

BEFORE THE CITY COUNCIL OF THE CITY OF ORINDA

AN ORDINANCE AMENDING CERTAIN)	ORDINANCE NO. 17-06
SECTIONS OF THE CALIFORNIA GREEN)	
BUILDING STANDARDS CODE)	
CONCERNING CONSTRUCTION DEBRIS)	
RECYCLING TO REFLECT LOCAL)	
CONDITIONS	

The City Council of the City of Orinda DOES ORDAIN as follows:

SECTION 1. The City Council of the City of Orinda finds that:

1. The State of California has adopted the 2016 California Building Standards Code, including the 2016 California Building Code (California Code of Regulations, Title 24, Part 2, Volumes 1 and 2); the 2016 California Residential Code (California Code of Regulations, Title 24, Part 2.5); the 2016 California Green Building Standards Code (California Code of Regulations, Title 24, Part 11); the 2016 California Existing Building Code (California Code of Regulations, Title 24, Part 10); the 2016 California Fire Code (California Code of Regulations, Title 24, Part 9); the 2016 California Plumbing Code (California Code of Regulations, Title 24, Part 5); the 2016 California Mechanical Code (California Code of Regulations, Title 24, Part 4); the 2016 California Electrical Code (California Code of Regulations, Title 24, Part 3).
2. On January 24, 2017, the City Council of Orinda adopted Ordinance 17-01, which adopted the 2016 California Building Standards Code with modifications for local conditions that substantively reflected the modifications adopted by Contra Costa County, with the exception of the County's modifications to the 2016 California Green Building Standards Code ("CGBSC") concerning construction and demolition debris recovery.
3. On November 8, 2017, the City Council of Orinda conducted a first reading of this ordinance, which both revises existing Ordinance Municipal Code Chapter 15.10 to amend certain sections of the adopted 2016 CGBSC to reflect local conditions and removes Orinda Municipal Code Chapter 15.62.
4. On November 21, 2017, the City Council found adoption of the proposed ordinance, revising existing Ordinance Municipal Code Chapter 15.10 to amend certain sections of the adopted 2016 CGBSC and removing Orinda Municipal Code Chapter 15.62, was in the public interest.
5. The additions, deletions, modifications, and amendments to the 2016 CGBSC hereinafter noted are deemed reasonably necessary because of local climatic, geological, or topographical conditions pursuant to Government Code Section 17958.5. Express findings that these modifications to the 2016 CGBSC are

reasonably necessary will be filed with the California Building Standards Commission in accordance with California Health and Safety Code Section 17958.7.

SECTION 2. Chapter 15.62 of the Municipal Code is removed in its entirety.

SECTION 3. Chapter 15.10 of the Municipal Code shall be amended as described in Appendix A attached to this ordinance and incorporated by this reference.

SECTION 4. This ordinance is consistent with the Orinda General Plan. This ordinance will not have a significant adverse effect on the environment as defined in the California Environmental Quality Act.

SECTION 5. This ordinance becomes effective 30 days after adoption.

SECTION 6. The City Clerk shall either (a) have this ordinance published once within 15 days after adoption in a newspaper of general circulation or (b) have a summary of this ordinance published twice in a newspaper of general circulation, once 5 days before its adoption and again within 15 days after adoption.

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Orinda held on November 8, 2017, and was adopted and ordered published at a regular meeting held on February 6, 2018 by the following vote:

AYES: COUNCILMEMBERS: GEE, MILLER, ORR, PHILLIPS, WORTH

NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: NONE

ABSTAIN: COUNCILMEMBERS: NONE

Amy Worth, Mayor

ATTEST:

Sheri Marie Smith, City Clerk

Appendix A: Amendments to Orinda Municipal Code Chapter 15.10 – California Green Building Standards Code

APPENDIX A

Chapter 15.10 - CALIFORNIA GREEN BUILDING STANDARDS CODE

15.10.030 – Residential Mandatory Measures

Existing Orinda Municipal Code Section 15.10.030 – Residential mandatory measures (added by Ordinance 17-01 on January 24, 2017) is revised to add, in sequential numeric order, the following new sections (301.1.1, 4.408.2, 4.408.5, 4.408.6), which amend certain sections of the 2016 California Green Building Standards Code previously adopted by the City.

The first paragraph of Section 301.1.1 (Additions and alterations) is amended to read:

The mandatory provisions of Chapter 4 shall be applied to additions or alterations of existing residential buildings where the addition or alteration is 1,000 square feet or larger, or where the project valuation is \$50,000 or greater, or where the addition or alteration increases the building's conditioned area, volume, or size. For the purposes of determining whether a project meets the foregoing thresholds, all phases of a project and all related projects taking place on a single parcel may be deemed a single project for purposes of waste diversion at the discretion of staff, regardless of the number of different permits issued for the project(s).

Section 4.408.2 (Construction waste management plan) is amended to read:

Submit a construction waste management plan (WMP) on a form approved by the City in conformance with Items 1 through 5. The construction waste management plan shall be updated as necessary and shall be available during construction for examination by the City.

1. Identify the construction and demolition waste materials to be diverted from disposal by recycling, reuse on the project or salvage for future use or sale.
2. Specify if construction and demolition waste materials will be sorted on-site (source-separated) or bulk mixed (single stream).
3. Identify diversion facilities where the construction and demolition waste material will be taken.
4. Identify construction methods employed to reduce the amount of construction and demolition waste generated.
5. Specify that the amount of construction and demolition waste materials diverted shall be calculated by weight or volume, but not by both.

Section 4.408.5 (Documentation) is amended to read:

Documentation shall be provided to the City which demonstrates compliance with Section 4.408.2, Items 1 through 5, Section 4.408.3 or Section 4.408.4. All final reports must be entered into an electronic reporting system approved by the City.

Section 4.408.6 is added to read:

To be counted toward the diversion requirement, construction and demolition waste material must be taken to a construction and demolition waste materials recovery facility that appears on the CCCSWA list of approved facilities.

15.10.040 – Nonresidential Mandatory Measures

Existing Orinda Municipal Code Section 15.10.040 – Nonresidential mandatory measures (added by Ordinance 17-01 on January 24, 2017) is revised to add, in sequential numeric order, the following new sections (5.408.1.1 , 5.408.1.4., and 5.408.4), which amend certain sections of the 2016 California Green Building Standards Code previously adopted by the City.

Section 5.408.1.1 (Construction waste management plan) is amended to read:

Submit a construction waste management plan on a form approved by the City that complies with items 1 through 4. The construction waste management plan shall be updated as necessary and shall be available during construction for examination by the City.

1. Identifies the construction and demolition waste materials to be diverted from disposal by efficient usage, recycling, reuse on the project or salvage for future use or sale.
2. Determines if construction and demolition waste materials will be sorted on-site (source-separated) or bulk mixed (single stream).
3. Identifies diversion facilities where construction and demolition waste material collected will be taken.
4. Specifies that the amount of construction and demolition waste materials diverted shall be calculated by weight or volume, but not by both.

Section 5.408.1.4 (Documentation) is amended to read:

Documentation shall be provided to the City which demonstrates compliance with Sections 5.408.1.1 through 5.408.1.3. The waste management plan shall be updated as necessary and shall be accessible during construction for examination by the City. All final reports must be entered into an electronic reporting system approved by the City.

Section 5.408.4 is added to read:

To be counted toward the diversion requirement, construction and demolition waste material must be taken to a construction and demolition waste materials recovery facility that appears on the CCCSWA list of approved facilities.