



To: Members of the Planning and Zoning Commission and the Architectural Review Board

From: Jennifer M. Rauch, AICP, Planning Director

Date: June 4, 2020

Initiated By: Jennifer D. Readler, Law Director
Thad Boggs, Asst. Law Director
Tammy Noble, Senior Planner, Long Range Planning Manager
Greg Jones, Code Enforcement Supervisor

Re: Informal Discussion to the Property Maintenance and Nuisance Code

Summary

City Council has been discussing current regulations that monitor property maintenance and nuisance abatement for residential and commercial properties in the City of Dublin. City Council's Public Services Committee reviewed this topic at their February 18, 2020 meeting and provide initial input and direction regarding our current regulations and contemplating additional requirements, including a potential code amendment, registration processes and bonding requirements that may provide additional assistance in maintaining rental properties and long term vacant properties. The Committee referred this topic to the Planning and Zoning Commission and the Architectural Review Board to review further and provide recommendations on next steps.

Current Regulations - Property Maintenance and Nuisance Abatement

The City of Dublin's Codified Ordinances has several sections that address property maintenance and nuisance abatement. These regulations have been adopted to ensure that all properties, both residential and commercial, are properly maintained in a safe, sanitary, and orderly condition and to ensure the regulations are enforceable.

Code Sections 150.230-150.231 address property maintenance and references the 2018 International Property Maintenance Code which was recently updated by City Council on April 13, 2020. The International Property Maintenance Code is dedicated to the health, safety & welfare of occupants of occupied, not vacant structures. Zoning Code Section 153.076 addresses public nuisance, particularly as it relates to vacant or abandoned structures with a focus on the aesthetics in addition to the public health, safety & welfare.

A number of vacant/abandoned/rental properties have been identified by the Public Services Committee and concerns raised regarding how our current regulations can be used to address the property maintenance and public nuisance concerns and whether additional Zoning Code modifications are needed. Staff will provide a review of the challenges with these properties for discussion at the meeting. Outlined below are several options for discussion and consideration to address the initial concerns raised by the Public Services Committee and City Council.

Zoning Code Modifications

One potential solution is provide additional regulations within the Zoning Code to address increased aesthetic requirements for properties that are vacant or abandoned, as well as additional

enforcement procedures. The Committee discussed the option of requiring vacant or abandoned properties visually consistent with surrounding properties, including not permitting the use of plywood to secure vacant properties, but to require Plexiglass panels in lieu of plywood, or window or door replacement. In lieu of this material, the City could require the use of glass or other material that would ensure the property is consistent with the surrounding inhabited buildings. Staff also discussed the option of providing clearer a definition between vacant and abandoned properties, and providing additional enforcement processes and measures for compliance.

Registration Requirements

Planning has researched how several other suburban communities address property maintenance. A number of communities in Ohio require registration for rental properties and vacant property registration, including Urbana, Painesville, Xenia, Millersburg, Cambridge, Sandusky and Kent, Ohio. The registration requirement ensures a city has a database of all properties rented and/or vacant and local contact information. This ensures any repairs needed are done so in a timely manner and a local contact person/agency is available to ensure repairs are made. The registrations requirement can include any additional information a city may wish to include such as the date the property was vacated, a plan for repair, proof of liability insurances, and access to the property for external or internal inspections. This information ensures there are active plans to address rental or vacant properties that may fall into a condition of disrepair and allows the City to have an active role in remedying the issues.

Bonding Requirements

Planning has also researched the potential of requiring a bond for properties that are in disrepair that will be collected by the City and utilized if repairs are not being made. The City currently has similar requirements for landscaping requirements used to ensure requirements are met. The bond is assessed by city staff and held until all modifications are made. Once the property is compliant, all remaining funds are returned to the property owner. This type of requirement would be solidified in a code modification to the Zoning Code and would outline the procedures for the bonding requirement.

Discussion Topics

Planning requests the Planning and Zoning Commission and the Architectural Review Board consider the following discussion topics:

- Do the existing regulations address your concerns about property maintenance and public nuisance?
- If not, what types of regulations and/or enforcement measures should be investigate to address the concerns?
- Should the City further investigate the implementation of registration for vacant properties?
- If so, what registration requirements should be considered?
- Should the City further investigate the implementation of bonding requirements for properties in disrepair?
- Other considerations by the Commission and Board.