



# City of Del Mar Staff Report



TO: Honorable Mayor and City Council Members

FROM: Kathleen A. Garcia, Planning and Community Development Director  
Via Scott W. Huth, City Manager  
Prepared by Jennifer Gavin, Associate Planner

DATE: August 5, 2019

SUBJECT: Second Reading of an Ordinance Amending the Del Mar Municipal Code (A19-002) Relating to the Regulation of Construction and Demolition Waste Recycling

## REQUESTED ACTION/RECOMMENDATION:

Staff recommends the City Council adopt the Ordinance (Attachment A) amending the Del Mar Municipal Code (DMMC) to add Chapter 23.70 in order to create a local process for regulations regarding the recycling of construction and demolition (C&D) waste pursuant to State CalGreen Building Code requirements.

## DISCUSSION/ANALYSIS:

On July 15, 2019, the City Council introduced the Ordinance, which adds Chapter 23.70 to the City's existing DMMC Title 23 Building Construction to create a local process and enforcement tools for CalGreen C&D recycling requirements.

The Ordinance is intended to apply citywide and regulates the recycling of construction waste for projects subject to the CalGreen Building Code. Currently, projects subject to CalGreen are required to divert 65% of waste generated during construction excluding hazardous materials and/or excavated soil and land clearing debris. This percentage may change as the State updates the CalGreen Code in the future.

Any project subject to the ordinance will be required to submit a Waste Management Plan prior to permit issuance and documentation prior to final inspection to ensure compliance with the minimum waste diversion requirement. The ordinance also provides the ability for an applicant to apply for an infeasibility exemption, subject to approval by the Planning and Community Development Director, if there is a unique circumstance that makes it infeasible to comply with diversion requirements. Enforcement for the proposed ordinance will be consistent with the City's established enforcement penalties found in DMMC Chapter 1.08 (Enforcement).

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City Council Action:

FISCAL IMPACT:

The proposed amendment would not result in a fiscal impact.

ENVIRONMENTAL IMPACT:

The proposed amendments are categorically exempt per CEQA Guidelines Article 19, Section 15301 Class 1 (I)- Existing Facilities which covers the demolition and removal of structures. The associated activity regulated by the proposed ordinance (the recycling of construction and demolition materials) will not have a significant impact on the environment.

NEXUS TO CITY COUNCIL GOALS AND PRIORITIES:

This matter is being brought forward for compliance with State Law and local goals relating to the Community Plan and Climate Action Plan, and is an Operational Priority of the City.

ATTACHMENTS:

Attachment A – Ordinance adding Chapter 23.70 to the DMMC related to C&D Waste