly on the ground, including prestressed slabs on grade, where the effective prestress in the concrete is less than 150 psi.
- ~~4. Concrete foundation walls constructed in accordance with Table 1807.1.6.2.~~
54. Concrete patios, driveways and sidewalks, on grade.

Sec. 16.05.260. Exception 3 of Section 1705.12 amended.

Exception 3 of Section 1705.12 is amended as follows:

3. The structure is a detached one- or two-family dwelling not exceeding two stories above grade plane, is not assigned to Seismic Design Category D, E or F and does not have any of the following horizontal or vertical irregularities in accordance with Section 12.3 of ASCE 7:

Sec. 16.05.270. Section 1807.1.4 amended.

Section 1807.1.4 is amended as follows:

1807.1.4 Permanent wood foundation systems. Permanent wood foundation systems must be designed and installed in accordance with AWC PWF. Lumber and plywood must be treated in accordance with AWPA U1 (Commodity Specification A, Use Category 4B and Section 5.2) and must be identified in accordance with Section 2303.1.9.1. Permanent wood foundation systems must not be used for structures assigned to Seismic Design Category D, E or F.

Sec. 16.05.280. Section 1807.1.6 amended.

Section 1807.1.6 is amended as follows:

1807.1.6 Prescriptive design of concrete and masonry foundation walls. Concrete and masonry foundation walls that are laterally supported at the top and bottom is permitted to be designed and constructed in accordance with this section. Prescriptive design of foundation walls cannot to be used for structures assigned to Seismic Design Category D, E or F.

Sec. 16.05.290. Section 1807.2 amended.

Section 1807.2 is amended as follows:

1807.2 Retaining walls. Retaining walls must be designed in accordance with Section 1807.2.1 through 1807.2.3. Retaining walls assigned to Seismic Design Category D, E or F cannot be partially or wholly constructed of wood.

Sec. 16.05.300. Section 1807.3.1 amended.

Section 1807.3.1 is amended as follows:

1807.3.1 Limitations. The design procedures outlined in this section are subject to the following limitations:

1. The frictional resistance for structural walls and slabs on silts and clays is limited to one-half of the normal force imposed on the soils by the weight of the footing or slab.

2. Posts embedded in earth cannot be used to provide lateral support for structural or nonstructural materials such as plaster, masonry or concrete unless bracing is provided that develops the limited deflection required.

Wood poles must be treated in accordance with AWP A U1 for sawn timber posts (Commodity Specification A, Use Category 4B) and for round timber posts (Commodity Specification B, Use Category 4B). Wood poles and posts embedded in direct contact with soil cannot be used for structures assigned to Seismic Design Category D, E or F.

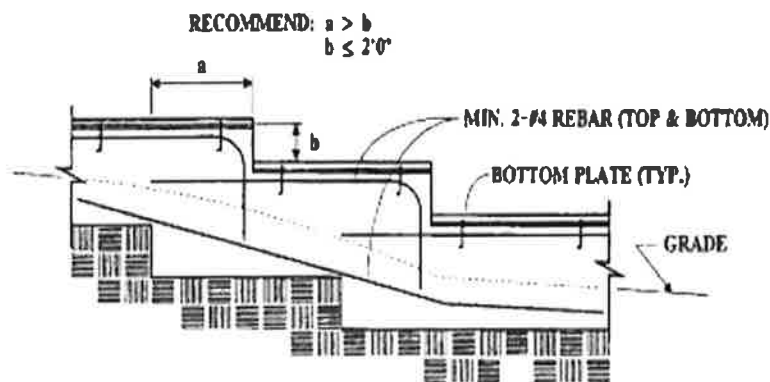
Exception: Wood poles and posts embedded in direct contact with soil may be used to support nonhabitable, nonoccupiable structures such as fences when approved by the building official.

Sec. 16.05.310. Section 1809.3 amended.

Section 1809.3 is amended as follows:

1809.3 Stepped footings. The top surface of footings must be level. The bottom surface of footings must be permitted to have a slope not exceeding one unit vertical in 10 units horizontal (10-percent slope). Footings must be stepped where it is necessary to change the elevation of the top surface of the footing or where the surface of the ground slopes more than one unit vertical in 10 units horizontal (10-percent slope).

For structures assigned to Seismic Design Category D, E or F, the stepping requirement will also apply to the top surface of grade beams supporting walls. Footings must be reinforced with four No. 4 bars. Two bars must be placed at the top and bottom of the footings as shown in Figure 1809.3.



STEPPED FOUNDATIONS

**FIGURE 1809.3
STEPPED FOOTING**

Sec. 16.05.320. Section 1809.7 and Table 1809.7 amended.

Section 1809.7 and Table 1809.7 is amended as follows:

1809.7 Prescriptive footings for light-frame construction. Where a specific design is not provided, concrete or masonry-unit footings supporting walls of light-frame construction is permitted to be designed in accordance with Table 1809.7. Light-frame construction using prescriptive footings in Table 1809.7 cannot exceed one story above grade plane for structures assigned to Seismic Design Category D, E or F.

TABLE 1809.7
PREScriptive FOOTINGS SUPPORTING WALLS OF
LIGHT-FRAME CONSTRUCTION ^{a, b, c, d, e}

NUMBER OF FLOORS SUPPORTED BY THE FOOTING ^f	WIDTH OF FOOTING (inches)	THICKNESS OF FOOTING (inches)
1	12	6
2	15	6
3	18	8 ^g

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm

- Depth of footings shall be in accordance with Section 1809.4.
- The ground under the floor shall be permitted to be excavated to the elevation of the top of the footing.
- ~~Interior stud bearing walls shall be permitted to be supported by isolated footings. The footing width and length shall be twice the width shown in this table, and footings shall be spaced not more than 6 feet on center. Not Adopted.~~
- See Section 1908 for additional requirements for concrete footings of structures assigned to Seismic Design Category C, D, E or F.
- For thickness of foundation walls, see Section 1807.1.6.
- Footings shall be permitted to support a roof addition to the stipulated number of floors. Footings supporting roof only shall be as required for supporting one floor.
- ~~Plain concrete footings for Group R-3 occupancies shall be permitted to be 6 inches thick.~~

Sec. 16.05.330. Section 1809.12 amended.

Section 1809.12 is amended as follows:

1809.12 Timber footings. Timber footings is permitted for buildings of Type V construction and as otherwise approved by the Building Official. Such footings must be treated in accordance with AWP A U1 (Commodity Specification A, Use Category 4B). Treated timbers are not required where placed entirely below permanent water level, or where used as capping for wood piles that project above the water level over submerged or marsh lands. The compressive stresses perpendicular to grain in untreated timber footing supported upon treated piles is not to exceed 70 percent of the allowable stresses for the species and grade of timber as specified in the ANSI/AWC NDS. Timber footings cannot be used in structures assigned to Seismic Design Category D, E or F.

Sec. 16.05.340. Section 1810.3.2.4 amended.

Section 1810.3.2.4 is amended as follows:

1810.3.2.4 Timber. Timber deep foundation elements must be designed as piles or poles in accordance with ANSI/AWC_NDS. Round timber elements must conform to ASTM D 25. Sawn timber elements must conform to DOC PS-20. Timber deep foundation elements cannot be used in structures assigned to Seismic Design Category D, E or F.

Sec. 16.05.350. Section 1905.1.7 amended.

Section 1905.1.7 is amended as follows:

1905.1.7 ACI 318, Section 14.1.4. Delete ACI 318, Section 14.1.4, and replace with the following:

14.1.4 – Plain concrete in structures assigned to Seismic Design Category C, D, E or F.

14.1.4.1 – Structures assigned to Seismic Design Category C, D, E or F cannot have elements of structural plain concrete, except as follows:

1.1. ~~Structural plain concrete basement, foundation or other walls below the base as defined in ASCE 7 are permitted in detached one- and two-family dwellings three stories or less in height constructed with stud-bearing walls. In dwellings assigned to Seismic Design Category D or E, the height of the wall may not exceed 8 feet (2438 mm), the thickness may not be less than 7½ inches (190 mm), and the wall shall retain no more than 4 feet (1219 mm) of unbalanced fill. Walls must have reinforcement in accordance with 14.6.1. Concrete used for fill with a minimum cement content of two (2) sacks of Portland cement or cementitious material per cubic yard.~~

1.2. Isolated footings of plain concrete supporting pedestals or columns are permitted, provided the projection of the footing beyond the face of the supported member does not exceed the footing thickness.

~~Exception: In detached one- and two-family dwellings three stories or less in height, the projection of the footing beyond the face of the supported member is permitted to exceed the footing thickness.~~

1.3. Plain concrete footings supporting walls are permitted provided the footings have at least two continuous longitudinal reinforcing bars. Bars must not be smaller than No. 4 and have a total area of not less than 0.002 times the gross cross-sectional area of the footing. ~~For footings that exceed 8 inches (203 mm) in thickness, a~~ minimum of one bar must be provided at the top and bottom of the footing. Continuity of reinforcement must be provided at corners and intersections.

Exceptions:

1. ~~In Seismic Design Categories A, B and C, Detached one- and two-family dwellings three stories or less in height and constructed with stud-bearing walls, are permitted to have plain concrete footings without longitudinal reinforcement~~ with at least two continuous longitudinal reinforcing bars not smaller than No. 4 are permitted to have a total area of less than 0.002 times the gross cross-sectional area of the footing.
2. ~~For foundation systems consisting of a plain concrete footing and a plain concrete stemwall, a minimum of one bar must be provided at the top of the stemwall and at the bottom of the are footing.~~
3. ~~Where a slab on ground is cast monolithically with the footing, one No. 5 bar is permitted to be located at either the top of the slab or bottom of the footing.~~

Sec. 16.05.360. Section 1905.1 amended and Sections 1905.1.9 through 1905.1.11 added.

Section 1905.1 is amended and Sections 1905.1.9 through 1905.1.11 are added to read as follows:

1905.1 General. The text of ACI 318 will be modified as indicated in Sections 1905.1.1 through ~~1908.1.8~~ 1905.1.11.

1905.1.9 ACI 318, Section 18.7.5. Modify ACI 318, Section 18.7.5, by adding Section 18.7.5.7 and 18.7.5.8 as follows:

18.7.5.7 Where the calculated point of contraflexure is not within the middle half of the member clear height, provide transverse reinforcement as specified in ACI 318 Sections 18.7.5.1, Items (a) through (c), over the full height of the member.

18.7.5.8 – At any section where the design strength, ϕP_n , of the column is less than the sum of the shears V_e computed in accordance with ACI 318 Sections 18.7.6.1 and 18.6.5.1 for all the beams framing into the column above the level under consideration, transverse reinforcement as specified in ACI 318 Sections 18.7.5.1 through 18.7.5.3 must be provided. For beams framing into opposite sides of the column, the moment components are permitted to be assumed to be of opposite sign. For the determination of the design strength, ϕP_n , of the column, these moments are permitted to be assumed to result from the deformation of the frame in any one principal axis.

1905.1.10 ACI 318, Section 18.10.4. Modify ACI 318, Section 18.10.4, by adding Section 18.10.4.6 as follows:

18.10.4.6 – Walls and portions of walls with $P_u > 0.35P_o$ cannot be considered to contribute to the calculated shear strength of the structure for resisting earthquake-induced forces. Such walls must conform to the requirements of ACI 318 Section 18.14.

1905.1.11 ACI 318, Section 18.12.6. Modify ACI 318, by adding Section 18.12.6.2 as follows:

18.12.6.2 Collector and boundary elements in topping slabs placed over precast floor and roof elements must not be less than 3 inches (76 mm) or $6 d_b$ in thickness, where d_b is the diameter of the largest reinforcement in the topping slab.

Sec. 16.05.370. Section 2304.10.1 amended.

Section 2304.10.1 is amended as follows:

2304.10.1 Fastener requirements. Connections for wood members must be designed in accordance with the appropriate methodology in Section 2301.2. The number and size of fasteners connecting wood members cannot be less than that set forth in Table 2304.10.1. Staple fasteners in Table 2304.10.1 cannot be used to resist or transfer seismic forces in structures assigned to Seismic Design Category D, E or F.

Exception: Staples may be used to resist or transfer seismic forces when the allowable shear values are substantiated by cyclic testing and approved by the Building Official.

Sec. 16.05.380. Section 2304.10.2.1 added.

Section 2304.10.2.1 is added to read follows:

2304.10.2.1 Quality of nails. In Seismic Design Category D, E or F, mechanically driven nails used in wood structural panel shear walls must meet the same dimensions as that required for hand-driven nails, including diameter, minimum length and minimum head diameter. Clipped head or box nails are not permitted in new construction. The allowable design value for clipped head nails in existing construction may be taken at no more than the nail-head-area ratio of that of the same size hand-driven nails.

Sec. 16.05.390. Section 2304.12.5 amended.

Section 2304.12.5 is amended as follows:

2304.12.5 Wood used in retaining walls and cribs. Wood installed in retaining or crib walls must be preservative treated in accordance with AWPA U1 for soil and fresh water use. Wood cannot be used in retaining or crib walls for structures assigned to Seismic Design Category D, E or F.

Sec. 16.05.400. Section 2305.4 added.

Section 2305.4 is added as follows:

2305.4 Hold-down connectors. In Seismic Design Category D, E or F, hold-down connectors must be designed to resist shear wall overturning moments using approved cyclic load values or 75 percent of the allowable seismic load values that do not consider cyclic loading of the product. Connector bolts into wood framing require steel plate washers on the post on the opposite side of the anchorage device. Plate size must be a minimum of 0.229 inch by 3 inches by 3 inches in size. Hold-down connectors must be tightened to finger tight plus one half (1/2) wrench turn just before covering the wall framing.

Sec. 16.05.410. Section 2306.2 amended.

Section 2306.2 is amended to read as follows:

2306.2 Wood-frame diaphragms. Wood-frame diaphragms must be designed and constructed in accordance with AWC SDPWS. Where panels are fastened to framing members with staples, requirements and limitations of AWC SDPWS must be met and the allowable shear values set forth in Table 2306.2(1) or 2306.2(2) will only be permitted for structures assigned to Seismic Design Category A, B, or C.

Exception: Allowable shear values where panels are fastened to framing members with staples may be used if such values are substantiated by cyclic testing and approved by the Building Official.

The allowable shear values in Tables 2306.2(1) and 2306.2(2) are permitted to be increased 40 percent for wind design.

Wood structural panel diaphragms used to resist seismic forces in structures assigned to Seismic Design Category D, E or F must be applied directly to the framing members.

Exception: Wood structural panel diaphragms are permitted to be fastened over solid lumber planking or laminated decking, provided the panel joints and lumber planking or laminated decking joints do not coincide.

Sec. 16.05.420. Section 2306.3 amended.

Section 2306.3 is amended to read as follows:

2306.3 Wood-frame shear walls. Wood-frame shear walls must be designed and constructed in accordance with AWC SDPWS. For structures assigned to Seismic Design Category D, E, or F, application of Tables 4.3A and 4.3B of AWC SDPWS must include the following:

1. Wood structural panel thickness for shear walls cannot be less than 3/8 inch thick and studs cannot be spaced at more than 16 inches on center.
2. The maximum nominal unit shear capacities for 3/8 inch wood structural panels resisting seismic forces in structures assigned to Seismic Design Category D, E or F is 400 pounds per linear foot (plf).

Exception: Other nominal unit shear capacities may be permitted if such values are substantiated by cyclic testing and approved by the Building Official.

3. Nails must be placed not less than 1/2 inch in from the panel edges and not less than 3/8 inch from the edge of the connecting members for shear greater than 350 plf using ASD or 500 plf using LRFD. Nails must be placed not less than 3/8 inch from panel edges and not less than 1/4 inch from the edge of the connecting members for shears of 350 plf or less using ASD or 500 plf or less using LRFD.
4. Table 4.3B application is not allowed for structures assigned to Seismic Design Category D, E, or F.

For structures assigned to Seismic Design Category D, application of Table 4.3C of AWC SDPWS cannot be used below the top level in a multi-level building.

Where panels are fastened to framing members with staples, requirements and limitations of AWC SDPWS must be met and the allowable shear values set forth in Table 2306.3(1), 2306.3(2) or 2306.3(3) are only permitted for structures assigned to Seismic Design Category A, B, or C.

Exception: Allowable shear values where panels are fastened to framing members with staples may be used if such values are substantiated by cyclic testing and approved by the Building Official.

The allowable shear values in Tables 2306.3(1) and 2306.3(2) are permitted to be increased 40 percent for wind design. Panels complying with ANSI/APA PRP-210 must be permitted to use design values for Plywood Siding in the AWC SDPWS.

Sec. 16.05.430. Section 2307.2 added.

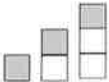
Section 2307.2 is added to read as follows:

2307.2 Wood-frame shear walls. Wood-frame shear walls must be designed and constructed in accordance with Section 2306.3 as applicable.

Sec. 16.05.440. Table 2308.6.1 amended.

Table 2308.6.1 is amended to read as follows:

TABLE 2308.6.1^a
WALL BRACING REQUIREMENTS

SEISMIC DESIGN CATEGORY	STORY CONDITION (SEE SECTION 2308.2)	MAXIMUM SPACING OF BRACED WALL LINES	BRACED PANEL LOCATION, SPACING (O.C.) AND MINIMUM PERCENTAGE (X)			MAXIMUM DISTANCE OF BRACED WALL PANELS FROM EACH END OF BRACED WALL LINE
			Bracing method ^b			
			LIB	DWB, WSP	SFB, PBS, PCP, HPS, GB ^{c, d}	
A and B		35'- 0"	Each end and ≤ 25'- 0" o.c.	Each end and ≤ 25'- 0" o.c.	Each end and ≤ 25'- 0" o.c.	12'- 6"
		35'- 0"	Each end and ≤ 25'- 0" o.c.	Each end and ≤ 25'- 0" o.c.	Each end and ≤ 25'- 0" o.c.	12'- 6"
		35'- 0"	NP	Each end and ≤ 25'- 0" o.c.	Each end and ≤ 25'- 0" o.c.	12'- 6"
C		35'- 0"	NP	Each end and ≤ 25'- 0" o.c.	Each end and ≤ 25'- 0" o.c.	12'- 6"
		35'- 0"	NP	Each end and ≤ 25'- 0" o.c. (minimum 25% of wall length) ^e	Each end and ≤ 25'- 0" o.c. (minimum 25% of wall length) ^e	12'- 6"
D and E ^{f, g, h}		25'- 0"	NP	$S_{DS} < 0.50$: Each end and ≤ 25'- 0" o.c. (minimum 21% of wall length) ^e	$S_{DS} < 0.50$: Each end and ≤ 25'- 0" o.c. (minimum 43% of wall length) ^e	8'- 0"
				$0.5 \leq S_{DS} < 0.75$: Each end and ≤ 25'- 0" o.c. (minimum 32% of wall length) ^e	$0.5 \leq S_{DS} < 0.75$: Each end and ≤ 25'- 0" o.c. (minimum 59% of wall length) ^e	
				$0.75 \leq S_{DS} \leq 1.00$: Each end and ≤ 25'- 0" o.c. (minimum 37% of wall length) ^e	$0.75 \leq S_{DS} \leq 1.00$: Each end and ≤ 25'- 0" o.c. (minimum 75% of wall length)	
				$S_{DS} > 1.00$: Each end and ≤ 25'- 0" o.c. (minimum 48% of wall length) ^e	$S_{DS} > 1.00$: Each end and ≤ 25'- 0" o.c. (minimum 100% of wall length) ^e	

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

NP = Not Permitted.

a. This table specifies minimum requirements for braced wall panels along interior or exterior braced wall lines.

b. See Section 2308.6.3 for full description of bracing methods.

c. For Method GB, gypsum wallboard applied to framing supports that are spaced at 16 inches on center.

d. The required lengths shall be doubled for gypsum board applied to only one face of a braced wall panel.

e. Percentage shown represents the minimum amount of bracing required along the building length (or wall length if the structure has an irregular shape).

f. DWB, SFB, PBS, and HPS wall braces are not permitted in Seismic Design Categories D or E.

g. Minimum length of panel bracing of one face of the wall for WSP sheathing shall be at least 4'-0" long or both faces of the wall for GB or PCP sheathing shall be at least 8'-0" long; h/v ratio shall not exceed 2:1. Wall framing to which sheathing used for bracing is applied shall be nominal 2 inch wide (actual 1 1/2 inch (38 mm) or larger members and spaced a maximum of 16 inches on center. Braced wall panel construction types shall not be mixed within a braced wall line.

h. WSP sheathing shall be a minimum of 15/32" thick nailed with 8d common placed 3/8 inches from panel edges and spaced not more than 6 inches on center and 12 inches on center along intermediate framing members.

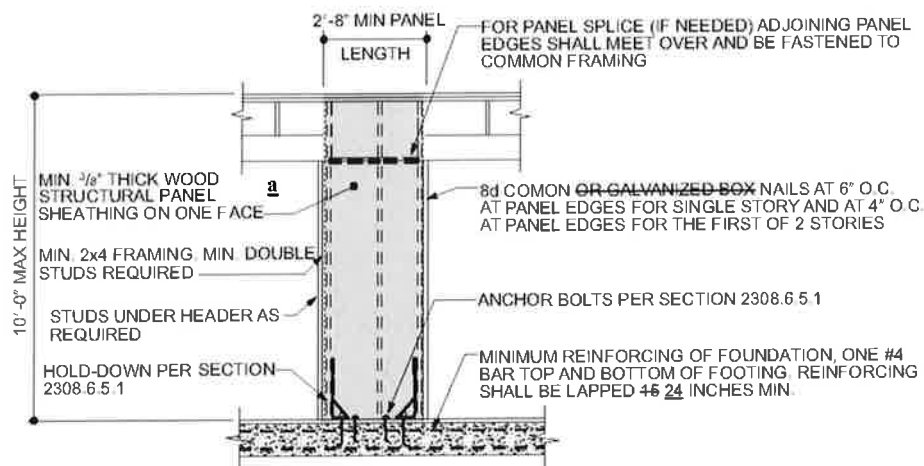
Sec. 16.05.450. Section 2308.6.5, 2308.6.5.1 and 2308.6.5.2 and Figure 2308.6.5.1 and Figure 2308.6.5.2 amended.

