

To: Members of the Planning and Zoning Commission

Date: October 1, 2020

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Re: Property Maintenance and Nuisance Code

Update

Based on the feedback by both the Planning and Zoning Commission and the Architectural Review Board, staff presented a revised draft to the Architectural Review Board on September 23, 2020. The Board supported the draft language with minor modifications to formatting. The current draft reflects these comments.

Summary

The Planning and Zoning Commission reviewed the draft code modification regarding property maintenance on August 20, 2020 and the Architectural Review Board reviewed the same information on August 23, 2020. Both boards conducted an informal review of the Code with no formal recommendation made.

The Planning and Zoning Commission provided feedback on enforcement action regarding vacant structures. The Commission wanted to ensure vacant structures would only be subject to the enforcement process if it met one of the eight requirements outlined in the definition section. This would ensure that properties that were vacant and not in a condition of disrepair or violation would not be subject to enforcement procedures, meaning properties undergoing renovations, homeowner transition or market conditions would be exempt. The Commission requested the Code be clarified and exemptions be added. Planning has added an "Exemption" section to the Section 153.076, which includes buildings under construction with valid building permits, that have suffered severe weather conditions, that are for sale for a period of up to twelve months, or by request of a property owner to the City of Dublin for reasons unspecified in the previous conditions. The Commission also wanted to highlight enforcement procedures, which are outlined in Administrative Order 8.5. Planning has referenced the AO in the section identified as "Penalties and Enforcement".

The Architectural Review Board had considerable discussion about the term "vacant". After a lengthy discussion, the Board concurred the term "vacant" was an industry-wide term used to identify properties that under certain circumstances should be subjected to enforcement measures. Planning has highlighted that under the term "vacant" the property must also meet one of eight conditions (outlined in the definition section) to be subjected to enforcement procedures. Similar to the Planning and Zoning Commission, the Architectural Review Board wanted to ensure that exemption provisions were included in the revised draft.

Recommendations

Planning recommends the Planning and Zoning Commission forward a recommendation of approval of the Public Nuisance Code Section (153.076) to City Council.