

WASTE MANAGEMENT PLAN

FOR

HCP TORREYANA CAMPUS

11085-11095 Torreyana Rd.

San Diego, CA 92121

HEALTHPEAK PROPERTIES, INC.

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I. PURPOSE

The purpose of this Waste Management Plan (WMP) for the HCP Torreyana Campus, located at 11085-11095 Torreyana Road, is to identify the quantity of solid waste that will be generated from the demolition, construction, and occupancy phases of the project, along with measures to be implemented in order to mitigate the impacts associated with solid waste. The City of San Diego estimates that a development of 40,000 square feet generates 60 tons of solid waste per year. This requires a WMP due to potential impacts on solid waste services.

II. BACKGROUND

The Waste Management Plan covers three San Diego Municipal Code ordinances associated with solid waste. These include the Refuse, Organic Waste, and Recyclable Materials Storage Ordinance, the Construction and Demolition (C&D) Debris Diversion Deposit Program, and the City Recycling Ordinance.

San Diego Municipal Code §142.08 on Refuse, Organic Waste, and Recyclable Materials Storage Regulations, was adopted on December 9th, 1997 by the City of San Diego. In 2022, the Recycling Ordinance was updated to include Organic Waste in the regulations. The ordinance attempts to reduce solid waste entering landfills and meet the City Council recycling and waste reduction goals by encouraging recycling and composting of solid waste. SDMC §142.08 outlines regulations to provide permanent, adequate, and convenient space for the collection and storage of refuse, organic waste, and recyclable material.

San Diego Municipal Code §66.07 is the City of San Diego Recycling Ordinance. This ordinance establishes requirements for recycling of recyclable materials, which includes organic waste generated from residential facilities, commercial facilities, and special events. The ordinance requires the arrangement of recycling services for all residential and commercial facilities. Furthermore, the ordinance also calls for educational materials to be provided to all occupants about the City of San Diego's ordinance and recycling services. These requirements intend to prolong the useful life of the Miramar Landfill, reduce greenhouse emissions, and avoid potential financial consequences.

The City of San Diego Construction and Demolition (C&D) Debris Diversion Deposit Program, adopted on July 1st, 2008, under SDMC §66.06, intends to increase diversion of construction and demolition debris from landfill disposal, conserve the capacity and extend the life of the Miramar Landfill, and avoid potential financial consequences. The program requires projects requiring building, combination, and demolition permits to submit a refundable C&D Debris Recycling deposit and divert a minimum of 75% of debris through the reuse, recycling, or donation of usable materials. The purpose of the ordinance is to ensure C&D materials are recycled and kept out of local landfills. To ensure the materials are properly disposed of, applicants are required to pay a deposit which may be returned after the applicant can demonstrate that the material generated has either been recycled or diverted away from disposal in landfills.

III. PROJECT DESCRIPTION

The HCP Torreyana Campus project proposes the redevelopment of a 6.149-acre area located at 11085-11095 Torreyana Road, San Diego, CA 92121 (see Appendix A for Vicinity Map). The

redevelopment consists of the demolition of one 41,152 square foot building and one 40,267 square foot building, along with the existing parking lots and walkways, followed by the construction of two, two level office buildings totaling 111,000 square feet (the project will include entitlements up to 122,980 SF). The proposed site improvements also include an access driveway, parking lots, hardscape, landscaping, and an outdoor conference area. Grading, storm-water management, and utilities will also be included among the site improvements. The intention of the project is to obtain a Planned Development Permit, Site Development Permit and a Coastal Development Permit.

IV. PRECONSTRUCTION

A Solid Waste Management Coordinator (SWMC) is to be appointed by the developer at the commencement of the project. The responsibility of the SWMC is to facilitate management of construction materials by ensuring contractors and subcontractors properly separate materials and coordinate proper diversion and disposal of all waste generated. It is the responsibility of the SWMC to perform the following:

1. Review and understand the Waste Management Plan.
2. Collaborate with contractor(s) to prepare estimates of material quantities that will require salvage, recycling, or disposal, then assist with documentation.
3. Review and update procedures as needed for the separation of materials and verify the availability of containers and bins.
4. Review and monitor procedures for solid waste collection and transportation to recycling and disposal facilities.
5. Review and update solid waste management requirements for all trades.
6. Issue Stop Work orders if proper procedures are not being followed.

V. DEMOLITION

The two existing buildings, totaling 81,419 square feet, are estimated to generate 9,010 tons of solid waste upon demolition. The demolition phase will consist of the demolition of both existing buildings concurrently under separate demolition permits. The buildings include materials such as carpet, carpet padding, roofing, wall and partition materials, insulation materials, tile, wallboard, etc. The exact quantity of these items is unknown; therefore, an estimate is used in Table 1. All building materials will be taken to EDCO Recovery & Transfer where 78% of the solid waste will be diverted from landfills. All other materials (concrete, asphalt, and vegetation) will be taken to recycling facilities with a 100% diversion rate.

Table 1 Estimated Demolition Waste Generated and Percent Diverted					
Material Type	Tons per Unit ¹	Estimated Waste Quantity (Tons)	Handling Facility ²	Estimated Diversion (Tons)	Estimated Disposal (Tons)
Demolition Waste					
Materials (81,419 sf)	.0775	6310.0	EDCO Recovery & Transfer (78% diversion)	4921.8	1,388.2
Concrete (20,848 sf, assumed 4" depth)	1.2 tons per cubic yard	308.9	Vulcan Carroll Canyon Landfill and Recycle Site (100% diversion)	308.9	0
Concrete Slab (81,419 sf, assumed 5" depth)	1.3 tons per cubic yard	1,633.4	Vulcan Carroll Canyon Landfill and Recycle Site (100% diversion)	1,633.4	0
Curb and Gutter (2,483 linear feet, assumed 6" width and height)	1.2 tons per cubic yard	27.6	Vulcan Carroll Canyon Landfill and Recycle Site (100% diversion)	27.6	0
Asphalt (67,161 sf, assumed 4" depth)	0.7 tons per cubic yard	580.4	Vulcan Carroll Canyon Landfill and Recycle Site (100% diversion)	580.4	0
Vegetation (13,496 square feet, assumed 2-foot depth)	0.15 tons per cubic yard	150.0	Miramar Greenery, City of San Diego (100% diversion)	150.0	0
Total		9010.3		7,622.1 (84.6%)	1,388.2 (15.4%)

¹City of San Diego Construction & Demolition (C&D) Debris Conversion Rate Table

²City of San Diego 2024 Certified Construction & Demolition (C&D) Recycling Facility Directory

VI. CONSTRUCTION

The construction phase will begin promptly once the demolition phase has been completed, and will consist of the concurrent construction of the two proposed buildings. Construction activities are expected to generate packing materials, unpainted wood, wood pallets, and other miscellaneous debris. Debris will be separated on-site into material-specific containers for reuse and recycling. Source separation of construction materials on-site is paramount to achieve the appropriate waste diversion rate, ensure maximum efficiency of transportation, and to comply with the C&D Ordinance. Expected construction waste materials to be generated include, but are not limited to the following:

- Asphalt and Concrete
- Brick/Masonry/Tile
- Cardboard

- Carpet, Padding
- Drywall
- Landscape Debris
- Mixed C&D Debris
- Roofing Materials
- Scrap Metal
- Garbage/Trash

Table 2 below summarizes the estimated construction waste to be generated and the percent diverted. The specific quantity of each material is unknown at this time, therefore quantity calculations for the waste use values for “mixed debris”. Construction waste will be diverted to Otay C&D/Inert Debris Processing Facility which has a diversion rate of 87% (City of San Diego 2024).

Table 2 Estimated Construction Waste Generated and Percent Diverted						
Land Use	Size (Square feet)	Generation Rate (lbs per square foot) ¹	Tons Generated	Percent Diverted	Tons Diverted	Tons Disposed
Commercial	111,000 (122,980)*	4.34	240.9 (266.9)*	87	209.6 (232.2)*	31.3 (34.7)*

¹Estimating 2003 Building-Related Construction and Demolition Materials Amounts, March 2009 (epa.gov)

*Value using potential entitlement of 122,980 sqft.

To ensure compliance with the Waste Management Plan and all other applicable laws and ordinances, the contractor(s) will be required to perform daily inspections of the construction site and report to the Solid Waste Management Coordinator any and all findings. These inspections must include verifying the appropriate number of dumpsters are available, correct labeling of all dumpsters, proper separation of materials, and salvaging of any excess materials.

VII. OCCUPANCY

The occupancy phase will begin once the construction phase has reached conclusion. According to CalRecycle, the proposed commercial development is anticipated to generate approximately 2.37 tons of solid waste per year per square foot. Given the proposed 111,000 square feet of building space being constructed it is anticipated that 263.07 tons of waste will be generated from the project. A minimum diversion rate of 50% is required, however a higher rate is encouraged. Table 3 below summarizes waste generation for the occupancy phase.

Table 3 Occupancy Phase Annual Waste Generation						
Land Use	Amount (sf)	Generation Rate (tons per year, per square foot)	Waste Generated (Tons)	Minimum Percent Diverted	Minimum Tons Diverted	Maximum Tons Disposed
Existing Commercial	81,419	2.37	192.96	50%	96.48	96.48
Proposed Commercial	111,000 (122,980)*	2.37	263.07 (291.46)*	50%	131.54 (145.73)*	131.53 (145.73)*
Net Increase	29,581 (41,561)*		70.12 (98.50)*	50%	35.06 (49.25)*	35.06 (49.25)*

*Value using potential entitlement of 122,980 sqft.

Municipal code §142.0801 - §142.0830 provides protocols to ensure there is adequate space for the storage and collection of refuse, organic waste, and recyclable materials. Table 4 outlines minimum refuse, organic waste, and recyclable storage areas required based on the square footage of commercial development. The HCP Torreyana Campus project proposes 111,000 square feet of commercial use. According to Table 4, the proposed square footage will require a minimum of 240 square feet for refuse storage, 240 square feet for recyclable material storage and 240 square feet for organic waste storage, totaling a minimum of 720 square feet for material storage.

Table 4 Minimum Exterior Refuse and Recyclable Material Storage Areas for Non-residential Development				
Floor Area (Square Feet)	Minimum Refuse Storage Area (Square Feet)	Minimum Recyclable Material Storage Area (Square Feet)	Minimum Organic Waste Storage Area (Square Feet)	Total Minimum Storage Area (Square Feet)
0-5,000	12	12	12	36
5,000-10,000	24	24	24	72
10,001-25,000	48	48	48	144
25,001-50,000	96	96	96	288
50,001-75,000	144	144	144	432
75,001-100,000	192	192	192	576
100,001+	240 + 48 for every 25,000 more than 100,001	240 + 48 for every 25,000 more than 100,001	240 + 48 for every 25,000 more than 100,001	720 + 144 for every 25,000 more than 100,001

Source: City of San Diego Municipal Code, Chapter 14, Article 2, Division 8: Refuse, Organic Waste, and Recyclable Material Storage Regulations, §142.0830, Table 142-08C, effective February 26, 2022.

VIII. CONCLUSION

This Waste Management Plan estimates that the demolition of the existing site will generate 9,010.3 tons for construction waste. Healthpeak Properties, Inc. will utilize the certified facilities as chosen per Table 1 to divert the construction materials. The SWMC may choose an alternate certified facility, provided the facility maintains the same or better certified waste diversion rate. Given the selected handling facilities, this WMP estimates 75.5% of construction waste will be diverted.