Section 2308.6.5, 2308.6.5.1 and 2308.6.5.2 and Figure 2308.6.5.1 and Figure 2308.6.5.2 are amended to read as follows:

2308.6.5 Alternative bracing. An alternate braced wall (ABW) or a portal frame with hold-downs (PFH) described in this section is permitted to substitute for a 48-inch braced wall panel of Method DWB, WSP, SFB, PBS, PCP or HPS. For Method GB, each 96-inch section (applied to one face) or 48-inch section (applied to both faces) or portion thereof required by Table 2308.6.1 is permitted to be replaced by one panel constructed in accordance with Method ABW or PFH.

2308.6.5.1 Alternate braced wall (ABW). An ABW must be constructed in accordance with this section and Figure 2308.6.5.1. In one-story buildings, each panel must have a length of not less than 2 feet 8 inches and a height of not more than 10 feet. Each panel must be sheathed on one face with 3/8-inch minimum-thickness wood structural panel sheathing nailed with 8d common or galvanized box nails in accordance with Table 2304.10.1 and blocked at wood structural panel edges. For structures assigned to Seismic Design Category D or E, each panel must be sheathed on one face with 15/32-inch-minimum-thickness wood structural panel sheathing nailed with 8d common nails spaced 3 inches on panel edges, 3 inches at intermediate supports. Two anchor bolts installed in accordance with Section 2308.3.1 must be provided in each panel. Anchor bolts must be placed at each panel outside quarter points. Each panel end stud must have a hold-down device fastened to the foundation, capable of providing an approved uplift capacity of not less than 1,800 pounds. The hold-down device must be installed in accordance with the manufacturer's recommendations. The ABW must be supported directly on a foundation or on floor framing supported directly on a foundation that is continuous across the entire length of the braced wall line. This foundation must be reinforced with not less than one No. 4 bar top and bottom. Where the continuous foundation is required to have a depth greater than 12 inches, a minimum 12-inch by 12-inch continuous footing ~~or turned-down slab edge~~ is permitted at door openings in the braced wall line. This continuous footing ~~or turned-down slab edge~~ must be reinforced with not less than one No. 4 bar top and bottom. This reinforcement must be lapped ~~45~~ 24 inches with the reinforcement required in the continuous foundation located directly under the braced wall line.

Where the ABW is installed at the first story of two-story buildings, the wood structural panel sheathing must be provided on both faces, three anchor bolts must be placed at one-quarter points and tie-down device uplift capacity must be not less than 3,000 pounds.



For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

a. For structures assigned to Seismic Design Category D or E, sheathed on one face with 15/32-inch-minimum-thickness (11.9 mm) wood structural panel sheathing.

**FIGURE 2308.6.5.1
ALTERNATE BRACED WALL PANEL (ABW)**

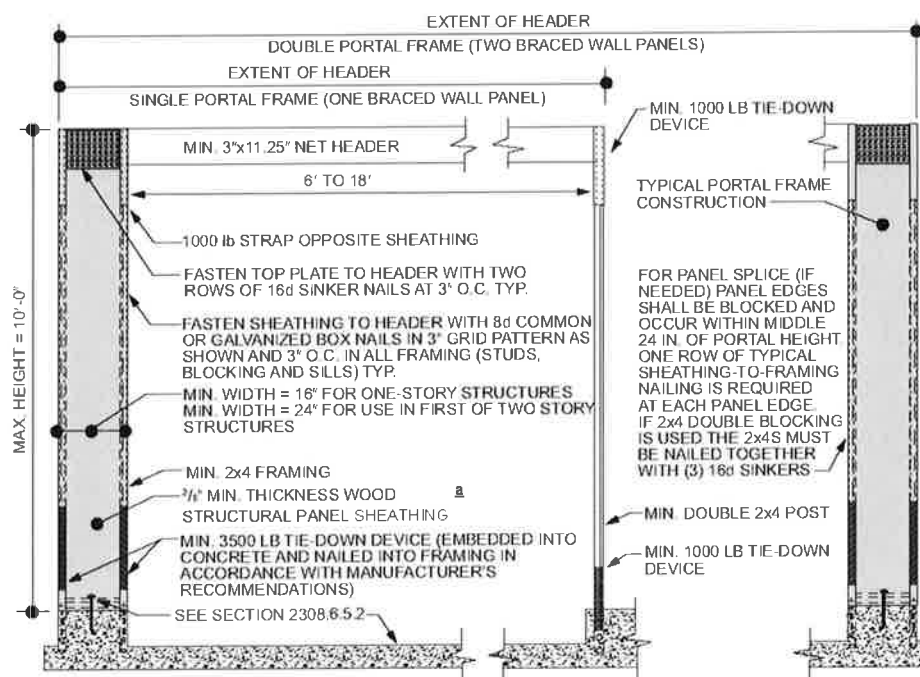
2308.6.5.2 Portal frame with hold-downs (PFH). A PFH must be constructed in accordance with this section and Figure 2308.6.5.2. The adjacent door or window opening must have a full-length header.

In one-story buildings, each panel must have a length of not less than 16 inches and a height of not more than 10 feet. Each panel must be sheathed on one face with a single layer of 3/8-inch minimum-thickness wood structural panel sheathing nailed with 8d common or galvanized box nails in accordance with Figure 2308.6.5.2. For structures assigned to Seismic Design Category D or E, each panel must be sheathed on one face with 15/32-inch-minimum-thickness wood structural panel sheathing nailed with 8d common nails spaced 3 inches on panel edges, 3 inches at intermediate supports and in accordance with Figure 2308.6.5.2. The wood structural panel sheathing must extend up over the solid sawn or glued-laminated header and must be nailed in accordance with Figure 2308.6.5.2. A built-up header consisting of at least two 2-inch by 12-inch boards, fastened in accordance with Item 24 of Table 2304.10.1 must be permitted to be used. A spacer, if used, must be placed on the side of the built-up beam opposite the wood structural panel sheathing. The header must extend between the inside faces of the first full-length outer studs of each panel. The clear span of the header between the inner studs of each panel must be not less than 6 feet and not more than 18 feet in length. A strap with an uplift capacity of not less than 1,000 pounds must fasten the header to the inner studs opposite the sheathing. One anchor bolt not less than 5/8 inch diameter and installed in accordance with Section 2308.3.1 must be provided in the center of each sill plate. The studs at each end of the panel must have a hold-down device fastened to the foundation with an uplift capacity of not less than 3,500 pounds.

Where a panel is located on one side of the opening, the header must extend between the inside face of the first full-length stud of the panel and the bearing studs at the other end of the opening. A strap with an uplift capacity of not less than 1,000 pounds must fasten the header to the bearing studs. The bearing studs must also have a hold-down device fastened to the foundation with an uplift capacity of not less than 1,000 pounds. The hold-down devices must be an embedded strap type, installed in accordance with

the manufacturer's recommendations. The PFH panels must be supported directly on a foundation that is continuous across the entire length of the braced wall line. This foundation must be reinforced with not less than one No. 4 bar top and bottom. Where the continuous foundation is required to have a depth greater than 12 inches, a minimum 12-inch by 12-inch continuous footing ~~or turned-down slab edge~~ is permitted at door openings in the braced wall line. This continuous footing ~~or turned-down slab edge~~ must be reinforced with not less than one No. 4 bar top and bottom. This reinforcement must be lapped not less than ~~45~~ 24 inches with the reinforcement required in the continuous foundation located directly under the braced wall line.

Where a PFH is installed at the first story of two-story buildings, each panel must have a length of not less than 24 inches.



For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm, 1 pound = 4.448 N.

a. For structures assigned to Seismic Design Category D or E, sheathed on one face with 15/32-inch-minimum-thickness (11.9 mm) wood structural panel sheathing.

FIGURE 2308.6.5.2
PORTAL FRAME WITH HOLD-DOWNS (PFH)

Sec. 16.05.460. Section 2308.6.8.1 amended.

Section 2308.6.8.1 is amended to read as follows:

2308.6.8.1 Foundation requirements. Braced wall lines must be supported by continuous foundations.

Exception: For structures with a maximum plan dimension not more than 50 feet, continuous foundations are required at exterior walls only for structures assigned to Seismic Design Category A, B, or C.

For structures in Seismic Design Categories D and E, exterior braced wall panels must be in the same plane vertically with the foundation or the portion of the structure containing the offset must be designed in accordance with accepted engineering practice and Section 2308.1.1.

Exceptions:

1. ~~Exterior braced wall panels must be permitted to be located not more than 4 feet (1219 mm) from the foundation below where supported by a floor constructed in accordance with all of the following:~~
 - 1.1. ~~Cantilevers or setbacks may not exceed four times the nominal depth of the floor joists.~~
 - 1.2. ~~Floor joists must be 2 inches by 10 inches or larger and spaced not more than 16 inches on center.~~
 - 1.3. ~~The ratio of the back span to the cantilever must be not less than 2 to 1.~~
 - 1.4. ~~Floor joists at ends of braced wall panels must be doubled.~~
 - 1.5. ~~A continuous rim joist must be connected to the ends of cantilevered joists. The rim joist is permitted to be spliced using a metal tie not less than 0.058 inch (16 galvanized gage) and 1 1/2 inches in width fastened with six 16d common nails on each side. The metal tie must have a yield stress not less than 33,000 psi.~~
 - 1.6. ~~Joists at setbacks or the end of cantilevered joists may not carry gravity loads from more than a single story having uniform wall and roof loads nor carry the reactions from headers having a span of 8 feet or more.~~
 - 1.7. ~~The end of a required braced wall panel must be allowed to extend not more than 1 foot over an opening in the wall below. This requirement is applicable to braced wall panels offset in plane and braced wall panels offset out of plane as permitted by Exception 1. Braced wall panels are permitted to extend over an opening not more than 8 feet in width where the header is a 4-inch by 12-inch or larger member.~~

Sec. 16.05.470. Section 2308.6.9 amended.

Section 2308.6.9 is amended to read as follows:

2308.6.9 Attachment of sheathing. Fastening of braced wall panel sheathing cannot be less than that prescribed in Tables 2308.6.1 or 2304.10.1. Wall sheathing cannot be attached to framing members by adhesives. Staple fasteners in Table 2304.10.1 cannot be used to resist or transfer seismic forces in structures assigned to Seismic Design Category D, E or F.

Exception: Staples may be used to resist or transfer seismic forces when the allowable shear values are substantiated by cyclic testing and approved by the Building Official.

All braced wall panels must extend to the roof sheathing and must be attached to parallel roof rafters or blocking above with framing clips (18 gauge minimum) spaced at maximum 24 inches on center with four 8d nails per leg (total eight 8d nails per clip). Braced wall panels must be laterally braced at each top corner and at maximum 24 inches intervals along the top plate of discontinuous vertical framing.

Sec. 16.05.480. Section 3101.1 amended.

Section 3101.1 is amended to read as follows:

3101.1 Scope. The provisions of this chapter will govern special building construction including membrane structures, temporary structures, pedestrian walkways and tunnels, automatic vehicular gates, awnings and canopies, marquees, signs, towers, antennas, relocatable buildings, swimming pool enclosures and safety devices, and solar energy systems, and intermodal shipping containers.

SECTION 3114
INTERMODAL SHIPPING CONTAINERS

3114.1 General. The provisions of Section 3114 and other applicable sections of this code will apply to intermodal shipping containers that are repurposed for use as buildings or structures or as a part of buildings or structures.

Exceptions:

1. Stationary storage battery arrays located in intermodal shipping containers complying with Chapter 12 of the California Fire Code.
2. Intermodal shipping containers that are listed as equipment complying with the standard for equipment, such as air chillers, engine generators, modular datacenters, and other similar equipment.
3. Intermodal shipping containers housing or supporting experimental equipment are exempt from the requirements of Section 3114 provided they comply with all of the following:
 - 3.1. Single-unit stand-alone intermodal shipping containers must be supported at grade level and used only for occupancies as specified under Risk Category I in Table 1604.5;
 - 3.2. Single-unit stand-alone intermodal shipping containers must be located a minimum of 8 feet from adjacent structures and are not connected to a fuel gas system or fuel gas utility; and

3.3. In hurricane-prone regions and flood hazard areas, single-unit stand-alone intermodal shipping containers are designed in accordance with the applicable provisions of Chapter 16.

4. Intermodal shipping containers approved as temporary structures complying with Section 3103.

5. Single-unit stand-alone intermodal shipping containers used as temporary storage or construction trailer on active construction sites. Construction support facilities for uses and activities not directly associated with the actual processes of construction, including but not limited to, offices, meeting rooms, plan rooms, other administrative or support functions will not be exempt from Section 3114.

3114.2 Construction documents. The construction documents must contain information to verify the dimensions and establish the physical properties of the steel components, and wood floor components, of the intermodal shipping container in addition to the information required by Sections 107 and 1603.

3114.2.1 Fire protection. All intermodal shipping containers used for sleeping purposes shall be provided with the following:

- 1) A fire sprinkler system designed per 2019 NFPA 13D as amended by the Monterey Park Municipal Code.
- 2) A hard-wired single station smoke alarm.

3114.3 Intermodal shipping container information. Intermodal shipping containers must bear the manufacturer's existing data plate containing the following information as required by ISO 6346 and verified by an approved agency. A report of the verification process and findings must be provided to the building owner.

1. Manufacturer's name or identification number
2. Date manufactured
3. Safety approval number
4. Identification number
5. Maximum operating gross mass or weight (kg) (lbs)
6. Allowable stacking load for 1.8G (kg) (lbs)
7. Transverse racking test force (Newtons)
8. Valid maintenance examination date

Where approved by the building official, the markings and manufacturer's existing data plate are permitted to be removed from the intermodal shipping containers before they are repurposed for use as buildings or structures or as part of buildings or structures.

3114.4 Protection against decay and termites. Wood structural floors of intermodal shipping containers must be protected from decay and termites in accordance with the applicable provisions of Section 2304.12.1.1.

3114.5 Under-floor ventilation. The space between the bottom of the floor joists and the earth under any intermodal shipping container, except spaces occupied by basements and cellars, must be provided with ventilation in accordance with Section 1202.4.

3114.6 Roof assemblies. Intermodal shipping container roof assemblies must comply with the applicable requirements of Chapter 15.

Exception: Single-unit stand-alone intermodal shipping containers not attached to, or stacked vertically over, other intermodal shipping containers, buildings or structures.

3114.7 Joints and voids. Joints and voids that create concealed spaces between intermodal shipping containers, that are connected or stacked, at fire-resistance-rated walls, floor or floor/ceiling assemblies and roofs or roof/ceiling assemblies must be protected by an approved fire-resistant joint system in accordance with Section 715.

3114.8 Structural. Intermodal shipping containers that conform to ISO 1496-1 and are repurposed for use as buildings or structures, or as a part of buildings or structures, must be designed in accordance with Chapter 16 and this section.

3114.8.1 Foundations. Intermodal shipping containers repurposed for use as a permanent building or structure must be supported on foundations or other supporting structures designed and constructed in accordance with Chapters 16 through 23.

3114.8.1.1 Anchorage. Intermodal shipping containers must be anchored to foundations or other supporting structures as necessary to provide a continuous load path for all applicable design and environmental loads in accordance with Chapter 16.

3114.8.2 Welds. All new welds and connections must be equal to or greater than the original connections.

3114.8.3 Openings in containers. Where openings are made in container walls, floors, and roofs for doors, windows and other similar openings:

1. The openings must be framed with steel elements that are designed in accordance with Chapter 16 and Chapter 22.
2. The cross section and material grade of any new steel element must be equal to or greater than the steel element removed.

3114.8.4 Detailed structural design procedure. A structural analysis meeting the requirements of this section must be provided to the building official to demonstrate the structural adequacy of the intermodal shipping containers.

Exception: Intermodal shipping containers that meet the limitation of Section 3114.8.5.1 and designed in **accordance** with the simplified procedure in Section 3114.8.5.

3114.8.4.1 Material properties. Structural material properties for existing intermodal shipping container steel components must be established by material testing where the steel grade and composition cannot be identified by the manufacturer's designation as to manufacture and mill test.

3114.8.4.2 Seismic design parameters. The seismic force-resisting system must be designed and detailed in accordance with one of the following:

1. Where all or portions of the intermodal shipping container sides are considered to be the seismic force-resisting system, design and detailing must be in accordance with the ASCE 7 Table 12.2-1 requirements for light-frame bearing-wall systems with shear panels of all other materials.
2. Where portions of intermodal shipping container sides are retained, but are not considered to be the seismic force-resisting system, an independent seismic force-resisting system must be selected, designed and detailed in accordance with ASCE 7 Table 12.2-1, or
3. Where portions of the intermodal shipping container sides are retained and integrated into a seismic force-resisting system other than as permitted by Section 3114.8.4.2 Item 1, seismic design parameters must be developed from testing and analysis in accordance with Section 104.11 and ASCE 7 Section 12.2.1.1 or 12.2.1.2.

3114.8.4.3 Allowable shear value. The allowable shear values for the intermodal shipping container side walls and end walls must be demonstrated by testing and analysis in accordance with Section 104.11. Where penetrations are made in the side walls or end walls designated as part of the lateral force-resisting system, the penetrations must be substantiated by rational analysis.

3114.8.5 Simplified structural design procedure of single-unit containers. Single-unit intermodal shipping containers conforming to the limitations of Section 3114.8.5.1 is permitted to be designed in accordance with Sections 3114.8.5.2 and 3114.8.5.3.

3114.8.5.1 Limitations. Use of Section 3114.8.5 is subject to all the following limitations:

1. The intermodal shipping container must be a single stand-alone unit supported on a foundation and cannot be in contact with or supporting any other shipping container or other structure.
2. The intermodal shipping container's top and bottom rails, corner castings, and columns or any portion thereof cannot be notched, cut, or removed in any manner.
3. The intermodal shipping container must be erected in a level and horizontal position with the floor located at the bottom.

3114.8.5.2 Structural design. Where permitted by Section 3114.8.5.1, single-unit stand-alone intermodal shipping containers must be designed using the following assumptions for the side walls and end walls:

1. The appropriate detailing requirements contained in Chapters 16 through 23.
2. Response modification coefficient, $R = 2$.
3. Over strength factor, $\Omega_0 = 2.5$.
4. Deflection amplification factor, $C_d = 2$, and
5. Limits on structural height, $h_n = 9.5$ feet (2900 mm).

3114.8.5.3 Allowable shear value. The allowable shear values for the intermodal shipping container side walls (longitudinal) and end walls (transverse) for wind design and seismic design using the coefficients of Section 3114.8.5.2 may be in accordance with Table 3114.8.5.3, provided that all of the following conditions are met:

1. The total linear length of all openings in any individual side walls or end walls is limited to not more than 50 percent of the length of that side walls or end walls, as shown in Figure 3114.8.5.3(1).
2. Any full height wall length, or portion thereof, less than 4 feet long is not considered as a portion of the lateral force-resisting system, as shown in Figure 3114.8.5.3(2).
3. All side walls or end walls used as part of the lateral force-resisting system have an existing or new boundary element on all sides to form a continuous load path, or paths, with adequate strength and stiffness to transfer all forces from the point of application to the final point of resistance, as shown in Figure 3114.8.5.3(3).
4. A maximum of one penetration not greater than a 6-inch diameter hole for conduits, pipes, tubes or vents, or not greater than 16 square inches for electrical boxes, is permitted for each individual 8 feet length lateral force resisting wall. Penetrations located in walls that are not part of the wall lateral force resisting system is not limited in size or quantity. Existing intermodal shipping container's vents is not considered a penetration, as shown in Figure 3114.8.5.3(4).
5. End wall door or doors designated as part of the lateral force-resisting system is welded closed.

TABLE 3114.8.5.3
ALLOWABLE SHEAR VALUES FOR INTERMODAL SHIPPING CONTAINER
SIDE WALLS AND END WALLS FOR WIND OR SEISMIC LOADING

<u>CONTAINER DESIGNATION</u> ²	<u>CONTAINER DIMENSION (Nominal Length)</u>	<u>CONTAINER DIMENSION (Nominal Height)</u>	<u>ALLOWABLE SHEAR VALUES (PLF)</u> ^{1,3}	
			<u>Side Wall</u>	<u>End Wall</u>
<u>1EEE</u>	<u>45 feet (13.7 M)</u>	<u>9.5 feet (2896 mm)</u>	<u>75</u>	<u>843</u>
<u>1EE</u>		<u>8.6 feet (2591 mm)</u>		
<u>1AAA</u>	<u>40 feet (12.2 M)</u>	<u>9.5 feet (2896 mm)</u>	<u>84</u>	
<u>1AA</u>		<u>8.5 feet (2592 mm)</u>		
<u>1A</u>		<u>8.0 feet (2438 mm)</u>		
<u>1AX</u>		<u><8.0 feet (2483 mm)</u>		
<u>1BBB</u>	<u>30 feet (9.1 M)</u>	<u>9.5 feet (2896 mm)</u>	<u>112</u>	
<u>1BB</u>		<u>8.5 feet (2591 mm)</u>		
<u>1B</u>		<u>8.0 feet (2438 mm)</u>		
<u>1BX</u>		<u><8.0 feet (2438 mm)</u>		
<u>1CC</u>	<u>20 feet (9.1 M)</u>	<u>8.5 feet (2591 mm)</u>	<u>168</u>	
<u>1C</u>		<u>8.0 feet (2438 mm)</u>		
<u>1CX</u>		<u><8.0 feet (2438 mm)</u>		

1. The allowable strength for the side walls and end walls of the intermodal shipping containers are derived from ISO 1496-1 and reduced by a factor of safety of 5.
2. Container designation type is derived from ISO 668.
3. Limitations of Sections 3114.8.5.1 and 3114.8.5.3 shall apply.

