



Albemarle County

Legislation Text

File #: 21-523, **Version:** 1

AGENDA DATE: 12/1/2021

TITLE:

Work Session to Discuss Blighted Properties and Property Maintenance

SUBJECT/PROPOSAL/REQUEST: Work session to discuss options for property maintenance and blight abatement.

ITEM TYPE: Regular Action Item

STAFF CONTACTS: Richardson, Walker, Kamptner, Herrick, Filardo, McCulley, Dellinger, Svoboda

PRESENTERS: Jodie Filardo, Amelia McCulley

LEGAL REVIEW: Yes

REVIEWED BY: Jeffrey B. Richardson

BACKGROUND: The Board's Fiscal Year 2020-2023 Strategic Plan identifies revitalizing "aging urban neighborhoods" as one of the priorities. A stated goal of the County's Comprehensive Plan is that the Development Areas be vibrant active places with attractive neighborhoods. The presence of blighted and deteriorated properties can have an economic and environmental impact on property and lead to criminal activities and other public nuisances. Large concentrations of blighted homes can lead to disinvestment and decline of an area.

STRATEGIC PLAN: Thriving Development Areas - Attract quality employment, commercial, and high-density residential uses into development areas by providing services and infrastructure that encourage redevelopment and private investment while protecting the quality of neighborhoods.

DISCUSSION: In a December 16, 2020 Board work session, staff reviewed the currently-adopted blight and property maintenance regulations (Attachment A). Staff also provided strengths and weaknesses of three tools: spot blight abatement, a tax abatement to demolish or renovate "derelict" buildings, and the Virginia Maintenance Code (VMC). As a result of the work session, the Board asked staff to research costs and options for adoption of all or part of the VMC, including possible phased options. During the discussion, several Board members also expressed concerns about abandoned properties, particularly within neighborhoods, that become blighted and impact other properties.

Staff recognizes that continued focus on spot blight abatement is warranted. This includes dedicated resources for blight, CART, and other quality of life concerns. In the future, a more comprehensive blight remediation strategy may be relevant that is not only preventative such as through code enforcement but also incorporates opportunities such as for renovation and redevelopment.

Since the work session, new information and opportunities have developed.

Successes using existing spot blight abatement authority

In the past year, the Building Official has taken spot blight enforcement action in response to six property maintenance complaints. Of these properties, five now have secured first-floor access and have approved maintenance plans that will result in abatement within an acceptable timeframe. Blighted portions of these structures are either already demolished or are in the process of being demolished. To be strategic in how the County deploys resources and approaches property maintenance and blight complaints, staff drafted a ranked prioritization (Attachment B). The draft prioritization considers public health and safety as the highest priority. It also considers damage to others' property, environmental hazards, and aesthetic concerns.

Formation of the Coordinated Action Response Team (CART)

Among other localities that have adopted a Maintenance Code or have prioritized quality of life enforcement efforts, one successful approach has been to establish a team that crosses multiple departments to coordinate efforts on enforcement cases. This approach allows strategic code enforcement and targeted investment of resources to obtain compliance. As a result, County staff have recently formed a Coordinated Action Response Team (CART) with representation from the Community Development Department Divisions of Building, Engineering, and Zoning; Social Services (DSS); Police (ACPD); and Fire Rescue (ACFR). CART also includes representatives from the Environmental Health Division of the Virginia Department of Health. Representatives from other department, such as the Finance Department and the County Attorney's Office, may be ad hoc members as the topic necessitates. This team approach allows shared information and resources, and has yielded improved results in other jurisdictions. The team usually focuses on either a neighborhood or on common departmental customers. In the future as CART has further work together, staff can report results of this team's efforts.

Staff research concludes that most localities who have adopted the VMC are cities and towns who are experiencing high numbers of property maintenance complaints, including those relating to blighted neighborhoods. Staff estimates that over the past 2 years, less than 2% of our building and zoning complaints relate to blight that cannot be fully addressed with our current zoning, building and spot blight tools. Even so, for sustained success of the CART approach, staff sees value in adding a dedicated resource (new staff position) to provide focused and expedient resolution of blight complaints, while allowing existing Building division staff to focus on reviewing and inspecting new construction. This dedicated staff person would work on grants and other partnership opportunities for funding, especially to assist low-income residents. This enhanced approach would also allow for more robust evaluation of trends cause and effect determinations, and other data analysis to better inform when to use additional tools, such as the VMC, or whether to request enabling authority for a vacant building registry. This new resource may be considered as soon as the upcoming FY23 budget process.

Potential Unintended Adverse Impacts. Community Development staff met with staff from the Offices of Equity and Inclusion (OEI) to view this issue and potential solutions through an equity lens. Though the six blight complaints from the past year are too small of a sample for final conclusions, the majority of blighted properties to date have been constrained-income, housing-burdened households. In addition, many blighted properties are located within communities of color. Further study will be necessary to obtain more data and develop potential mitigation options.

BUDGET IMPACT: Adoption of the Virginia Maintenance Code, whether in whole or in part, proactive- or complaint-based, would have substantial budget implications (see Attachment E, Program Costs.). A more incremental approach such as the addition of a dedicated staff position to focus on performance of the CART team would have proportionately reduced budget impacts.

RECOMMENDATION:

For this work session, staff is seeking Board input on this program with awareness that staff sees value in continuing to use more focused and efficient tools, such as spot blight abatement, the prioritization tool and CART, to address property maintenance concerns. Based on the current scope of maintenance concerns and the substantial cost and impact of a new maintenance program, staff does not currently recommend adoption

of the VMC.

If the Board prefers to proceed with the Virginia Maintenance Code, staff recommends a phased approach with partial adoption.

ATTACHMENTS:

A - 12/16/20 Board Report

B - Draft Prioritization

C - Comparison VMC Adoption

D - VMC Table of Contents

E - Program Costs

F - Costs and Options for the VMC