

CITY OF WESTMINSTER
ORDINANCE NO. XXXX

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF
THE CITY OF WESTMINSTER, CALIFORNIA, ADDING
CHAPTER 8.22 TO THE WESTMINSTER MUNICIPAL
CODE RELATING TO VACANT PROPERTY
REGULATIONS FOR NON-RESIDENTIAL BUILDINGS

WHEREAS, as part of its strategic planning process, the Westminster City Council set an objective for staff to take steps toward City beautification to improve quality of life and attract business and developers; and

WHEREAS, there are vacant non-residential properties and storefronts located throughout the City of Westminster which can be a source of blight, present safety hazards, attract crime, and foster the neglect of portions of the City; and

WHEREAS, allowing non-residential properties to sit in a state of vacancy for prolonged periods without any action on the part of the property owner to improve the property is detrimental to the city; and

WHEREAS, the proposed program will impose standards for vacant non-residential property as well as provide contact information for such properties and hold property owners accountable for maintenance issues; and

WHEREAS, on May 13, 2026, the City Council of the City of Westminster, California, considered this Ordinance and reviewed facts and evidence presented by City staff and other interested parties, after which the City Council found that the proposed amendments are consistent with the goals and policies of the City's General Plan and Westminster Strategic Plan;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WESTMINSTER, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Incorporation of Recitals. The City Council finds that the foregoing recitals are true and correct and are incorporated herein as substantive findings of the City Council.

SECTION 2. Municipal Code Amendment. Chapter 8.22 is hereby added to the Westminster Municipal Code to read as follows:

VACANT NON-RESIDENTIAL PROPERTY REGULATIONS

§ 8.22.010 Purpose.

- A. The intent of this chapter is to establish regulations governing non-residential vacant property, vacant buildings, and vacant tenant spaces within the city. The establishment of these regulations is to ensure that properties, buildings, and tenant spaces are maintained in a manner that projects a positive image to the general public. This Chapter does not apply to residential properties.
- B. This Chapter allows the City to create and maintain a registry of vacant properties and responsible parties.
- C. This chapter is not intended to apply to any vacant property, vacant buildings, or vacant tenant spaces owned or controlled by the city, or any governmental entity which is immune to the city's regulations.

§ 8.22.020 Definitions.

The following words and phrases, whenever used in this chapter, shall have the meaning defined in this section unless the context requires otherwise.

“Community Development Director” means the Director of the Community Development Department or his or her designee.

“Non-Residential” means that the property does not have any habitable structures on the property, irrespective of the zoning. If there are any habitable structures on the property, and there are any vacant buildings on the property which were most recently used for commercial activities, then such vacant buildings are subject to this Chapter.

“Responsible party” means the property owner, and such individual or entity designated by the property owner.

“Vacant Building” means a non-residential property that has a building with either a single tenant or multi-tenant space with no business activity or maintenance on-site that is unleased by the property owner for more than 30 calendar days.

“Vacant Property” means a non-residential property with no buildings. This includes both a property that has never developed and a property that has become vacant after pre-existing buildings, structures, or impervious surfaces were removed.

“Vacant Tenant Space” means a tenant space within a multi-tenant non-residential building that is unleased by the property owner for more than 30 consecutive calendar days.

§ 8.22.030 Property Owner Registration.

- A. The property owner of a vacant property, vacant building and/or vacant tenant space, must register the real property with the Community Development Department on forms approved by the Community Development Director within 30 days of written notice by the city of the requirements of this program. The failure of any person to receive this notice does not affect the validity of any proceedings under this program.

- B. Such registration forms must include at least the following:
 - 1. Name, telephone number, email address, and physical street/office address (not a P.O. box) of the property owner.
 - 2. The property owner may opt to designate a person or entity that will be responsible for compliance with this Chapter on behalf of the Owner. The name, telephone number, email address, and street/office address shall be included. Designation of a responsible party does not relieve the property owner of any responsibilities, obligations, or liabilities that arise out of this Chapter.
 - 3. A responsible party must provide in writing the name and telephone number of the local property management company to adjoining property owners in case of emergency or other issues that arise in connection with the subject property.
 - 4. A responsible party must cause the on-site inspection of any real property subject to registration pursuant to this program to be inspected as required by this program.
 - 5. A responsible party must abate any unlawful condition existing on real property subject to registration pursuant to this program within 60 days after observing or being notified of the unlawful condition. Nothing in this program relieves any responsible party of the need to obtain approvals, permits, or licenses as otherwise required by the Westminster Municipal Code.