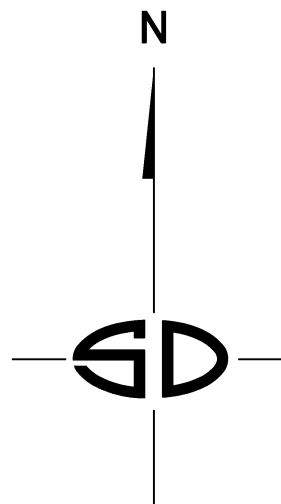
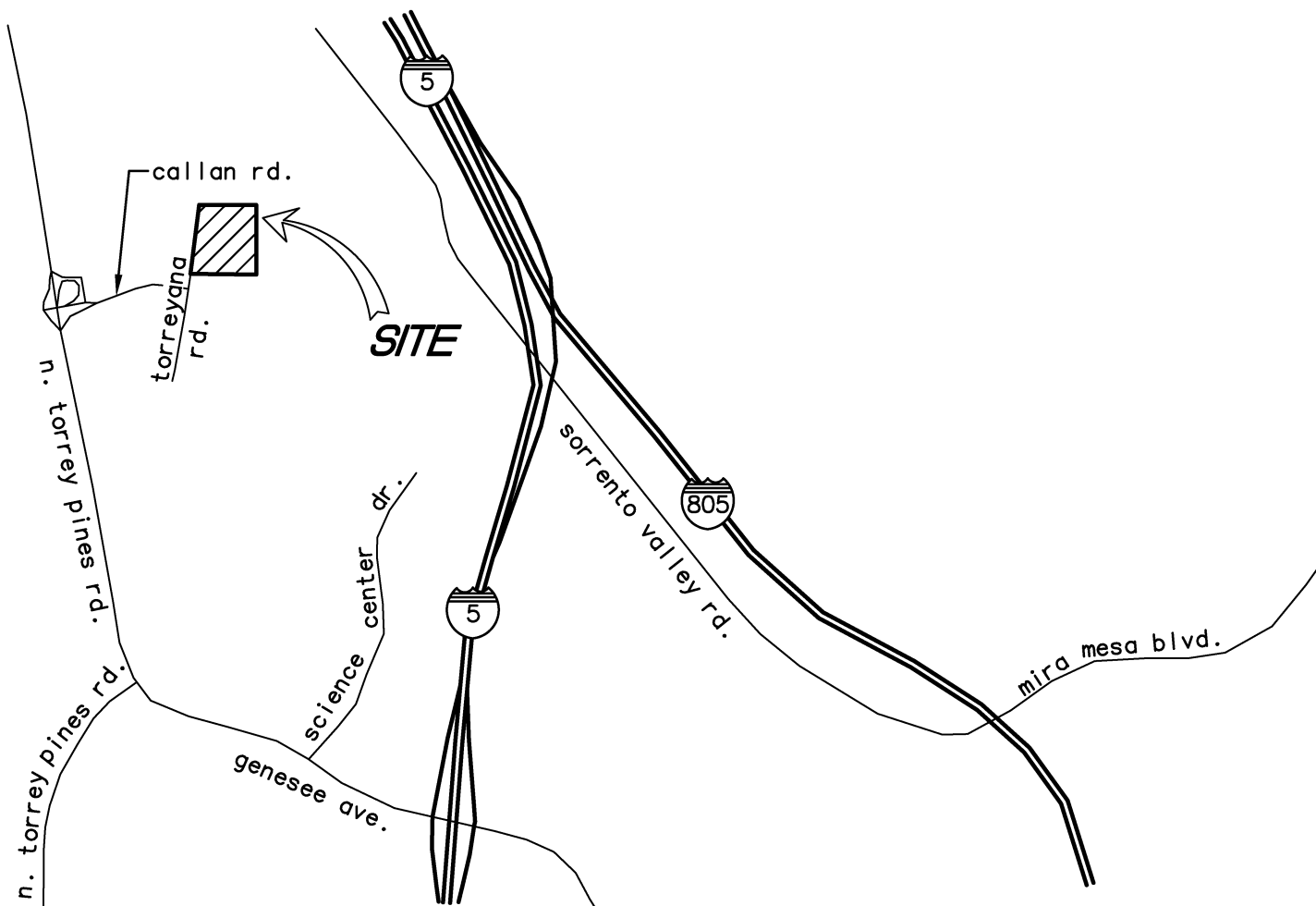
The Construction Phase of the HCP Torreyana Campus project projects to generate 240.9 tons of construction waste. This value is based on the U.S. Environmental Protection Agency's estimate of building-related construction and demolition materials generated for developments. The required minimum diversion rate for the project is 75%, however a higher rate is encouraged. Construction waste will be taken to Otay C&D/Inert Debris Processing Facility which has a diversion rate of 87%.

The Occupancy Phase will generate approximately 263.07 tons of solid waste per year with a minimum of 131.54 tons diverted, as shown in Table 3. The required minimum diversion rate for the occupancy phase is 50%, however a higher rate is encouraged. Given the anticipated values, the commercial development must have a minimum of 240 square feet for refuse storage area, 240 square feet for recycling storage area, and 240 square feet for organic waste storage area, totaling a minimum of 720 square feet for material storage. The waste management program must also provide a means of handling landscaping and green waste materials.

Establishment of recycling guidelines is paramount during the three phases of the HCP Torreyana Campus in order to mitigate the impacts associated with the solid waste. A Solid Waste Management Coordinator is to be assigned at the commencement of the project and will be responsible for ensuring compliance to all ordinances. The goal shall be to exceed the 75% diversion rate minimum.

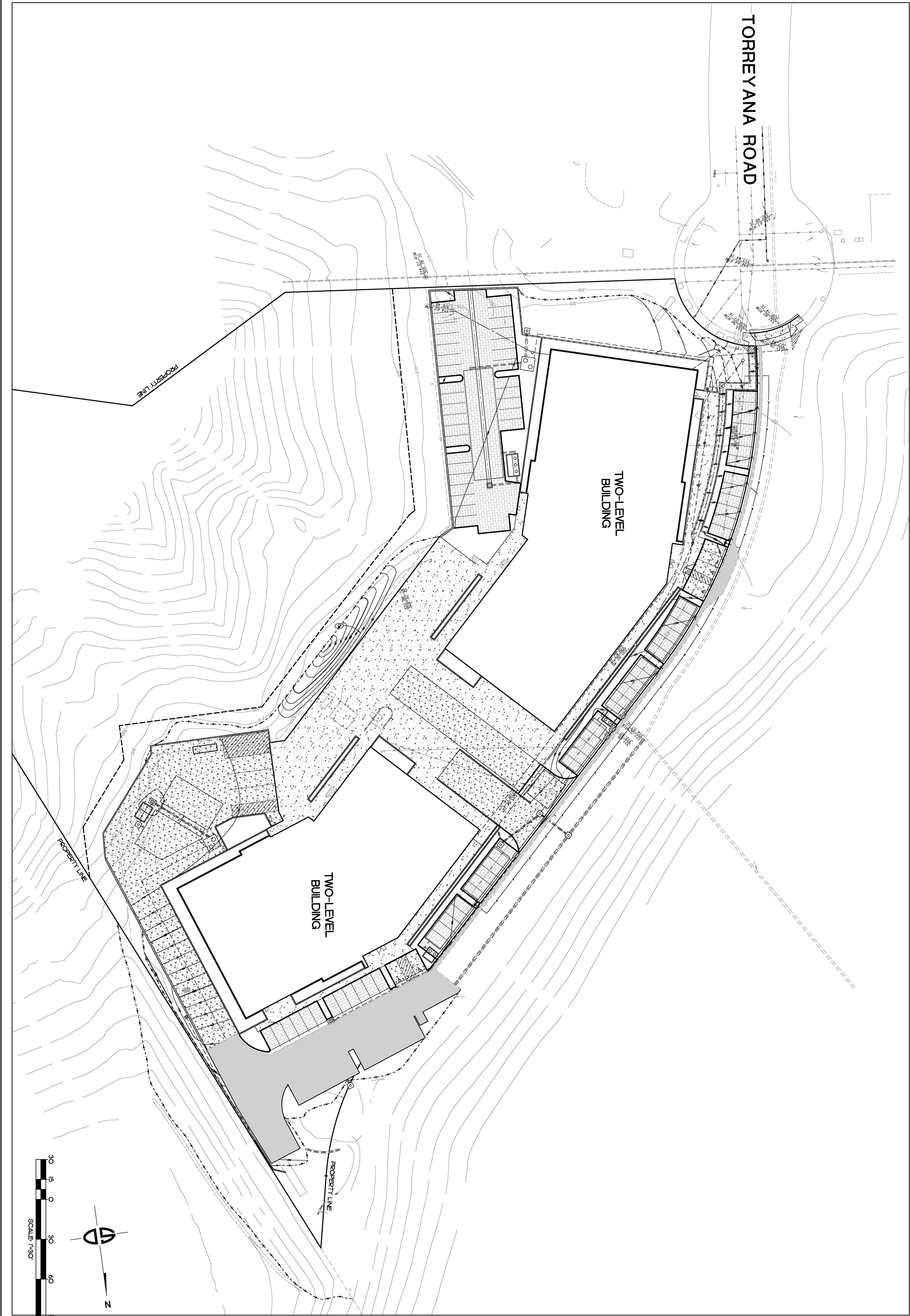
APPENDIX A:

SITE INFORMATION



VICINITY MAP

NO SCALE



APPENDIX B:

REFUSE, ORGANIC WASTE, AND RECYCLABLE
MATERIALS STORAGE AND REGULATIONS

Article 2: General Development Regulations

Division 8: Refuse, Organic Waste, and Recyclable Materials Storage Regulations

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

(Retitled from “Refuse and Recyclable Materials Storage Regulations” to
“Refuse, Organic Waste, and Recyclable Materials Storage Regulations”
on 1-27-2022 by O-21416 N.S.; effective 2-26-2022.)

§142.0801 Purpose of Refuse, Organic Waste, and Recyclable Materials Storage Regulations

The purpose of these regulations is to provide permanent, adequate, and convenient space for the storage and *collection* of *refuse, organic waste, and recyclable material*. The intent of these regulations is to encourage *recycling* and composting of solid waste to reduce the amount of waste material entering landfills and to meet the *recycling* and waste reduction goals established by the City Council and mandated by the State of California.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

(Retitled from “Purpose of Refuse and Recyclable Materials Storage Regulations” to
“Purpose of Refuse, Organic Waste, and Recyclable Materials Storage Regulations”
and amended 1-27-2022 by O-21416 N.S.; effective 2-26-2022.)

[Editors Note: Amendments as adopted by O-21416 N.S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.

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§142.0802 Collection and Management

- (a) *Development* that generates *refuse, organic waste, and/or recyclable material* shall provide for the *collection* and management of these materials pursuant to Chapter 6, Article 6. *Development* shall provide adequate storage space for these materials as set forth in Sections 142.0801 through 142.0830.
- (b) To be considered for City-provided services under Section 66.0127, as it may be amended, *development* shall comply with all applicable requirements of Chapter 6, Article 6 and the Waste Management Regulations.

- (c) *Development* shall comply with the Construction and Demolition Debris Diversion Deposit Program in Chapter 6, Article 6, Division 6, as applicable.

(“*Collection and Management*” added 1-27-2022 by O-21416 N.S.; effective 2-26-2022.)

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§142.0803 Definitions

The following definitions apply to this Division. Where not otherwise specified, the definitions found in Section 66.0102 and Chapter 11, Article 3, Division 1 of the Land Development Code shall apply. Each word or phrase that is defined in this Division, Section 66.0102, or in Chapter 11, Article 3, Division 1 of the Land Development Code appears in the text in italicized letters.

Collection means to take physical possession of and remove *refuse, organic waste, or recyclable material* at the place of generation.

Organic waste means commingled yard trimmings, nonhazardous wood waste, *food material*, or food-soiled paper mixed with *food material*.

(“*Definitions*” added 1-27-2022 by O-21416 N.S.; effective 2-26-2022.)

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§142.0805 When Refuse, Organic Waste, and Recyclable Materials Storage Regulations Apply

Refuse, organic waste, and recyclable materials storage shall be provided for the following types of *development* as indicated in Table 142-08A:

- (a) New residential *development* of a *single dwelling unit*,
- (b) New residential development of *multiple dwelling units*,
- (c) New nonresidential *development*, or

- (d) Additions to existing *multiple dwelling unit* residential or nonresidential *development* where the *gross floor area* would be increased by 30 percent or more.

Table 142-08A
Refuse, Organic Waste, and Recyclable Material Storage Regulations
Applicability

Type of Development Proposal	Applicable Regulations	Required Permit Type/Decision Process
<i>Development- of a single dwelling unit</i>	Comply with the Waste Management Regulations, if applicable, and Sections 142.0810, 142.0820, and 142.0831	No permit required by this division
New residential <i>development of multiple dwelling units</i>	Comply with the Waste Management Regulations, if applicable, and Sections 142.0810, 142.0820, and 142.0831	No permit required by this division
New nonresidential <i>development</i>	Comply with Sections 142.0810, 142.0830, and 142.0831	No permit required by this division
Additions to existing <i>multiple dwelling unit</i> residential or nonresidential <i>development</i> where the <i>gross floor area</i> would be increased by 30 percent or more	Comply with the Waste Management Regulations, if applicable, and Sections 142.0810, 142.0820, 142.0830, and 142.0831	No permit required by this division

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

(Amended 11-13-08 by O-19799 N.S; effective 12-13-2008.)

