



AB 356

ASSEMBLYMAN DEVON MATHIS

The Dilapidated Building Refurbishment Act

SUMMARY OF PROPOSED BILL

This bill would continue to streamline the refurbishment of an abandoned or dilapidated building by removing the sunset date established in AB 2341 (2018 CHP-298), and clarifying that certain aesthetic impacts do not have significant effects on the environment.

BACKGROUND ON EXISTING LAW

Prior to the chaptering of AB 2341 (2018 CHP-298), if a building was in need of aesthetic refurbishment, existing law required a lead agency on the project to prepare an environmental impact report (EIR) outlining any significant effects on the environment. The lead agency could then adopt a negative declaration if it found that the project would not have had a significant effect on the environment.

AB 2341 (2018 CHP-298) provided California Environmental Quality Act (CEQA) litigation relief for housing projects involving the refurbishment, conversion, repurposing, or replacement of an existing building that is abandoned, dilapidated, or has been vacant for more than one year. However, this chaptered 2018 legislation is set to expire on January 1, 2024.

PROBLEMS CREATED BY AESTHETIC IMPACT OVERSIGHT

Should the expiration date of January 1 2024 not be amendment existing law would not allow for minor aesthetic refurbishment projects to be exempt from filing an EIR prior to project initiation. This has previously resulted in building owners being forced to undergo extensive filing processes, resulting in increased costs for an aesthetic project's completion. This oversight also created an atmosphere which fails to promote upkeep and minor renovations to older and dilapidated buildings. As such, many lower income areas struggle to provide a positive and friendly environment, with regards to beautification projects, for their residents.

In some cases, refurbishment of aesthetic effects can have a significant impact on the functionality of a building or housing structure. Often, most aesthetic project EIRs are challenged based upon an argument of significant environmental impacts. Yet, almost all

aesthetic refurbishment projects result in negligible environmental impacts. This oversight hinders these beautification, restoration, and refurbishment projects. Instead, the state should specify that certain aesthetic effects of projects are not significant effects on the environment for purposes of CEQA.

NEED FOR THIS BILL

In removing the January 1 2024 expiration, AB 356 continue to allow for the very narrow exemption which ultimately promotes a positive atmosphere in disadvantaged communities. While the measure has no impact on streamlining the construction of a building, it does promote building beautification projects.

SIMILAR LEGISLATION

AB 2431 (2018 CHP-298)

SUPPORT

None on file.

OPPOSITION

None on file.

CO-AUTHORS

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FOR MORE INFORMATION

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