

ORDINANCE NO. Introduction (CM)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE AMENDING CHAPTER 15 (CALIFORNIA GREEN BUILDING STANDARDS CODE) OF TITLE 8 (BUILDING REGULATIONS) OF THE WATSONVILLE MUNICIPAL CODE BY ADDING SECTION 8-15.03 (CONSTRUCTION WASTE DIVERSION) TO COMPLY WITH STATE MANDATED ORGANIC WASTE DISPOSAL REQUIREMENT

Table of Contents

SECTION 1. ENACTMENT.....	2
CHAPTER 15 CALIFORNIA GREEN BUILDING STANDARDS CODE	2
Sec. 8-15.03 Construction Waste Diversion.....	2
SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT.....	3
SECTION 3. SEVERABILITY.....	4
SECTION 4. PUBLICATION.....	4
SECTION 5. EFFECTIVE DATE.....	4

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WHEREAS, Senate Bill (SB) 1383, the Short-lived Climate Pollutant Reduction Act of 2016, requires the California Department of Resources Recycling and Recovery (CalRecycle) to develop regulations to reduce organics in landfills as a source of methane. As adopted by CalRecycle, these SB 1383 regulations (SB 1383 Regulations) place requirements on multiple entities including the City, residential households, commercial businesses and business owners, commercial edible food generators, haulers, self-haulers, food recovery organizations, and food recovery services to support achievement of statewide organic waste disposal reduction targets, and

WHEREAS, SB 1383 requires the City to adopt a Construction Waste Diversion ordinance in accordance with CALGreen Section 4.408.1 and 5.408 that diverts construction waste from landfills at least 65 percent of the materials generated at the project site.

WHEREAS, this Ordinance implements the requirements of the State’s CALGreen Recycling requirements through construction waste diverse regulations.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. ENACTMENT.

Chapter 15 (California Green Building Standards Code) of Title 8 (Building Regulations) of the Watsonville Municipal Code is hereby amended by adding Section 8-15.03 (Construction Waste Diversion) to read in words and figures as follows:

CHAPTER 15 CALIFORNIA GREEN BUILDING STANDARDS CODE

Sec. 8-15.03 Construction Waste Diversion.

(a) Persons applying for a permit from the City for new construction and building additions and alterations shall comply with the requirements of this Section and all required components of the California Green Building Standards Code, 24 CCR, Part 11, known as CALGreen, as amended, if its project is covered by the scope of CALGreen. If the requirements of CALGreen are more stringent than the requirements of this Section, the CALGreen requirements shall apply.

(b) For projects covered by CALGreen, the applicants must, as a condition of the City’s permit approval, comply with the following:

(1) Where five (5) or more Multi-Family dwelling units are constructed on a building site, provide readily accessible areas that serve occupants of all buildings on the site and are identified for the storage and collection of materials, consistent with the three-, three-plus container collection program offered by the City, or comply with provisions of adequate space for recycling for Multi-Family and

Commercial premises pursuant to Sections 4.408.1, 4.410.2, 5.408.1, and 5.410.1 of the California Green Building Standards Code, 24 CCR, Part 11 as amended provided amended requirements are more stringent than the CALGreen requirements for adequate recycling space effective January 1, 2020.

(2) New Commercial construction or additions resulting in more than 30% of the floor area shall provide readily accessible areas identified for the storage and collection of materials, consistent with the three-, three-plus container collection program offered by the City, or shall comply with provision of adequate space for recycling for Multi-Family and Commercial premises pursuant to Sections 4.408.1, 4.410.2, 5.408.1, and 5.410.1 of the California Green Building Standards Code, 24 CCR, Part 11 as amended provided amended requirements are more stringent than the CALGreen requirements for adequate recycling space effective January 1, 2020.

(3) Comply with CALGreen requirements and applicable law related to management of C&D, including diversion of Organic Waste in C&D from disposal. Comply with all written and published City policies and/or administrative guidelines regarding the collection, recycling, diversion, tracking, and/or reporting of C&D.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT.

The City Council finds that this Ordinance is exempt from the provisions of the California Environmental Quality Act (“CEQA”) pursuant to Section 15060(c)(2) and 15060(c)(3) of the State CEQA Guidelines, because it will not result in a direct or reasonably foreseeable indirect physical change in the environment and is not a “project,” as defined in Section 15378 of the CEQA Guidelines.

SECTION 3. SEVERABILITY.

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other person or circumstance. The City Council declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

SECTION 4. PUBLICATION.

This ordinance shall be published in the Watsonville Register-Pajaronian and/or Santa Cruz Sentinel in compliance with the provisions of the Charter of the City of Watsonville.

SECTION 5. EFFECTIVE DATE.

This ordinance shall be in force and take effect thirty (30) days after its final adoption.