(Retitled from “When Refuse and Recyclable Materials Storage Regulations Apply” to “When Refuse, Organic Waste, and Recyclable Materials Storage Regulations Apply” and amended 1-27-2022 by O-21416 N.S.; effective 2-26-2022.)

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§142.0810 General Regulations for Refuse, Organic Waste, and Recyclable Material Storage

New *development* as indicated in Section 142.0805 shall provide on-site areas for the storage of *refuse, organic waste, and recyclable material* that meet the following standards:

- (a) Size of Material Storage Areas. The size of required material storage areas shall meet or exceed the minimum requirements in Tables 142-08B and 142-08C.
- (b) Location of Material Storage Areas
 - (1) Material storage areas may be located in a designated interior area that is not in a *dwelling unit*.
 - (2) Material storage areas may be located outside a *structure* in required rear *yards* or in required side *yards*. Exterior material storage areas shall be located onsite and be accessible to haulers from the *public right-of-way*. Exterior material storage areas shall not be located in any required landscape area.
 - (3) *Premises* served by an *alley* shall provide material storage areas that are directly accessible from the *alley*.
 - (4) For nonresidential *development* on *premises* not served by an *alley*, material storage areas shall be located at least 25 feet from any *street*.
- (c) Screening of Material Storage Areas. Material storage areas located outside any *structure* shall be *screened* with a minimum 6-foot-high solid *screening* enclosure that is designed to be architecturally consistent with the primary *structure*. *Refuse, organic waste, and recyclable material*, and material storage containers shall not exceed the height of the solid *screening* enclosure.

- (d) Signage. For *multiple dwelling unit* residential and nonresidential *development*, one *sign* identifying the material storage area is required for each area and shall be posted on the exterior of the material storage area near the point of access. The maximum *sign copy area* permitted for each *sign* shall be one square foot.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

(Amended 11-28-2005 by O-19444 N.S.; effective 2-9-2006.)

(Amended 11-13-08 by O-19799 N.S; effective 12-13-2008.)

(Retitled from “General Regulations for Refuse and Recyclable Material Storage” to “General Regulations for Refuse, Organic Waste, and Recyclable Material Storage” and amended 1-27-2022 by O-21416 N.S.; effective 2-26-2022.)

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§142.0820 Refuse, Organic Waste, and Recyclable Materials Storage Regulations for Residential Development

Applicable residential *development* in accordance with Section 142.0805, shall provide interior and exterior *refuse, organic waste, and recyclable material* storage areas as specified below:

- (a) Interior *Refuse, Organic Waste, and Recyclable Material* Storage. Each *dwelling unit* shall be equipped with an interior *refuse, organic waste, and recyclable material* storage area.
- (b) Exterior *Refuse, Organic Waste, and Recyclable Material* Storage. Each *structure* that contains *dwelling units* shall provide at least one exterior *refuse, organic waste, and recyclable material* storage area. The total exterior storage area requirement shall be based on the number of *dwelling units* in the *development* as shown in Table 142-08B and includes the sum of all residential material storage areas located outside of individual *dwelling units*.
- (c) Alternative compliance may be allowed by mechanical compactors or other comparable technology, or by use of private refuse, *recyclable materials, and organic waste* hauling to meet the specific needs of a *development*. Ministerial approval of alternative compliance during building plan review may occur if it can be demonstrated to the satisfaction of the City Engineer that the alternative compliance accommodates the same or greater capacity than Table 142-08B requires.

Table 142-08B
Minimum Exterior Refuse, Organic Waste, and
Recyclable Material Storage Areas for
Residential Development

Number of Dwelling Units Per Development	Minimum Refuse Storage Area Per Development (Square Feet)	Minimum Organic Waste Storage Area Per Development (Square Feet)	Minimum Recyclable Material Storage Area Per Development (Square Feet)	Total Minimum Storage Area Per Development (Square Feet)
1	6.25	6.25	6.25	18.75
2-6	12	12	12	36
7-15	24	24	24	72
16-25	48	48	48	144
26-50	96	96	96	288
51-75	144	144	144	432
76-100	192	192	192	576
101-125	240	240	240	720
126-150	288	288	288	864
151-175	336	336	336	1,008
176-200	384	384	384	1,152
201+	384 plus 48 square feet for every 25 dwelling units above 201	384 plus 48 square feet for every 25 dwelling units above 201	384 plus 48 square feet for every 25 dwelling units above 201	1,152 plus 144 square feet for every 25 dwelling units above 201

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

(Amended 3-1-2006 by O-19468 N.S.; effective 4-1-2006.)

(Amended 11-13-08 by O-19799 N.S.; effective 12-13-2008.)

(Retitled from “Refuse and Recyclable Materials Storage Regulations for Residential Development” to “Refuse, Organic Waste, and Recyclable Materials Storage Regulations for Residential Development” and amended 1-27-2022 by O-21416 N.S.; effective 2-26-2022.)

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§142.0830 Refuse, Organic Waste, and Recyclable Material Storage Regulations for Nonresidential Development and Mixed-Use Development

- (a) Nonresidential *Development*. Nonresidential *development*, or additions to existing nonresidential *development* where the *gross floor area* would be increased by 30 percent or more, shall provide at least one exterior *refuse*, *organic waste*, and *recyclable material* storage area for each building. The total storage area requirement shall be based on the *gross floor area* of the nonresidential buildings on the *premises*, as shown in Table 142-08C, and includes the sum of all nonresidential *refuse*, *organic waste*, and *recyclable material* storage areas.
- (b) Mixed-Use *Development* with Residential Uses. Where a *development* includes residential use as part of a mixed-use project, the *development* shall provide *refuse*, *organic waste*, and *recyclable material* storage for the residential portion of the project in accordance with Table 142-08B, in addition to the storage areas required by Table 142-08C for the nonresidential *development*.

Table 142-08C
Minimum Exterior Refuse, Organic Waste, and Recyclable
Material Storage Areas for Nonresidential Development

Gross Floor Area Per Development (Square Feet)	Minimum Refuse Storage Area Per Development (Square Feet)	Minimum Recyclable Material Storage Area Per Development (Square Feet)	Minimum Organic Waste Storage Area Per Development (Square Feet)	Total Minimum Area Per Development (Square Feet)
0-5,000	12	12	12	36
5,001-10,000	24	24	24	72
10,001-25,000	48	48	48	144
25,001-50,000	96	96	96	288
50,001-75,000	144	144	144	432
75,001-100,000	192	192	192	576
100,001+	192 plus 48 square feet for every 25,000 square feet of building area above 100,001	192 plus 48 square feet for every 25,000 square feet of building area above 100,001	192 plus 48 square feet for every 25,000 square feet of building area above 100,001	576 plus 144 square feet for every 25,000 square feet of building area above 100,001

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

(Amended 11-13-08 by O-19799 N.S; effective 12-13-2008.)

(Retitled from “Refuse and Recyclable Material Storage Regulations for Nonresidential Development” to “Refuse, Organic Waste, and Recyclable Material Storage Regulations for Nonresidential Development and Mixed-Use Development” and amended 1-27-2022 by O-21416 N.S.; effective 2-26-2022.)

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§142.0831 Refuse, Organic Waste, and Recyclable Material Storage of Construction and Demolition Waste/Debris

On-site areas for the storage of *refuse, organic waste, and recyclable material* generated during construction and demolition activities shall be provided as follows:

(a) Size of Material Storage Areas.

The size of required material storage areas shall be adequate to separately store all *construction and demolition waste*, as defined in Section 66.0102, and *construction and demolition debris*, as defined in Section 66.0603, generated during the intervals between *collection*.

(b) Location of Material Storage Areas.

Material storage areas shall be located on-site if possible, although permission to use the *public right-of-way* may be granted by the Development Services Department on a case-by-case basis subject to all required permits and approvals, and the storage area shall be accessible to haulers from the *public right-of-way*.

(c) Signage.

One *sign* identifying the type of material storage area shall be required for each area. Each *sign* shall be posted on the exterior of the material storage area near the point of access.

(“*Refuse, Organic Waste, and Recyclable Material Storage of Construction and Demolition Waste/Debris*” added 1-27-2022 by O-21416 N.S.; effective 2-26-2022.)

[Editors Note: Amendments as adopted by O-21416 N.S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.

Click the link to view the Strikeout Ordinance highlighting changes to prior language http://docs.sandiego.gov/municode_strikeout_ord/O-21416-SO.pdf]

APPENDIX C:
CONSTRUCTION AND DEMOLITION DEBRIS
DIVERSION DEPOSIT PROGRAM

**Article 6: Collection, Transportation and Disposal of
Refuse and Solid Waste****Division 6:
Construction and Demolition Debris Diversion Deposit Program**
(“*Construction and Demolition Debris Diversion Deposit Program*”
added 10-10-2000 by O-19420 N.S.)
(Amended 12-18-2007 by O-19694 N.S; effective 1-17-2008.)**§66.0601 Findings**

The Council of the City of San Diego finds and declares that:

- (a) The City operates the Miramar Landfill, which is currently the only active municipal landfill in the City. The Miramar Landfill currently is expected to close by 2030. Preserving landfill capacity at the Miramar Landfill in order to extend the useful life of the Miramar Landfill for the citizens of the City is a paramount concern.
- (b) The City has made and continues to make progress in meeting the waste *diversion* requirements imposed by AB 939, but additional efforts, particularly in the *diversion* of *construction and demolition debris*, will assist the City in continuing to meet the AB 939 goal of *diverting* 50% of its waste from landfill *disposal*, and achieving the *diversion* goals identified in the City’s Zero Waste Plan.
- (c) Studies show that approximately 25% of the waste generated in the City of San Diego delivered for *disposal* is *construction and demolition debris*, which could be *diverted* from landfill *disposal*.
- (d) Efforts by the City and the private sector to encourage voluntary *construction and demolition debris diversion* have not been as successful as the City had hoped and additional efforts are necessary to ensure continued compliance with AB 939 requirements.

(6-2016)

- (e) *Construction and demolition debris diversion* deposit programs in other jurisdictions in the State, similar to the one implemented by this Division, have proven successful in increasing *diversion of construction and demolition debris* and have been favorably received by the California-Department of Resources Recycling and Recovery, formerly known as the California Integrated Waste Management Board.

(Added 10-10-2005 by O-19420 N.S.; effective 1-17-2008.)

(Amended 12-18-2007 by O-19694 N.S.; effective 1-17-2008.)

(Amended 1-30-2014 by O-20341 N.S.; effective 3-1-2014.)

(Amended 5-23-2016 by O-20643 N.S.; effective 6-22-2016.)

§66.0602 Purpose of Construction and Demolition Debris Diversion Deposit Program

The purpose of this Division is to establish the Construction and Demolition Debris Diversion Deposit Program. This program is intended to increase the *diversion of construction and demolition debris* from landfill *disposal*, conserve the capacity and extend the useful life of the Miramar Landfill, and avoid the potential financial and other consequences to the City of failing to remain in compliance with AB 939 requirements.

(Added 10-10-2005 by O-19420 N.S.; effective 1-17-2008.)

(Amended 12-18-2007 by O-19694 N.S.; effective 1-17-2008.)

§66.0603 Definitions

All defined terms in this Division appear in *italics* and are found in sections 11.0210, 66.0102, and 113.0103 of this Code, except for the terms Building Permit and Demolition/Removal Permit which refer to those terms respectively as used in the Land Development Code and which, consistent with the Land Development Code, are not italicized in this Division. In addition, whenever the following words or phrases are used in this Division, they mean:

AB 939 means the California Integrated Waste Management Act, codified at California Public Resources Code sections 40000 et seq.

Certified recycling facility means a recycling, composting, materials recovery or reuse facility which accepts *construction and demolition debris* and which has been certified by the *Director* pursuant to rules promulgated by the *Director*.

Construction and demolition debris means the waste building materials, packaging, and rubble resulting from construction, remodeling, repair, alteration, and/or demolition operations on pavements, houses, commercial buildings, and other *structures* and may include, but is not limited to, concrete, asphalt, wood, metals, bricks, dirt, rocks, and other inert waste.

Director means the Director of the Environmental Services Department (and its successor) or the designee of the Director of the Environmental Services Department (and its successor).

Disposal means the final deposition of *solid waste* at a permitted landfill.

Diversion or *Divert* means the reduction or elimination of *solid waste* from landfill *disposal*.

Hazardous waste has the same meaning as set forth in section 66.0102 of this Code.