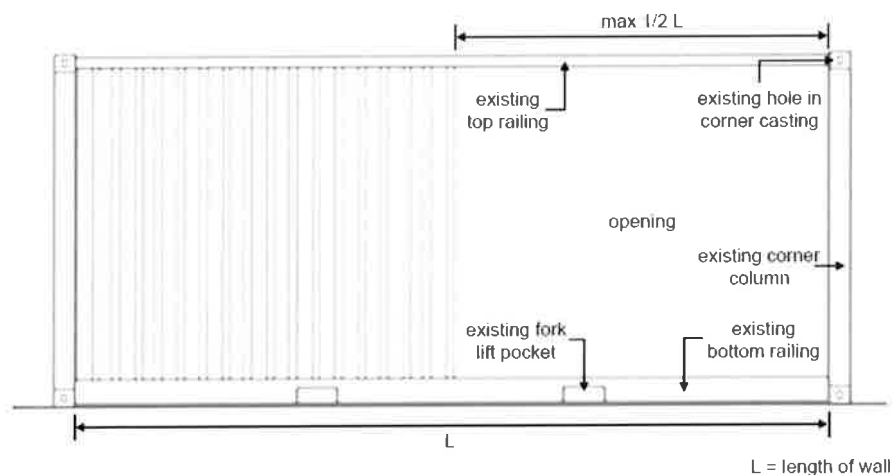


FIGURE 3114.8.5.3(1)
Bracing Unit Distribution – Maximum Linear Length

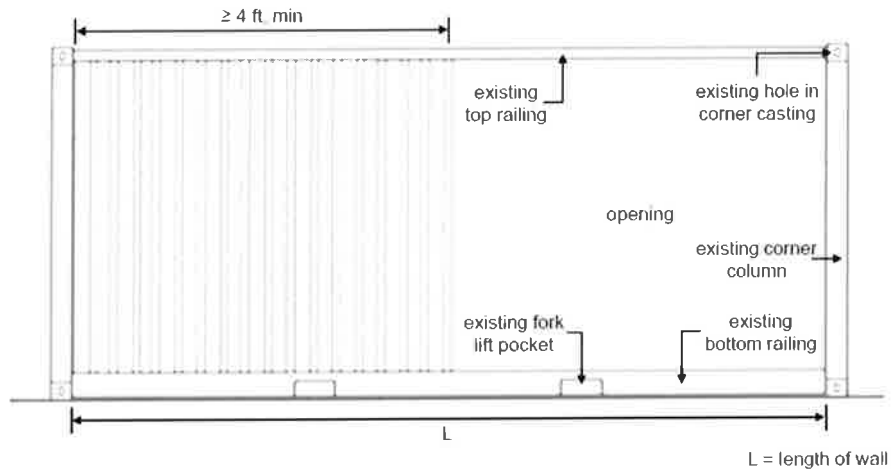


FIGURE 3114.8.5.3(2)
Bracing Unit Distribution – Minimum Linear Length

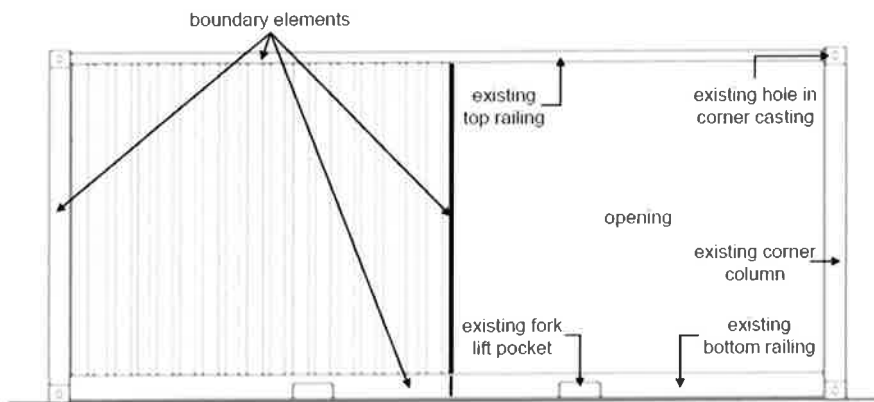


FIGURE 3114.8.5.3(3)
Bracing Unit Distribution – Boundary Elements

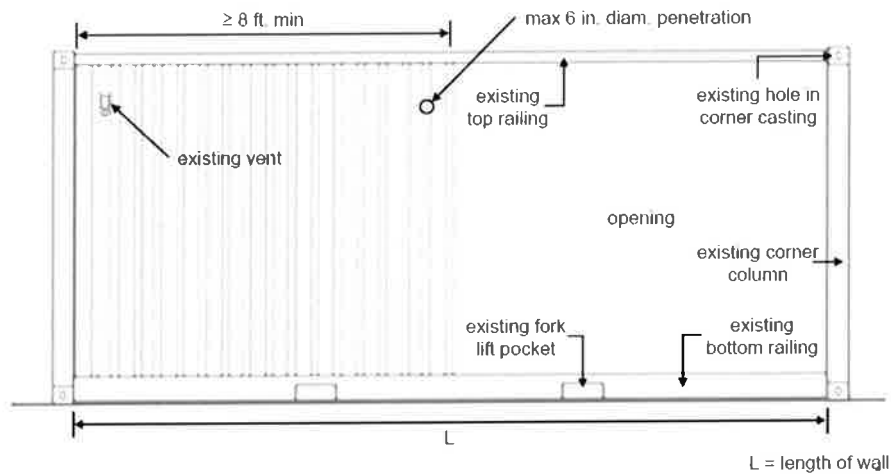


FIGURE 3114.8.5.3(4)
Bracing Unit Distribution – Penetrating Limitations

Sec. 16.05.490. Chapter 35 amended.

Chapter 35, ISO referenced standard is added as follows:

CHAPTER 35 REFERENCED STANDARDS

ISO	International Organization for Standardization ISO Central Secretariat 1 ch, de la Voie-Creuse, Casa Postale 566 CH-1211 Geneva 20, Switzerland	
Standard Reference Number	Title	Referenced in code section number
ISO 1496-1:2013	Series 1 Freight Containers – Specification and Testing – Part 1: General Cargo Containers for General Purposes	3114.8, Table 3114.8.5.3
ISO 6346:1995, with Amendment 3: 2012	Freight Containers – Coding, Identification and marking	3114.3
ISO 668:2013	Series 1 Freight Containers – Classifications, dimensions and ratings.	Table 3114.8.5.3

SECTION 5: Chapter 16.06 of the MPMC is amended in its entirety to read as follows:

“Chapter 16.06 RESIDENTIAL CODE

16.06.010 Document adopted by reference.

Pursuant to Government Code § 50022.9, the City Council incorporates by reference the California Residential Building Code, 2019 Edition, as published in Title 24, Part 2.5 of the California Code of Regulations.

16.06.020. Chapter 1 Division II amended.

The text within Chapter 1 Division II is deleted and replaced with the following:

**Chapter 1 Division II
Administrative Provisions**

For administrative provisions for this Code, see Section 16.01.040.

16.06.030. Section R301.1.3.2 amended.

Section R301.1.3.2 is amended to read as follows:

R301.1.3.2 Woodframe structures ~~greater than two stories~~. The Building Official requires construction documents to be approved and stamped by a California licensed architect or engineer for all dwellings of woodframe construction more than two stories and basement in height located in Seismic Design Category A, B or C. Notwithstanding other sections of law; the law establishing these provisions is found in Business and Professions Code Section 5537 and 6737.1.

The Building Official requires construction documents to be approved and stamped by a California licensed architect or engineer for all dwellings of woodframe construction more than one story in height or with a basement located in Seismic Design Category D₀, D₁, D₂.

16.06.040. Section R301.1.4 added.

Section R301.1.4 is added as follows:

R301.1.4 Seismic design provisions for buildings constructed on or into slopes steeper than one unit vertical in three units horizontal (33.3 percent slope). The design and construction of new buildings and additions to existing buildings when constructed on or into slopes steeper than one unit vertical in three units horizontal (33.3 percent slope) must comply with Section 1613.6 of the Building Code.

16.06.050. Table R301.2(1) amended.

Table R301.2(1) is amended to read as follows:

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

GROUND SNOW LOAD	WIND DESIGN				SEISMIC DESIGN CATEGORY ⁱ	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP ^o	ICE BARRIER UNDERLAYMENT REQUIRED ^h	FLOOD HAZARDS ^g	AIR FREEZING INDEX ⁱ	MEAN ANNUAL TEMP ^j
	Speed ^d (mph)	Topographic Effects ^k	Special Wind Region ^l	Wind- borne Debris Zone ^m		Weathering ^a	Frost Line Depth ^b	Termite ^c					
Zero	95	No	No	1	E	Negligible	0"	Moderate	48°F	NO	NO	0	64°F

MANUAL J DESIGN CRITERIA ⁿ							
Elevation	Latitude	Winter heating	Summer Cooling	Altitude correction factor	Indoor design temperature	Design temperature cooling	Heating temperature difference
380	N34	37	91	0.988	68	75	31
Cooling temperature difference	Wind velocity heating	Wind velocity cooling	Coincident wet bulb	Daily range	Winter humidity	Summer humidity	
16	-	-	69	23	20	50	

16.06.060. Section R301.2.2.6 amended.

Items 1, 3 and 5 of Section R301.2.2.6 are amended to read as follows:

1. **Shear wall or braced wall offsets out of plane.** Conditions where exterior shear wall lines or braced wall panels are not in one plane vertically from the foundation to the uppermost story in which they are required.

Exception: ~~For wood light frame construction, floors with cantilevers or setbacks not exceeding four times the nominal depth of the wood floor joists are permitted to support braced wall panels that are out of plane with braced wall panels below provided that all of the following are satisfied:~~

- ~~1. Floor joists are nominal 2 inches by 10 inches (51 mm by 254 mm) or larger and spaced not more than 16 inches (406 mm) on center.~~
- ~~2. The ratio of the back span to the cantilever is not less than 2 to 1.~~
- ~~3. Floor joists at ends of braced wall panels are doubled.~~
- ~~4. For wood frame construction, a continuous rim joist is connected to ends of cantilever joists. When spliced, the rim joists shall be spliced using a galvanized metal tie not less than 0.058 inch (1.5 mm) (16 gage) and 1 1/2 inches (38 mm) wide fastened with six 16d nails on each side of the splice or a block of the same size as the rim joist of sufficient length to fit securely between the joist space at which the splice occurs fastened with eight 16d nails on each side of the splice; and~~
- ~~5. Gravity loads carried at the end of cantilevered joists are limited to uniform wall and roof loads and the reactions from headers having a span of 8 feet (2438 mm) or less.~~

3. **Shear wall or braced wall offsets in plane.** Conditions where the end of a braced wall panel occurs over an opening in the wall below, and ends at a horizontal distance greater than 1 foot (305 mm) from the edge of the opening. This provision

~~is applicable to shear walls and braced wall panels offset in plane and to braced wall panels offset out of plane as permitted by the exception to item 1.~~

~~Exception: For wood light frame wall construction, one end of a braced wall panel shall be permitted to extend more than one foot (305 mm) over an opening not more than 8 feet (2438 mm) in width in the wall below provided that the opening includes a header in accordance with all of the following:~~

~~1. The building width, loading condition and framing member species limitations of Table R602.7(1) shall apply.~~

~~3. The header is composed of:~~

~~2.1. Not less than one 2x12 or two 2x10 for an opening not more than 4 feet (1219 mm) wide.~~

~~2.2. Not less than two 2x12 or three 2x10 for an opening not more than 6 feet (1829 mm) in width.~~

~~2.3. Not less than three 2x12 or four 2x10 for an opening not more than 8 feet (2438 mm) in width.~~

~~3. The entire length of the braced wall panel does not occur over an opening in the wall below.~~

5. **Floor level** offset. Conditions where portions of a floor level are vertically offset.

Exceptions:

~~1. Framing supported directly by continuous foundations at the perimeter of the building.~~

~~2. For wood light frame construction, floors shall be permitted to be vertically offset where the floor framing is lapped or tied together as required by section R502.6.1.~~

16.06.070. Section R301.2.2.11 added.

Section R301.2.2.11 is added as follows:

R301.2.2.11 Anchorage of mechanical, electrical, or plumbing components and equipment. Mechanical, electrical, or plumbing components and equipment must be anchored to the structure. Anchorage of the components and equipment must be designed to resist loads in accordance with the California Building Code and ASCE 7, except where the component is positively attached to the structure and flexible connections are provided between the component and associated ductwork, piping, and conduit; and either

1. The component weighs 400 lb or less and has a center of mass located 4 ft or less above the supporting structure; or

2. The component weighs 20 lb or less or, in the case of a distributed system, 5 lb/ft or less.

16.06.072. Section R309.6 exception amended.

Section R309.6 exception is amended as follows:

Exception: An automatic residential fire sprinkler system must 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 903.6.

16.06.073. Section R313.1 exception amended.

Section R313.1 exception is amended as follows:

Exception: An automatic residential fire sprinkler system must 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 903.6.

16.06.074. Section R313.2 exception amended.

Section R313.2 exception is amended as follows:

Exception: An automatic residential fire sprinkler system must not be required for additions or alterations to existing buildings that are not already provided with an automatic sprinkler system unless a sprinkler system is required in accordance with California Fire Code Section 903.6.

16.06.075. Section R313.3.6.2 amended.

Section R313.3.6.2 is amended as follows:

Section R313.3.6.2 Calculation procedure. Determination of the required size for water distribution piping must be in accordance with the following procedure and California Fire Code Sections 903.3.1.3.1 and 903.3.5.

16.06.080. Section R401.1 amended.

Section R401.1 is amended to read as follows:

R401.1 Application. The provisions of this chapter control the design and construction of the foundation and foundation spaces for buildings. In addition to the provisions of this chapter, the design and construction of foundations in flood hazard areas as established by Table R301.2(1) must meet the provisions of Section R322. Wood foundations must be designed and installed in accordance with AWC PWF.

Exception: The provisions of this chapter are permitted to be used for wood foundations only in the following situations:

1. In buildings that have no more than two floors and a roof.

2. When interior basement and foundation walls are constructed at intervals not exceeding 50 feet.

Wood foundations in Seismic Design Category D₀, D₁ or D₂ ~~designed in accordance with accepted engineering practice~~ is not permitted.

Exception: In non-occupied, single-story, detached storage sheds and similar uses other than carport or garage, provided the gross floor area does not exceed 200 square feet, the plate height does not exceed 12 feet in height above the grade plane at any point, and the maximum roof projection does not exceed 24 inches.

16.06.090. Sections R403.1.2, R403.1.3.6 and R403.1.5 amended.

Sections R403.1.2, R403.1.3.6 and R403.1.5 are amended to read as follows:

R403.1.2 Continuous footing in Seismic Design Categories D₀, D₁ and D₂. Exterior walls of buildings located in Seismic Design Categories D₀, D₁ and D₂ must be supported by continuous solid or fully grouted masonry or concrete footings. ~~Other footing materials or systems must be designed in accordance with accepted engineering practice.~~ All required interior braced wall panels in buildings located in Seismic Design Categories D₀, D₁ and D₂ ~~with plan dimensions greater than 50 feet (15 240 mm) must be supported by continuous solid or fully grouted masonry or concrete footings in accordance with Section R403.1.3.4, except for two-story buildings in Seismic Design Category D₂, in which all braced wall panels, interior and exterior, must be supported on continuous foundations.~~

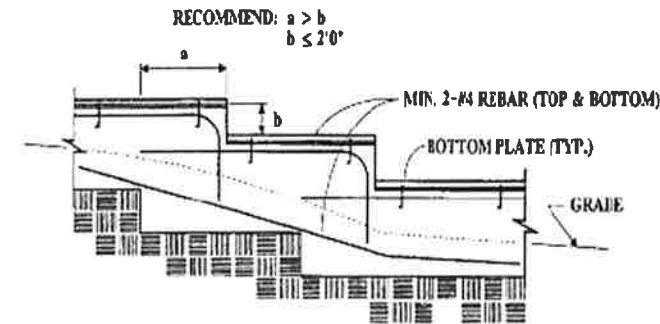
Exception: ~~Two-story buildings must be permitted to have interior braced wall panels supported on continuous foundations at intervals not exceeding 50 feet (15 240 mm) provided that:~~

1. ~~The height of cripple walls does not exceed 4 feet (1219 mm).~~
2. ~~First floor braced wall panels are supported on doubled floor joists, continuous blocking or floor beams.~~
3. ~~The distance between bracing lines does not exceed twice the building width measured parallel to the braced wall line.~~

R403.1.3.6 Isolated concrete footings. In detached one- and two-family dwellings located in Seismic Design Category A, B, or C that are three stories or less in height and constructed with stud bearing walls, isolated plain concrete footings supporting columns or pedestals are permitted.

R403.1.5 Slope. The top surface of footings must be level. The bottom surface of footings cannot have a slope exceeding one unit vertical in 10 units horizontal (10-percent slope). Footings must be stepped where it is necessary to change the elevation of the top surface of the footings or where the slope of the bottom surface of the footings will exceed one unit vertical in 10 units horizontal (10-percent slope).

For structures located in Seismic Design Categories D₀, D₁ or D₂, stepped footings must be reinforced with four No. 4 rebar. Two bars must be placed at the top and bottom of the footings as shown in Figure R403.1.5.



STEPPED FOUNDATIONS

FIGURE R403.1.5
STEPPED FOOTING

16.06.100. Section R404.2 amended.

Section R404.2 is amended to read as follows:

R404.2 Wood foundation walls. Wood foundation walls must be constructed in accordance with the provisions of Sections R404.2.1 through R404.2.6 and with the details shown in Figures R403.1(2) and R403.1(3). Wood foundation walls is not permitted for structures located in Seismic Design Category D₀, D₁ or D₂.

16.06.110. Section R501.1 amended.

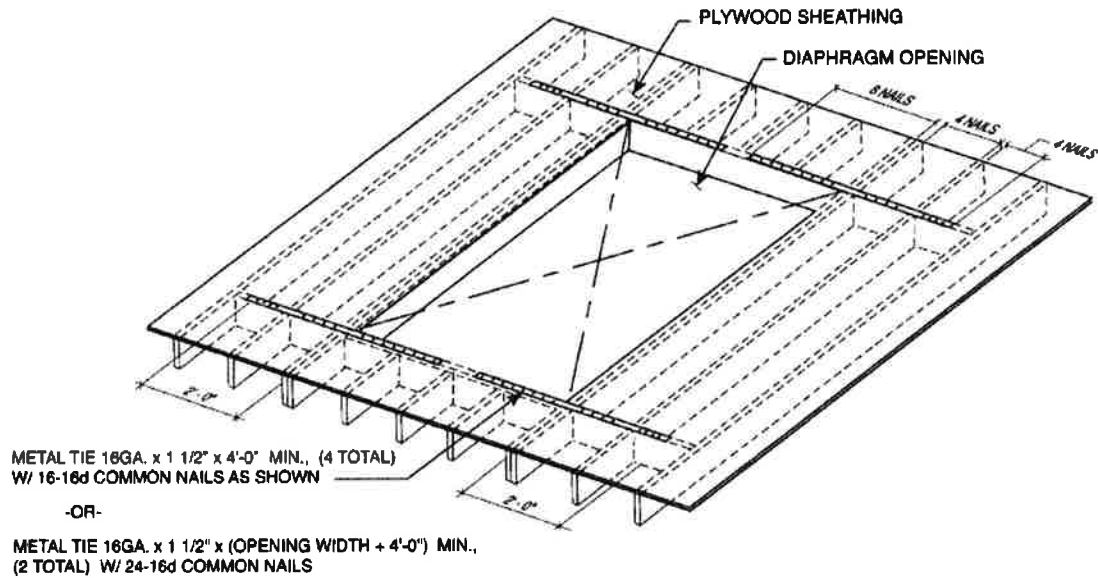
Section R501.1 is amended to read as follows:

R501.1 Application. The provisions of this chapter control the design and construction of the floors for buildings, including the floors of attic spaces used to house mechanical or plumbing fixtures and equipment. Mechanical or plumbing fixtures and equipment must be attached (or anchored) to the structure in accordance with Section R301.2.2.11.

16.06.120. Section R503.2.4 added.

Section R503.2.4 is added as follows:

R503.2.4 Openings in horizontal diaphragms. Openings in horizontal diaphragms with a dimension perpendicular to the joist that is greater than 4 feet must be constructed in accordance with Figure R503.2.4.



For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

- Blockings shall be provided beyond headers.
- Metal ties not less than 0.058 inch [1.47 mm (16 galvanized gage)] by 1.5 inches (38 mm) wide with eight 16d common nails on each side of the header-joist intersection. The metal ties shall have a minimum yield of 33,000 psi (227 MPa).
- Openings in diaphragms shall be further limited in accordance with Section R301.2.2.6.

FIGURE R503.2.4 **OPENINGS IN HORIZONTAL DIAPHRAGMS**

16.06.130. Table R602.3(1) amended.

Lines 19, 20, 23, and 33-36 of Table R602.3(1) are amended to read as follows:

ITEM	DESCRIPTION OF BUILDING ELEMENTS	NUMBER AND TYPE OF FASTENER ^{a, b, c}	SPACING AND LOCATION
19 ^k	1" x 6" sheathing to each bearing	3-8d box (2 1/2" x 0.113"); or 2-8d common (2 1/2" x 0.131"); or 2-10d box (3" x 0.128"); or 2 staples, 1" crown, 16 ga., 1 3/4" long	Face nail

20 k	1" × 8" and wider sheathing to each bearing	3-8d box (2½" × 0.113"); or 3-8d common (2½" × 0.131"); or 3-10d box (3" × 0.128"); or 3 staples, 1" crown, 16 ga., 1¾" long	Face nail	
		Wider than 1" × 8" 4-8d box (2½" × 0.113"); or 3-8d common (2½" × 0.131"); or 3-10d box (3" × 0.128"); or 4 staples, 1" crown, 16 ga., 1¾" long		
Floor				
23 k	1" × 6" subfloor or less to each joist	3-8d box (2½" × 0.113"); or 2-8d common (2½" × 0.131"); or 3-10d box (3" × 0.128"); or 2 staples, 1" crown, 16 ga., 1¾" long	Face nail	
Other wall sheathing ^a				
33 k	½" structural cellulosic fiberboard sheathing	1½" galvanized roofing nail, 7/16" head diameter, or 1¼" long 16 ga. staple with 7/16" or 1" crown	3	6
34 k	25/32" structural cellulosic fiberboard sheathing	1¾" galvanized roofing nail, 7/16" head diameter, or 1½" long 16 ga. staple with 7/16" or 1" crown	3	6
35 k	½" gypsum sheathing ^d	1½" galvanized roofing nail; staple galvanized, 1½" long; 1¼" screws, Type W or S	7	7
36 k	5/8" gypsum sheathing ^d	1¾" galvanized roofing nail; staple galvanized, 1½" long; 15/8" screws, Type W or S	7	7

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm, 1 mile per hour = 0.447 m/s; 1 ksi = 6.895 MPa.