- C. The registration forms must be accompanied by all applicable unpaid annual registration fees.

- D. The registration and accompanying fee will be valid for the calendar year, or the remaining portion of the calendar year, in which the registration was initially required. The registration fee will not be prorated. Subsequent registrations and fees are due by January 31st of each year.

- E. Responsible parties required to register vacant property, vacant building, and/or vacant tenant space, must keep such property registered and must comply with this program for the entire time such property, building, and/or vacant space remains vacant or shows evidence of vacancy. Responsible parties required to register real property must also report any change of information contained in the registration within ten calendar days of the change.
- F. When a vacant property, vacant building and/or vacant space, becomes occupied, title is transferred to another property owner, or the property owner wishes to change the responsible party, the prior responsible party must notify the Community Development Director in writing within ten calendar days after the first to occur of the property's occupancy or the transfer of title.
- G. The new responsible party must re-register the vacant property within ten calendar days after the transfer.
- H. Nothing contained within this program relieves a responsible party from complying with any other applicable law including, without limitation, any contractual obligations it may have pursuant to conditions, covenants, and restrictions recorded against the vacant property.
- I. A vacant building or vacant tenant space shall be removed from the registry when the owner obtains a completed lease agreement with a new tenant.

§ 8.22.040 Security Requirements.

- A. A vacant building, and/or vacant tenant space must be secured within 24 hours after becoming vacant or showing evidence of vacancy, in a manner to prevent access by unauthorized persons.
- B. Broken windows, doors, and other openings may be temporarily boarded for up to ten calendar days. After the earlier of ten calendar days from boarding up such window, door or other opening or notice is received from the City, such window, door, or opening must be replaced with permanent windows, doors, or other fixtures. Upon prior written approval of the Community Development Director the boarding of any window, door, or other opening may exceed ten calendar days if the boarding is painted to match the color of the building.
- C. Gates and other openings of such a size that may allow a child to access the interior of the real property or buildings or structures located thereon (including garage structures or detached accessory structures) shall be closed and secured.
- D. Responsible parties for any vacant property, vacant building, and/or vacant tenant space, must submit a "Letter of Agency" (or other similarly entitled authorization) in a form approved by Community Development Director every six months and

post "No Trespassing" signs as required and approved by the Community Development Director.

§ 8.22.050 Property and Building Standards.

- A. Landscape and Irrigation Plans for Vacant Buildings and Vacant Properties. All vacant buildings and vacant properties must submit a landscape and irrigation plan to the Community Development Director for review and approval.
1. Upon approval of a landscape and irrigation plan, a vacant property or vacant building must always be improved and maintained as provided for in the plan. If a vacant property or vacant building stops being vacant, then it no longer is required to be maintained as provided in the plan.
 2. A landscaped area must be provided and maintained on all perimeters of a vacant property located behind the public right-of-way, as defined by Westminster Municipal Code section 12.28.010.
 3. Landscaped areas must be planted with natural, drought-tolerant vegetation consisting of a combination of trees, shrubs, and ground cover, subject to the approval of the Community Development Director. Such landscape materials must maintain a minimum height of two feet. Durable, high-quality, synthetic turf may be used as an alternative.
 4. The vacant property and/or vacant building must be improved with an operable automatic irrigation system for the ground cover which must be installed and maintained in good condition by the responsible party at all times.
 5. All on-site landscaping and irrigation, whether installed pursuant to a new landscaping and irrigation plan, or pre-existing, must be maintained in good condition, including, without limitation, any conditions of approval applied to the site as part of the approved vacant property landscape and irrigation plan.
 6. Any dead or dying vegetation as well as any broken, malfunctioning irrigation components on the lot must be replaced by the responsible party, within 72 hours of discovery or notification by the city. The responsible party must inspect the property at reasonable intervals and take other steps to reasonably ensure that these conditions do not exist.
- B. Fencing. A Kentucky-style fence approved by the Director must be located behind all required perimeter landscaping. All barriers must be provided with a gate to allow access to the vacant property for emergency access.