Solid Waste means all putrescible and nonputrescible solid, semisolid, and liquid wastes, including, but not limited to, garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, *construction and demolition debris*, abandoned vehicles and parts thereof, discarded home and industrial appliances, dewatered, treated, or chemically fixed sewage sludge which is not hazardous waste, manure, vegetable or animal solid and semisolid wastes, and other discarded solid and semisolid wastes. *Solid Waste* does not include hazardous waste, hazardous substances or medical wastes, as those terms are defined in this Chapter 6 or in State or Federal law.

Waste Management Form Part I means the form prepared by the City Manager on which an *applicant* for a Building Permit or Demolition/Removal Permit shall provide information including, but not limited to, the types and amounts of *construction and demolition debris* the *applicant* anticipates the *development* will generate and the expected *construction and demolition debris diversion* the *applicant* expects to achieve for that *development*.

Waste Management Form Part II means the form prepared by the City Manager on which the *applicant* for a Building Permit or Demolition/Removal Permit shall provide information including, but not limited to, the name and address of the *person* to whom a deposit refund, if any, shall be issued, as well as documentary evidence in a form satisfactory to the *Director* demonstrating the *construction and demolition debris diversion* the *applicant* achieved for the *development*.

(Added 10-10-2005 by O-19420 N.S; effective 1-17-2008.)

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§66.0604 Submittal of Waste Management Form and Diversion Deposit

The following requirements apply to all Building Permits or Demolition/Removal Permits issued by the City of San Diego:

- (a) All *applicants* for a Building Permit or a Demolition/Removal Permit, including the City of San Diego, shall submit a properly completed *Waste Management Form Part I* with the Building Permit or Demolition/Removal Permit application, in accordance with the requirements set forth in the Land Development Manual; and
- (b) All *applicants*, including the City of San Diego, shall pay a refundable deposit at the time the Building Permit or Demolition/Removal Permit is issued; and
- (c) No Building Permit or Demolition/Removal Permit shall be issued unless the *applicant* has submitted a properly completed *Waste Management Form Part I* and paid the required deposit.

(Added 10-10-2005 by O-19420 N.S; effective 1-17-2008.)

(Amended 12-18-2007 by O-19694 N.S; effective 1-17-2008.)

(Amended 5-23-2016 by O-20643 N.S.; effective 6-22-2016.)

§66.0605 Establishment of Construction and Demolition Debris Diversion Deposits

The City Council shall establish by resolution a schedule of *construction and demolition debris diversion* deposits applicable to Building Permits and to Demolition/Removal Permits. The schedule shall be reviewed and adjusted periodically to ensure the purposes of this Division are met.

(Added 10-10-2005 by O-19420 N.S; effective 1-17-2008.)

§66.0606 Entitlement to Refund of Diversion Deposit

- (a) An *applicant* is eligible for a refund of the deposit paid pursuant to Section 66.0604(b) provided the *applicant* submits the following directly to the *Director* within 180 days of the final inspection date for the *development* for which the deposit was paid:

- (1) A properly completed *Waste Management Form Part II*, in accordance with the requirements set forth in the Land Development Manual, which demonstrates the *construction and demolition debris diversion* the *applicant* achieved for the *development*.
- (2) Evidence satisfactory to the *Director* that the *construction and demolition debris* generated by the *development* was *diverted*, at the applicable *diversion* rate set forth in Section 66.0606(d) below, by one or more of the following methods:
 - (a) on-site reuse of the *construction and demolition debris*;
 - (b) acceptance of the *construction and demolition debris* by a *certified recycling facility*; or
 - (c) other donation or reuse of the *construction and demolition debris* acceptable to the *Director*.

For a commercial *development*, such as a shopping center, with a master developer which manages solid waste generated by the *development* as a whole and which has multiple commercial or retail tenants who may construct their own tenant improvements, the evidence satisfactory to the *Director* described in section 66.0606(a)(2) may include receipts from a *certified recycling facility(ies)* showing the cumulative weight or volume of *construction and demolition debris diverted* from the *development* within the 30 calendar days prior to the final inspection date referred to in section 66.0606(a)

- (b) *Construction and demolition debris* shall be measured by weight or by volume, whichever is most accurate and practicable. To the extent practicable, all *construction and demolition debris* shall be weighed on a scale.
 - (1) For *construction and demolition debris* which is weighed, the *applicant* shall use a scale which is in compliance with all federal, state, and local regulatory requirements for accuracy and maintenance of such scale.
 - (2) For *construction and demolition debris* for which measurement by weight is not practicable, the *applicant* shall measure by volume and convert the volumetric measurements to weight using the standardized rates established in the City Construction and Demolition Debris Conversion Rate Tables.

- (3) The *Director* reserves the right, when appropriate, to establish standard weights for various types of *construction and demolition debris* items based upon accepted average weights for such items. These standard weights shall be listed in the City Construction and Demolition Debris Conversion Rate Tables.
- (c) Refunds will be based on proof, satisfactory to the *Director*, of the *construction and demolition debris diversion* the *applicant* achieved for the *development* for which the deposit was paid.
- (d) If the *Director* determines the *applicant* is entitled to a refund, the amount of the refund shall be in the same proportion to the deposit paid by the *applicant* as the *diversion* rate achieved for the *development* is to the applicable *diversion* rate set forth below:
- (1) For Building Permits or Demolition/Removal Permits issued on July 1, 2008 through June 30, 2016, the *diversion* rate shall be 50% by weight of the total *construction and demolition debris* generated by the *development*.
- (2) For Building Permits or Demolition/Removal Permits issued on July 1, 2016 and up to, but not including, the actual effective date of Section 66.0606(d)(3), the *diversion* rate shall be 65% by weight of the total *construction and demolition debris* generated by the *development*.
- (3) For Building Permits or Demolition/Removal Permits issued on or after the actual effective date of Section 66.0606(d)(3), the *diversion* rate shall be 75% by weight of the total *construction and demolition debris* generated by the *development*. The actual effective date of Section 66.0606(d)(3) is the earliest date upon which all of the following is met:
- (A) A *certified recycling facility*, which accepts mixed *construction and demolition debris* and has a permitted daily tonnage capacity of at least 1,000 tons, is operating within 25 miles of 202 "C" Street in San Diego and has operated at a 75% *diversion* rate for three consecutive calendar year quarters; and
- (B) The City has given the public 30 calendar days' advance notice that such a *certified recycling facility* is available.

- (e) Notice under this Division may be given by placing a display advertisement of at least one-eighth page in a newspaper of general daily circulation within the City.
- (f) The *Director* shall determine whether a *certified recycling facility* has reached a certain *diversion* rate.
- (g) The *Director* shall refund a deposit paid or collected in error.
- (h) If a Building Permit or Demolition/Removal Permit, for which a deposit has been paid, is subsequently cancelled, abandoned or expires before work on the *development* has commenced, the *Director* shall refund the deposit paid by the *applicant* upon the *applicant's* submittal to the *Director* of satisfactory proof of the cancellation, abandonment or expiration of the permit.
- (i) The *Director* shall issue the refund to the *applicant* within the time established by City Council resolution.
- (j) In no event shall the refund be in an amount greater than the deposit paid by the *applicant*.

(Added 10-10-2005 by O-19420 N.S.; effective 1-17-2008.)

(Amended 12-18-2007 by O-19694 N.S.; effective 1-17-2008.)

(Amended 1-30-2014 by O-20341 N.S.; effective 3-1-2014.)

(Amended 5-23-2016 by O-20643 N.S.; effective 6-22-2016.)

§66.0607 Certified Recycling Facilities

- (a) After at least one public hearing, the *Director* shall establish rules and regulations for certifying facilities inside or outside the City for purposes of this Division including, but not limited to, criteria for determining the *diversion* rate achieved by the facility and for verifying that the facility has obtained all applicable permits and licenses. The *Director* shall publish in the official City newspaper a notice of the adoption or amendment of these rules and regulations. The *Director* shall certify facilities in accordance with those rules and regulations.

- (b) Within ten working days after publication of the notice adopting the proposed rules and regulations pursuant to Section 66.0607(a), any person in disagreement with the proposed rules and regulations may request in writing to the *Director* that proposed rules and regulations be considered by the City Manager or designee. The proposed rules and regulations shall be considered by the City Manager or designee, who shall issue a written decision respecting the proposed rules and regulations within thirty days of the *Director's* receipt of the written request. The decision of the City Manager or designee with respect to the rules and regulations shall be final.

(Added 10-10-2005 by O-19420 N.S; effective 1-17-2008.)

(Amended 12-18-2007 by O-19694 N.S; effective 1-17-2008.)

§66.0608 Diversion Deposit Program Exemptions

- (a) The following activities, alone or in combination with one another, are exempt from this Division, except if the activity or activities is/are undertaken in conjunction with *development* which otherwise is subject to this Division:
- (1) Roofing projects.
 - (2) Installation, replacement, or repair of a *retaining wall*.
 - (3) Installation, replacement, or repair of a carport, patio cover, balcony, trellis, or fireplace.
 - (4) Installation, replacement, or repair of a deck.
 - (5) Installation, replacement, or repair of a *fence*.
 - (6) Installation, replacement, or repair of a swimming pool or a spa.
 - (7) Installation, replacement, or repair of a pre-fabricated accessory, such as a *sign* or an antenna, which does not require modification to the *structure* to which the accessory is attached.
 - (8) Installation, replacement, or repair of storage racks.
 - (9) Installation, replacement, or repair of a shade structure (commercial), awning, or canopy.

- (10) Installation or replacement of a pre-fabricated modular building or mobile home, with or without a patio enclosure or cover.
 - (11) Installation, replacement, or repair of partitions only.
 - (12) Installation, replacement, or repair of siding, stucco, or veneer.
 - (13) Installation or repair of seismic tie-downs.
 - (14) Installation, replacement, or repair of skylights, windows, doors, stair flights, or poles.
 - (15) Modification, alteration, or repair of facades.
 - (16) Re-pipe repairs.
 - (17) Foundation repairs, including caissons and piles.
 - (18) *Development* which requires only an electrical permit, only a plumbing permit, or only a mechanical permit.
 - (19) *Development* which requires a Building Permit that does not require plans.
- (b) The following activities are exempt from this Division:
- (1) *Development* which is expected to generate only *hazardous waste* and/or *hazardous substances*.
 - (2) *Development* for which the *construction and demolition debris* deposit is less than \$200 as calculated by the Development Services Department or its successor.

(Added 10-10-2005 by O-19420 N.S; effective 1-17-2008.)

(Amended 12-18-2007 by O-19694 N.S; effective 1-17-2008.)

(Amended 1-30-2014 by O-20341 N.S.; effective 3-1-2014.)

(6-2016)

§66.0609 Unrefunded Diversion Deposits and Accrued Interest

A deposit which is not refunded or claimed in accordance with this Division is the property of the City. For purposes of each and every deposit and all interest accrued thereon, the relationship between the *applicant* and the City is that of debtor-creditor, respectively. All interest accruing on each deposit is the property of the City, and the *applicant* shall have no claim upon the interest. \

(Added 10-10-2005 by O-19420 N.S; effective 1-17-2008.)

§66.0610 Use of Diversion Deposits and Accrued Interest

All deposits and accrued interest thereon shall be deposited into the Recycling Fund created pursuant to section 66.0135 of this Code. All deposits and accrued interest thereon shall be used solely and exclusively for the following purposes:

- (a) payment of deposit refunds, as determined by the *Director*;
- (b) payment of administrative costs of the Construction and Demolition Debris Diversion Program established by this Division;
- (c) payment of costs of programs designed to encourage *diversion* of *solid waste* from landfill *disposal*;
- (d) payment of costs of programs designed to develop or improve the infrastructure to *divert solid waste* from landfill *disposal*; or
- (e) payment of costs to develop or improve infrastructure to *divert solid waste* from landfill *disposal*.

(Added 10-10-2005 by O-19420 N.S; effective 1-17-2008.)

APPENDIX D:
RECYCLING ORDINANCE

Article 6: Collection, Transportation and Disposal of Refuse and Solid Waste**Division 7: Recycling Ordinance**

("Recycling Ordinance" Added 11-20-2007 by O-19678 N.S.; effective 12-20-2007.)

