



Property Care Ordinance (PCO) Working Group

May 12, 2022

1:00p – 3:00p

Murdoch Center

1. Welcome and Introductions
2. Ground Rules
 - a. Let all participate
 - b. Turn phones off/volume down
 - c. ???
3. Purpose of the Working Group
4. Review PCO Guidelines – What should be included in a PCO?
5. Review Purpose & Intent Statement
6. Adjourn

Property Care Ordinance – (PCO) (Draft May 06 2022)

Title (Draft)

This Chapter shall be known and may be cited as the “Property Care Ordinance of the City of Flagstaff”. Within this Chapter, it may be known as “PCO”.

Purpose; (DRAFT)

The purpose of the property care ordinance is to protect against hazardous and deteriorating conditions that negatively impact the health, safety, welfare of the Flagstaff AZ Community; and

By establishing minimum requirements for the care of buildings and their land;
and

To preserve existing building and housing stock with sustainable practices; and

To mitigate the impacts of gentrification and displacement; and

With compliance consistently applied without undue hardship.

Intent

This PCO shall be applied and enforced fairly, sensibly, consistently, and reasonably to promote the care of all buildings and land in the City; and

Where owners will be notified per a series of notices in a process provided in this Chapter with sufficient time to rectify the problem with resources noted for compliance and for those with economic challenges.

Property Care Ordinance – (PCO)

Property Care Standards

- **Debris Accumulation:** Removal of an excess of accumulation of materials that present a health and safety issue, such as harboring pests, fire danger, and deteriorating discarded materials.
- **Removal of Hazards:** Eliminate hazards present on and encroaching from the property that may cause harm to the owner, tenant, service/delivery person or visitor and/or persons.
- **Inoperable equipment & vehicles:** Remove inoperable items from the property that is visible from the street or adjacent properties.
- **Attractive Nuisance:** Remove and or secure aspects of the property that may attract persons that may cause harm, safety, or criminal activities.
- **Property Perimeter:** Each property shall not encroach upon the adjacent or public right-of-way with aspects that impact the safe enjoyment of the neighboring property.
- **Building Deterioration:** Provide remedies to the deterioration of a building that threatens its longevity and allow for continued safe and healthy habitation.
- **Abandoned/Vacant Buildings:** Resolve both visual and physical issues with vacant buildings that negatively impact property values and the desirability of adjacent properties and the neighborhood.
- **Street Frontage:** The street frontage of land and building shall be orderly so as not to impact property values and neighborhood desirability.
- **Adequate recycling & refuse containers:** Each property shall provide adequate numbers of containers to accommodate materials without overloading and spill over.
- **Vacant Undeveloped Property:** Vacant property shall be kept free of hazards and conditions that impact adjacent properties.



Property Care Ordinance (PCO) Working Group Notes

May 12, 2022

1:00p – 3:00p

Murdoch Center

1. Welcome and Introductions (see sign in sheet for participants)

- a. City staff present- Daniel Folke, Sara Dechter, Jordan Hollinger, Michelle McNulty, Tiffany Antol, Valeria Chase, Stephen Thompson

2. Ground Rules

- a. Let all participate
- b. Turn phones off/volume down
- c. Assume positive intent

3. Purpose of the Working Group

- a. Prepare a draft and present to Council for work session in September 2022
- b. Move the meeting on the 26th to 1pm to avoid conflict with the La Plaza Vieja Character Overlay Meeting.

4. Review PCO Standards and Guidelines

- a. What should be included in a PCO?
 - i. Abel – Sunnyside – Debris accumulation and bulk on the curb all the time
 - ii. Jesse – La Plaza Vieja – dumping on City property and other vacant lands
 - iii. John – Property manager - Trash cans out all week long make the community look in poor condition

TEAM PURPOSE:

The CD Leadership Team will provide a forum for creative thinking and visioning to affect positive change across our organization and community as we develop, support, and encourage each other, both personally and professionally in order to accomplish our mission of Creating Community Together.