TABLE R602.3(1)—continued
FASTENING SCHEDULE

- a. Nails are smooth-common, box or deformed shanks except where otherwise stated. Nails used for framing and sheathing connections shall have minimum average bending yield strengths as shown: 80 ksi for shank diameter of 0.192 inch (20d common nail), 90 ksi for shank diameters larger than 0.142 inch but not larger than 0.177 inch, and 100 ksi for shank diameters of 0.142 inch or less.
- b. Staples are 16 gage wire and have a minimum 7/16-inch on diameter crown width.
- c. Nails shall be spaced at not more than 6 inches on center at all supports where spans are 48 inches or greater.
- d. Four-foot by 8-foot or 4-foot by 9-foot panels shall be applied vertically.
- e. Spacing of fasteners not included in this table shall be based on Table R602.3(2).
- f. For wood structural panel roof sheathing attached to gable end roof framing and to intermediate supports within 48 inches of roof edges and ridges, nails shall be spaced at 6 inches on center where the ultimate design wind speed is less than 130 mph and shall be spaced 4 inches on center where the ultimate design wind speed is 130 mph or greater but less than 140 mph.
- g. Gypsum sheathing shall conform to ASTM C1396 and shall be installed in accordance with GA 253. Fiberboard sheathing shall conform to ASTM C208.
- h. Spacing of fasteners on floor sheathing panel edges applies to panel edges supported by framing members and required blocking and at floor perimeters only. Spacing of fasteners on roof sheathing panel edges applies to panel edges supported by framing members and required blocking. Blocking of roof or floor sheathing panel edges perpendicular to the framing members need not be provided except as required by other provisions of this code. Floor perimeter shall be supported by framing members or solid blocking.
- i. Where a rafter is fastened to an adjacent parallel ceiling joist in accordance with this schedule, provide two toe nails on one side of the rafter and toe nails from the ceiling joist to top plate in accordance with this schedule. The toe nail on the opposite side of the rafter shall not be required.
- j. RSRS-01 is a Roof Sheathing Ring Shank nail meeting the specifications in ASTM F1667.
- k. Use of staples in braced wall panels shall be prohibited in Seismic Design Category D₀, D₁, or D₂.

16.06.140. Exception of Section R602.3.2 and Table R602.3.2 amended.

Exception of Section R602.3.2 and Table R602.3.2 are amended to read as follows:

Exception: A In other than Seismic Design Category D₀, D₁ or D₂, a single top plate used as an alternative to a double top plate must comply with the following:

1. The single top plate must be tied at corners, intersecting walls, and at in-line splices in straight wall lines in accordance with Table R602.3.2.

2. The rafters or joists must be centered over the studs with a tolerance of not more than 1 inch.
3. Omission of the top plate is permitted over headers where the headers are adequately tied to adjacent wall sections in accordance with Table R602.3.2.

TABLE R602.3.2
SINGLE TOP-PLATE SPLICE CONNECTION DETAILS

CONDITION	TOP-PLATE SPLICE LOCATION			
	Corners and intersecting walls		Butt joints in straight walls	
	Splice plate size	Minimum nails each side of joint	Splice plate size	Minimum nails each side of joint
Structures in SDC A-C; and in SDC D ₀ , D ₁ , and D ₂ with braced wall line spacing less than 25 feet	3" × 6" × 0.036" galvanized steel plate or equivalent	(6) 8d box (2 1/2" × 0.113") nails	3' × 12" × 0.036" galvanized steel plate or equivalent	(12) 8d box (2 1/2" × 0.113") nails
Structures in SDC D ₀ , D ₁ , and D ₂ with braced wall line spacing greater than or equal to 25 feet	3" × 8" × 0.036" galvanized steel plate or equivalent	(9) 8d box (2 1/2" × 0.113") nails	3' × 16" × 0.036" galvanized steel plate or equivalent	(18) 8d box (2 1/2" × 0.113") nails

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

16.06.150. Footnote "b" of Table R602.3(2) amended.

Footnote "b" of Table R602.3(2) is amended to read as follows:

- b. Staples must have a minimum crown width of 7/16-inch on diameter except as noted. Use of staples in roof, floor, subfloor, and braced wall panels is prohibited in Seismic Design Category D₀, D₁, or D₂.

16.06.160. Section R602.10.2.3 amended.

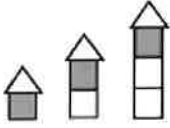
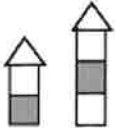
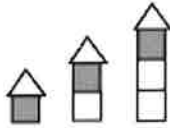
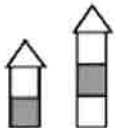
Section R602.10.2.3 is amended to read as follows:

R602.10.2.3 Minimum number of braced wall panels. Braced wall lines with a length of 16 feet or less must have a minimum of two braced wall panels of any length or one braced wall panel equal to 48 inches or more. Braced wall lines greater than 16 feet must have a minimum of two braced wall panels. Braced wall panel cannot be less than 48 inches in length in Seismic Design Category D₀, D₁, or D₂.

16.06.170. Table R602.10.3(3) amended.

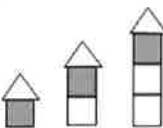
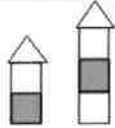
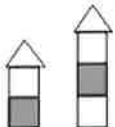
Table R602.10.3(3) is amended to read as follows:

TABLE R602.10.3(3)
BRACING REQUIREMENTS BASED ON SEISMIC DESIGN CATEGORY

• SOIL CLASS D^b • WALL HEIGHT = 10 FEET • 10 PSF FLOOR DEAD LOAD • 15 PSF ROOF/CEILING DEAD LOAD • BRACED WALL LINE SPACING ≤ 25 FEET			MINIMUM TOTAL LENGTH (FEET) OF BRACED WALL PANELS REQUIRED ALONG EACH BRACED WALL LINE ^c				
Seismic Design Category	Story Location	Braced Wall Line Length (feet) ^c	Method LIB ^a	Method GB ^f	Methods DWB, SFB, PBS, PCP, HPS, CS-SFG ^{e,j}	Method WSP	Methods CS-WSP, CS-G
C (townhouses only)		10	2.5	2.5	2.5	1.6	1.4
		20	5.0	5.0	5.0	3.2	2.7
		30	7.5	7.5	7.5	4.8	4.1
		40	10.0	10.0	10.0	6.4	5.4
		50	12.5	12.5	12.5	8.0	6.8
		10	NP	4.5	4.5	3.0	2.6
		20	NP	9.0	9.0	6.0	5.1
		30	NP	13.5	13.5	9.0	7.7
		40	NP	18.0	18.0	12.0	10.2
		50	NP	22.5	22.5	15.0	12.8
		10	NP	6.0	6.0	4.5	3.8
		20	NP	12.0	12.0	9.0	7.7
		30	NP	18.0	18.0	13.5	11.5
		40	NP	24.0	24.0	18.0	15.3
		50	NP	30.0	30.0	22.5	19.1
D _s		10	NP	2.5 5.6	2.5 5.6	1.8	1.6
		20	NP	5.0 11.0	5.0 11.0	3.6	3.1
		30	NP	7.5 16.6	7.5 16.6	5.4	4.6
		40	NP	10.0 22.0	10.0 22.0	7.2	6.1
		50	NP	12.5 27.6	12.5 27.6	9.0	7.7
		10	NP	4.5 NP	4.5 NP	3.8	3.2
		20	NP	9.0 NP	9.0 NP	7.5	6.4
		30	NP	13.5 NP	13.5 NP	11.3	9.6
		40	NP	18.0 NP	18.0 NP	15.0	12.8
		50	NP	22.5 NP	22.5 NP	18.8	16.0
		10	NP	6.0 NP	6.0 NP	5.3	4.5
		20	NP	12.0 NP	12.0 NP	10.5	9.0
		30	NP	18.0 NP	18.0 NP	15.8	13.4
		40	NP	24.0 NP	24.0 NP	21.0	17.9
		50	NP	30.0 NP	30.0 NP	26.3	22.3

(continued)

TABLE R602.10.3(3)—continued
BRACING REQUIREMENTS BASED ON SEISMIC DESIGN CATEGORY

SOIL CLASS D^a WALL HEIGHT = 10 FEET 10 PSF FLOOR DEAD LOAD 15 PSF ROOF/CEILING DEAD LOAD BRACED WALL LINE SPACING ≤ 25 FEET			MINIMUM TOTAL LENGTH (FEET) OF BRACED WALL PANELS REQUIRED ALONG EACH BRACED WALL LINE^c				
Seismic Design Category	Story Location	Braced Wall Line Length (feet) ^f	Method LIB ^d	Method GB &	Methods DWB, SFB, PBS, PCP, HPS, CS-SFB ^e	Method WSP	Methods CS-WSP, CS-G, CS-PF
D ₁		10	NP	3.0 <u>6.0</u>	3.0 <u>6.0</u>	2.0	1.7
		20	NP	6.0 <u>12.0</u>	6.0 <u>12.0</u>	4.0	3.4
		30	NP	9.0 <u>18.0</u>	9.0 <u>18.0</u>	6.0	5.1
		40	NP	12.0 <u>24.0</u>	12.0 <u>24.0</u>	8.0	6.8
		50	NP	15.0 <u>30.0</u>	15.0 <u>30.0</u>	10.0	8.5
		10	NP	6.0 <u>NP</u>	6.0 <u>NP</u>	4.5	3.8
		20	NP	12.0 <u>NP</u>	12.0 <u>NP</u>	9.0	7.7
		30	NP	18.0 <u>NP</u>	18.0 <u>NP</u>	13.5	11.5
		40	NP	24.0 <u>NP</u>	24.0 <u>NP</u>	18.0	15.3
		50	NP	30.0 <u>NP</u>	30.0 <u>NP</u>	22.5	19.1
		10	NP	8.5 <u>NP</u>	8.5 <u>NP</u>	6.0	5.1
		20	NP	17.0 <u>NP</u>	17.0 <u>NP</u>	12.0	10.2
		30	NP	25.5 <u>NP</u>	25.5 <u>NP</u>	18.0	15.3
		40	NP	34.0 <u>NP</u>	34.0 <u>NP</u>	24.0	20.4
		50	NP	42.5 <u>NP</u>	42.5 <u>NP</u>	30.0	25.5
D ₂		10	NP	4.0 <u>8.0</u>	4.0 <u>8.0</u>	2.5	2.1
		20	NP	8.0 <u>16.0</u>	8.0 <u>16.0</u>	5.0	4.3
		30	NP	12.0 <u>24.0</u>	12.0 <u>24.0</u>	7.5	6.4
		40	NP	16.0 <u>32.0</u>	16.0 <u>32.0</u>	10.0	8.5
		50	NP	20.0 <u>40.0</u>	20.0 <u>40.0</u>	12.5	10.6
		10	NP	7.5 <u>NP</u>	7.5 <u>NP</u>	5.5	4.7
		20	NP	15.0 <u>NP</u>	15.0 <u>NP</u>	11.0	9.4
		30	NP	22.5 <u>NP</u>	22.5 <u>NP</u>	16.5	14.0
		40	NP	30.0 <u>NP</u>	30.0 <u>NP</u>	22.0	18.7
		50	NP	37.5 <u>NP</u>	37.5 <u>NP</u>	27.5	23.4
		10	NP	NP	NP	NP	NP
		20	NP	NP	NP	NP	NP
		30	NP	NP	NP	NP	NP
		40	NP	NP	NP	NP	NP
		50	NP	NP	NP	NP	NP
	Cripple wall below one- or two-story dwelling	10	NP	NP	NP	7.5	6.4
		20	NP	NP	NP	15.0	12.8
		30	NP	NP	NP	22.5	19.1
		40	NP	NP	NP	30.0	25.5
		50	NP	NP	NP	37.5	31.9

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm, 1 pound per square foot = 0.0479 kPa.

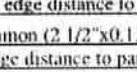
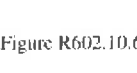
NP = Not Permitted.

- Linear interpolation shall be permitted.
- Wall bracing lengths are based on a soil site class "D." Interpolation of bracing length between the S_{ds} values associated with the seismic design categories shall be permitted when a site-specific S_{ds} value is determined in accordance with Section 1613.2 of the *California Building Code*.
- Where the braced wall line length is greater than 50 feet, braced wall lines shall be permitted to be divided into shorter segments having lengths of 50 feet or less, and the amount of bracing within each segment shall be in accordance with this table.
- Method LIB shall have gypsum board fastened to not less than one side with nails or screws in accordance with Table R602.3(1) for exterior sheathing or Table R702.3.5 for interior gypsum board. Spacing of fasteners at panel edges shall not exceed 8 inches.
- Methods PFG and CS-SFB do not apply in Seismic Design Categories D₀, D₁ and D₂.
- Where more than one bracing method is used, mixing methods shall be in accordance with Section R602.10.4.1.
- Methods GB and PCP braced wall panel h/w ratio shall not exceed 1:1 in SDC D₀, D₁ and D₂. Methods DWB, SFB, PBS, and HPS are not permitted in D₀, D₁ and D₂.

16.06.180. Table R602.10.4 amended.

Table R602.10.4 is amended to read as follows:

**TABLE R602.10.4
BRACING METHODS ¹**

METHODS, MATERIAL	MINIMUM THICKNESS	FIGURE	CONNECTION CRITERIA ^a	
			Fasteners	Spacing
Intermittent Bracing Methods	L1B Let-in-bracing		Wood: 2-8d common nails or 3-8d (2 1/2" long x 0.113" dia.) nails	Wood: per stud and top and bottom plates
			Metal strap: per manufacturer	Metal: per manufacturer
	DWB Diagonal wood boards		2-8d (2 1/2" long x 0.113" dia.) nails or 2 - 1 1/4" long staples	Per stud
	WSP Wood structural panel (See Section R604)		8d common (2 1/2" x 0.131") nails 3/8" edge distance to panel edge	Exterior sheathing per Table R602.3(3)
			8d common (2 1/2" x 0.131") nails 3/8" edge distance to panel edge	Interior sheathing per Table R602.3(1) or R602.3(2)
	RV-WSP Wood structural panels with stone or masonry veneer (See Section R602.10.6.5)		See Figure R602.10.6.5	8d common (2 1/2" x 0.131") nails
	SFB Structural fiberboard sheathing		1 1/2" long x 0.12" dia. (for 1/2" thick sheathing) 1 1/4" long x 0.12" dia. (for 5/16" thick sheathing) galvanized roofing nails	4" at panel edges 12" at intermediate supports 4" at braced wall panel end posts
	GB Gypsum board		Nails or screws per Table R602.3(1) for exterior locations Nails or screws per Table R702.3.5 for interior locations	3" edges 6" field
	PBS Particleboard sheathing (See Section R605)		For 1/4", 6d common (2" long x 0.113" dia.) nails For 1/2", 8d common (2 1/2" long x 0.131" dia.) nails	For all braced wall panel locations: 7" edges (including top and bottom plates) 7" field
	PCP Portland cement plaster		1 1/2" long, 11 gage, 3/16" dia. head nails or 3/4" long, 16 gage staples ²	3" edges 6" field
	HPS Hardboard panel siding		0.092" dia., 0.225" dia. head nails with length to accommodate 1 1/2" penetration into studs	6" o.c. on all framing members
	ABW Alternate braced wall		See Section R602.10.6.1	4" edges 8" field
				See Section R602.10.6.1

(continued)

**TABLE R602.10.4—continued
BRACING METHODS¹**

METHODS, MATERIAL		MINIMUM THICKNESS	FIGURE	CONNECTION CRITERIA ²	
				Fasteners	Spacing
Intermittent Bracing Methods	PFF Portal frame with hold-downs	$\frac{7}{8}"$		See Section R602.10.6.2	See Section R602.10.6.2
	PFG Portal frame at garage	$\frac{7}{16}"$		See Section R602.10.6.3	See Section R602.10.6.3
Continuous Sheathing Methods	CS-WSP Continuously sheathed wood structural panel	$\frac{7}{8}"$ $1\frac{5}{32}"$	8d common (2 1/2"x0.131) nails 3/8" edge distance to panel edge 8d common (2 1/2"x0.131) nails 3/8" edge distance to panel edge	Exterior sheathing per Table R602.3(3) Interior sheathing per Table R602.3(1) or R602.3(2)	6" edges 12" field Varies by fastener 6" edges 12" field
	CS-G³ Continuously sheathed wood structural panel adjacent to garage openings	$\frac{7}{8}"$ $1\frac{5}{32}"$		See Method CS-WSP	See Method CS-WSP
	CS-PF Continuously sheathed portal frame	$\frac{7}{16}"$ $1\frac{5}{32}"$		See Section R602.10.6.4	See Section R602.10.6.4
	CS-SFB⁴ Continuously sheathed structural fiberboard	$\frac{1}{2}"$ or $\frac{3}{8}"$ for maximum 16" stud spacing		$1\frac{1}{2}"$ long $\times$ 0.12" dia. (for $\frac{1}{2}"$ thick sheathing) $1\frac{1}{4}"$ long $\times$ 0.12" dia. (for $\frac{3}{8}"$ thick sheathing) galvanized roofing nails	3" edges 6" field

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm, 1 degree = 0.0175 rad, 1 pound per square foot = 47.8 N/m², 1 mile per hour = 0.447 m/s.

- Adhesive attachment of wall sheathing, including Method GB, shall not be permitted in Seismic Design Categories C, D₀, D₁ and D₂.
- Applies to panels next to garage door opening where supporting gable end wall or roof load only. Shall only be used on one wall of the garage. In Seismic Design Categories D₀, D₁ and D₂, roof covering dead load shall not exceed 3 psf.
- Garage openings adjacent to a Method CS-G panel shall be provided with a header in accordance with Table R602.5(1). A full-height clear opening shall not be permitted adjacent to a Method CS-G panel.
- Method CS-SFB does not apply in Seismic Design Categories D₀, D₁ and D₂.
- Method applies to detached one- and two-family dwellings in Seismic Design Categories D₀ through D₂ only.
- Methods GB and PCP braced wall panel h/w ratio shall not exceed 1:1 in SDC D₀, D₁, or D₂. Methods LIB, DWB, SFB, PBS, HPS, and PFG are not permitted in SDC D₀, D₁, or D₂.
- Use of staples in braced wall panels shall be prohibited in SDC D₀, D₁, or D₂.

16.06.190. Table R602.10.5 amended.

Table R602.10.5 is amended to read as follows:

**Table R602.10.5
MINIMUM LENGTH OF BRACED WALL PANELS**

METHOD (See Table R602.10.4)		MINIMUM LENGTH* (inches)					CONTRIBUTING LENGTH (inches)
		Wall Height					
		8 feet	9 feet	10 feet	11 feet	12 feet	
DWB, WSP, SFB, PBS, PCP, HPS, BV-WSP		48	48	48	53	58	Actual ^b
GB		48	48	48	53	58	Double sided = Actual Single sided = 0.5 × Actual
LIB		55	62	69	NP	NP	Actual ^b
ABW	SDC A, B and C, ultimate design wind speed < 140 mph	28	32	34	38	42	48
	SDC D ₀ , D ₁ and D ₂ , ultimate design wind speed < 140 mph	32	32	34	NP	NP	
CS-G		24	27	30	33	36	Actual ^b
CS-WSP, CS-SFB	Adjacent clear opening height (inches)						Actual ^b
	≤ 64	24	27	30	33	36	
	68	26	27	30	33	36	
	72	27	27	30	33	36	
	76	30	29	30	33	36	
	80	32	30	30	33	36	
	84	35	32	32	33	36	
	88	38	35	33	33	36	
	92	43	37	35	35	36	
	96	48	41	38	36	36	
	100	—	44	40	38	38	
	104	—	49	43	40	39	
	108	—	54	46	43	41	
	112	—	—	50	45	43	
	116	—	—	55	48	45	
	120	—	—	60	52	48	
	124	—	—	—	56	51	
	128	—	—	—	61	54	
	132	—	—	—	66	58	
	136	—	—	—	—	62	
	140	—	—	—	—	66	
	144	—	—	—	—	72	
METHOD (See Table R602.10.4)		Portal header height					
		8 feet	9 feet	10 feet	11 feet	12 feet	
PFH	Supporting roof only	16 24	16 24	16 24	Note c	Note c	48
	Supporting one story and roof	24	24	24	Note c	Note c	
PFG		24	27	30	Note d	Note d	1.5 × Actual ^b
CS-PF	SDC A, B and C	16	18	20	Note e	Note e	1.5 × Actual ^b
	SDC D ₀ , D ₁ and D ₂	16 24	18 24	20 24	Note e	Note e	Actual ^b

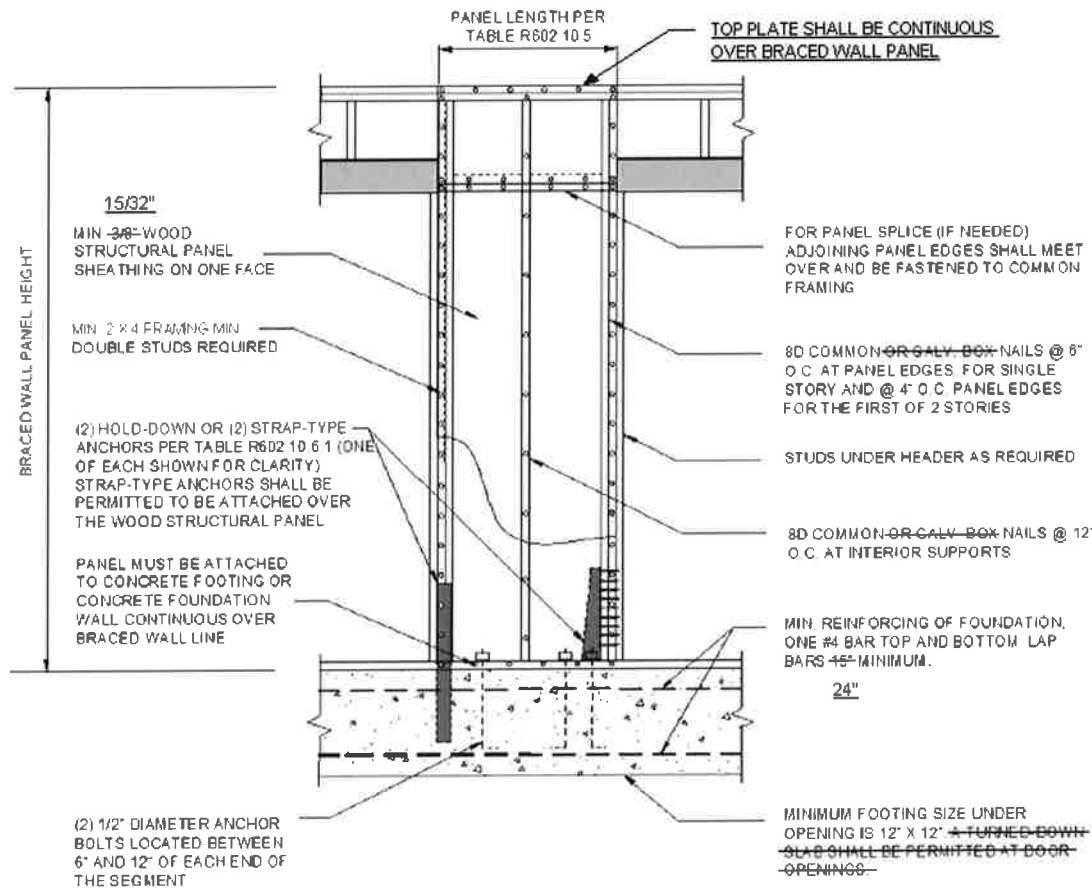
For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm, 1 mile per hour = 0.447 m/s.