§66.0701 Findings

The Council of the City of San Diego finds and declares that:

- (a) The *City* operates the Miramar Landfill, which is currently the only municipal landfill in the *City*. The Miramar Landfill currently is expected to close in 2030. Preserving landfill capacity at the Miramar Landfill in order to extend the useful life of the Miramar Landfill for the citizens of the *City* is a paramount concern.
- (b) The *City* has met, and continues to make progress in maintaining, the waste *diversion* requirements imposed by AB 939, but additional efforts, particularly in the *recycling* of paper, cardboard, *organic waste*, and other *recyclable materials*, will assist the *City* in maintaining and exceeding the goal of *diverting* 50% of its waste from landfill *disposal*.
- (c) Studies show that approximately 17% of the waste generated in the *City* and delivered for landfill *disposal* is paper and 32% is compostable *organic waste*, all of which could be *diverted* from landfill *disposal*.
- (d) Efforts by the *City* and the private sector for *diversion* of residential and *commercial* waste as required by this Division have been successful, but additional efforts are necessary to ensure continued compliance with AB 939 requirements and with other State laws that mandate *recycling*, including *recycling of organic waste*.
- (e) *Recycling* programs in other jurisdictions in the State, similar to the one implemented by this Division, have proven successful in increasing *diversion of recyclable materials*, including *organic waste*, and have been favorably received by the California Department of Resources Recycling and Recovery.

(Added 11-20-2007 by O-19678 N.S.; effective 12-20-2007.)

(Amended 2-25-2021 by O-21295 N.S.; effective 3-27-2021.)

(Amended 5-9-2022 by O-21454 N.S.; effective 6-8-2022.)

(6-2022)

§66.0702 Purpose

The purpose of this Division is to establish requirements for *recycling of recyclable materials*, including *organic waste*, generated from *residential facilities*, *commercial facilities* (including *City* buildings), and special events. These requirements are intended to increase the *diversion of recyclable materials*, including *organic waste*, from landfill *disposal*, conserve the capacity and extend the useful life of the Miramar Landfill, reduce greenhouse gas emissions, and avoid the potential financial and other consequences to the *City* of failing to meet State-mandated *recycling* requirements.

(Added 11-20-2007 by O-19678 N.S.; effective 12-20-2007.)

(Amended 2-25-2021 by O-21295 N.S.; effective 3-27-2021.)

(Amended 5-9-2022 by O-21454 N.S.; effective 6-8-2022.)

§66.0703 Definitions

All defined terms in this Division appear in *italics*. For purposes of this Division, the following definitions apply:

AB 939 has the same meaning as in San Diego Municipal Code section 66.0102.

Certified recyclable materials collector means a *Recyclable Materials Collector* which has been issued a certificate by the *City* pursuant to this Division.

City has the same meaning as in San Diego Municipal Code section 66.0102.

Collect or *Collection* shall mean to take physical possession of and remove *solid waste* or *recyclable materials* at the place of generation.

Commercial edible food generator has the same meaning as in title 14, section 18982(a)(7) of the California Code of Regulations, as it may be amended.

Commercial facilities means any facilities that are not *residential facilities* or *mixed use facilities* and includes, but is not limited to, mercantile, institutional, governmental, and industrial facilities. *Commercial facilities* include *City* buildings for which the *responsible person* is a *City* employee.

Construction and demolition waste has the same meaning as in San Diego Municipal Code section 66.0102.

Department means the City of San Diego Environmental Services Department or its successor.

Director has the same meaning as in San Diego Municipal Code section 66.0102.

Disposal has the same meaning as in San Diego Municipal Code section 66.0102.

Diversion or *Divert* means the reduction or elimination of *solid waste* from landfill disposal.

Edible food has the same meaning as in title 14, section 18982(a)(18) of the California Code of Regulations, as it may be amended.

Food material has the same meaning as in San Diego Municipal Code section 66.0102.

Food recovery has the same meaning as in title 14, section 18982(a)(24) of the California Code of Regulations, as it may be amended.

Food recovery organization has the same meaning as in title 14, section 18982(a)(25) of the California Code of Regulations, as it may be amended.

Food recovery service has the same meaning as in title 14, section 18982(a)(26) of the California Code of Regulations, as it may be amended.

Franchisee has the same meaning as in San Diego Municipal Code section 66.0102.

Green material has the same meaning as in San Diego Municipal Code section 66.0102.

Hazardous substance has the same meaning as in San Diego Municipal Code section 66.0102.

Hazardous waste has the same meaning as in San Diego Municipal Code section 66.0102.

Large event has the same meaning as in title 14, section 18982(a)(38) of the California Code of Regulations, as it may be amended.

Large venue has the same meaning as in title 14, section 18982(a)(39) of the California Code of Regulations, as it may be amended.

Lot means a parcel, tract, or area of land established by plat, subdivision, or by means described in San Diego Municipal Code section 113.0237(a) to be owned, used, or developed.

Manager has the same meaning as in San Diego Municipal Code section 66.0102.

Medical waste has the same meaning as in San Diego Municipal Code section 66.0102.

Mixed use facilities means facilities which include both residential and commercial uses.

Multi-family residential facility means two or more residences on a single *lot*.

Organic waste has the same meaning as in title 14, section 18982(a)(46) of the California Code of Regulations, as it may be amended.

Person has the same meaning as in San Diego Municipal Code section 66.0102.

Recyclable has the same meaning as in San Diego Municipal Code section 66.0102 and includes *organic waste*.

Recyclable materials has the same meaning as in San Diego Municipal Code section 66.0102 and includes *organic waste*.

Recyclable materials collector has the same meaning as in San Diego Municipal Code section 66.0102 and includes those who *collect organic waste*.

Recycling or *Recycle* has the same meaning as in San Diego Municipal Code section 66.0102 and includes *organic waste*.

Recycling facility means a *recycling*, composting, or materials recovery or reuse facility.

Refuse has the same meaning as in San Diego Municipal Code section 66.0102.

Residential facility means a *single family residential facility* or a *multi-family residential facility*.

Responsible person has the same meaning as in San Diego Municipal Code section 11.0210 and includes the *person* responsible for the management, including disposal and recycling, of *solid waste* generated at the *residential facility*, *commercial facility*, *mixed use facility*, or special event.

Self-haul means the process of personally, or through one's own full-time employees, *collecting*, transporting, and delivering one's own *solid waste* or *recyclable materials*.

Single family residential facility means one residence on a single lot.

Solid waste means all putrescible and nonputrescible solid and semi-solid wastes, including garbage, trash, *refuse*, rubbish, *construction and demolition waste*, metallic discards, vegetable or animal solid or semi-solid wastes, and other solid or semi-solid wastes. *Solid waste* does not include *hazardous waste*, *hazardous substances*, *medical waste*, or *recyclable materials*.

Solid waste facility has the same meaning as in San Diego Municipal Code section 66.0102.

Tier one commercial edible food generator has the same meaning as in title 14, section 18982(a)(73) of the California Code of Regulations, as it may be amended.

Tier two commercial edible food generator has the same meaning as in title 14, section 18982(a)(74) of the California Code of Regulations, as it may be amended.

Vegetative food material means *food material* that is also plant material, and that may be processed or cooked but must otherwise retain its natural character without any added salts, preservatives, fats or oils, or adulterants. *Vegetative food material* may include fruits and vegetables, edible flowers and plants, outdated and spoiled produce, and coffee grounds.

(Added 11-20-2007 by O-19678 N.S.; effective 12-20-2007.)
(Amended 11-1-2016 by O-20736 N.S.; effective 12-1-2016.)
(Amended 2-9-2018 by O-20900 N.S.; effective 3-11-2018.)
(Amended 2-25-2021 by O-21295 N.S.; effective 3-27-2021.)
(Amended 5-9-2022 by O-21454 N.S.; effective 6-8-2022.)

§66.0704 Unlawful Acts

It is unlawful for any *person* to fail to comply with any provision or requirement set forth in this Division which is applicable to such *person*.

(Added 11-20-2007 by O-19678 N.S.; effective 12-20-2007.)

§66.0705 Recycling Requirement for Persons Serviced by City of San Diego

Persons who are provided with curbside *recycling collection* services by the City of San Diego shall participate in the City curbside *recycling* program by separating *recyclable materials* from other *solid waste*, depositing the *recyclable materials* in the approved *recycling* containers, and placing the *recycling* containers out for *collection* at the time and place designated by the City.

(Added 11-20-2007 by O-19678 N.S.; effective 12-20-2007.)
(Amended 2-25-2021 by O-21295 N.S.; effective 3-27-2021.)

§66.0706 Recycling Requirement for Residential Facilities Serviced by Franchisee

- (a) *Residential Facilities.* For single family residential facilities that receive solid waste collection services from a *Franchisee*, the responsible person shall provide curbside recycling services to occupants as required by section 66.0706(c). For multi-family residential facilities that receive solid waste collection services from a *Franchisee*, the responsible person shall provide on-site recycling services to occupants as required by sections 66.0706(c) and 66.0706(d).
- (b) *Occupants of Residential Facilities.* Occupants of residential facilities that receive solid waste collection services from a *Franchisee* shall participate in a recycling program, offered by the *Franchisee* or a *Recyclable Materials Collector*, by separating recyclable materials from other solid waste, depositing the recyclable materials in the designated recycling containers, and placing the recycling containers out for collection at the time and place designated by the *Franchisee* or *Recyclable Materials Collector*.
- (c) *Recycling Services.* Recycling services for residential facilities shall include, at a minimum, all of the following:
 - (1) collection in a separate container and at least two times per month of commingled plastic and glass bottles and jars, paper, newspaper, metal containers, cardboard, and rigid plastics, including clean food containers, jugs, tubs, trays, pots, buckets, and toys;
 - (2) weekly collection in a separate container of yard trimmings and nonhazardous wood waste. If yard trimmings or nonhazardous wood waste will be hauled away by a gardening or landscaping service provider as an incidental part of its services at the property, then the service contract or agreement shall require the gardening or landscaping service provider to take the yard trimmings and nonhazardous wood waste to a mulching or composting facility for recycling;
 - (3) weekly collection in a separate container of food material and food-soiled paper mixed with food material;
 - (4) alternatively, in lieu of San Diego Municipal Code sections 66.0706(c)(2) and 66.0706(c)(3), weekly collection in a separate container of food material or food-soiled paper mixed with food material that is commingled with yard trimmings or nonhazardous wood waste;

(6-2022)

- (5) *collection of other recyclable materials* for which markets exist, such as scrap metal, as determined by the *Director*, with *collection* of such *recyclable materials* required beginning on the 181st day after the *City* gives public notice by placing an advertisement of at least one-eighth page in a newspaper of general daily circulation in the *City* and posting a notice including such *recyclable materials* on the *Department's* website;
 - (6) utilization of *recycling* containers that comply with the size and color standards in the Container and Signage Guidelines established by the *Manager*;
 - (7) designated *recycling collection* and storage areas;
 - (8) signage on all *recycling* receptacles, containers, chutes, and/or enclosures which complies with the standards described in the Container and Signage Guidelines established by the *Manager*; and
 - (9) containers for *recyclable materials* in all areas where *solid waste* containers are located.
- (d) Education. For *multi-family residential facilities*, and for *single family residential facilities* receiving *recycling* services through a homeowners' association, the *responsible person* shall ensure that *persons* are educated about the *recycling* services as follows:
- (1) Information, including the types of *recyclable materials* accepted and not accepted, the location of *recycling* containers, the *recycling* requirements, and the *person's* responsibility to *recycle* pursuant to this Division, shall be distributed to all occupants, employees, and contractors annually;
 - (2) All new occupants shall be given information and instructions upon occupancy; and
 - (3) All occupants shall be given information and instructions upon any change in *recycling* service to the facility.
- (e) Container Contamination. For all *residential facilities*, the *responsible person* shall prohibit placing *recyclable materials* in a container not designated to receive those *recyclable materials* and shall periodically inspect containers and inform occupants, employees, and contractors if containers are contaminated.

(Added 11-20-2007 by O-19678 N.S.; effective 12-20-2007.)

(Amended 2-25-2021 by O-21295 N.S.; effective 3-27-2021.)

(Amended 5-9-2022 by O-21454 N.S.; effective 6-8-2022.)