- iv. Stephen -City- Enforcement aspect – who is responsible for what and what is the escalation/penalties
- v. Valeria -NAU/City - Reporting and Communication protocols
- vi. Laura – LPV- Bushes that cover the house or so much of the yard that they create safety issues
- vii. John - property manager - building deterioration is a big issue
 - 1. Laura – paint and condition of building may be hard
- viii. Laura – need a fund to help bring volunteers to the homeowners who need assistance – need to define eligibility and the grant parameters.
- ix. Laura – absentee landlords and dilapidated units.
- x. Abel – Can neighborhood associations help with proactive and supportive outreach.
- xi. Jesse – the city doesn't need to be proactive but be complaint driven – the City does not need to be knocking on doors, just because. There is some older folks who fear the City coming for their property.
- xii. Jesse – can we see the code complaint data we have now to get more information. Dan – we have a monthly report and he can circulate it.
- xiii. Abandoned properties – they can secure it with plywood and they are boarded up indefinitely. Do we need operable doors and windows within a time period? Rick – this is something we should include. Talked about NAU and the properties owned along Milton. Better to have a vacant lot that a boarded up building. Something more than just putting a fence around it and boarding it up.
- xiv. Valeria – the properties that NAU owns are being considered in the Master Plan. She acknowledged that some people get upset when its torn down. She'll take back these comments to discuss the communications side to see what can be done to improve that.
- xv. Tiffany – education component could also be important. Especially when there are not sidewalks and other challenging conditions. i.e. Community welcome.
- xvi. Include attractive nuisance discussion – Jesse – had a tumbleweed issue on his Camp Verde property – make sure the notice is nice and that there is adequate time to comply.

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xvii. We currently don't regulate vegetation -

b. What should not be in it

- i. Abel – has an ammo box house from the 1950s – wants to be careful not to judge that a house like that does not meet a standard. What are appropriate exterior materials – should we be regulate that
- ii. Rick – realtor – be careful regarding fairness - this could be like creating an HOA. Make sure all the enforcement and focus is not only on our low income neighborhoods like Sunnyside, Southside, La Plaza Vieja. Could create an adversarial with the neighborhood if done poorly.
- iii. Rick – Christmas in April - barn-raising home repairs with volunteers – most were low income and elderly homeowners. People without the physical and financial capability to handle home repairs should be treated careful. Notice and identify if the have the financial capability to do repairs.
- iv. Probably not paint
- v. Not forcing upgrades or taking away things that are historic about the properties.

Summary of content conversation

- Property care items to include:
 - Debris accumulation
 - Dumping - on edge of street and on city property
 - Trash can's being out for too long
 - Overgrown bushes and shrubs
 - Building deterioration
 - Vacant/abandoned buildings
- Other items:
 - o What is the reporting process
 - o Funding assistance
 - o Think about unique building materials that were historically used in flagstaff
 - o Equal enforcement consideration
 - Is this going to more heavily burden those without an HOA?

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- Notices/compliance should ensure educational component and connection to resources available
- Can enforcement/outreach be coordinated with neighborhood associations?
- Strong emphasis on education and outreach regarding available resources for home preservation/upkeep
- How might costs associated with PCO be passed on to tenants?
- What other attractive nuisances might we consider
- Think about the PCO as program instead of just an ordinance to comply with.

Other comments –

- c. Overall trash and debris is supported but building condition is trickier (unless abandoned).
- d. Fear that the City will be heavy handed - should there be some issues that are not subject to penalty?
 - i. Stephen – yes. Renters can't take care of the paint or replace the roof and it could impact their access to housing. Offer resources with the health and safety issues.
 - ii. Abel - Make sure there are several notices (maybe 3 or 4) because it will take more than once for them to notice before applying an ordinance to the property. Make sure the Neighborhood association gets an opportunity to reach out and assist.
 - iii. Kate – may also need something for middle income residents because there are still lots of people living paycheck to paycheck. Sliding scale for assistance if possible.
 - iv. Dan – if a tenant reports the life/safety issue, they may be displaced. There is a risk there if we let it get that bad.
- e. How do we get absentee landlords to invest in their properties?
 - i. Rick - Landlords can agree to repairs and then raise the rent which hurts the tenant, usually exorbitant
 - ii.
- f. Maybe a field trip to visit some properties
 - a. Arrowhead village

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- b. Property of Koch
- c. Vacant commercial on Milton – NAU owned, gas stations on Milton and Route 66

Property care program

Need information on the associations available resources for grants.

5. PCO Category Review

- a. Generally seen as a good starting point.

6. Review Purpose & Intent Statement

- i. Consider whether we can develop it in multiple languages

b. Intent

- i. Add statement about educational component
- ii. Include language that recognizes varying ability levels: physical and financial

c. Purpose

- i. Emphasis on undue hardship
- ii. Think about the meaning of hazardous vs dangerous – maybe consider having both or clearly defining the term used.
- iii. Add “Quality of life”

7. Adjourn

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