NP = Not Permitted.

- Linear interpolation shall be permitted.
- Use the actual length where it is greater than or equal to the minimum length.
- Maximum header height for PFH is 10 feet in accordance with Figure R602.10.6.2, but wall height shall be permitted to be increased to 12 feet with pony wall.
- Maximum header height for PFG is 10 feet in accordance with Figure R602.10.6.3, but wall height shall be permitted to be increased to 12 feet with pony wall.
- Maximum header height for CS-PF is 10 feet in accordance with Figure R602.10.6.4, but wall height shall be permitted to be increased to 12 feet with pony wall.

16.06.200. Figure R602.10.6.1 amended.

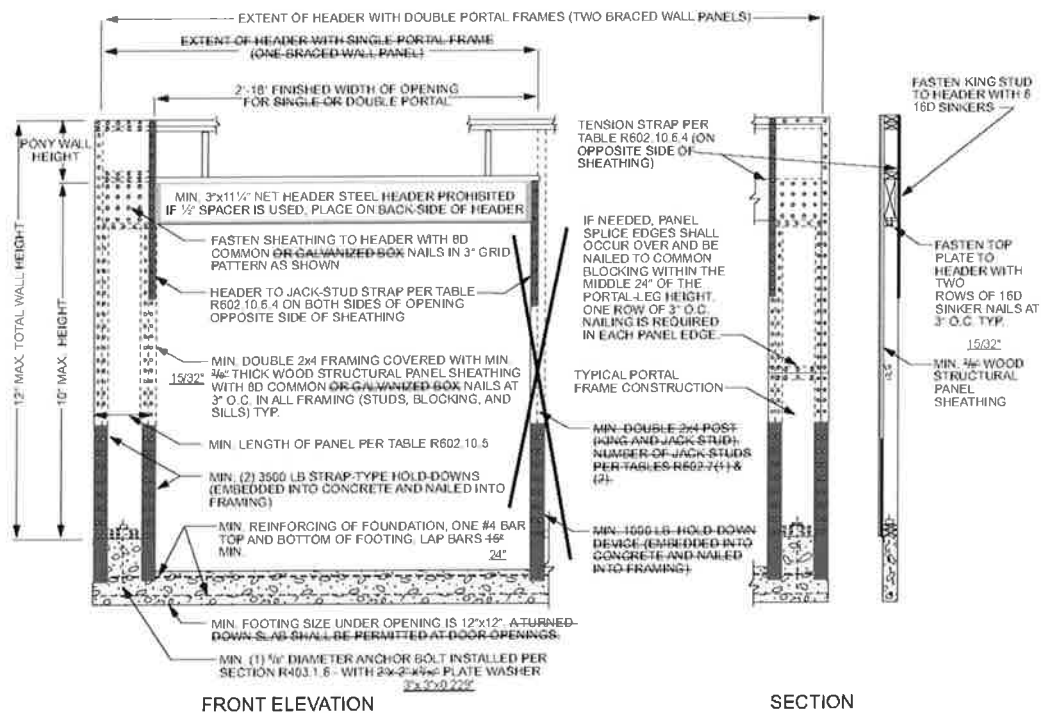
Figure R602.10.6.1 is amended to read as follows:



**FIGURE R602.10.6.1
METHOD ABW—ALTERNATE BRACED WALL PANEL**

16.06.210. Figure R602.10.6.2 amended.

Figure R602.10.6.2 is amended to read as follows:

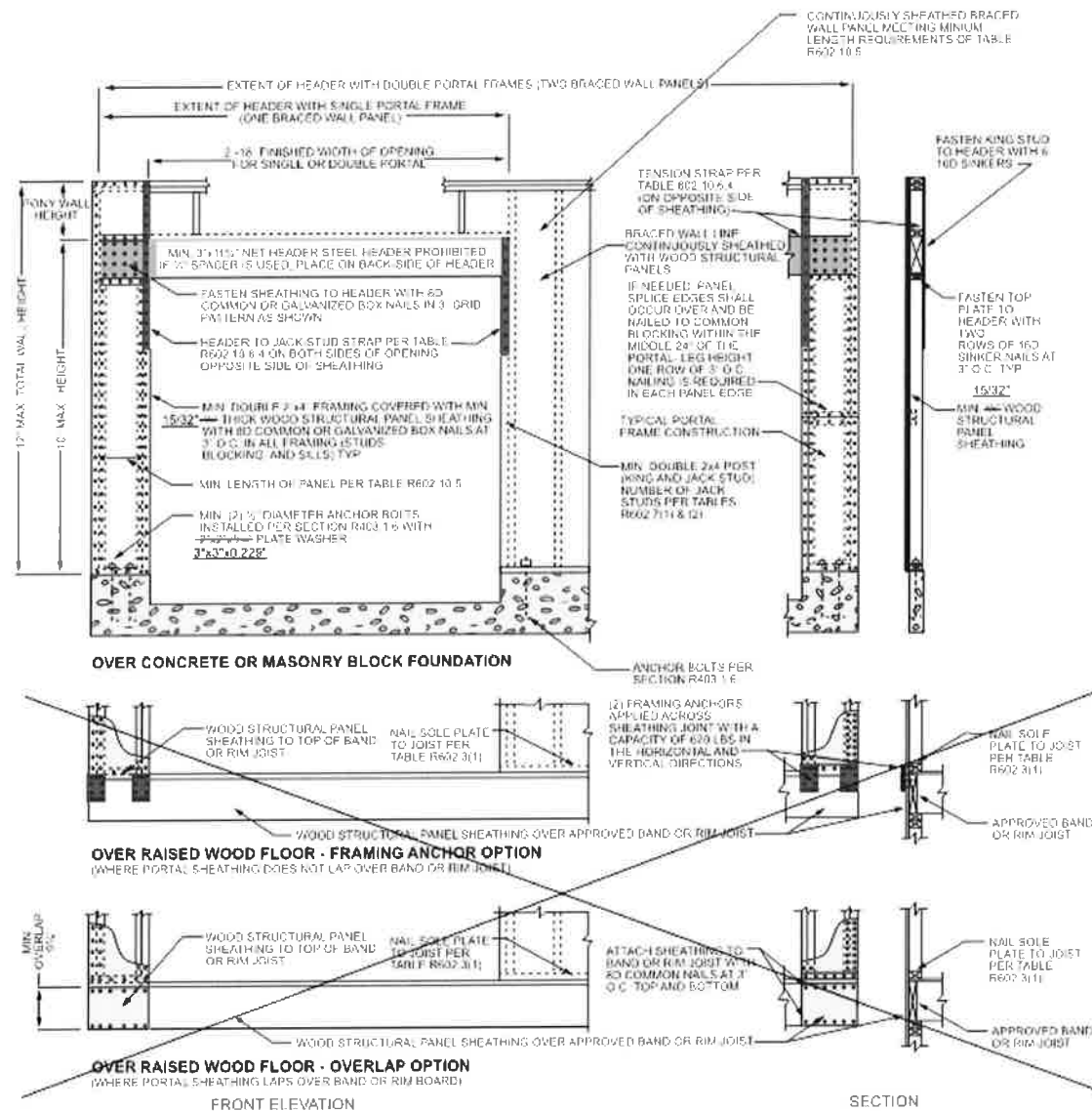


For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

FIGURE R602.10.6.2
METHOD PFH—PORTAL FRAME WITH HOLD-DOWNS
AT DETACHED GARAGE DOOR OPENINGS

16.06.220. Figure R602.10.6.4 amended.

Figure R602.10.6.4 is amended to read as follows:



For SF: 1 inch = 25.4 mm, 1 foot = 304.8 mm

FIGURE R602.10.6.4
METHOD CS-PF—CONTINUOUSLY SHEATHED PORTAL FRAME PANEL CONSTRUCTION

16.06.230. Section R606.4.4 amended.

Section R606.4.4 is amended to read as follows:

R606.4.4 Parapet walls. Unreinforced solid masonry parapet walls must not be less than 8 inches thick and their height must not exceed four times their thickness. Unreinforced hollow unit masonry parapet walls must not be less than 8 inches thick, and their height must not exceed three times their thickness. Masonry parapet walls in areas subject to wind loads of 30 pounds per square foot or located in Seismic Design Category D₀, D₁ or

D₂, or on townhouses in Seismic Design Category C must be reinforced in accordance with Section R606.12.

16.06.240. Section R606.12.2.2.3 amended.

Section R606.12.2.2.3 is amended to read as follows:

R606.12.2.2.3 Reinforcement requirements for masonry elements. Masonry elements listed in Section R606.12.2.2 must be reinforced in either the horizontal or vertical direction as shown in Figure ~~R606.11(2)~~ R606.11(3) and in accordance with the following:

1. Horizontal reinforcement. Horizontal joint reinforcement consists of ~~at least two longitudinal W1.7 wires spaced not more than 16 inches for walls greater than 4 inches in width and at least one longitudinal W1.7 wire spaced not more than 16 inches for walls not exceeding 4 inches in width; or at least one No. 4 bar spaced not more than 48 inches. Where two longitudinal wires of joint reinforcement are used, the space between these wires must be the widest that the mortar joint will accommodate.~~ Horizontal reinforcement must be provided within 16 inches of the top and bottom of these masonry elements.
2. Vertical reinforcement. Vertical reinforcement consists of at least one No. 4 bar spaced not more than 48 inches. Vertical reinforcement must be within ~~46~~ 8 inches of the ends of masonry walls.

16.06.250. Section R803.2.4 added.

Section R803.2.4 is added as follows:

R803.2.4 Openings in horizontal diaphragms. Openings in horizontal diaphragms must conform with Section R503.2.4.

16.06.260. Section R902.1 amended.

Section R902.1 is amended to read as follows:

R902.1 Roofing covering materials. Roofs must be covered with materials as set forth in Sections R904 and R905. A minimum Class A roofing must be installed in all areas designated by this section. Class A roofing required to be listed by this section must be tested in accordance with UL 790 or ASTM E108.

Exceptions:

1. Class A roof assemblies include those with coverings of brick, masonry, and exposed concrete deck.
2. Class A roof assemblies include ferrous or copper shingles or sheets, metal sheets and shingles, clay or concrete roof tile or slate installed on noncombustible decks.
3. Class A roof assemblies include minimum 16 ounces per square foot copper sheets installed over combustible decks.

4. Class A roof assemblies include slate installed over underlayment over combustible decks.

16.06.270. Section R902.1.3 amended.

Section R902.1.3 is amended to read as follows:

R902.1.3 Roof coverings in 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, will be a fire-retardant roof covering that is at least Class A."

16.06.280. Section 905.3.1 amended.

Section R905.3.1 is amended to read as follows:

R905.3.1 Deck requirements. Concrete and clay tile must be installed only over solid sheathing ~~or spaced structural sheathing boards.~~

Exception: Spaced lumber is be permitted in Seismic Design Categories A, B, and C.

16.06.290. Section R1001.3.1 amended.

Section R1001.3.1 of the 2016 Edition of the California Residential Code is amended to read as follows:

R1001.3.1 Vertical reinforcing. For chimneys up to 40 inches wide, four No. 4 continuous vertical bars adequately anchored into the concrete foundation must be placed between wythes of solid masonry or within the cells of hollow unit masonry and grouted in accordance with Section R606. Grout must be prevented from bonding with the flue liner so that the flue liner is free to move with thermal expansion. For chimneys more than 40 inches wide, two additional No. 4 vertical bars adequately anchored into the concrete foundation must be provided for each additional flue incorporated into the chimney or for each additional 40 inches in width or fraction thereof.

SECTION 6: Chapter 16.07 of the MPMC is amended in its entirety to read as follows:

"Chapter 16.07 ELECTRICAL CODE

16.07.010 Document adopted by reference.

Pursuant to Government Code § 50022.9, the City Council incorporates by reference the California Electrical Code, 2019 Edition, as published in Title 24, Part 3 of the California Code of Regulations.

16.07.020. Article 91 added.

Article 91 is added to read in its entirety, as follows:

Article 91
Administrative Provisions

For administrative provisions for this Code, see Section 16.01.040."

SECTION 7: Chapter 16.08 of the MPMC is amended in its entirety to read as follows:

"Chapter 16.08 MECHANICAL CODE

16.08.010 Document adopted by reference.

Pursuant to Government Code § 50022.9, the City Council incorporates by reference the California Mechanical Code, 2019 Edition, as published in Title 24, Part 4 of the California Code of Regulations.

16.08.020. Chapter 1 Division II amended.

The text within Chapter 1 Division II is amended to read as follows:

Chapter 1 Division II
Administrative Provisions

For administrative provisions for this Code, see Section 16.01.040."

SECTION 8: Chapter 16.09 of the MPMC is amended in its entirety to read as follows:

"Chapter 16.09 PLUMBING CODE

16.09.010 Document adopted by reference.

Pursuant to Government Code § 50022.9, the City Council incorporates by reference the California Plumbing Code, 2019 Edition, as published in Title 24, Part 5 of the California Code of Regulations.

16.09.020. Chapter 1 Division II amended.

Chapter 1 Division II is amended in its entirety read as follows:

Chapter 1 Division II
Administrative Provisions

For administrative provisions for this Code, see Section 16.01.040."

SECTION 9: Chapter 16.10 of the MPMC is amended in its entirety to read as follows:

"Chapter 16.10 ENERGY CODE

16.10.010 Document adopted by reference.

Pursuant to Government Code § 50022.9, the City Council incorporates by reference the California Energy Code, 2019 Edition, as published in Title 24, Part 6 of the California Code of Regulations.

16.10.020. Section 100.2 of Subchapter 1 added.

Section 100.2 is added to Subchapter 1 to read as follows:

Section 100.01
Administrative Provisions

For administrative provisions for this Code, see Section 16.01.040.”

SECTION 10: Chapter 16.11 of the MPMC is amended in its entirety to read as follows:

“Chapter 16.11 HISTORICAL BUILDING CODE

16.11.010 Document adopted by reference.

Pursuant to Government Code § 50022.9, the City Council incorporates by reference the California Historical Building Code, 2019 Edition, as published in Title 24, Part 8 of the California Code of Regulations.

16.11.020. Chapter 8-1(1) added.

Chapter 8-1(1) is added to read as follows:

Chapter 8-1(1)
Administrative Provisions

For administrative provisions for this Code, see Section 16.01.040.”

SECTION 11: Chapter 16.12 of the MPMC is amended in its entirety to read as follows:

“Chapter 16.12 EXISTING BUILDING CODE

16.12.010 Document adopted by reference.

Pursuant to Government Code § 50022.9, the City Council incorporates by reference the California Existing Building Code, 2019 Edition, as published in Title 24, Part 10, of the California Code of Regulations.

16.12.020. Chapter 1 Division 2 amended.

Chapter 1 of Division 2 is amended in its entirety to read as follows:

Chapter 1 Part 2
Administrative Provisions

For administrative provisions for this Code, see Section 16.01.040."

SECTION 12: Chapter 16.13 of the MPMC is amended in its entirety to read as follows:

"Chapter 16.13 GREEN BUILDING STANDARDS CODE

16.13.010 Document adopted by reference.

Pursuant to Government Code § 50022.9, the City Council incorporates by reference the California Green Building Standards Code, 2019 Edition, as published in Title 24, Part 11, of the California Code of Regulations.

16.13.020. Chapter 1-1 added.

Chapter 1-1 is added to read as follows:

Chapter 1-1
Administrative Provisions

For administrative provisions for this Code, see Section 16.01.040."

SECTION 13: Chapter 16.14 of the MPMC is amended in its entirety to read as follows:

"Chapter 16.14 REFERENCED STANDARDS CODE

16.14.010 Document adopted by reference.

Pursuant to Government Code § 50022.9, the City Council incorporates by reference the California Referenced Standards Code, 2019 Edition, as published in Title 24, Part 12, of the California Code of Regulations."

SECTION 14: Chapter 16.15 of the MPMC is amended in its entirety to read as follows:

"Chapter 16.15 POOL AND SPA CODE

16.15.010 Document adopted by reference.

Pursuant to Government Code § 50022.9, the City Council incorporates by reference the International Pool and Spa Code, 2015 Edition, as published by the International Code Council, Inc.

16.15.020. Chapter 1, Part 2 Administration and Enforcement amended.

Chapter 1 of Part 2 is amended in its entirety to read as follows:

Chapter 1, Part 2

Administrative Provisions

For administrative provisions for this Code, see Section 16.01.040."

SECTION 15: Chapter 16.21 of the MPMC is amended to read as follows:

"Chapter 16.21 EXCAVATION AND GRADING CODE

16.21.010 Document adopted by reference.

Pursuant to Government Code § 50022.9, the City Council incorporates by reference the California Building Code, 2019 Edition, as published in Title 24, Part 2, Volume 2, Appendix J of the California Code of Regulations.

Appendix J of that certain document, known and designated as the California Building Code, 2019 Edition, published by the California Building Standards Commission is incorporated herein by reference, subject to the additions, deletions and amendments specified in this chapter, and shall be known as the Monterey Park Excavation and Grading Code."

Section 16: Chapters 17.01 and 17.02 of the MPMC are amended in their entirety to read as follows:

"Chapter 17.01. CALIFORNIA FIRE CODE

17.01.010 Adoption of the California Fire Code

Pursuant to Government Code § 50022.9, the City Council incorporates by reference the California Fire Code, 2019 Edition ("CFC"), as published at Title 24, Part 9, of the California Code of Regulations. The CFC, as adopted by the MPMC, includes Appendices Chapter 4, B, C, D, and O.

Chapter 17.02 LOCAL AMENDMENTS TO CALIFORNIA FIRE CODE

17.02.010 Amendment—Application of Residential Code.

Section 102.5 is amended to read as follows:

102.5 Application of Residential Code. Where structures are designed and constructed in accordance with the International Residential Code, the provisions of this code apply as follows:

1. Construction and designed provisions: Provisions of this code pertaining to the exterior of the structure will apply including, without limitation, premises identification, fire apparatus access and water supplies. Provisions of this code pertaining to the interior of the structure when specifically required by this code including, without limitation, Section 903.4 903 where interior or exterior systems or devices are installed, construction permits required by Section 105.7 of this code will also apply.
2. Administrative, operational, and maintenance provisions: All such provisions of this code will apply.

17.02.020 Addition—Police Powers.

Section 103.5 is added to read as follows:

103.5 Police Powers. The fire code official and deputies have the powers of police officers in performing their duties under this code. When requested to do so by the fire code official, the chief of police of the jurisdiction is authorized to assign such available police officers as necessary to assist the fire code official in enforcing the provisions of this code.

17.02.030 Deletion – Mobile food preparation vehicles.

Section 105.6.30 is deleted in its entirety.

17.02.040 Amendment—Appeals.

Section 109, including its subparts is amended in its entirety to reads as follows:

109.1 Grounds for Appeal. Any aggrieved party may appeal any of the following decisions of the Fire Chief:

1. Disapproval of any application.
2. Refusal to grant any permit applied for when it is claimed that the provisions of this California Fire Code do not apply.
3. Interpretation of this California Fire Code.
4. Determination of suitability of alternate materials or types of construction or materials to types of construction or methods.

109.2 Written Decision. Any such decision must be in writing and a copy thereof will be served upon the applicant, if any, by mail. Any such decision will be final, unless an appeal will be filed there from, within the time and in the manner prescribed by this section.

109.3 Appeal Procedure. Any person dissatisfied with any such determination or decision of the Fire Chief has the right of appeal via the Administrative Civil Review Process established under the provisions of Chapter 5.48 of the Monterey Park Municipal Code.

109.4 Notice of Appeal. Any person desiring to take such an appeal must, within five days after receipt of the written decision of the Fire Chief, file a written notice of appeal with the Fire Chief for further review through an Administrative Hearing. Such written notice of appeal must be on a form provided by the Monterey Park Fire Department and contain such information as may be required for the Administrative Review.

109.5 Hearing. Each such appeal will be set for hearing for the Administrative Review. Not less than five days before the date of such hearing, written notice of the time and place of the hearing will be given to the applicant.

109.6 Hearing Procedure. At the time of the hearing, the Hearing Examiner will consider the evidence of the appellant, of the Fire Chief, or their authorized representative, and any other evidence, which may be presented.

109.7 Final Decision. At or after the conclusion of the hearing, the Hearing Examiner will render its findings of fact and its decision in writing, and will furnish a copy thereof to the Fire Chief, and will also serve a copy thereof upon the appellant by mail.

17.02.050 Amendment—Definition added.

Section 202 is amended by adding the following definition:

ALL WEATHER SURFACE. A road surface constructed to the minimum standards approved by the jurisdiction capable of supporting loads of 80,000 pounds.