§66.0707 Recycling Requirements for Commercial Facilities Serviced by Franchisee

- (a) *Commercial Facilities.* For *commercial facilities* that receive *solid waste collection* services from a *Franchisee*, the *responsible person* shall provide on-site *recycling* services to occupants as required by sections 66.0707(c) and 66.0707(d).
- (b) *Occupants of Commercial Facilities.* Occupants of *commercial facilities*, that receive *solid waste collection* services from a *Franchisee*, shall participate in a *recycling* program by separating *recyclable materials* from other *solid waste*, depositing the *recyclable materials* in the designated *recycling* containers, and placing the *recycling* containers out for *collection* at the time and place designated by the *Franchisee* or *Recyclable Materials Collector*.
- (c) *Recycling Services.* *Recycling* services for *commercial facilities* shall include, at a minimum, all of the following:
- (1) *collection* in a separate container and as frequently as necessary to meet demand of commingled plastic and glass bottles and jars, paper, newspaper, metal containers, cardboard, and rigid plastics, including clean food containers, jugs, tubs, trays, pots, buckets, and toys;
 - (2) weekly *collection* in a separate container of yard trimmings and nonhazardous wood waste. If yard trimmings or nonhazardous wood waste will be hauled away by a gardening or landscaping service provider as an incidental part of its services at the property, then the service contract or agreement shall require the gardening or landscaping service provider to take the yard trimmings and nonhazardous wood waste to a mulching or composting facility for *recycling*;
 - (3) weekly *collection* in a separate container of *food material* and food-soiled paper mixed with *food material*;
 - (4) alternatively, in lieu of San Diego Municipal Code sections 66.0707(c)(2) and 66.0707(c)(3), weekly *collection* in a separate container of *food material* or food-soiled paper mixed with *food material* that is commingled with yard trimmings or nonhazardous wood waste;

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- (5) collection of other *recyclable materials* for which markets exist, such as scrap metal, as determined by the *Director*, with collection of such *recyclable materials* required beginning on the 181st day after the *City* gives public notice by placing an advertisement of at least one-eighth page in a newspaper of general daily circulation in the *City* and posting a notice including such *recyclable materials* on the *Department's* website;
 - (6) utilization of *recycling* containers that comply with the size and color standards in the Container and Signage Guidelines established by the *Manager*;
 - (7) designated *recycling collection* and storage areas;
 - (8) signage on all *recycling* receptacles, containers, chutes, and/or enclosures which complies with the standards described in the Container and Signage Guidelines established by the *Manager*; and
 - (9) containers for *recyclable materials* in all areas where *solid waste* containers are located.
- (d) Education. For *commercial facilities*, the *responsible person* shall ensure that *persons* are educated about the *recycling* services as follows:
- (1) Information, including the types of *recyclable materials* accepted and not accepted, the location of *recycling* containers, the *recycling* requirements, and the *person's* responsibility to *recycle* pursuant to this Division, shall be distributed to all tenants, employees, customers, and contractors annually;
 - (2) All new occupants shall be given information and instructions upon occupancy; and
 - (3) All occupants shall be given information and instructions upon any change in *recycling* service to the *commercial facility*.
- (e) Container Contamination. The *responsible person* for the *commercial facility* shall prohibit placing *recyclable materials* in a container not designated to receive those *recyclable materials* and shall periodically inspect containers and inform tenants, employees, customers, and contractors if containers are contaminated.

(Added 11-20-2007 by O-19678 N.S.; effective 12-20-2007.)

(Amended 2-25-2021 by O-21295 N.S.; effective 3-27-2021.)

(Amended 5-9-2022 by O-21454 N.S.; effective 6-8-2022.)

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§66.0708 Recycling Requirements for Mixed Use Facilities

- (a) Majority Residential. For a *mixed use facility* which has the majority of its square footage devoted to residential uses, the *responsible person* shall comply with the *recycling* requirements set forth in Section 66.0706 of this Division.
- (b) Majority Commercial. For a *mixed use facility* which has the majority of its square footage devoted to commercial uses, the *responsible person* shall comply with the *recycling* requirements set forth in Section 66.0707 of this Division.
- (c) Occupants of Majority Residential *Mixed Use Facility*. Occupants of a *mixed use facility* which has the majority of its square footage devoted to residential uses, shall comply with the *recycling* requirements applicable to occupants set forth in Section 66.0706 of this Division.
- (d) Occupants of Majority Commercial *Mixed Use Facility*. Occupants of a *mixed use facility* which has the majority of its square footage devoted to commercial uses, shall comply with the *recycling* requirements applicable to occupants set forth in Section 66.0707 of this Division.

(Added 11-20-2007 by O-19678 N.S.; effective 12-20-2007.)

§66.0709 Delivery of Recyclable Materials to Recycling Facility

Except for the collection of *recyclable vegetative food materials* by a *certified recyclable materials collector* in accordance with San Diego Municipal Code section 66.0109(c)(4), *franchisees* and *recyclable materials collectors* who collect *recyclable materials* generated within the *City* shall deliver those *recyclable materials* to a *recycling facility*. *Persons* who *self-haul recyclable materials* must deliver those *recyclable materials* to a *recycling facility*. The *recycling facility* may be located at a landfill, but *recyclable materials* generated within the *City* shall not be delivered to a landfill or other site for *disposal*. *Recyclable vegetative food materials* generated within the *City* shall not be delivered to a landfill or other site for *disposal*.

(Added 11-20-2007 by O-19678 N.S.; effective 12-20-2007.)

(Amended 2-9-2018 by O-20900 N.S.; effective 3-11-2018.)

(Amended 5-9-2022 by O-21454 N.S.; effective 6-8-2022.)

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§66.0710 Recycling Containers

- (a) Container Signage. Automatic lift containers, bins, roll-offs, and other containers provided by *franchisees* and *recyclable materials collectors* to collect and store *recyclable materials* pending collection shall be clearly identified as a *recyclable materials* container, shall display the name and phone number of the *franchisee or recyclable materials collector* to whom the container belongs, and shall display a label, imprinted text or graphic images of the primary *recyclable materials* which shall be deposited in the container and the primary *recyclable materials* which shall not be deposited in that container. Container signage shall comply with the Container and Signage Guidelines established by the *Manager*.
- (b) Container Color: Containers shall comply with the container color requirements in the Container and Signage Guidelines established by the *Manager*.
- (c) Container Features. Automatic lift containers, bins, roll-offs, and other containers provided by *franchisees* and *recyclable materials collectors* to collect and store *recyclable materials* pending collection shall be equipped with close-fitting lids and be leak-proof and rodent-proof.

(Added 11-20-2007 by O-19678 N.S.; effective 12-20-2007.)

(Amended 5-9-2022 by O-21454 N.S.; effective 6-8-2022.)

§66.0711 Reports from Franchisees and Certified Recyclable Materials Collectors

- (a) *Franchisees* and *certified recyclable materials collectors* shall submit semi-annual reports to the *Department*, by March 1 and September 1 of each year, on a form or using a format prescribed by the *Director*. Semi-annual reports shall include the following information for each facility serviced in the *City* for the period January 1 through June 30 or July 1 through December 31, as applicable, of the immediately preceding six-month period:
 - (1) The name of the *person(s)* responsible for *solid waste* and *recyclable materials* management at the facility serviced;
 - (2) The name and address of the facility serviced;
 - (3) The volume in cubic yards or gallons, measured by the size of the applicable containers in use at the facility, of *solid waste* and *recyclable materials collected* per week from the facility;
 - (4) The frequency of *solid waste* and *recyclable materials collection* service provided to the facility; and

- (5) Additional information as required by the *Director*.
- (b) *Franchisees* and *certified recyclable materials collectors* also shall include in the semi-annual reports for the time period specified in San Diego Municipal Code section 66.0711(a) the following information:
- (1) The total amount of *recyclable materials*, measured in tons, *collected* by the *Franchisee* or *Certified Recyclable Materials Collector* within the City; and
- (2) The names and addresses of the *recycling facilities* to which the *recyclable materials collected* within the City were delivered for *recycling*.
- (c) *Certified recyclable materials collectors* that *collect recyclable food materials* in accordance with San Diego Municipal Code section 66.0109(c)(4) shall submit a quarterly report, by the twentieth of each month following the end of a calendar year quarter, to the *Department*, on a form or using a format prescribed by the *Director*. Calendar year quarters end on March 31, June 30, September 30, and December 31 of each year. Quarterly reports shall include the following information:
- (1) The name of the *person(s)* responsible for *recyclable materials* management at the facility whose *recyclable food materials* were serviced;
- (2) The name and address of the facility serviced;
- (3) The volume in cubic yards or gallons of *recyclable food materials*, measured by the size of the applicable containers in use at the facility, *collected* per week from the facility;
- (4) The names and addresses of the sites to which the *recyclable food materials collected* within the City were delivered for composting or final processing;
- (5) For *recyclable vegetative food materials collected* within the City and delivered for composting or final processing to a site other than a *recycling facility*, a letter of acknowledgement from the site property owner providing their acceptance of the *recyclable vegetative food materials* for composting or final processing; and
- (6) The volume in cubic yards or gallons of *recyclable food materials* delivered to each site per week for that calendar year quarter.

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- (d) *Franchisees and certified recyclable materials collectors* shall submit additional reports as requested by the *Director* which are necessary to meet the *City's* reporting requirements to the California Department of Resources Recycling and Recovery, or its successor, or to any other State or federal agency.

(Added 11-20-2007 by O-19678 N.S.; effective 12-20-2007.)

(Retitled from “*Annual Reports from Franchisees and Recyclable Materials Collectors*” to “*Reports from Franchisees and Certified Recyclable Materials Collectors*” and amended 2-9-2018 by O-20900 N.S.; effective 3-11-2018.)

(Amended 2-25-2021 by O-21295 N.S.; effective 3-27-2021.)

(Amended 5-9-2022 by O-21454 N.S.; effective 6-8-2022.)

§66.0712 Special Events Recycling

- (a) **Special Events.** For a community special event requiring an event permit from the *City*, the *responsible person* shall provide *recycling* receptacles throughout the event venue and shall provide *recycling* services as described in San Diego Municipal Code section 66.0712.
- (b) **Recycling Services.** *Recycling* services shall include, at a minimum, all of the following:
- (1) separate containers for commingled plastic and glass bottles and jars, paper, newspaper, metal containers, cardboard, and rigid plastics, including clean food containers, jugs, tubs, trays, pots, buckets, and toys;
 - (2) separate containers for wood pallets;
 - (3) separate containers for commingled *food material*, food-soiled paper, yard trimmings, and nonhazardous wood waste, if the event generates, distributes, provides or sells food or other organic material;
 - (4) separate containers for other *recyclable materials* for which markets exist, such as scrap metal, as determined by the *Director*, with *collection* of such *recyclable materials* required beginning on the 181st day after the *City* gives public notice by placing an advertisement of at least one-eighth page in a newspaper of general daily circulation in the *City* and posting a notice including such *recyclable materials* on the *Department's* website;
 - (5) a specified number of *recycling* receptacles relative to the quantity of *solid waste* receptacles based upon the size of the event and as approved in the special event permit;

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- (6) placement of *solid waste* and *recycling* receptacles next to one another throughout the event venue; and
 - (7) *organic waste recycling* receptacles set up in compliance with the Container and Signage Guidelines established by the *Manager*.
- (c) Receptacles. Each *recycling* receptacle shall be clearly identified as a *recycling* receptacle and shall display a label, imprinted text, or graphic images of the primary *recyclable materials* which shall be deposited into the *recycling* receptacle and the primary *recyclable materials* which shall not be deposited in that receptacle. Container signage shall comply with the Container and Signage Guidelines established by the *Manager*.
- (d) Delivery to *Recycling Facility*. The *responsible person* shall ensure that the *recyclable materials* deposited into the *recycling* receptacles are delivered to a *recycling facility*. The *recycling facility* may be located at a landfill, but *recyclable materials* shall not be delivered to a landfill for *disposal*.

(Added 11-20-2007 by O-19678 N.S.; effective 12-20-2007.)

(Amended 2-25-2021 by O-21295 N.S.; effective 3-27-2021.)

(Amended 5-9-2022 by O-21454 N.S.; effective 6-8-2022.)

§66.0713 Exemptions

- (a) Cubic yard exemption.
- (1) *Multi-family residential facilities, commercial facilities, and mixed use facilities* that generate 0.001 cubic yard or less per week of *solid waste* including *recyclable materials*, described in San Diego Municipal Code sections 66.0706(c)(1) through 66.0706(c)(4) or 66.0707(c)(1) through 66.0707(c)(4) as applicable, mixed with *solid waste* are exempt from the requirements of this Division.
 - (2) The cubic yard thresholds may be adjusted at the discretion of the *Manager* and shall be effective 90 days after the *City* gives public notice by placing an advertisement of at least one-eighth page in a newspaper of general daily circulation in the *City* and posting a notice on the *Department's* website.