- C. Water Sources. Any sources of water must be kept in working order so water remains clear and clean and free of mosquitoes. Alternatively, the water source may be thoroughly drained.
- D. Maintenance of Property
1. The vacant property, vacant building, and/or vacant tenant space must be maintained free of litter, weeds, graffiti, debris, and the stockpiling or storage of any material at all times. The responsible party, must inspect the property at reasonable intervals and take other steps to reasonably ensure compliance with this requirement.
 2. All perimeter barriers, including fencing, must be maintained in good condition at all times by the property owner. Any on-site graffiti must be removed by the responsible party, within 24 hours of discovery or notification by the city. The responsible party, must inspect the property at reasonable intervals for any on-site graffiti and take other steps to reasonably ensure that there is no on-site graffiti.
- E. Vacant property types. Vacant properties with existing on-site buildings or structures that are vacant, abandoned, or unleased for 30 calendar days or more as determined by the Community Development Director, must be maintained as follows:
1. All on-site structures must be maintained in good condition at all times. Damage to any on-site buildings or structures must be abated within ten calendar days by the property owner, or designee, upon discovery or upon city notification. An alternative abatement period may be granted if deemed necessary by the Community Development Director, if the responsible party demonstrates that physical improvements towards remedying the site or building reasonably require more than ten days and only after a written request is received by the Community Development Director justifying additional time for good cause shown.
 2. The vacant property, vacant building, and/or vacant tenant space must be adequately secured at all times to prevent illegal dumping, criminal activity, vandalism, graffiti, trespassing, and any and all other attractive nuisances to the satisfaction of the Community Development Director.
 3. All signage referencing previous businesses must be removed, with wall(s) to be patched and painted to match the existing building.
- F. Storefront window activation. Vacant buildings and/or vacant tenant spaces with ground floor commercial or office space must activate their store front windows with window decal designs provided and/or approved by the Community

Development Director. The size of the design shall cover approximately one-third of the window. Design, size and placement must be approved by the Community Development Director. The window decal designs shall be printed on adhesive vinyl. Window decal designs under the Vacant Property Regulations are exempt from the temporary signs regulations pursuant to Westminster Municipal Code § 17.330.025.

1. Windows must be cleaned and fixed prior to installation. Once installed, the window adhesive vinyl must be maintained with no major damage. Window decal design may be changed with approval by the Community Development Director.
2. Windows shall not be covered with textile materials including but not limited to fabric, tarp, cloth, plastic films, metal foil, rubber sheets, vinyl plastic and paper.

§ 8.22.060 Implementation

- A. Implementation. All vacant property, vacant building and/or vacant tenant space, regardless of how they became vacant, that are existing as of July 1, 2026, must comply with this section within 60 calendar days of receiving notice from the city alerting the property owner or operator of the requirements of this section. A reasonable extension of time may be granted for good cause as determined by the Community Development Director. For purposes of this section only, receipt of notice is deemed to have been provided five calendar days after such notice is mailed by first class mail to the property owner(s) shown on the last assessment roll of the county. The failure of any person to receive this notice does not affect the validity of any proceedings under this program.
- B. Exemption. Any vacant property, vacant building, and/or vacant tenant space that is undergoing construction or any vacant property, vacant building, and/or vacant tenant space, for which a building permit has been issued and has not expired is exempt from the requirements of this section.

SECTION 3. Effective Date. This Ordinance shall take effect on the 31st day after passage. However, implementation shall not begin until July 1, 2026.

SECTION 4. CEQA. The City Council finds that the proposed zoning code amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to the common sense exemption set forth in CEQA Guidelines Section 15061(b)(3) as it can be seen with certainty that this Ordinance will not have any environmental impacts.

SECTION 5. Severability. If any section, subsection, subdivision, sentence, clause, phrase, word, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall

not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, word or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, words or portions thereof be declared invalid or unconstitutional.

SECTION 6. Attestation. The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in the official newspaper within 15 days after its adoption. This Ordinance shall become effective 30 days from its adoption.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2026.

CITY OF WESTMINSTER

CHI CHARLIE NGUYEN
MAYOR

ATTEST:

SANDRA MEDINA
INTERIM CITY CLERK

APPROVED AS TO FORM:

SCOTT PORTER, CITY ATTORNEY

**CITY OF WESTMINSTER
CITY CLERK'S OFFICE**

**CERTIFICATION
OF
ORDINANCE**

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF WESTMINSTER)

I, Sandra Medina, Interim City Clerk of the City of Westminster, California, do hereby certify that the foregoing Ordinance No. XXXX was introduced for first reading on the 13th day of May 2026, and duly passed, approved, and adopted by the City Council of the City of Westminster at a regular meeting held on the _____ day of _____, 2026, with the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

Sandra Medina
Interim City Clerk

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