

Summary Minutes

Infill and Revitalization Steering Committee

City Hall- Pikes Peak Room (107 N. Nevada Ave., Colorado Springs)

Monday April 6, 2015

1:30 p.m.

Members Attending: Gaebler, Pico, Donley, Beck, Gibson, Harris, Nelson, Bishop, Shonkwiler, Seibert

Members Absent: Craddock, Day , Nicklasson

Staff Present: Wysocki, Schueler, Nunez, Schubloom, Tefertiller, Geitner,

Guests: Rick Hoover, CONO: Marla Novak (HBA); Rich Kramer (UPAC Chair); Tom Wasinger, City Code Enforcement Dave Munger CONO: Curtis Olson, Blight to Bright; Eileen Gonzales, City Council staff; Lt. Scott Schwall, CSPD

Call to Order/ Adjustments to Agenda

Ms. Gaebler called the meeting to order. Carl requested the 4/23 Workshop logistics item be moved up. He thanked Mr. Donley for his behind the scenes technical support for the *Community Viz model* and asked for Committee volunteers to facilitate tables.

Code Enforcement Topic

CSPD Code Enforcement- Tom Wasinger

Mr. Wasinger, Manager of Code Enforcement presented using a PowerPoint (PDF available on web site). He described their staffing -10 authorized code enforcement officers plus 2 administrative staff). Three of the officers are funded by Community Development Block Grant dollars and therefor limited to those applicable areas of the City. However, his actual staffing is down by 3 FTE due to retirements. He noted cities such as Aurora and Commerce City have much higher ratios of code enforcement staff to population. He also uses volunteers and community service workers. Mr. Wasinger provided numbers of complaints/cases and summarized the types of issues his staff is and is not responsible for. Generally, a very high proportion of cases are successfully abated, although this may take time, and the issues sometimes come back later. The proportion of difficult and enduring unabated case is small,

but takes a high proportion of the resources. Mr. Wasinger showed examples and discussed various high profile and difficult cases. Some of the more difficult cases have mental health aspects. He differentiated between 'placarded' and "dilapidated" properties. Properties are placarded if there is a long history of non-compliance. Properties are only determined to be dilapidated if they are unsecure/ unsafe. Generally, most complaints are associated with rental properties. CSPD Code enforcement deals with enforcement concerning signs on public property.

There was Committee discussion and questions throughout the presentation. It was noted that liens are legally and customarily placed on the property versus the property owner. In some cases, these accumulate for long periods. Mr. Shonkwiler recommended a more aggressive approach along the lines of his experiences with Denver and Aurora. The possible impact of the Gallagher Amendment with its differential and much higher tax assessment rates for vacant properties versus those having a home on them, as brought up. This may or may not create a disincentive to demolish truly dilapidated homes.

A later question came up concerning the weekend exception for temporary signs in right-of-way. This exception was originally intended for real estate signs (e.g. open houses). However, since the City generally cannot regulate content, all types of signs need to be allowed. There was discussion of a more narrowly defined option for these signs in terms of maximum periods they can be up, and number.

Land Use Enforcement- Peter Wysocki

Mr. Wysocki briefly summarized the Planning Department's role in enforcement pertaining to land use and signs.

Planning has one land use inspector hired in 2014. In the 2010 time frame the 2 of the 3 inspector positions within Planning were eliminated and one was moved to CSPD. This function was shifted back to Planning in part because planning-related enforcement cases often involve planning staff. These may pertain to illegal use of a property (e.g. an auto repair business operated in residential zone), issues with setbacks (e.g. shed located too close to a property line), or not following through with conditions of approval (e.g. installation of landscaping),

Planning also has one position dedicated to private property signs. However, about 50% of this individual's time is devoted to permitting, with the remaining time available for enforcement.

Curtis Olson- Blight to Bright

Mr. Olson introduced himself and described his 3-year volunteer involvement in the issue of blight and blight abatement. He shared his frustrations in terms of meetings thus far (about 130) coupled with limited progress thus far. His view is that blight is a detriment and issue for 5 reasons:

- 1) Costs – complaint calls/cases are very expensive. His calculations are \$600 per call for CSPD and \$300 for Code Enforcement. Fire is higher. The few properties with multiple/protracted complaints create a huge demand on public costs
- 2) Safety- Blighted properties are unsafe both directly and as an attractive nuisance
- 3) Property Values- Studies have shown a direct correlation with lowered property values for properties in the vicinity as a factor of distance.
- 4) Property Rights- Individual rights are important. However, there are limits to these rights and the logic should flow both ways to include the rights of owners in the vicinity of a blighted property.
- 5) Human Capital - ??

His bigger ideas include changing the structure of Code enforcement so it answers directly to City leadership. Of all the 16th to 60th largest cities in the U.S. only Atlanta has a structure with Code enforcement within its police department. He would like to see “fresh eyes” on the topic, a fresh look at the legal code and regulations, and then a re-write of the codes.

Ms. Nelson raised the issue of smaller infractions that end up being enforced against (e.g. apartment owners not wanting to drill holes in their wall to legally attach banner signs and instead attaching them to fences, (not legal)).

Committee member asked Mr. Olson for his written highest priorities including those ideas that might be considered aspirational.

Dave Munger- CONO

Mr. Munger provided brief comments noting he concurred with the previous speakers and particularly Mr. Olson. In his view it boils down to safety and beauty, and Code enforcement is both. He suggested the idea of moving the function to the Pikes Peak Regional Building Department which would also make it regionally consistent.

General Discussion

Mr. Pico asked about the recourse with respect to buildings that are started and then not completed for protracted periods of time. Mr. Wasinger responded that there may be little the City can do if the site is safe and secured???

Mr. Wasinger was asked for his opinion on structure. He acknowledged that land use was not the best fit with CSPD. However for other aspects of Code enforcement, there is an advantage to a CSPD organizational structure due to the nature of the work including safety, property entry consideration and the value of the authority associated with CSPD combined with the close contact and coordination needed with police officers.

The topic of public right-of-way was discussed with Mr. Wasinger noting that in some cases his division will take care of some clean-ups and/or weeds because there is no other viable choice for addressing the problem

Utilities Recommendations

The draft of Utilities recommendations was discussed as annotated by Ms. Harris. Generally, her recommended changes were endorsed. Mr. Schubloom was asked for his comments from a CSU staff perspective. He had some concerns with the language in Recommendation #7 as well as recommended modifications for #5. After discussion, the Committee agreed that #7 could be deleted, and that Mr. Schubloom would provide suggested new language for #5. Mr. Kramer (UPAC Chair) was stated that with these changes, the recommendations were consistent with the direction being taken by UPAC. He added that his sense was that there may need to be alternative standards and approaches created to address infill areas.

Mr. Donley commented that he believes the value of water rights should be removed from the equation for calculating reconnection fees these should only be “paid for once”. Ms. Nelson had other questions about System Development Charges to be followed up on off-line.

Mr. Donley and Mr. Schubloom discussed options for running one (but not several) Citywide redevelopment scenarios against the CSU wastewater capacity model in order to assess generalized capacity availability.

Topics for Next Meeting

The Committee agreed that staff would put together a stakeholder presentation concerning maintenance of public property and facilities in mature areas.

Other Updates and Announcements

There were no additional updates.

Next Steps and Meetings

The next meeting will be Tuesday, April 21, 2015, 1:30 p.m.