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- (b) **Other Exemptions.** Other exemptions to some or all of the requirements of this Division may be granted at the discretion of the *Director's* designee. Applications for exemptions may be granted upon consideration of the following factors: available markets for *recyclable materials*, available space for *recycling* containers, alternative *recycling* efforts, and the amount and type of *solid waste* or *recyclable materials* generated. To be effective, an exemption must be in writing and signed by the *Director's* designee. An exemption may be revoked at any time at the discretion of the *Director's* designee if one or more of the factors justifying the exemption no longer exist, or other change in circumstances warrant revocation. Unless earlier revoked, an exemption shall be effective for a period of one year from the date it was granted. Subsequent applications for exemptions may be granted at the discretion of the *Director's* designee upon consideration of the factors listed in this section 66.0713(b).
- (c) **Application for Exemption.** Applications for an exemption shall be submitted to the *Department* in writing, on a form approved by the *Director*, together with a cost-recovery processing fee. The processing fee shall be reviewed annually by the City Manager and adjusted accordingly to ensure full cost-recovery for processing the application for exemption.
- (d) If the *Director's* designee denies an application for an exemption, the *Director's* designee shall notify the applicant in writing of the reasons for the denial. The denial of an application for an exemption or the revocation of an exemption may be appealed to the *Director*, whose decision shall be final.

(Added 11-20-2007 by O-19678 N.S.; effective 12-20-2007.)

(Amended 2-25-2021 by O-21295 N.S.; effective 3-27-2021.)

(Amended 5-9-2022 by O-21454 N.S.; effective 6-8-2022.)

§66.0714 Certified Recyclable Materials Collector

- (a) **Certified Recyclable Materials Collector.** A *recyclable materials collector* may apply to the *Director* to become a *certified recyclable materials collector*. The certification will be valid for no more than two years after the date it is issued by the *Director*, unless it is renewed in accordance with the *Department's* renewal procedures prior to its expiration. A certificate may not be transferred, sold, leased, or assigned, in whole or in part, to another *person* without prior *Director* approval. Approval may be obtained by filing an application with the *Director* on a form prescribed by the *Director*. The *Director* shall maintain a current list of *certified recyclable materials collectors* on the *Department's* website and in other educational materials published by the *Department*.

- (b) Application Form and Fee. Applicants for a *recyclable materials collector* certificate shall complete and submit to the *Director* a written application, on a form approved by the *Director*, together with a cost-recovery processing fee. The processing fee shall be reviewed annually by the City Manager and adjusted accordingly to ensure full cost-recovery for processing the application for certification. The application shall include, at a minimum, all of the following:
- (1) name, address, and telephone number of the applicant;
 - (2) name, address, and telephone number of an individual contact for the applicant;
 - (3) description of each vehicle the applicant will use to provide *recyclable materials collection* services within the City including, but not limited to make, model, serial or vehicle identification number, and license number;
 - (4) address where all vehicles and operating equipment used to provide *recyclable materials collection* services within the City will be stored and maintained;
 - (5) the applicant's agreement to defend, with counsel to be agreed upon by both parties, indemnify, and hold harmless, City and its agents, officers, servants, and employees from and against any and all claims asserted or liability established for damages or injuries to any person or property, including injury to City's employees, agents, or officers which arise from, or are connected with, or are caused or claimed to be caused by acts or omissions of the applicant, or its agents, officers or employees, in the performance of the *recyclable materials collection* services, and all costs and expenses of investigating and defending against same; provided, however, that the applicant's duty to indemnify and hold harmless shall not include any claims or liability arising from the established active negligence, sole negligence, or sole willful misconduct of the City, its agents, officers, or employees;
 - (6) without limiting the indemnification obligation above, the applicant's agreement to obtain and maintain in full force and effect throughout the term of the *recyclable materials collector* certificate, and any extensions or modifications thereof, insurance coverage which meets or exceeds the requirements established by the *Director*; and

- (7) A written statement certifying that the applicant has reviewed and will comply with the requirements of this Division and in the certificate.
- (c) Insurance. The *Director*, in consultation with the City's Risk Management Department, shall establish minimum reasonable insurance requirements for *Certified Recyclable Materials Collectors*. Simultaneously with the submittal of its application, the applicant shall furnish proof satisfactory to the *Director* that the applicant has obtained the required insurance coverage. Annually on each anniversary of the issuance of the certificate, the applicant shall furnish proof satisfactory to the *Director* that the applicant maintains at least the minimum required insurance coverage.
- (d) Vehicles and Equipment. All vehicles, containers, and other equipment used to provide the *recyclable materials collection* services shall be kept in a clean and well-maintained condition.
- (e) Container Signage. Automatic lift containers, bins, roll-offs, and other containers used to *collect* and store *recyclable materials* pending *collection* shall be clearly identified as a *recyclable materials* container, shall display the name and phone number of the *certified recyclable materials collector* to whom the container belongs, and shall display a label, imprinted text, or graphics of the primary *recyclable materials* which shall be deposited in the container and the primary *recyclable materials* which shall not be deposited in that container. Container signage shall comply with the Container and Signage Guidelines established by the *Manager*.
- (f) Container Features. Automatic lift containers, bins, roll-offs, and other containers used to *collect* and store *recyclable materials* pending *collection* shall be equipped with close-fitting lids and be leak-proof and rodent-proof, and shall comply with the color standards in the Container and Signage Guidelines established by the *Manager*.
- (g) Compliance with Law. *Certified Recyclable Materials Collectors* shall conduct all of their activities in compliance with all applicable federal, state, and local laws, regulations, ordinances, and requirements and shall be responsible for obtaining all applicable permits, licenses, certifications, and registrations.
- (h) Application Verification. The *Director* may independently verify any and all statements made or implied in the application or any accompanying documents. The *Director* may also request clarification from the applicant of any such statements or information.

- (i) **Application Review.** In reviewing each application, the *Director* shall take into consideration all components of the application including, but not limited to:
 - (1) the ability of the applicant to meet the requirements of this Division and the certificate;
 - (2) any history of criminal or civil violations that may compromise the public's interest; and
 - (3) the completeness, accuracy, and validity of the application.
- (j) **Application Determination.** After a reasonable review period, the *Director* shall grant or deny the application. If the *Director* fails to grant an application after thirty days from the receipt of a complete application, including accompanying documentation, the applicant may at the applicant's option deem the application denied. If the *Director* denies an application, the *Director* shall notify the applicant in writing of the reasons for the denial.
- (k) **Certificate Revocation.** The *Director* may revoke a certificate if the *Director* determines, after providing notice and an opportunity for a hearing, that a *Certified Recyclable Materials Collector* has violated the provisions in the certificate or any applicable law. If the *Director* revokes a certificate, the *Director* shall notify the applicant in writing of the reasons for the revocation.
- (l) **Appeal Upon Denial of Application or Revocation of Certificate.** Within thirty days after the issuance of a written notice of the denial of an application or the revocation of a certificate, the applicant or *Certified Recyclable Materials Collector* may request in writing to the *Director* that the City Manager review the *Director's* decision. Within thirty days of the Department's receipt of such a request, a meeting with the City Manager or designee shall be scheduled to review the items cited in the written notice. At that meeting, the applicant or *Certified Recyclable Materials Collector* may provide any additional information in support of their position. Within thirty days of such a meeting, the City Manager will issue a written decision on the application or revocation, which shall include the reasons for the decision. The City Manager's decision shall be final. A copy of the City Manager's written decision shall be provided to the applicant or *Certified Recyclable Materials Collector* and the *Director*.

(Added 11-20-2007 by O-19678 N.S.; effective 12-20-2007.)

(Amended 11-1-2016 by O-20736 N.S.; effective 12-1-2016.)

(Amended 5-9-2022 by O-21454 N.S.; effective 6-8-2022.)

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§66.0715 Self-Haul and Use of Non-Certified Recyclable Materials Collector

- (a) Nothing in this Division shall preclude any *person* from *self-hauling recyclable materials* generated by that *person* to a *recycling facility*.
- (b) The *responsible person* for a *multi-family residential facility, commercial facility, or a mixed use facility* that *self-hauls solid waste* to a *disposal facility* shall comply with the *recycling* requirements in this Division applicable to that *multi-family residential facility, commercial facility, or mixed use facility*.
- (c) Except for occupants of *single family residential facilities*, a *person* who *self-hauls solid waste* to a *disposal facility* and/or *self-hauls recyclable materials* to a *recycling facility* shall complete and submit to the *City* a *recycling hauling report form*, and maintain an annual log documenting the types and quantities of *solid waste* and *recyclable materials* generated and delivered to *recycling facilities, organic waste facilities, solid waste facilities, salvage operations, and other locations*. Each annual log shall cover the time period from January 1 through December 31. Annual logs shall be maintained for a period of three (3) years, shall include delivery receipts and weigh tickets from the facilities that received the *solid waste* and *recyclable materials*, and shall be made available to the *Director* within 15 business days upon request.
- (d) Except for occupants of *single family residential facilities*, a *person* who uses the services of a *recyclable materials collector*, that is neither a *franchisee* nor a *certified recyclable materials collector*, to *collect, transport, and deliver recyclable materials* generated by that *person* to a *recycling facility*, shall complete and submit to the *City* a *recycling hauling report form*, and maintain an annual log documenting the types and quantities of *solid waste* and *recyclable materials* generated and delivered to *recycling facilities, organic waste facilities, solid waste facilities, salvage operations, and other locations*. Each annual log shall cover the time period from January 1 through December 31. Annual logs shall be maintained for a period of three (3) years, shall include delivery receipts and weigh tickets from the facilities that received the *solid waste* and *recyclable materials*, and shall be made available to the *Director* within 15 business days upon request.
- (e) Notwithstanding San Diego Municipal Code section 66.0715(a), the *responsible person* for a *multi-family residential facility, commercial facility, or a mixed use facility* shall subscribe to a minimum level of *recycling* service from a *franchisee* as set forth in the Container and Signage Guidelines established by the *Manager*.

(Added 11-20-2007 by O-19678 N.S.; effective 12-20-2007.)

(Amended 2-25-2021 by O-21295 N.S.; effective 3-27-2021.)

(Amended 5-9-2022 by O-21454 N.S.; effective 6-8-2022.)

§66.0716 Selling or Donating Recyclable Materials

Nothing in this Division shall preclude any *person* from selling at fair market value, for reuse or *recycling*, source-separated *recyclable materials* owned by that *person*, or from donating to another entity, for reuse or *recycling*, source-separated *recyclable materials* owned by that *person*.

(Added 11-20-2007 by O-19678 N.S.; effective 12-20-2007.)

(Amended 11-1-2016 by O-20736 N.S.; effective 12-1-2016.)

§66.0717 Scavenging of Recyclable Materials Prohibited

- (a) No *person* other than the *person* under contract with the generator of the *recyclable materials* to collect the *recyclable materials*, shall remove or otherwise interfere with *recyclable materials* which have been placed at a designated *recycling* or *recyclable materials collection* location.
- (b) No *person* shall be guilty of a violation of this section 66.0717 unless the *person* knew or reasonably should have known that the *recyclable materials* were set out for purposes of *collection* by another *person* authorized to *collect* the *recyclable materials*.

(Added 11-20-2007 by O-19678 N.S.; effective 12-20-2007.)

§66.0718 Enforcement

- (a) Authority. The *Director* is authorized to administer and enforce the provisions of Chapter 6, Article 6, Division 7 of this Code. The *Director* or anyone designated by the *Director* to be an *enforcement official* may exercise any enforcement powers as provided in Chapter 1 of this Code.
- (b) Remedies. It is unlawful to violate any provision or requirement of Division 7. The failure to comply with any requirement of Division 7 constitutes a violation of Division 7. Each instance of a violation of Division 7 is a separate offense. Violations of the provisions or requirements of Division 7 may be prosecuted as misdemeanors subject to the penalties provided in section 12.0201 of this Code. The *Director* or designee may seek injunctive relief or civil penalties in the Superior Court pursuant to section 12.0202 of this Code or may pursue any administrative remedy provided in Chapter 1, Article 2, Divisions 3 through 10 inclusive, of this Code.
- (c) Remedies Cumulative. Remedies under section 66.0718 are in addition to and do not supersede or limit any and all other remedies, civil or criminal. The remedies provided for herein shall be cumulative and not exclusive.

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- (d) Strict liability. Except as otherwise set forth in section 66.0717, violations of Division 7 shall be treated as strict liability offenses regardless of intent.

(Added 11-20-2007 by O-19678 N.S.; effective 12-20-2007.)

