

ORDINANCE NO. 679

**AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF MORRO BAY, CALIFORNIA, AMENDING
CHAPTER 14.75 OF TITLE 14 (BUILDINGS AND
CONSTRUCTION) OF THE MORRO BAY MUNICIPAL CODE
(MBMC) TO INCORPORATE THE PROVISIONS OF SENATE
BILL 1383, WHICH UPDATED THE CALIFORNIA GREEN
BUILDING STANDARDS CODE (CALGREEN)**

**THE CITY COUNCIL
City of Morro Bay, California**

WHEREAS, on April 22, 2002, the City Council of the City of Morro Bay (“City Council”) held a duly noticed public hearing and passed Ordinance No. 488, which established a Construction and Demolition Debris Recycling Program pursuant to the provisions of Assembly Bill 939 (“AB 939”); and

WHEREAS, the California Legislature passed Senate Bill 1383 (“SB 1383”) in 2016, with the goal of reducing short-lived climate pollutants, specifically methane emissions, by targeting organic waste reduction; and

WHEREAS, SB 1383 directed the California Department of Resources Recycling and Recovery (“CalRecycle”) to adopt regulations to reduce organic waste by 50 percent from its 2014 baseline level by 2020 and 75 percent by 2025; and

WHEREAS, CalRecycle promulgated regulations as directed by SB 1383 in Chapter 12 (Short-Lived Climate Pollutants) of Division 7 of Title 14 of the California Code of Regulations (“SB Regulations”); and

WHEREAS, jurisdictions are required to adopt the California Green Building Standards Code (“CALGreen”), Sections 4.408.1 and 5.408 in their municipal code, which requires projects requiring local construction permits to divert at least 65% of the Construction and Demolition (“C&D”) generated at the project site from landfills; and

WHEREAS, SB 1383 regulations require jurisdictions to have a mechanism to enforce CALGreen’s 65% C&D debris requirement; and

WHEREAS, the City has a C&D Debris Recycling Program in place that was established through Ordinance No. 488 and is incorporated into the MBMC through Section 14.75 – Mandatory Construction and Demolition Debris Recycling Program; and

WHEREAS, the City desires to amend MBMC Section 14.75 to comply with the regulations set forth in SB 1383.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORRO BAY DOES
ORDAIN AS FOLLOWS:**

SECTION 1. Recitals. The City Council hereby declares and adopts the foregoing recitals and findings as true and correct and they are incorporated herein.

SECTION 2. Municipal Code Amendments. The City Council hereby adopts the proposed Ordinance, amending Title 14 (Buildings and Construction), Chapter 14.75 (Mandatory Construction and Demolition Debris Recycling Program) of the Morro Bay Municipal Code as shown in Exhibit A – MBMC Section 14.75: Mandatory Construction and Demolition Debris Recycling Program.

SECTION 5. CEQA Findings. The City Council has considered the changes that are proposed with respect to the matter described above. The City Council has, as a result of its consideration, the evidence presented at the hearings on said manner, and all comments that were received during the public hearing process, determined that this activity is exempt from review pursuant to Section 15061(b)(3) which provides that an activity is not subject to CEQA review where it can be seen with certainty that there is no possibility that it may have a “significant effect on the environment.” The City Council finds that it can be seen with certainty that there is no possibility that the amendment of MBMC Section 14.75 to incorporate the provisions of SB 1383 may have a significant effect on the environment because there is no substantial evidence that the adoption of this ordinance will have a significant effect on the environment. The City Council hereby approves this amendment of the MBMC in accordance with the California Environmental Quality Act.

SECTION 6. Severability. If any section, subsection, phrase, or clause of this ordinance or any part thereof is for any reason held to be unconstitutional or otherwise unenforceable, such decision shall not affect the validity of the remaining portions of this ordinance or any part thereof. The City Council hereby declares that it would have passed this ordinance and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsections, phrases, or clauses be declared unconstitutional or otherwise unenforceable.

SECTION 7. Effective Date. This Ordinance shall take effect 30 days after its adoption and upon certification required as an operation of law.

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SECTION 8. Certification. The City Clerk shall certify as to the passage and adoption of this Ordinance and shall cause the same to be posted as the designated locations in the City of Morro Bay.

INTRODUCED at a regular meeting of the City Council of Morro Bay, held on the 14th day of April 2026 by motion of Councilmember Eckles and seconded by Councilmember Luffee.

PASSED AND ADOPTED on the ____ day of _____, 2026, by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:
- RECUSE:

CARLA WIXOM, MAYOR

ATTEST:

DANA SWANSON, City Clerk

APPROVED AS TO FORM:

BRIAN STACK, City Attorney

STATE OF CALIFORNIA)
COUNTY OF SAN LUIS OBISPO)
CITY OF MORRO BAY)

I, Dana Swanson, City Clerk for the City of Morro Bay, California, do hereby certify that the foregoing Ordinance No. 679 was duly passed and adopted by the City Council of the City of Morro Bay at the regular meeting thereof, held on the ____ day of _____ 2026, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSED:

IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the City of Morro Bay, California, this _____ day of _____, 2026.

DANA SWANSON, City Clerk