17.02.060 Amendment—Definitions revised.

Section 202 is amended by revising the following definitions:

FIRE CHIEF. The Chief Officer of the City of Monterey Park Fire Department.

FIRE CODE OFFICIAL. The Fire Chief or other member of the fire service appointed by the Fire Chief, charged with the administration and enforcement of the Code.

17.02.070. Amendment—Combustible Waste Material.

Section 304.1.2 is amended to read as follows:

304.1.2 Vegetation. Weeds, grass, vines or other growth that is capable of being ignited and endangering property, must be cut down and removed by the owner or occupant of the premises. Vegetation clearance requirements in areas deemed a fire hazard by the Fire Chief or Fire Code Official must maintain a defensible space around all buildings and structures as follows:

(b) Ground clearance. The space surrounding every building or structure must be maintained in accordance with the following:

Any person that owns, leases, controls, operates, or maintains any building or structure in, upon, or adjoining any mountainous area or forest-covered lands, brush covered lands, or grass-covered lands, or any land which is covered with flammable material, must at all times do the following:

- (1) Maintain around and adjacent to such building or structure a firebreak made by removing and clearing away, for a distance of not less than 30 feet on each side thereof or to the property line, whichever is nearer, all flammable vegetation or other combustible growth. This section does not apply to single specimens of trees, ornamental shrubbery, or similar plants which are used as ground cover, if they do not form a means of rapidly transmitting fire from the native growth to any building or structure.

- (2) Maintain around and adjacent to any such building or structure additional fire protection or fire-break made by removing all bush, flammable vegetation, or combustible growth which is located from 30 to 100 feet from such building or structure or to the property line, whichever is nearer, as required by the enforcing agency if he finds that, because of extra hazardous conditions, a fire break of only 30 feet around such building or structure is not sufficient to provide reasonable fire safety. Grass and other vegetation located more than 30 feet from such building or structure and less than 18 inches in height above the ground may be maintained where necessary to stabilize the soil and prevent erosion.

17.02.080 Amendment—Open burning.

Section 307.1 is amended to read as follows:

307.1 Bonfires, Weed Abatement, Religious Burning, and Outdoor Rubbish Fires.

No person may build, light, maintain, or cause or permit to be built, lighted or maintained, any open or outdoor fire; use, or cause or permit to be used, any fire for clearing land; burn or cause or permit to be burned, any brush, trash, rubbish, stubble, or other flammable or combustible material, unless he complies with the regulations set forth in this section as follows:

1. Applicant must first secure from the Fire Chief, or their authorized representative, a written permit for such burning.
2. Such burning must be in accordance with the following:
 - a. Each recipient of a written permit for burning must follow all rules shown. Acceptance of a burning permit will constitute an agreement that the holder will be responsible for all damages resulting from burning.
 - b. Any such fire must be maintained in one small pile or area that can be readily controlled.
 - c. At least one adult person must be in actual attendance and in charge of such fire at all times during its burning. He/she must have on hand at all such times water, garden hose, shovels, or other fire extinguishing equipment.
 - d. Such burning will be permitted only at a safe distance from all structures or other combustible material.
 - e. Burning will be permitted only if there is no appreciable wind.
 - f. Upon completion of any such burning, all resultant embers must be extinguished and hot ashes must be thoroughly wet down.
3. The Fire Chief may prohibit any or all outdoor fires or burning at any time he/she deems that atmospheric conditions or local circumstances will make such a fire hazardous.

17.02.090 Deletion – Mobile Food Preparation Vehicles

Section 319 is deleted in its entirety.

17.02.100 Amendment—Automatic sprinkler systems.

Section 903 is amended as follows:

Amend Section 903.1.2 to read as follows:

903.1.2 Partial Automatic Fire Suppression Systems Prohibited.

Whenever an automatic fire suppression system is installed for any portion of any building or structure, an automatic fire suppression system must be installed for the entire building or structure.

Amend Section 903.2 to read as follows:

903.2 Where required. Approved automatic extinguishing systems must be installed:

1. In all new buildings regardless of the type of construction or occupancy.

Exceptions:

A) Detached Group U occupancies, providing the floor area does not exceed 1000 square feet.

~~B) Other minor buildings and/or occupancies as approved by the Fire Chief.~~
Unmanned facilities and/or minor buildings and/or occupancies as approved by the Fire Chief.

2. In existing buildings with an occupancy change as required by other sections of the Fire Code.

Amend Section 903.6 as follows:

903.6 Existing Occupancies. An automatic sprinkler system will be installed in existing occupancies as follows:

1. In all commercial and industrial buildings greater than 5000 square feet in area when enlarged by an addition to the existing structure or as required by the Fire Chief.
2. In all commercial and industrial buildings equal to or less than 5000 square feet in area, when enlarged by an addition to the existing structure, exceeds 5000 square feet or as required by the Fire Chief.
3. In all commercial and industrial buildings when an addition to the existing area exceeds fifty percent (50%) within any twelve-month period.
4. In all residential occupancies when an addition to the existing living area exceeds fifty percent (50%) within any twelve-month period.
5. As required by the Fire Code due to a change in occupancy.
6. As required by the Fire Code in Chapter 11.

Amend Section 903.3.1.1 as follows:

903.3.1.1 NFPA 13 sprinkler systems. In other than Group R buildings that are not over two stories in height, automatic sprinkler systems will be designed and installed in accordance with the NFPA 13, 2019 Edition as amended in Chapter 80 except as provided in Sections 903.3.1.1.1 and 903.3.1.1.2.

Add Section 903.3.1.1.3 to read as follows:

903.3.1.1.3 Riser room location. In structures over three stories in height or served by more than two fire sprinkler risers, a dedicated Fire Sprinkler Riser Room must be provided at an approved location. The riser room must be accessible to emergency personnel from the exterior of the building.

Amend Section 903.3.1.2 as follows:

903.3.1.2. NFPA 13R sprinkler systems. Where allowed in buildings of Group R, up to and including two stories in height, automatic sprinkler systems will be installed throughout in accordance with NFPA 13R, 2019 Edition as amended in Chapter 80.

Add Section 903.3.1.2.4 to read as follows:

903.3.1.2.4 Basement spaces. In residential buildings with automatic sprinkler systems designed and installed in accordance with NFPA 13R, basements used for living or storage purposes must be fully sprinklered with residential type heads.

Add Section 903.3.1.3 to read as follows:

903.3.1.3. NFPA 13D sprinkler systems. Where allowed, automatic sprinkler systems will be installed in one- and two-family dwellings will be installed throughout in accordance with NFPA 13D, 2019 Edition as amended in Chapter 80.

Add Section 903.3.1.3.1 to read as follows:

903.3.1.3.1. Detailed requirements. Automatic sprinkler system protection for one and two-family dwellings will be designed and installed in accordance with NFPA 13D, 2019 Edition with the following modifications:

1. A local water flow alarm must be provided for all sprinkler systems.
2. Attics and basements used for storage purposes must be fully sprinklered with residential type heads.
3. Overhead piping must be hydrostatically tested for leakage at 200 psi for two hours and inspected before drywall or insulation installation.
4. A minimum of three spare representative sprinkler heads and installation wrench must be provided at an approved location.

Amend Section 903.3.5 as follows:

903.3.5 Water Supplies. Water supplies for automatic sprinkler systems must comply

with this section and the standards referenced in section 903.3.1. The potable water supply must be protected against backflow in accordance with the *Health and Safety Code* and the Monterey Park Municipal Code. Hydraulic calculations for systems designed per NFPA 13, 13D, or 13R will include a ten percent (10%) reduction from the available supply source.

17.02.110 Addition—Multiple fire alarm and detection systems.

Section 907.1.6 is added to read as follows:

907.1.6 Multiple Fire Alarm Systems. Multiple fire alarm systems within single protected premises must be interconnected and must transmit signals as one system.

17.02.120 Amendment—Emergency Responder Radio Coverage

Section 1103.2 is amended to read as follows:

1103.2 Emergency responder radio coverage in existing buildings. Existing buildings that do not have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building, must be equipped with such coverage according to one of the following:

1. Whenever an existing wired communication system cannot be repaired or is being replaced, or where not approved in accordance with Section 5101, Exception 1.
2. Whenever total additions result in an increase of more than 6,000 square feet in the total floor area, including mezzanines or additional stories, regardless of ownership. Additions must be cumulative with each application for a building permit from January 1, 2011.
3. Whenever the value of alternations requiring permits exceed \$500,000 in valuation. Alterations values must be cumulative with each application for a building permit from January 1, 2011.

17.02.130 Amendment—Explosive materials.

Sections 5601.2 and 5601.3 are amended to read as follows:

5601.2 The manufacture, possession, storage, sale, transportation and use of explosive materials will be prohibited, unless it is authorized by the State Fire Marshal. This will not apply to hand loading of small arms ammunition for personal use when not for resale.

5601.3 Non explosive materials must be bolts, explosive rivets or cartridges for explosive-actuated power tasks in quantities involving less than 500 pounds.

17.02.140 Addition—Fireworks display.

Sections 5608.1.2 and 5608.1.3 are added to read as follows:

5608.1.2 Permits. It is unlawful for any person to present or conduct any public display of fireworks within the City of Monterey Park without first having obtained a permit there from the Fire Chief or their representative.

5608.1.3 Detailed Requirements. The public display of fireworks within the City of Monterey Park must be in accordance with Section 5608.1 of this Code and all of the following:

1. The Fire Chief is authorized to grant permits for supervised public displays of fireworks to be conducted by the city or by other organizations. Every such display must be personally supervised by a competent, licensed pyrotechnic operator approved by the Fire Chief. Each such display must be held at an approved location and must be so discharged or fired as, in the opinion of the Fire Chief after proper investigation, not to be hazardous to property or to endanger any person.
2. Applications for permit must be made in writing at least ten days in advance of the date of the display. After such permit will have been granted, the sale, possession, use, and/or distribution of fireworks for such display will be lawful for the permitted activity and time frame only. No permit granted under this code will be transferable.
3. The permittee must furnish a bond or certificate of insurance in an amount deemed adequate by the Fire Chief for the payment of all damages which may be caused either to a person or persons or to property by reason of the permitted display and arising from any acts of the permittee, agents, employees, or subcontractors.
4. When required by the Chief, the pyrotechnic operator will employ and provide additional personnel whose sole duty will be the enforcement of crowd control around the display area. Unauthorized persons will not be allowed to enter the discharge site until the site has been inspected and cleared after conclusion of the display by the pyrotechnic operator.
5. The Fire Chief is authorized to require rope barriers, fences, signs or other devices to be installed around the display area to aid in crowd control.
6. The Fire Chief is authorized to adopt such additional rules and regulations not inconsistent herewith as are reasonably required to prevent injury to persons and/or property, including without limitation the requirement for standby fire personnel or apparatus at the firing site.
7. If the Fire Chief or appointed designee determines that there is a lack of crowd control or that the crowd is in danger, the display will be immediately discontinued. If at any time high winds or wet weather creates a danger, the display will be postponed until weather conditions are acceptable to the Chief.
8. The entire firing site must be inspected immediately following a display and before allowing public access for the purpose of locating unexploded aerial shells and/or hazardous debris. Unexploded shells will not be handled within 15 minutes after the time of their firing. Such shells must then be doused thoroughly with water, allowed to stand for at least 5 minutes, and then be submersed in a full bucket of water.

17.02.150 Addition—Fireworks manufacturing.

Section 5614 is added to read as follows:

**SECTION 5614
FIREWORKS MANUFACTURING**

5614.1 It is unlawful to manufacture fireworks within the City of Monterey Park.

5614.2 The Chief is authorized to seize, take, remove or cause to be removed, at the expense of the owner, all stocks of fireworks or explosives offered or exposed for sale, or stored or held in violation of this section.

17.02.160 Addition—Sale of fireworks.

Section 5615 is added to read as follows:

**SECTION 5615
SALE OF FIREWORKS**

5615.1 Sales of Fireworks. The sale of "Safe and Sane" fireworks within the City of Monterey Park city limits will be in accordance with Section 3301 of the Code, Chapter 5.48 of the Monterey Park Municipal Code, and all of the following:

5615.1.1 It is unlawful for any person to sell, or to cause or permit to be sold, within the city, any fireworks at retail without first securing a permit to do so from the Fire Chief. A separate permit must be obtained for each separate or distinct place of business or stand. Any person having a permit, who fails to comply with the conditions of the permit as provided for by this section, will be deemed to be operating without a permit. Application must be made no earlier than April 1 and no later than May 15 of each calendar year.

5615.1.2 The maximum number of permits, which may be issued will be (20) during any one calendar year.

If the number of applications exceed the number of permits to be issued, the permittees, who did not violate any requirements of this chapter during the preceding year, will have first priority for the available permits until April 15, provided each permittee represents the same participating organization which operated under the permit during the preceding year.

If there are any additional permits available, such additional permits will be granted by a drawing supervised by the license officer, or other municipal officer designated by the City Council.

1. The following qualifications must be met by each application for a permit:
 - a. No permit will be issued to any person, firm, or corporation, except any veterans organization or any auxiliary of such organization chartered by the Congress of the United States, maintaining a charter and meeting place in the City whose membership is composed of members now and/or heretofore serving in the armed forces of the United States; or, any nonprofit associations or corporations organized primarily for civic betterment or youth activities, charitable, or religious purposes.
 - b. Each such organization must have its principal and permanent meeting place within the city limits of Monterey Park, and must have been organized and established within the city limits of Monterey Park, and must have been organized and established within such city limits for a minimum of one year continuously preceding the filing of an application for a permit.
 - c. No organization may receive more than one permit for fireworks sales during any one calendar year.

- d. No stand will be within 500 feet of another stand.
2. Each applicant for a permit must take out and maintain in force, while any such fireworks stand is open, public liability insurance in an amount of not less than \$1,000,000 for injury to one person, and not less than \$1,000,000 for any one occurrence, and one million dollars (\$1,000,000) for damage to property. The City of Monterey Park must be named as "additional insured" on all policies required hereunder. Before the issuance of a permit hereunder, each applicant must furnish evidence satisfactory in form and substance to the city that such insurance is in force, and adequate legal assurance that the carrier will give the city at least thirty days' prior written notice of the cancellation of the policy, during the effective period of the permit.
3. Applicants for a permit hereunder must pay a permit fee in accordance with the City of Monterey Park Master Schedule of Fees and Charges for each fireworks stand.
4. It will be unlawful for any person to sell at retail "dangerous fireworks," as defined in the California State Fireworks Law.
5. No "safe and sane" fireworks, as defined in the California State Fireworks Law, will be sold or offered for sale at retail within the City, except from 12:00 noon on June 28 to 9:00 p.m. on July 4 of each year. In addition, the discharge of fireworks is limited to 10 a.m. to 10 p.m. on only July 4.
6. No "safe and sane" fireworks will be sold or offered for sale at retail unless the fuses or other igniting devices are protected by approved protective caps, or each item or group of items is enclosed or sealed in a package bearing the California State Fire Marshal's Seal of Registration, upon which the wholesaler's license number appears.
7. The Fire Chief is authorized to promulgate reasonable additional rules and regulations for the operation of fireworks stands, in order to eliminate or reduce to a minimum the risk of fire or injury to persons or damage to property. A copy of any such rules and regulations must be posted in a prominent place in each fireworks stand. Failure to comply with said rules and regulations will be grounds for the immediate revocation of any permit granted under this section.

17.02.170 Amendment—Locations where aboveground tanks are prohibited.

Section 5704.2.9.6.1 is amended to read as follows:

5704.2.9.6.1 The storage of Class I and II liquids in above ground tanks outside of buildings is prohibited within the limits established by law as the limits of districts in which such storage is prohibited.

1. Class I and II liquids must be stored in above ground tanks outside of buildings only at locations in the city zoned or used for Manufacturing purposes, as designated in the Monterey Park Municipal Code and the zoning map of the City of Monterey Park.
Exception: Above ground storage tanks dispensing Class I and II liquids will not be allowed in motor fuel service stations.
2. The storage of Class I and II liquids in above ground tanks may be permitted in other zones if the Fire Chief finds that such use in a particular installation will not create an unreasonable risk of injury to person or property after consideration of special factors; such as, topographical conditions, nature of occupancy and proximity to buildings or adjoining property, and height and character of

construction of such buildings, capacity and construction of proposed tanks and character of liquids to be stored, degree of private fire protection to be provided, and facilities of the Fire Department available to cope with flammable or combustible liquid fires.

17.02.180 Amendment—Liquefied petroleum gases—Location of containers.

Section 6104.2 is amended to read as follows:

6104.2 Liquefied petroleum gas may be stored only at locations zoned or used for Manufacturing Development purposes, as designated in the Monterey Park Municipal Code and the zoning map of the City of Monterey Park.

Such storage, however, may be permitted in other zones if the fire code official finds that such use in a particular installation will not create an unreasonable risk of injury to person or property, after consideration of the special features; such as, topographical conditions, nature of occupancy and proximity to building or adjoining property and height and character of construction of such buildings, capacity and construction of proposed tanks, and character of liquids to be stored, degree of private fire protection to be provided, and facilities of the Fire Department to cope with flammable or combustible liquid fires.

17.02.190 Amendment—Appendix Chapter D Dead ends.

Section D103.4 of Appendix Chapter D is amended to read as follows:

D103.4 Dead Ends. Dead-end fire apparatus access roads in excess of 150 feet must be provided with width and turnaround provisions to the minimum standards adopted by the jurisdiction.

17.02.200 Amendment — Appendix Chapter O Haunted Houses

Section O101.2 of Appendix Chapter O is amended to read as follows:

O101.2 Permits. An operational permit must be required for haunted houses, ghost walks, or similar amusement uses in accordance with Appendix O101.2.

EXCEPTION: Haunted houses, ghost walks, or similar amusement uses in Group R-3 occupancies.

SECTION 17: ***Construction.*** This Ordinance must be broadly construed in order to achieve the purposes stated in this Ordinance. It is the City Council's intent that the provisions of this Ordinance be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Ordinance.

SECTION 18: ***Enforceability.*** Repeal of any provision of the Monterey Park Municipal Code does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this

Ordinance.

SECTION 19: *Validity of Previous Code Sections.* If this entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal or amendment of the MPMC or other city ordinance by this Ordinance will be rendered void and cause such previous MPMC provision or other the city ordinance to remain in full force and effect for all purposes.

SECTION 20: *Environmental Assessment.* The City Council finds that adoption of this Ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, et seq., the "State CEQA Guidelines") because it consists only of minor revisions and clarifications to an existing code of construction-related regulations and specification of procedures related thereto and will not have the effect of deleting or substantially changing any regulatory standards or findings required therefor, and therefore does not have the potential to cause significant effects on the environment. In addition, this ordinance is an action being taken for enhanced protection of the environment and is exempt from further review under CEQA Guidelines § 15308.

SECTION 21: *Severability.* If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the city council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 22: *Publication.* The City Clerk is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Monterey Park's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 23: *Effective Date.* This Ordinance will become effective on the thirty-first (31st) day following its passage and adoption.

SECTION 24: *Filing with Building Standards Commission.* The City Clerk must file a certified copy of this Ordinance with the California Building Standards Commission.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Monterey Park, held on the ____ day of _____, 2019.

Hans Liang, Mayor

ATTEST:

Vincent D. Chang, City Clerk

I HEREBY CERTIFY that the above and foregoing ordinance was duly passed and adopted by the Monterey Park City Council at its regular meeting held on ____ of ____, 2019, by the following vote, to wit:

AYES;
NOES;
ABSENT:

APPROVED AS TO FORM:
MARK D. HENSLEY, City Attorney

By: 
Natalie C. Karpeles, Deputy City Attorney

EXHIBIT A

Local Amendments To The 2019 California Building Standards Code

The City Council finds as follows:

SECTION 1: Pursuant to the requirements of Health and Safety Code §17958.7, the City Council finds that there are local climatic, geographic, and topographic conditions justifying the various local amendments to the California Building Standards Code as set forth herein.

SECTION 2: Specifically, the City Council finds:

A. Climatic Conditions

1. The City of Monterey Park is a densely populated area within a climate system capable of producing major winds, fire and rain related disasters, including but not limited to those caused by the Santa Ana winds and El Niño (or La Niña) subtropical-like weather. This region is especially susceptible to more active termite and wood attacking insects and microorganisms.
2. Hot, dry Santa Ana winds are common to all areas within the City of Monterey Park. These winds, which can cause small fires which spread quickly, are a contributing factor to the high fire danger in the area, and create the need for an increased level of fire protection. This added protection will supplement normal fire department response available and provide immediate protection for life and safety of multiple occupancy occupants during fire occurrences.
3. Los Angeles County and the City of Monterey Park are located in a semi-arid Mediterranean type climate which predisposes all fuels, including wood shingles to rapid ignition and spread of fire. Therefore, there exists a need for additional fire protection measures.
4. The warm, dry climate is conducive to swimming pools which creates a higher probability of child drowning where pools are unprotected.

B. Geological Conditions

1. The City of Monterey Park is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the 1994 Northridge Earthquake, the 1987 Whittier Narrows Earthquake, the 1971 San Fernando Earthquake and the

1933 Long Beach Earthquake.

2. The October 17, 1989, Santa Cruz earthquake resulted in only one major San Francisco fire in the Marina district. But, when combined with the 34 other fires and over 500 responses, the department was taxed to its full capabilities. The Marina fire was difficult to contain because mains supplying water to the district burst during the earthquake. If more fires had been ignited by the earthquake, it would have been difficult for the fire department to contain them. This situation creates the need for both additional fire protection measures and automatic on-site fire protection for building occupants since a multitude of fires may result from breakage of gas and electric lines as a result of an earthquake. As noted by "Planning Scenario on a Major Earthquake Department on of the Newport-Inglewood Fault Zone, 1988, State Conservation," "unfortunately meeting the minimum earthquake standards of building codes barely places a building on the verge of being legally unsafe."
3. Traffic and circulation congestion presently existing in the City of Monterey Park often challenges fire department response times. This condition will be exacerbated by any major disaster, including any earthquake wherein damage to the highway system will occur. This condition makes the need for additional on-site protection for property occupants necessary.
4. Placement of multiple occupancy buildings, location of arterial roads, and fire department staffing constraints due to recent revenue-limiting state legislation have made it difficult for the fire department to locate additional fire stations and provide manpower sufficient to concentrate fire companies and personnel to control fires in high density apartment or condominium buildings. Fire Department equipment does not allow easy access to areas of buildings greater than 55 feet above the level of Fire Department vehicle access. These conditions create the need for built-in onsite fire protection systems to protect occupants and property until firefighting apparatus and personnel arrive on the scene.
5. The City of Monterey Park is located in an area subject to a climatic condition of high winds and low humidity. This combination of events creates an environment which is conducive to rapidly spreading fires. Control of such fires requires rapid response. 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, ASCE-7, Section 6, Figure 6 - 2 Height Adjustment Table identifies a significant increase in the amount of wind force at 60 feet above the ground. Use of aerial type firefighting apparatus above this height would place rescue personnel at increased risk of injury.

