

PZ-23-00094

Building & Property Care Standards

Housing Commission

October 26, 2023





Building & Property Care Standards

Presentation Outline

- Recent History on Property Care Standards
- Draft Building and Property Care Standards
- Proposed Amendments to Littering Chapter
- Proposed Amendments to Abandoned Vehicles
- Next Steps

“It is not enough for cities to be beautiful and efficient. They could, and should, be just and fair as well, and planners should work toward human betterment.”

Norman Krumholz, FAICP



Building & Property Care Standards

Project Team

Tiffany Antol, Zoning Code Manager

Reggie Eccleston, Code Compliance Manager

Kevin Fincel, Deputy City Attorney

Dan Folke, Community Development Director

Mark Reavis, Heritage Preservation Officer & Neighborhood Planner



Building & Property Care Standards

Why consider property care standards now?

- Property Maintenance Ordinance not adopted – 2012
- November 24, 2020 Future Agenda Item Request (FAIR)
- Working Group meetings summer 2022
- September 27, 2022 City Council Work Session
- June 13, 2023 City Council Work Session



Building & Property Care Standards

What is a Property Maintenance Ordinance?

- Rules for maintenance of all land and buildings
- Life and safety regulations
- Accumulation of garbage/debris/refuse/litter
- Hazardous and dangerous conditions
- Deteriorating structures
- Abandoned properties and vehicles



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Considerations

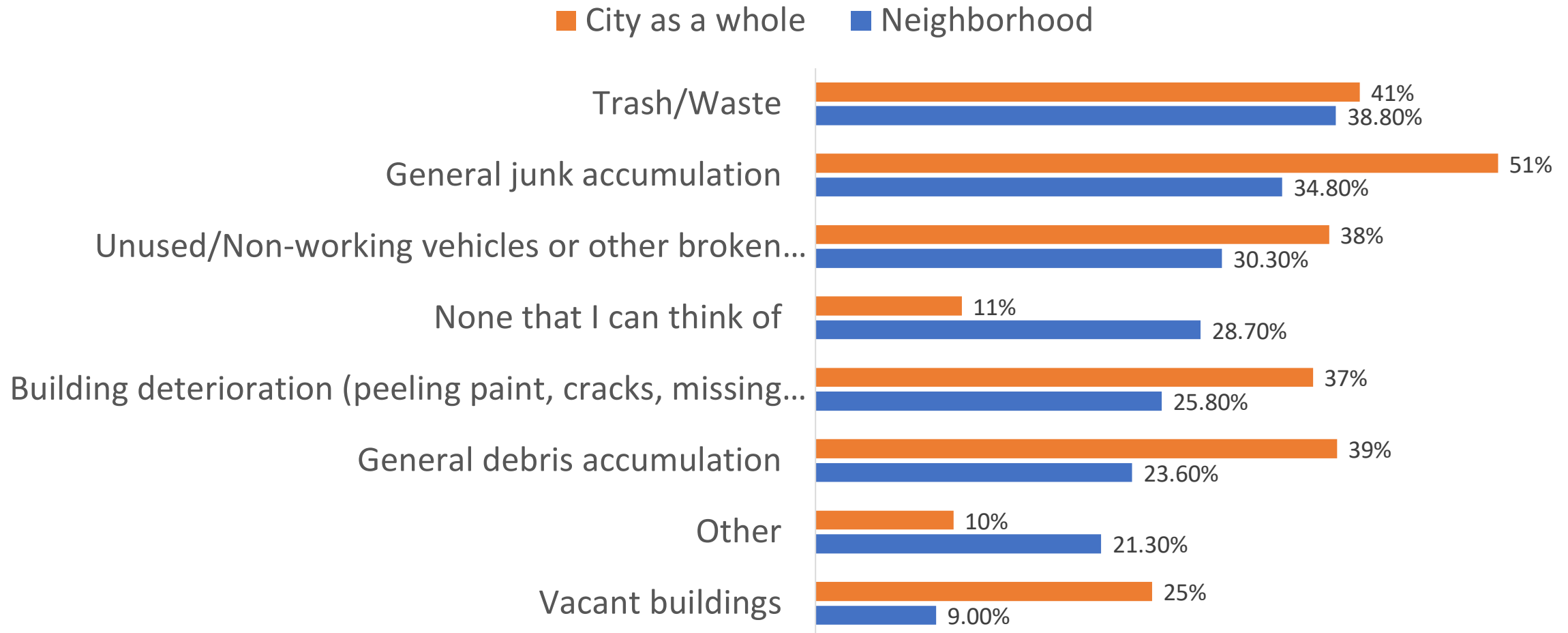
- Housing Emergency
- Climate Emergency
- Neighborhood & Heritage Preservation
- Social Equity
- Health and Safety of Neighborhoods



