



Albemarle County

Legislation Text

File #: 16-106, **Version:** 1

AGENDA DATE: 4/6/2016

TITLE:

Options to Address Blight and Building Maintenance

SUBJECT/PROPOSAL/REQUEST: Options to address unsafe and unsightly buildings

ITEM TYPE: Regular Action Item

STAFF CONTACT(S): Foley, Walker, Davis, Herrick, Graham, McCulley, Cilimberg, Benish, Schlothauer

PRESENTER (S): Jay Schlothauer, Mark Graham

LEGAL REVIEW: Yes

REVIEWED BY: Thomas C. Foley

BACKGROUND: At its September 25, 2015 retreat, the Board expressed concern over aging infrastructure and blight in the County. This work session is to review two additional options to address this issue:

- 1) Spot blight abatement; and
- 2) An expanded building maintenance program.

STRATEGIC PLAN: Goal 7. Operational Capacity. Ensure County government's ability to provide high quality service that achieves community priorities

DISCUSSION: Staff has identified two additional options for addressing unmaintained buildings and structures: spot blight abatement and an expanded building maintenance program. These options, along with a brief description of existing tools, are discussed in Attachment A. The first option, spot blight abatement, is already enabled in Virginia Code § 36-49.1:1, and would not require additional ordinance(s) for initial implementation. In order for the County to abate spot blight, a property must first be determined to be "blighted," which requires significant deterioration.

The second option would be the local adoption of the existing Virginia Maintenance Code (VMC). The VMC's maintenance standards and administrative procedures are already part of the Virginia Uniform Statewide Building Code. The VMC includes a broad range of property maintenance elements. Compared with spot blight abatement, the VMC sets a much lower threshold for County action. For example, the VMC could be used to address maintenance issues such as peeling, flaking and chipped paint (VMC § 304.2).

Staff has not yet generated a full inventory of properties County-wide that would meet the definition of "spot blight" or that would currently violate the VMC. However, from 2004-2015, County staff received 63 reports of abandoned, unsafe structures. Based on this history, staff would anticipate receiving at least five requests for service per year.

Staff polled several comparable Virginia counties about their use of the VMC (Attachment B). Because adoption of the VMC is a much more intensive effort, staff believes this option should be considered only if a spot blight program fails to provide the desired results. This incremental approach would avoid creating a

more expansive program than needed. The primary advantages of a spot blight abatement program are (1) that it could be quickly started without the need for additional staff, and (2) that funding could be requested and authorized on a case-by-case basis.

BUDGET IMPACT: With the spot blight option, no additional staff would be needed to initiate a program, but additional funding would be needed for the demolition and/or cleanup of each property that the Board declares blighted. No additional funding is being requested at this time, but appropriation requests would be needed to support any blight ordinances adopted by the Board for specific properties which require more than the amount budgeted for this purpose. With the second option, based on staffing levels in peer localities that have adopted the VMC (Attachment B), the County would require at least one additional staff member to serve as Code Official or as an inspector if the VMC were adopted locally. A detailed cost estimate would be brought forward along with any proposed ordinance that created this program. Unless/until the additional staff needed to enforce the VMC is budgeted and hired, the County's Building Official would take the lead on any spot blight abatement(s).

RECOMMENDATION:

Staff recommends that the Board approve the implementation of a spot blight abatement program for a one year trial period with the understanding that, at the end of the trial period, staff will review with the Board the effectiveness of the program so that the Board can determine whether to continue the spot blight program, pursue adoption of the VMC, or explore other solutions.

A - Building Maintenance Options

B - Virginia Maintenance Code - Comparable Counties