6. The City of Monterey Park is located in the middle of a seismically active area. The viability of the public water system would be questionable at best after a major seismic event. This would leave tall buildings vulnerable to uncontrolled fires due to a lack of available water and an inability to pump sufficient quantities of any available water to floors above the 55-foot level. 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.
7. 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.

C. Topographic Conditions

1. The City of Monterey Park is in an area that has a high percentage of structures on hillsides. Access for fire or rescue response and staging for firefighting are made challenging and difficult due to the terrain.

SECTION 3: Because of the local climatic, geologic and topographic conditions, the following local amendments are needed:

2019 California Building Code		
Code Section	Topic	Finding
Chapter 1, Division II	Administrative Provisions	Administrative
Section 202	Definition	Administrative
Section 903.1.2	Partial Automatic Suppression Systems	A-1, A-2, B-4, C-1
Section 903.2	Automatic Sprinkler Systems Required	A-1, A-2, B-4, C-1
Section 903.3.1.1	NFPA 13 Sprinkler Systems	A-1, A-2, B-4, C-1
Section 903.3.1.1.3	Riser Room Location	A-1, A-2, B-4, C-1
Section 903.3.1.2	NFPA 13R Sprinkler Systems	A-1, A-2, B-4, C-1
Section 903.3.1.2.4	Basement Spaces	A-1, A-2, B-4, C-1
Section 903.3.1.3	NFPA 13D Sprinkler Systems	A-1, A-2, B-4, C-1
Section 903.3.1.3.1	Detailed Requirements	A-1, A-2, B-4, C-1
Section 903.3.5	Water Supplies	A-1, A-2, B-4, C-1
Section 903.6	Existing Occupancies	A-1, A-2, B-4, C-1

Section 907.1.6	Multiple Fire Alarm Systems	A-1, A-2, B-4, C-1
Table 1505.1	Roof Covering	A-1, A-2, B-4, C-1
1505.1.3	Roof Covering	A-1, A-2, B-4, C-1

Section 1507.3.1	Deck Requirements	B-1
Section 1613.5 and 1613.5.1	Values for Vertical Combinations	B-1
Section 1613.5.2	Wood Diaphragms	B-1
Section 1613.5.3	Structural Separation	B-1
Section 1613.6	Seismic Design Provisions for Hillside Buildings	B-1
Section 1613.7	Suspended Ceilings	B-1
Section 1704.6	Structural Observations	B-1
Section 1704.6.2	Structural Observations For Seismic Resistance	B-1
Section 1705.3	Concrete Construction	B-1
Section 1705.12	Special Inspections For Seismic Resistance	B-1
Section 1807.1.4	Permanent Wood Foundation Systems	A-1, B-1
Section 1807.1.6	Prescriptive Design Of Concrete And Masonry Foundation Walls	B-1
Section 1807.2	Retaining Walls	
Section 1807.3.1	Limitations	
Section 1809.3	Stepped Footings	B-1
Section 1809.7 and Table 1809.7	Prescriptive Footings For Light-Frame Construction	B-1
Section 1809.12	Timber Footings	A-1, B-1
Section 1810.3.2.4	Timber	A-1, B-1
Section 1905.1.7	Minimum Reinforcement	B-1
Section 1905.1 to Add Sections 1905.1.9 through 1905.1.11	Reinforcement	B-1
Section 2304.10.1	Fastener Requirements	B-1
Section 2304.10.2.1	Quality of Nails	
Section 2304.12.5	Wood Used In Retaining Walls And Cribs	A-1, B-1
Section 2305.4	Hold-down Connectors	B-1
Section 2306.2	Wood-Frame Diaphragms	B-1
Section 2306.3	Wood-Frame Shear Walls	B-1
Section 2307.2	Wood-frame shear walls	B-1
Table 2308.6.1	Wall Bracing Requirements	B-1
Section 2308.6.5, 2308.6.5.1 and 2308.6.5.2,	Alternate Bracing	B-1

and Figures 2308.6.5.1 and 2308.6.5.2		
Section 2308.6.8.1	Foundation Requirements	B-1
Section 2308.6.9	Attachment Of Sheathing	B-1
Section 3101.1	Scope	B-1
Section 3114	Intermodal Shipping Containers	B-1

2019 California Residential Code		
Code Section	Topic	Finding
Chapter 1, Division II	Administrative Provisions	Administrative
Section R301.1.3.2	Woodframe Structures	B-1
Section R301.1.4	Seismic Design Provisions for Buildings on Slopes Steeper than 33%	B-1, C-1
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California Building Code	
<i>Section</i>	<i>Rationale</i>
1507.3.1	Section 1507.3.1 is amended to require concrete and clay tiles to be installed only over solid sheathing. The change is necessary because there were numerous observations of tile roofs pulling away from wood framed buildings following the 1994 Northridge Earthquake. The SEAOSC/LA City Post Northridge Earthquake committee findings indicated significant problems with tile roofs was due to inadequate design and/or construction.
1613.5 and 1613.5.1	Observed damages to one- and two-family dwellings of light frame construction after the Northridge Earthquake may have been partially attributed to vertical irregularities common to this type of occupancy and construction. In an effort to improve quality of construction and incorporate lesson learned from studies after the Northridge Earthquake, the proposed modification to ASCE 7-16 Section 12.2.3.1 Exception 3 by limiting the number of stories and height of the structure to two stories will significantly minimize the impact of vertical irregularities and concentration of inelastic behavior from mixed structural systems.
1613.5.2	A joint Structural Engineers Association of Southern California (SEAOSC), Los Angeles County and Los Angeles City Task Force investigated the performance of concrete and masonry construction with flexible wood diaphragm failures after the Northridge earthquake. It was concluded at that time that continuous ties are needed at specified spacing to control cross grain tension in the interior of the diaphragm. Additionally, there was a need to limit subdiaphragm allowable shear loads to control combined orthogonal stresses within the diaphragm. Recognizing the importance and need to continue the recommendation made by the task force while taking into consideration the improve performances and standards for diaphragm construction today, this proposal increases the continuous tie spacing limit to 40 ft in lieu of 25 ft and to use 75% of the allowable code diaphragm shear to determine the depth of the sub-diaphragm in lieu of the 300 plf and is deemed appropriate and acceptable. Due to the frequency of this type of failure during the past significant earthquakes, various jurisdictions within the Los Angeles region have taken this additional step to prevent roof or floor diaphragms from pulling away from concrete or masonry walls.
1613.5.3	The inclusion of the importance factor in this equation has the unintended consequence of reducing the minimum seismic separation distance for important facilities such as hospitals, schools, police and fire stations from adjoining structures. The proposal to omit the importance factor from Equation 12.12-1 will ensure that a safe seismic separation distance is provided.
1613.6	Due to the difficulty of fire suppression vehicles accessing winding and narrow hillside properties and the probabilities for future earthquakes in the Los Angeles region, this technical amendment is required to address the special needs for buildings constructed on hillside locations. A joint Structural Engineers Association of

	Southern California (SEAOSC) and both the Los Angeles County and Los Angeles City Task Force investigated the performance of hillside building failures after the Northridge earthquake. Numerous hillside failures resulted in loss of life and millions of dollars in damage. These criteria were developed to minimize the damage to these structures and have been in use by both the City and County of Los Angeles for several years with much success.
1613.7	The California Building Code has little to no information regarding the safe design and construction requirements for ceiling suspension systems subject to seismic loads. It is through the experience of prior earthquakes, such as the Northridge Earthquake, that this amendment is proposed so as to minimize the amount of bodily and building damage within the spaces in which this type of ceiling will be installed. This proposed amendment complements ASCE 7-16 Chapter 13 Section 13.5.6.2.2 and the cited reference to ASTM E580.
1704.6	The language in Section 1704.6 of the California Building Code permits the owner to employ any registered design professional to perform structural observations with minimum guideline. However, it is important to recognize that the registered design professional responsible for the structural design has thorough knowledge of the building he/she designed. By requiring the registered design professional responsible for the structural design or their designee who were involved with the design to observe the construction, the quality of the observation for major structural elements and connections that affect the vertical and lateral load resisting systems of the structure will greatly be increased. Additional requirements are provided to help clarify the role and duties of the structural observer and the method of reporting and correcting observed deficiencies to the building official.
1704.6.2	With the higher seismic demand placed on buildings and structures in this region, the language in Section 1704.6.2 of the California Building Code would permit many low-rise buildings and structures with complex structural elements to be constructed without the benefit of a structural observation. By requiring a registered design professional to observe the construction, the quality of the observation for major structural elements and connections that affect the vertical and lateral load resisting systems of the structure will greatly be increased. An exception is provided to permit simple structures and buildings to be excluded.
1705.3	Results from studies after the 1994 Northridge Earthquake indicated that a lot of the damage was attributed to a lack of quality control during construction resulting in poor performance of the building or structure. Therefore, the proposed amendment requires special inspection for concrete with a compressive strength greater than 2,500 pounds per square inch.
1705.12	In Southern California, very few detached one- or two-family dwellings not exceeding two stories above grade plane are built as "box-type" structures, especially those in hillside areas and near the

	oceanfront. Many steel moment frames or braced frames and/or cantilevered columns within buildings can still be shown as “regular” structures by calculations. With the higher seismic demand placed on buildings and structures in this region, the language in Section 1705.12 Exception 3 of the California Building Code would permit many detached one- or two-family dwellings not exceeding two stories above grade plane with complex structural elements to be constructed without the benefit of special inspections. By requiring special inspections, the quality of major structural elements and connections that affect the vertical and lateral load resisting systems of the structure will greatly be increased. The exception should only be allowed for detached one- or two-family dwellings not exceeding two stories above grade plane assigned to Seismic Design Category A, B and C.
1807.1.4	No substantiating data has been provided to show that wood foundation systems are effective in supporting buildings and structures during a seismic event while being subject to deterioration caused by the combined detrimental effects of constant moisture in the soil and wood-destroying organisms. Wood foundation systems not properly treated and protected against deterioration, have performed very poorly and have led to slope failures. Most contractors are typically accustomed to construction in dry and temperate weather in the Southern California region and are not generally familiar with the necessary precautions and treatment of wood that makes it suitable for both seismic events and wet applications. The proposed amendment takes the precautionary steps to reduce or eliminate potential problems that may result in using wood foundation systems that experience relatively rapid decay due to the fact that the region does not experience temperatures cold enough to destroy or retard the growth and proliferation of wood-destroying organisms.
1807.1.6	With the higher seismic demand placed on buildings and structures in this region, it is deemed necessary to take precautionary steps to reduce or eliminate potential problems that may result by following prescriptive design provisions that does not take into consideration the surrounding environment. Plain concrete performs poorly in withstanding the cyclic forces resulting from seismic events. In addition, no substantiating data has been provided to show that under-reinforced foundation walls are effective in resisting seismic loads and may potentially lead to a higher risk of failure. It is important that the benefit and expertise of a registered design professional be obtained to properly analyze the structure and take these issues into consideration.
1807.2	No substantiating data has been provided to show that wood foundation systems are effective in supporting buildings and structures during a seismic event while being subject to deterioration caused by the combined detrimental effects of constant moisture in the soil and wood-destroying organisms. Wood foundation systems not properly treated and protected against

	deterioration, have performed very poorly and have led to slope failures. Most contractors are typically accustomed to construction in dry and temperate weather in the Southern California region and are not generally familiar with the necessary precautions and treatment of wood that makes it suitable for both seismic events and wet applications. The proposed amendment takes the precautionary steps to reduce or eliminate potential problems that may result in using wood foundation systems that experience relatively rapid decay due to the fact that the region does not experience temperatures cold enough to destroy or retard the growth and proliferation of wood-destroying organisms.
1807.3.1	No substantiating data has been provided to show that wood foundation systems are effective in supporting buildings and structures during a seismic event while being subject to deterioration caused by the combined detrimental effects of constant moisture in the soil and wood-destroying organisms. Wood foundation systems not properly treated and protected against deterioration, have performed very poorly and have led to slope failures. Most contractors are typically accustomed to construction in dry and temperate weather in the Southern California region and are not generally familiar with the necessary precautions and treatment of wood that makes it suitable for both seismic events and wet applications. The proposed amendment takes the precautionary steps to reduce or eliminate potential problems that may result in using wood foundation systems that experience relatively rapid decay due to the fact that the region does not experience temperatures cold enough to destroy or retard the growth and proliferation of wood-destroying organisms.
1809.3	With the higher seismic demand placed on buildings and structures in this region, precautionary steps are proposed to reduce or eliminate potential problems that may result for under reinforced footings located on sloped surfaces. Requiring minimum reinforcement for stepped footings is intended to address the problem of poor performance of plain or under-reinforced footings during a seismic event.
1809.7	No substantiating data has been provided to show that under-reinforced footings are effective in resisting seismic loads and may potentially lead to a higher risk of failure. Therefore, this proposed amendment requires minimum reinforcement in continuous footings to address the problem of poor performance of plain or under-reinforced footings during a seismic event. With the higher seismic demand placed on buildings and structures in this region, precautionary steps are proposed to reduce or eliminate potential problems that may result by following prescriptive design provisions for footing that does not take into consideration the surrounding environment. It was important that the benefit and expertise of a registered design professional be obtained to properly analyze the structure and take these issues into consideration. This amendment reflects the recommendations by the Structural Engineers

	Association of Southern California (SEAOSC) and the Los Angeles City Task Force that investigated the poor performance observed in the 1994 Northridge Earthquake.
1809.12	No substantiating data has been provided to show that timber footings are effective in supporting buildings and structures during a seismic event, especially while being subjected to deterioration caused by the combined detrimental effects of moisture in the soil and wood-destroying organisms. Timber footings, when they are not properly treated and protected against deterioration, have performed very poorly. Most contractors are typically accustomed to construction in dry and temperate weather in the Southern California region and are not generally familiar with the necessary precautions and treatment of wood that makes it suitable for both seismic event and wet applications. The proposed amendment takes the precautionary steps to reduce or eliminate potential problems that may result by using timber footings that experience relatively rapid decay due to the fact that the region does not experience temperatures cold enough to destroy or retard the growth and proliferation of wood-destroying organisms.
1810.3.2.4	No substantiating data has been provided to show that timber deep foundation is effective in supporting buildings and structures during a seismic event while being subject to deterioration caused by the combined detrimental effect of constant moisture in the soil and wood-destroying organisms. Timber deep foundation, when they are not properly treated and protected against deterioration, has performed very poorly. Most contractors are typically accustomed to construction in dry and temperate weather in the Southern California region and are not generally familiar with the necessary precautions and treatment of wood that makes it suitable for both seismic event and wet applications. The proposed amendment takes the precautionary steps to reduce or eliminate potential problems that may result by using timber deep foundation that experience relatively rapid decay due to the fact that the region does not experience temperatures cold enough to destroy or retard the growth and proliferation of wood-destroying organisms.
1905.1.7	This proposed amendment requires minimum reinforcement in continuous footings to address the problem of poor performance of plain or under-reinforced footings during a seismic event. This amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance observed in 1994 Northridge Earthquake.
1905.1	This amendment is intended to carry over critical provisions for the design of concrete columns in moment frames from the legacy 1997 Uniform Building Code. Increased confinement is critical to the integrity of such columns and these modifications ensure that it is provided when certain thresholds are exceeded.

	In addition, this amendment carries over from the legacy 1997 Uniform Building Code a critical provision for the design of concrete shear walls. It essentially limits the use of very highly gravity-loaded walls in being included in the seismic load resisting system, since their failure could have catastrophic effect on the building. Furthermore, this amendment was incorporated in the code based on observations from the 1994 Northridge Earthquake. Rebar placed in very thin concrete topping slabs have been observed in some instances to have popped out of the slab due to insufficient concrete coverage. This modification ensures that critical boundary and collector rebars are placed in sufficiently thick topping slab to prevent buckling of such reinforcements.
2304.10.1	Due to the high geologic activities in the Southern California area and the expected higher level of performance on buildings and structures, this proposed local amendment limit the use of staple fasteners in resisting or transferring seismic forces. In September 2007, limited cyclic testing data was provided to the ICC Los Angeles Chapter Structural Code Committee showing that stapled wood structural shear panels do not exhibit the same behavior as the nailed wood structural shear panels. The test results of the stapled wood structural shear panels appeared much lower in strength and drift than the nailed wood structural shear panel test results. Therefore, the use of staples as fasteners to resist or transfer seismic forces may not be permitted without being substantiated by cyclic testing.
2304.10.2.1	The overdriving of nails into the structural wood panel still remains a concern when pneumatic nail guns are used for wood structural panel shear wall nailing. Box nails were observed to cause massive and multiple failures of the typical 3/8-inch thick plywood during the 1994 Northridge Earthquake. The use of clipped head nails as allowed in Table A1 of AFPA SDPWS footnote referencing to ASTM F1667, continues to be restricted from being used in wood structural panel shear walls where the minimum nail head size must be maintained in order to minimize nails from pulling through sheathing materials. Clipped or mechanically driven nails used in wood structural panel shear wall construction were found to perform much less in previous wood structural panel shear wall testing done at the University of California Irvine. The existing test results indicated that, under cyclic loading, the wood structural panel shear walls were less energy absorbent and less ductile. The panels reached ultimate load capacity and failed at substantially less lateral deflection than those using same size hand-driven nails. This amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance observed in 1994 Northridge Earthquake.
2304.12.5	No substantiating data has been provided to show that wood used in retaining or crib walls are effective in supporting buildings and

	structures during a seismic event while being subject to deterioration caused by the combined detrimental effect of constant moisture in the soil and wood-destroying organisms. Wood used in retaining or crib walls, when they are not properly treated and protected against deterioration, have performed very poorly. Most contractors are typically accustomed to construction in dry and temperate weather in the Southern California region and are not generally familiar with the necessary precautions and treatment of wood that makes it suitable for both seismic event and wet applications. The proposed amendment takes the precautionary steps to reduce or eliminate potential problems that may result by using wood in retaining or crib walls that experience relatively rapid decay due to the fact that the region does not experience temperatures cold enough to destroy or retard the growth and proliferation of wood-destroying organisms.
2305.4	ICC-ES AC 155 Acceptance Criteria for Hold-downs (Tie-Downs) Attached to Wood Members is widely used to establish allowable values for hold-down connectors in evaluation reports. AC 155 uses monotonic loading to establish allowable values. Yet, cyclic and dynamic forces imparted on buildings and structures by seismic activity cause more damage than equivalent forces that are applied in a monotonic manner. However, the engineering, regulatory and manufacturing industries have not reached consensus on the appropriate cyclic or dynamic testing protocols. This condition is expected to continue for some time. In the interim, this proposed amendment continues to limit the allowable capacity to 75% of the evaluation report value to provide an additional factor of safety for statically tested anchorage devices. Steel plate washers will reduce the additional damage that can result when hold-down connectors are fastened to wood framing members. This amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance observed in 1994 Northridge Earthquake. This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles with additional editorial revisions for clarification.
2306.2	The Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the damages to buildings and structures during the 1994 Northridge Earthquake recommended reducing allowable shear values in wood structural panel shear walls or diaphragms that were not substantiated by cyclic testing. That recommendation was consistent with a report to the Governor from the Seismic Safety Commission of the State of California recommending that code requirements be "more thoroughly substantiated with testing." The allowable shear values for wood structural panel shear walls or diaphragms fastened with staples are based on monotonic testing and does not take into consideration that earthquake forces load shear wall or diaphragm in a repeating and fully reversible manner.

	In September 2007, limited cyclic testing was conducted by a private engineering firm to determine if wood structural panels fastened with staples would exhibit the same behavior as the wood structural panels fastened with common nails. The test result revealed that wood structural panel fastened with staples appeared to be much lower in strength and stiffness than wood structural panels fastened with common nails. It was recommended that the use of staples as fasteners for wood structural panel shear walls or diaphragms not be permitted to resist seismic forces in structures assigned to Seismic Design Category D, E and F unless it can be substantiated by cyclic testing. Furthermore, the cities and county within the Los Angeles region has taken extra measures to maintain the structural integrity of the framing of shear walls and diaphragms designed for high levels of seismic forces by requiring wood sheathing be applied directly over the framing members and prohibiting the use of panels placed over gypsum sheathing. This proposed amendment is intended to prevent the undesirable performance of nails when gypsum board softens due to cyclic earthquake displacements and the nail ultimately does not have any engagement in a solid material within the thickness of the gypsum board.
2306.3	The Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the damages to buildings and structures during the 1994 Northridge Earthquake recommended reducing allowable shear values in wood structural panel shear walls or diaphragms that were not substantiated by cyclic testing. That recommendation was consistent with a report to the Governor from the Seismic Safety Commission of the State of California recommending that code requirements be "more thoroughly substantiated with testing." The allowable shear values for wood structural panel shear walls or diaphragms fastened with stapled nails are based on monotonic testing and does not take into consideration that earthquake forces load shear wall or diaphragm in a repeating and fully reversible manner. In September 2007, limited cyclic testing was conducted by a private engineering firm to determine if wood structural panels fastened with stapled nails would exhibit the same behavior as the wood structural panels fastened with common nails. The test result revealed that wood structural panel fastened with stapled nails appeared to be much lower in strength and stiffness than wood structural panels fastened with common nails. It was recommended that the use of stapled nail as fasteners for wood structural panel shear walls or diaphragms not be permitted to resist seismic forces in structures assigned to Seismic Design Category D, E and F unless it can be substantiated by cyclic testing.