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2022 Survey Results – Issues





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Survey Results – Primary concerns

- Inequitable impacts/ability to comply
 - health, race, income
- Existing ordinances in place
 - Enforce existing codes
- Subjectivity of aesthetic elements
- Overbearing – sounds too much like HOA
 - Many people chose to live without HOA



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Selected Approach

- Create simple, clear standards for buildings and land
- Support standards with improved city code
 - Littering, Nuisances, Abandoned Vehicles, Building Code
- Appendix: how to meet the standards
- Continue to work with A League of Neighborhoods
- Create a Property Care program



Building & Property Care Standards

Division 7-06 Building and Property Care Standards

7-06-001-0002 Purpose

The purpose of the Building and Property Care Standards (PCS) is to improve and maintain the appearance of the City of Flagstaff and improve quality of life by protecting public health, safety, and welfare. These standards establish minimum exterior maintenance standards for all residential and non-residential buildings and properties in the City to protect against hazardous, deteriorating, and other dangerous conditions.

7-06-001-0003 Intent

These standards shall be applied and enforced fairly and consistently. The City shall provide adequate notice to affected property owners to resolve conditions and the City may provide resources to assist property owners with compliance as they are available. It is the intent of the City to work with property owners and tenants to preserve existing buildings and housing.



Building & Property Care Standards

7-06-001-0004 Definitions

DEBRIS: The remains of something broken down or destroyed.

GARBAGE: Food waste; discarded or useless material.

LITTER: Trash, wastepaper, debris, or garbage lying scattered about. An untidy accumulation of objects.

TRASH: Things that are no longer useful or wanted and have been thrown away; something in a deteriorated or broken condition.



Property Care Standards

7-06-001-0005 Property Care Standards

Property Standards: These standards shall provide for the elimination of Litter, Debris, Inoperable equipment, Hazards, and Attractive Nuisances, for the purpose of protecting public health, safety, and welfare:

1. Property owners shall provide Container capacity adequate to meet the Garbage and recycling removal needs of the property to prevent the accumulation of uncontained Litter and Debris. Containers shall be secured on the property and maintained in good working condition.
2. Properties shall be kept free from the accumulation of Litter, Trash, Debris, or Garbage.
3. Inoperable equipment, vehicles, and appliances shall not be stored on a property where it is visible from the public right-of-way or accessible to members of the public.
4. Properties shall remain free from Hazards including but not limited to damaged or dead trees or vegetation, unsecured, exposed, or inoperable private utility infrastructure, or walls and fencing that are structurally unsound.
5. Unoccupied properties shall be posted “No Trespassing” or adequately secured to prevent unauthorized use of the property.



Building & Property Care Standards

7-06-001-0005 Property Care Standards

A. Buildings and Structures Standards: These standards shall provide for the elimination of conditions of Abandonment, Deterioration, and Attractive Nuisance, for the purpose of protecting public health, safety, and welfare:

1. Windows and doors shall be maintained in proper working condition. Where damaged windows or doors require repair or replacement, temporary security measures may be installed for no more than 30 days.
2. All buildings and structures shall be maintained to prevent Deterioration or the appearance of Abandonment that threatens the buildings longevity. This includes but is not limited to general building maintenance such as repairs of windows, doors, roofs, and exterior structural elements.
3. Unoccupied buildings shall be posted "No Trespassing" or adequately secured to prevent unauthorized use of the property.



Building & Property Care Standards

7-06-001-0006 Exemptions

It shall be the sole discretion of the City of Flagstaff to suspend enforcement of these standards due to circumstances beyond the control of the property owner, such as community events, natural disasters, fires, flooding and managing through recovery.



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Title 6 Police Regulations: Chapter 6-06 Littering

- Move to Title 7 Health & Sanitation, Chapter 7-11
 - applies to private property
- New Definitions
- Repeal unnecessary sections
- Consistent penalties and process



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Chapter 6-07 Abandoned Vehicles

- Retitle: Inoperable Vehicles
- New Definitions
- Identify where Inoperable Vehicles are permitted to be stored
- Consistent penalties and process



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Chapter 6-04 Nuisances

- Reviewed Chapter 6-04, Building Code, Housing Code
- Retain sections on Dangerous Buildings in the Building Code
- Also recommend retaining Nuisance or similar provisions outside the Building Code
- Allows citizen or City Council to initiate action



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Upcoming Dates & Next Steps

- October 19 - Zoning Code Open House
- October 24 - City Council work session
- October 25 - Commission on Inclusion & Adaptive Living
- October 26 - Housing Commission
- November 14 – City Council work session
- Nov. 21 & Dec. 5 - City Council 1st & 2nd reading ordinance to adopt