§66.0719 Requirements for Commercial Edible Food Generators

- (a) Compliance Schedule.
- (1) *Tier one commercial edible food generators* shall comply with the requirements of San Diego Municipal Code section 66.0719, effective on June 8, 2022.
 - (2) *Tier two commercial edible food generators* shall comply with the requirements of San Diego Municipal Code section 66.0719 beginning January 1, 2024, unless a different schedule is established pursuant to title 14, section 18991.3 of the California Code of Regulations, in which case that schedule shall apply.
 - (3) *Large venue or large event* operators not providing food service, but allowing for food to be provided by others, shall require food facilities operating at the *large venue* or *large event* to comply with the requirements of San Diego Municipal Code section 66.0719 beginning January 1, 2024.
- (b) *Food Recovery Requirements. Commercial edible food generators* shall arrange to recover the maximum amount of *edible food* that would otherwise be *disposed* by doing the following:
- (1) entering into a contract or written agreement with a *food recovery organization* or *food recovery service* for the *collection of edible food* for *food recovery*; or
 - (2) entering into a contract or written agreement with a *food recovery organization* to accept *edible food* that the *commercial edible food generator self-hauls* to the *food recovery organization* for *food recovery*; and
 - (3) not intentionally spoiling *edible food* capable of being recovered by a *food recovery organization* or *food recovery service*.
- (c) Recordkeeping. *Commercial edible food generators* shall maintain for a period of three (3) years and make available to the *Director* within 15 business days upon request, the following records:

- (1) A list of each *food recovery service* or *food recovery organization* that *collects* or receives its *edible food*;
- (2) A copy of all contracts or written agreements with *food recovery organizations* and *food recovery services* for the *collection* of its *edible food* for *food recovery*; and
- (3) A record of the following information for each *food recovery service* and *food recovery organization*:
 - (A) the name, address, and contact information of the *food recovery service* or *food recovery organization*;
 - (B) the types of food to be *collected* by the *food recovery service* or *self-hauled* to the *food recovery organization*;
 - (C) the established frequency that food is or will be *collected* by the *food recovery service* or *self-hauled* to the *food recovery organization*; and
 - (D) the quantity of food, measured in pounds recovered per month, *collected* by the *food recovery service* or *self-hauled* to the *food recovery organization* for *food recovery*.
- (d) Food Donation. Nothing in this Division shall be construed to limit or conflict with the protections provided by the California Good Samaritan Food Donation Act of 2017.
- (e) Exemption. A *commercial edible food generator* shall comply with San Diego Municipal Code section 66.0719 unless the *commercial edible food generator* demonstrates the existence of extraordinary circumstances beyond its control that make such compliance impracticable. If an enforcement action is commenced against a *commercial edible food generator* for noncompliance, the burden of proof shall be upon the *commercial edible food generator* to demonstrate extraordinary circumstances that make such compliance impracticable.

(“Requirements for Commercial Edible Food Generators” added 5-9-2022 by O-21454 N.S.; effective 6-8-2022.)

§66.0720 Requirements for Food Recovery Organizations and Services

- (a) *Food Recovery Services.* Food recovery services that collect edible food directly from commercial edible food generators, under a contract or written agreement for food recovery, shall maintain the following records:
- (1) The name, address, and contact information for each commercial edible food generator from which the food recovery service collects edible food;
 - (2) The quantity, in pounds per month, of edible food collected from each commercial edible food generator;
 - (3) The quantity, in pounds per month, of edible food transported by the food recovery service to each food recovery organization; and
 - (4) The name, address, and contact information for each food recovery organization to which the food recovery service transports edible food for food recovery.
- (b) *Food Recovery Organizations.* Food recovery organizations that collect or receive edible food directly from commercial edible food generators, under a contract or written agreement for food recovery, shall maintain the following records:
- (1) The name, address, and contact information for each commercial edible food generator from which the food recovery organization receives edible food;
 - (2) The quantity, in pounds per month, of edible food received from each commercial edible food generator; and
 - (3) The name, address, and contact information for each food recovery service from which the food recovery organization receives edible food for food recovery.
- (c) *Good Samaritan Laws.* Food recovery organizations and food recovery services shall provide written notice to commercial edible food generators, from which they collect or receive edible food, about California and Federal Good Samaritan Food Donation Act protection.

(6-2022)

(d) Reporting Requirements. *Food recovery services* and *food recovery organizations* that have a contract or written agreement with one or more *commercial edible food generators* for *food recovery* shall submit an annual report to the *Department*, by January 31 of each year, on a form or using a format prescribed by the *Director*. Annual reports shall include the following information:

- (1) *Food recovery services* shall include the information listed in San Diego Municipal Code section 66.0720(a) in their reports, with the exception that quantities shall be reported in pounds per year.
- (2) *Food recovery organizations* shall include the information listed in San Diego Municipal Code section 66.0720(b) in their reports, with the exception that quantities shall be reported in pounds per year.

(“Requirements for Food Recovery Organizations and Services” added 5-9-2022 by O-21454 N.S.; effective 6-8-2022.)

APPENDIX E:

2024 CERTIFIED CONSTRUCTION & DEMOLITION
(C&D) RECYCLING FACILITY DIRECTORY

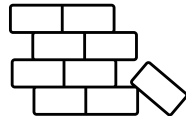
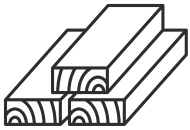


- **Material taken to a landfill is DISPOSAL. NO diversion credit is given for any material taken to a landfill.**
- You must use one of these facilities to receive diversion credit.
- Please call ahead to confirm details such as accepted materials, days and hours of operation, limitations on vehicle types, and cost.
- Ensure the project address and permit number are on the receipt.

IMPORTANT DRIVER INSTRUCTIONS - If you deliver to a transfer station, you must have your driver:

- State that your load is Construction and Demolition (C&D) debris, and ensure it is coded correctly on the receipt.
- Tickets coded as **"MSW, trash, or refuse"** will receive 0% credit.

The facilities marked below with an asterisk are transfer stations



	Asphalt/Concrete	Brick/Block/Rock	Building Materials for Reuse	Cardboard	Carpet	Carpet Padding	Ceiling Tile	Ceramic Tile/Porcelain	Clean Fill Dirt	Drywall	Industrial Plastics	Lamps/Light Fixtures	Metal	Mixed Inerts	Styrofoam Blocks	Trash	Mixed C&D Debris
EDCO Recovery & Transfer 3660 Dalbergia St, San Diego, CA 92113 619-234-7774 www.edcodisposal.com	•									•					•		78%
EDCO Station Transfer Station & Buy Back Center 8184 Commercial St, La Mesa, CA 91942 619-466-3355 www.edcodisposal.com	•		•							•		•			•		78%
EDCO CDI Recycling & Buy Back Center 224 S. Las Posas Rd, San Marcos, CA 92078 760-744-2700 www.edcodisposal.com			•	•	•						•				•		78%
Escondido Resource Recovery 1044 W. Washington Ave, Escondido, CA 92025 760-745-3203 www.edcodisposal.com	•	•	•						•	•	•		•				78%
Fallbrook Transfer Station & Buy Back Center 550 W. Aviation Rd, Fallbrook, CA 92028 760-728-6114 www.edcodisposal.com			•									•			•		78%
Otay C&D/Inert Debris Processing Facility 1700 Maxwell Rd, Chula Vista, CA 91911 619-421-3773 www.republicservices.com	•	•	•	•	•				•	•	•	•	•		•		87%
Ramona Transfer Station & Buy Back Center 324 Maple St, Ramona, CA 92065 760-789-0516 www.edcodisposal.com			•									•			•		78%
SANCO Resource Recovery & Buy Back Center 6750 Federal Blvd, Lemon Grove, CA 91945 619-287-5696 www.edcodisposal.com			•	•	•							•					65%

SEE ADDITIONAL C&D RECYCLING FACILITIES LISTED ON THE FOLLOWING PAGES.



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	Asphalt/Concrete	Brick/Block/Rock	Building Materials for Reuse	Cardboard	Carpet	Carpet Padding	Ceiling Tile	Ceramic Tile/Porcelain	Clean Fill Dirt	Clean Wood/Green Waste	Drywall	Industrial Plastics	Lamps/Light Fixtures	Metal	Mixed Inerts	Styrofoam Blocks	Trash	Other
Allan Company 6733 Consolidated Wy, San Diego, CA 92121 858-578-9300 www.allancompany.com/facilities			•									•						
Allan Company Miramar Recycling 5165 Convoy St, San Diego, CA 92111 858-268-8971 www.allancompany.com/facilities			•									•						
Alpine Asphalt & Concrete Recycling 5690 Willows Rd, Alpine, CA 91901 760-451-6481 www.alpineasphaltandconcrete.com	•	•	•				•											
Amswede Recycling 149 Reed Ct, Chula Vista, CA 91911 619-425-9450 www.amswederecycling.com	•	•	•			•	•	•	•			•	•					
Aquafil Carpet Collection 187 Mace St, Chula Vista, CA 91911 619-816-0787 www.aquafil.com				•	•													
Aquafil Carpet Collection 7720 Formula Pl, San Diego, CA 92126 602-562-0444 www.aquafil.com				•	•													
ARCOSA Crushed Concrete 8354 Nelson Way, Escondido, CA 92026 760-205-1797 www.ramco.us.com	•	•																
Armstrong World Industries, Inc. 300 S. Myrida St, Pensacola, FL 32505 877-276-7876 (Press 1, Then 8) www.armstrong.com/commceilingsna					•													
CMS Recycling Inc. 1428 West Mission Rd, Escondido, CA 92029 760-741-6300 www.cmsmetals.com												•						
Cornerstone Aggregates Inc. 332 Elkelton Pl, Spring Valley, CA 91977 619-964-6912	•	•					•	•										
DFS Flooring 10178 Willow Creek Rd, San Diego, CA 92131 858-630-5200 www.dfsflooring.com				•	•													



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EKCO Metals 2846 Commercial St, San Diego, CA 92113 619-756-6696 www.ekcometals.com												•						
F.J. Willert Contracting 2385 Cactus Rd, San Diego, CA 92154 619-421-1980 www.fjwillert.com	•																	
Habitat for Humanity ReStore 8101 Mercury Ct, San Diego, CA 92108 619-516-5267 www.sandiegohabitat.org		•																
Inland Pacific Resource Recovery 12650 Slaughterhouse Canyon Rd, Lakeside, CA 92040 619-390-1418 www.iprrgreen.com								•										
Los Angeles Fiber Company 4920 S. Boyle Ave, Vernon, CA 90058 323-589-5637 www.lafiber.com				•	•													
Martin Marietta Materials 389 Hollister St, San Diego, CA 92154 858-974-3849 www.martinmarietta.com	•																	
Martin Marietta Materials 12560 Highway 67, Lakeside, CA 92040 858-547-2141 www.martinmarietta.com	•																	
Martin Marietta Materials 9229 Harris Plant Rd, San Diego, CA 92126 858-974-3849 www.martinmarietta.com	•						•											
Miramar Greenery, City of San Diego 5180 Convoy St, San Diego, CA 92111 858-694-7000 www.miramargreenery.com								•										
Moody's 3210 Oceanside Blvd, Oceanside, CA 92056 760-433-3316 www.moodyselfcorazonrecycling.com	•						•						•					
Recycle On Earth 1230 Olive St, Ramona, CA 92065 760-789-9430												•						Solar Panels Wire Non-Ferrous Materials



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Rockridge Crushing 12485 Highway 67, Lakeside, CA 92040 619-324-7065	●																	
SA Recycling 3055 Commercial St, San Diego, CA 92113 619-238-6740 www.sarecycling.com												●						
SA Recycling 1211 S. 32nd St, San Diego, CA 92113 619-234-6691 www.sarecycling.com												●						
San Pasqual Valley Soils 16111 Old Milky Way, Escondido, CA 92027 760-746-4769 www.spvsoils.com								●										
Superior Ready Mix 500 N. Tulip St, Escondido, CA 92025 760-432-4690 www.superiorm.com	●																	
Superior Ready Mix 7500 Mission Gorge Rd, San Diego, CA 92120 760-690-5700 www.superiorm.com	●																	
Terra Bella Nursery 302 Hollister St, San Diego, CA 92154 619-585-1118 www.terrabellannursery.com							●	●										
Terra Bella Nursery (Midway District) 3535 Camino Del Rio West, San Diego, CA 92110 619-501-8118 www.terrabellannursery.com								●										
Vulcan Carol Canyon Landfill and Recycle Site 10051 Black Mountain Rd, San Diego, CA 92126 858-530-9465 www.vulcanmaterials.com	●	●					●						●					
Vulcan Materials Company 2275 Hard Rock Rd, Chula Vista, CA 91913 858-530-9472 www.vulcanmaterials.com	●																	
Vulcan Otay Asphalt Recycle Center 7522 Paseo de la Fuente, San Diego, CA 92154 619-571-1945 www.vulcanmaterials.com	●																	



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APPENDIX F:

REFERENCES

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