	Furthermore, the cities and county within the Los Angeles region has taken extra measures to maintain the structural integrity of the framing of shear walls and diaphragms designed for high levels of seismic forces by requiring wood sheathing be applied directly over the framing members and prohibiting the use of panels placed over gypsum sheathing. This proposed amendment is intended to prevent the undesirable performance of nails when gypsum board softens due to cyclic earthquake displacements and the nail ultimately does not have any engagement in a solid material within the thickness of the gypsum board.
2307.2	The Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the damages to buildings and structures during the 1994 Northridge Earthquake recommended reducing allowable shear values in wood structural panel shear walls or diaphragms that were not substantiated by cyclic testing. That recommendation was consistent with a report to the Governor from the Seismic Safety Commission of the State of California recommending that code requirements be "more thoroughly substantiated with testing." The allowable shear values for wood structural panel shear walls or diaphragms fastened with stapled nails are based on monotonic testing and does not take into consideration that earthquake forces load shear wall or diaphragm in a repeating and fully reversible manner. In September 2007, limited cyclic testing was conducted by a private engineering firm to determine if wood structural panels fastened with stapled nails would exhibit the same behavior as the wood structural panels fastened with common nails. The test result revealed that wood structural panel fastened with stapled nails appeared to be much lower in strength and stiffness than wood structural panels fastened with common nails. It was recommended that the use of stapled nail as fasteners for wood structural panel shear walls or diaphragms not be permitted to resist seismic forces in structures assigned to Seismic Design Category D, E and F unless it can be substantiated by cyclic testing. Furthermore, the cities and county within the Los Angeles region has taken extra measures to maintain the structural integrity of the framing of shear walls and diaphragms designed for high levels of seismic forces by requiring wood sheathing be applied directly over the framing members and prohibiting the use of panels placed over gypsum sheathing. This proposed amendment is intended to prevent the undesirable performance of nails when gypsum board softens due to cyclic earthquake displacements and the nail ultimately does not have any engagement in a solid material within the thickness of the gypsum board.

Table 2308.6.1	This proposed amendment specifies minimum sheathing thickness and nail size and spacing so as to provide a uniform standard of construction for designers and buildings to follow. This is intended to improve the performance level of buildings and structures that are subject to the higher seismic demands placed on buildings or structure in this region. This proposed amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance observed in 1994 Northridge Earthquake.
2308.6.5	3/8" thick, 3 ply-plywood shear walls experienced many failures during the Northridge Earthquake. Box nails were observed to cause massive and multiple failures of the typical 3/8" thick 3-ply plywood during the Northridge Earthquake. This proposed amendment specifies minimum sheathing thickness, nail size and spacing so as to provide a uniform standard of construction for designers and buildings to follow. This is intended to improve the performance level of buildings and structures that are subject to the higher seismic demands and reduce and limit potential damages to property.
2308.6.8.1	With the higher seismic demand placed on buildings and structures in this region, interior walls can easily be called upon to resist over half of the seismic loading imposed on simple buildings or structures. Without a continuous foundation to support the braced wall line, seismic loads would be transferred through other elements such as non-structural concrete slab floors, wood floors, etc. The proposed change is to limit the use of the exception to structures assigned to Seismic Design Category A, B or C where lower seismic demands are expected. Requiring interior braced walls be supported by continuous foundations is intended to reduce or eliminate the poor performance of buildings or structures.
2308.6.9	This proposed amendment is intended to improve the performance level of buildings and structures that are subject to the higher seismic demands placed on buildings or structure in this region. This proposed amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance observed in 1994 Northridge Earthquake.
3114	Due to the US trade deficit with other countries, there is an abundant supply of unused intermodal shipping containers, particularly in jurisdictions that have ports, that have created negative impacts on the environment. This results in more materials that are not recycled and increases energy consumption required to melt down and recycle others that are. The repurposing of existing intermodal shipping containers will help to reduce the environmental impact and improve the sustainability of the community by being less reliant on traditional construction material.

	This amendment is based on a similar code provision adopted into the 2021 Edition of the International Building Code. It is intended to assist code officials address the environmental impact of unused materials, reduce consumption of traditional raw materials, minimize non-industrial wastes, and ensure minimum design and safety standards associated with the repurposing of existing intermodal shipping containers as buildings or structures or component of buildings and structures are achieved.
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California Residential Code	
<i>Section</i>	<i>Rationale</i>
R301.1.3.2	After the 1994 Northridge Earthquake, the Wood Frame Construction Joint Task Force recommended that the quality of wood frame construction need to be greatly improved. One such recommendation identified by the Task Force is to improve the quality and organization of structural plans prepared by the engineer or architect so that plan examiners, building inspectors, contractors and special inspectors may logically follow and construct the presentation of the seismic force-resisting systems in the construction documents. For buildings or structures located in Seismic Design Category D₀, D₁, D₂ or E that are subject to a greater level of seismic forces, the requirement to have a California licensed architect or engineer prepare the construction documents is intended to minimize or reduce structural deficiencies that may cause excessive damage or injuries in wood frame buildings. Structural deficiencies such as plan and vertical irregularities, improper shear transfer of the seismic force-resisting system, missed details or connections important to the structural system, and the improper application of the prescriptive requirements of the California Residential Code can be readily addressed by a registered design professional.
R301.1.4	Due to the difficulty of fire suppression vehicles accessing winding and narrow hillside properties and the probabilities for future earthquakes in the Los Angeles region, this technical amendment is required to address the special needs for buildings constructed on hillside locations. A joint Structural Engineers Association of Southern California (SEAOSC) and both the Los Angeles County and Los Angeles City Task Force investigated the performance of hillside building failures after the Northridge earthquake. Numerous hillside failures resulted in loss of life and millions of dollars in damage. These criteria were developed to minimize the damage to these structures and have been in use by both the City and County of Los Angeles for several years with much success.
Item 1, 3 and 5 of Section R301.2.2.6	With the higher seismic demand placed on buildings and structures in this region, precautionary steps are proposed to reduce or eliminate potential problems that may result by limiting the type of irregular conditions specified in the California Residential Code. Such limitations are intended to reduce the potential structural damage expected in the event of an earthquake. The cities and

	county of the Los Angeles region has taken extra measures to maintain the structural integrity of the framing of the shear walls and all associated elements when designed for high levels of seismic loads.
R301.2.2.11	There is no limitation for weight of mechanical and plumbing fixtures and equipment in the California Residential Code. Requirements from ASCE 7 and the California Building Code would permit equipment weighing up to 400 lbs. when mounted at 4 feet or less above the floor or attic level without engineering design. Where equipment exceeds this requirement, it is the intent of this proposed amendment that a registered design professional be required to analyze if the floor support is adequate and structurally sound.
R401.1	No substantiating data has been provided to show that wood foundation is effective in supporting buildings and structures during a seismic event while being subject to deterioration caused by the combined detrimental effect of constant moisture in the soil and wood-destroying organisms. Wood foundation, when they are not properly treated and protected against deterioration, have performed very poorly and have led to slope failures. Most contractors are typically accustomed to construction in dry and temperate weather in the Southern California region and are not generally familiar with the necessary precautions and treatment of wood that makes it suitable for both seismic event and wet applications. The proposed amendment takes the precautionary steps to reduce or eliminate potential problems that may result in using wood foundation that experience relatively rapid decay due to the fact that the region does not experience temperatures cold enough to destroy or retard the growth and proliferation of wood-destroying organisms. However, an exception is made for non-occupied, single-story storage structures that pose significantly less risk to human safety and may utilize the wood foundation guidelines specified in this Chapter.
R403.1.2	With the higher seismic demand placed on buildings and structures in this region, precautionary steps are proposed to reduce or eliminate potential problems that may result for under-reinforced footings located on sloped surfaces. Requiring minimum reinforcement for stepped footings is intended to address the problem of poor performance of plain or under-reinforced footings during a seismic event. Furthermore, interior walls can easily be called upon to resist over half of the seismic loading imposed on simple buildings or structures. Without a continuous foundation to support the braced wall line, seismic loads would be transferred through other elements such as non-structural concrete slab floors, wood floors, etc. The proposed change is to limit the use of the exception to structures assigned to Seismic Design Category A, B or C where lower seismic demands are expected. Requiring interior braced walls be supported by continuous foundations is intended to reduce or eliminate the poor performance of buildings or structures.

R404.2	No substantiating data has been provided to show that wood foundation wall is effective in supporting buildings and structures during a seismic event while being subject to deterioration caused by the combined detrimental effect of constant moisture in the soil and wood-destroying organisms. Wood foundation walls, when they are not properly treated and protected against deterioration, have performed very poorly and have led to slope failures. Most contractors are typically accustomed to construction in dry and temperate weather in the Southern California region and are not generally familiar with the necessary precautions and treatment of wood that makes it suitable for both seismic event and wet applications. The proposed amendment takes the precautionary steps to reduce or eliminate potential problems that may result in using wood foundation walls that experience relatively rapid decay due to the fact that the region does not experience temperatures cold enough to destroy or retard the growth and proliferation of wood-destroying organisms.
R501.1	There is no limitation for weight of mechanical and plumbing fixtures and equipment in the California Residential Code. Requirements from ASCE 7 and the California Building Code would permit equipment weighing up to 400 lbs. when mounted at 4 feet or less above the floor or attic level without engineering design. Where equipment exceeds this requirement, it is the intent of this proposed amendment that a registered design professional is required to analyze if the floor support is adequate and structurally sound.
R503.2.4	Section R502.10 of the Code does not provide any prescriptive criteria to limit the maximum floor opening size nor does Section R503 provide any details to address the issue of shear transfer near larger floor openings. With the higher seismic demand placed on buildings and structures in this region, it is important to ensure that a complete load path is provided to reduce or eliminate potential damages caused by seismic forces. Requiring blocking with metal ties around larger floor openings and limiting opening size is consistent with the requirements of Section R301.2.2.2.6.
Lines 19, 20, 23 and 33 - 36 of Table R602.3(1)	The Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the damages to buildings and structures during the 1994 Northridge Earthquake recommended reducing allowable shear values in wood structural panel shear walls or diaphragms that were not substantiated by cyclic testing. That recommendation was consistent with a report to the Governor from the Seismic Safety Commission of the State of California recommending that code requirements be "more thoroughly substantiated with testing." The allowable shear values for wood structural panel shear walls or diaphragms fastened with staples are based on monotonic testing and does not take into consideration that earthquake forces load shear wall or diaphragm in a repeating and fully reversible manner.

	In September 2007, limited cyclic testing was conducted by a private engineering firm to determine if wood structural panels fastened with staples would exhibit the same behavior as the wood structural panels fastened with common nails. The test result revealed that wood structural panel fastened with staples appeared to be much lower in strength and stiffness than wood structural panels fastened with common nails. It was recommended that the use of staples as fasteners for wood structural panel shear walls or diaphragms not be permitted to resist seismic forces in structures assigned to Seismic Design Category D₀, D₁ and D₂ unless it can be substantiated by cyclic testing.
Exception of Section R602.3.2	The cities and county of the Los Angeles region have taken extra measures to maintain the structural integrity of the framing of the shear wall system for buildings and structures subject to high seismic loads by eliminating single top plate construction. The performance of modern day braced wall panel construction is directly related to an adequate load path extending from the roof diaphragm to the foundation system. A single top plate is likely to be over nailed due to the nailing requirements at a rafter, stud, top plate splice, and braced wall panel edge in a single location. In addition, notching on a single top plate for plumbing, ventilation and electrical wiring may reduce the load transfer capacity of the plate without proper detailing. A majority of buildings and structures designed and built per the California Residential Code with a single top plate may not need structural observation and special inspections. The potential construction mistakes mentioned above could not be caught and corrected by knowledgeable engineers and inspectors, and could jeopardize structural performance of buildings and structures located in high seismic areas.
Footnote "b" of Table R602.3(2)	The Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the damages to buildings and structures during the 1994 Northridge Earthquake recommended reducing allowable shear values in wood structural panel shear walls or diaphragms that were not substantiated by cyclic testing. That recommendation was consistent with a report to the Governor from the Seismic Safety Commission of the State of California recommending that code requirements be "more thoroughly substantiated with testing." The allowable shear values for wood structural panel shear walls or diaphragms fastened with staples are based on monotonic testing and does not take into consideration that earthquake forces load shear wall or diaphragm in a repeating and fully reversible manner. In September 2007, limited cyclic testing was conducted by a private engineering firm to determine if wood structural panels fastened with staples would exhibit the same behavior as the wood structural panels fastened with common nails. The test result revealed that wood structural panel fastened with staples appeared to be much lower in strength and stiffness than wood structural

	panels fastened with common nails. It was recommended that the use of staples as fasteners for wood structural panel shear walls or diaphragms not be permitted to resist seismic forces in structures assigned to Seismic Design Category D ₀ , D ₁ and D ₂ unless it can be substantiated by cyclic testing.
R602.10.2.3	Plywood shear walls with high aspect ratio experienced many failures during the Northridge Earthquake. This proposed amendment specifies a minimum braced wall length to meet an aspect ratio consistent with other sections of the Residential Code as to provide a uniform standard of construction for designers and buildings to follow. This is intended to improve the performance level of buildings and structures that are subject to the higher seismic demands and reduce and limit potential damages to property. This proposed amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance observed in 1994 Northridge Earthquake.
Table R602.10.3(3)	Due to the high geologic activities in the Southern California area and the expected higher level of performance on buildings and structures, this proposed local amendment increase the length and limits the location where shear walls sheathed with lath, plaster or gypsum board are used in multi-level buildings. In addition, shear walls sheathed with other materials are prohibited in Seismic Design Category D ₀ , D ₁ and D ₂ to be consistent with the design limitation for similar shear walls found in the California Building Code. The poor performance of such shear walls in the 1994 Northridge Earthquake was investigated by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Task Force and formed the basis for this proposed amendment. Considering that shear walls sheathed with lath, plaster or gypsum board are less ductile than steel moment frames or wood structural panel shear walls, the cities and county of the Los Angeles region has taken the necessary measures to limit the potential structural damage that may be caused by the use of such walls at the lower level of multi-level building that are subject to higher levels of seismic loads.
Table R602.10.4	3/8" thick 3 ply-plywood shear walls experienced many failures during the Northridge Earthquake. Box nails were observed to cause massive and multiple failures of the typical 3/8" thick 3-ply plywood during the Northridge Earthquake. This proposed amendment specifies minimum sheathing thickness, nail size and spacing so as to provide a uniform standard of construction for designers and buildings to follow. This is intended to improve the performance level of buildings and structures that are subject to the higher seismic demands and reduce and limit potential damages to property. This proposed amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that

	investigated the poor performance observed in 1994 Northridge Earthquake. In September 2007, limited cyclic testing was conducted by a private engineering firm to determine if wood structural panels fastened with staples would exhibit the same behavior as the wood structural panels fastened with common nails. The test result revealed that wood structural panel fastened with staples appeared to be much lower in strength and stiffness than wood structural panels fastened with common nails. It was recommended that the use of staples as fasteners for wood structural panel shear walls or diaphragms not be permitted to resist seismic forces in structures assigned to Seismic Design Category D₀, D₁ and D₂ unless it can be substantiated by cyclic testing.
Table R602.10.5	It was observed by the Structural Engineer Association of Southern California (SEAOSC) and the Los Angeles City Task Force that high aspect ratio shear walls experienced many failures during the 1994 Northridge Earthquake. This proposed amendment provides a uniform standard of construction for designers and buildings to follow. This is intended to improve the performance level of buildings and structures that are subject to the higher seismic demands and reduce and limit potential damages to property.
Figure R602.10.6.1	3/8" thick 3 ply-plywood shear walls experienced many failures during the Northridge Earthquake. Box nails were observed to cause massive and multiple failures of the typical 3/8" thick 3-ply plywood during the Northridge Earthquake. This proposed amendment specifies minimum sheathing thickness, nail size and spacing so as to provide a uniform standard of construction for designers and buildings to follow. This is intended to improve the performance level of buildings and structures that are subject to the higher seismic demands and reduce and limit potential damages to property. This proposed amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance observed in 1994 Northridge Earthquake.
Figure R602.10.6.2	3/8" thick 3 ply-plywood shear walls experienced many failures during the Northridge Earthquake. Box nails were observed to cause massive and multiple failures of the typical 3/8" thick 3-ply plywood during the Northridge Earthquake. This proposed amendment specifies minimum sheathing thickness, nail size and spacing so as to provide a uniform standard of construction for designers and buildings to follow. This is intended to improve the performance level of buildings and structures that are subject to the higher seismic demands and reduce and limit potential damages to property. This proposed amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that

	investigated the poor performance observed in 1994 Northridge Earthquake.
Figure R602.10.6.4	3/8" thick 3 ply-plywood shear walls experienced many failures during the Northridge Earthquake. Box nails were observed to cause massive and multiple failures of the typical 3/8" thick 3-ply plywood during the Northridge Earthquake. This proposed amendment specifies minimum sheathing thickness, nail size and spacing so as to provide a uniform standard of construction for designers and buildings to follow. This is intended to improve the performance level of buildings and structures that are subject to the higher seismic demands and reduce and limit potential damages to property. This proposed amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance observed in 1994 Northridge Earthquake.
R606.4.4	The addition of the word "or" will prevent the use of unreinforced parapets in Seismic Design Category D ₀ , D ₁ or D ₂ , or on townhouses in Seismic Design Category C.
R606.12.2.2.3	Reinforcement using longitudinal wires for buildings and structures located in high seismic areas are deficient and not as ductile as deformed rebar. Having vertical reinforcement closer to the ends of masonry walls help to improve the seismic performance of masonry buildings and structures.
R803.2.4	Section R802 of the Code does not provide any prescriptive criteria to limit the maximum roof opening size nor does Section R803 provide any details to address the issue of shear transfer near larger roof openings. With the higher seismic demand placed on buildings and structures in this region, it is important to ensure that a complete load path is provided to reduce or eliminate potential damages caused by seismic forces. Requiring blocking with metal ties around larger roof openings and limiting opening size is consistent with the requirements of Section R301.2.2.2.6.
R905.3.1	Section R905.3.1 is amended to require concrete and clay tiles to be installed only over solid sheathing. The change is necessary because there were numerous observations of tile roofs pulling away from wood framed buildings following the 1994 Northridge Earthquake. The SEAOSC/LA City Post Northridge Earthquake committee findings indicated significant problems with tile roofs was due to inadequate design and/or construction. Therefore, the amendment is needed to minimize such occurrences in the event of future significant earthquakes.
R1001.3.1	The performance of fireplace/chimney without anchorage to the foundation has been observed to be inadequate during major earthquakes. The lack of anchorage to the foundation can result in the overturning or displacement of the fireplace/chimney.

California Fire Code	
Section	Finding

102.5	Administrative
103.5	Administrative
105.6.30	Administrative
109	Administrative
202	Administrative
304.1.2	Hot, dry Santa Ana winds are common to all areas within the City of Monterey Park. These winds, which can cause small fires which spread quickly, are a contributing factor to the high fire danger in the area, and create the need for control of dry vegetation.
307.1	Los Angeles County and the City of Monterey Park are located in a semi-arid Mediterranean type climate which predisposes all fuels, including wood shingles to rapid ignition and spread of fire. Therefore, there exists a need for control of open burning.
319	Administrative
903	The October 17, 1989, Santa Cruz earthquake resulted in only one major San Francisco fire in the Marina district. But, when combined with the 34 other fires and over 500 responses, the department was taxed to its full capabilities. The Marina fire was difficult to contain because mains supplying water to the district burst during the earthquake. If more fires had been ignited by the earthquake, it would have been difficult for the fire department to contain them. This situation creates the need for both additional fire protection measures and automatic on-site fire protection for building occupants since a multitude of fires may result from breakage of gas and electric lines as a result of an earthquake.
907.1.6	Traffic and circulation congestion presently existing in the City of Monterey Park often challenges fire department response times. This condition will be exacerbated by any major disaster, including any earthquake wherein damage to the highway system will occur. This condition makes the need for accurate fire alarm notification necessary.
1103.2	City of Monterey Park and the greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes including, without limitation, the 1994 Northridge Earthquake. This situation creates the need a dependable means of interior communication for emergency personnel in case of an earthquake.
5601.2 and 5601.3	Traffic and circulation congestion presently existing in the City of Monterey Park often challenges fire department response times. This condition will be exacerbated by any major disaster, including any earthquake wherein damage to the highway system will occur. The control of explosive materials are a necessity for property occupant protection.
5608	Los Angeles County and the City of Monterey Park are located in a semi-arid Mediterranean type climate which predisposes all fuels, including wood shingles to rapid ignition and spread of fire. Therefore, there exists a need for control of firework displays.

5614	Los Angeles County and the City of Monterey Park are located in a semi-arid Mediterranean type climate which predisposes all fuels, including wood shingles to rapid ignition and spread of fire. Therefore, there exists a need for control of firework manufacturing.
5615	Los Angeles County and the City of Monterey Park are located in a semi-arid Mediterranean type climate which predisposes all fuels, including wood shingles to rapid ignition and spread of fire. Therefore, there exists a need for control of firework sales.
5704.2.9.6.	The October 17, 1989, Santa Cruz earthquake resulted in only one major San Francisco fire in the Marina district. But, when combined with the 34 other fires and over 500 responses, the department was taxed to its full capabilities. The Marina fire was difficult to contain because mains supplying water to the district burst during the earthquake. If more fires had been ignited by the earthquake, it would have been difficult for the fire department to contain them. This situation creates the need to control the amount of flammable liquid tanks that may be damaged as a result of an earthquake.
6104.2	The October 17, 1989, Santa Cruz earthquake resulted in only one major San Francisco fire in the Marina district. But, when combined with the 34 other fires and over 500 responses, the department was taxed to its full capabilities. The Marina fire was difficult to contain because mains supplying water to the district burst during the earthquake. If more fires had been ignited by the earthquake, it would have been difficult for the fire department to contain them. This situation creates the need to control the amount of liquefied petroleum storage tanks that may be damaged as a result of an earthquake.
D103.4	Traffic and circulation congestion presently existing in the City of Monterey Park often challenges fire department response times. This condition will be exacerbated by any major disaster, including any earthquake wherein damage to the highway system will occur. This condition makes the need for additional on-site protection for property occupants necessary.
O101.2	Administrative – clarifies scope of permit issuance.