

LEGISLATIVE DIGEST

[Building Code - Vacant Storefronts and Infrastructure Construction]

Ordinance amending the Building Code to exempt storefronts that are vacant due to public infrastructure construction from vacant storefront registration requirements; and affirming the Planning Department's determination under the California Environmental Quality Act.

Existing Law

Section 103A.5 of the Building Code requires storefronts that have been vacant for 30 days, are unsafe, or are improperly secured or maintained, to register with the Department of Building Inspection ("DBI"), pay an annual fee, and comply with various provisions to ensure the property does not fall into disrepair or blight. There are two exceptions to the registration requirements. The first exception is for storefronts that pulled a building permit within the last year to repair, rehabilitate, or do new construction at the property. The second exception is for storefronts where there is an active application to establish or change the use or occupancy of the storefront.

Amendments to Current Law

The Proposed Legislation would add a third exception to the vacant storefront registration requirements for storefronts where public infrastructure construction or maintenance activities impact the storefront's access to the nearest public right-of-way and/or essential utilities. The initial exception would last 180 days and can be renewed if DBI verifies the construction or maintenance activities continue to impact the storefront. Owners of exempted storefronts must notify DBI within 30 days of conclusion of the impacting activities and if the storefront remains vacant, be subject to the registration requirements of Section 103A.5.