



**County of Santa Cruz Board of Supervisors  
Agenda Item Submittal**

**From:** Planning: Sustainability and Special Projects  
(831) 454-2580

**Meeting Date:** February 27, 2018

**Recommended Action(s):**

Accept and file this report on abatement priorities for code enforcement.

**Executive Summary**

On January 31, 2018, County Planning Staff met with the Code Compliance Roundtable in order to discuss and articulate criteria that can be used to establish priorities for use of available resources on abatement activities. The criteria and input gathered at the Roundtable meeting has been applied to the Planning Department's existing list of potential abatement properties, and five sites have been identified for abatement in 2018 using currently available funding.

**Background**

On December 5, 2017 the Board directed Planning Department staff to request that the Code Compliance Roundtable articulate criteria and priorities for abatement, including recommendation of top priority projects that could be addressed this year. The Code Compliance Roundtable is made up of members from various County departments as well as State and Federal regulators. These agencies have resources and tools that complement County resources and tools, and depending on the specifics of any given situation, different agencies may either proceed with abatement activities independent of other agencies, or may join a team either as lead agency or a supportive/complementary agency in undertaking abatement actions.

On January 31, 2018, Code Compliance staff and staff from Environmental Health hosted the Code Compliance Roundtable, presenting the County's current list of properties which could be candidates for abatement by the County using available county abatement funds. The list reflected an initial priority ranking by Code Compliance staff. Agencies discussed primary criteria that should be used for prioritization purposes. Use of the criteria resulted in confirmation of some of the sites on the list, and addition of certain sites to the list.

**Analysis**

The prioritization of potential abatement sites takes into account a variety of criteria and considerations. The Planning Department's current abatement list identifies 51 parcels in varying states of distress as eligible abatement sites. In order to qualify for abatement, a property must either qualify as a nuisance property under County Code, or a structure must be determined to be unsafe to inhabit. Beyond these basic qualities, Code staff must have made every effort to secure compliance through the various means that are available, including the posting and recording of a Notice of Violation, attempting to secure a commitment to resolve through a stipulation, adjudication before

a Hearing Officer, referral to County Counsel, and in the case of criminal violations, prosecution by the District Attorney. When these measures fail to result in compliance, either due to willful defiance, insufficient funds, mental distress, or lack of a property owner or responsible party, the County can consider abatement.

### Abatement Criteria

Once on the list, the following criteria and considerations are used to prioritize sites (listed in no particular order of importance, as relative degrees of the conditions are also relevant):

1. Proximity to neighbors and public areas;
2. Number of complaints;
3. Proximity to sensitive resources such as fish bearing streams and water supply watersheds;
4. Potential fire hazard and conditions that limit access for emergency response;
5. Other health and safety considerations such as presence of toxic materials, pest infestations, disease vectors, and illegal drugs; and
6. Criminal activity.

### Abatement Properties

There are three high priority cases that have been partially abated to date, yet still have substantial work necessary to bring them into compliance. The first two include the Jackson property and the Kaylor property which are both located in Boulder Creek and involve hundreds of vehicles and assorted debris, and the third is the Carrick property in the Summit area above Watsonville (where two of the seven illegal structures have been already abated/removed by the County). The cost associated with fully abating any of these three properties exceeds the abatement funds available, and it is not recommended that further county resources be expended at this time.

The top priority sites for abatement in 2018 using available funding include the following:

1. 29 Rancho Road, off Buena Vista: Trash, abandoned vehicles, multiple calls for law and code enforcement, drug sales, property owner deceased.
2. 2080 Bertoli Drive, North Coast: Vehicles, grading and erosion in sensitive watershed, cannabis cultivation.
3. 240 Heron Lane, east of Soquel San Jose Road: Neglected property in sensitive watershed, chop shop, multiple sheriff calls, and abandoned vehicles.
4. 6005, Laguna Road, North Coast: Neglected properties, illegal units, sensitive stream habitat.
5. 6015 and 6025 Laguna Road, North Coast: Neglected properties, illegal units, sensitive stream habitat.

### Approaches to and Range of Costs for Abatement

Abatement of an unsafe structure may involve cutting power to the structure and boarding up access, which would be a relatively inexpensive abatement in the range of \$3,000 - \$5,000. A few large remote mountain properties have several hundred vehicles, among other materials, in multiple locations accessed by old logging roads. Abatement of these types of properties can cost well over \$200,000. Demolition and disposal of structures is an approach that can cost multiple tens of thousands of dollars,

depending on age and size of structure(s). In summary, the cost of abatements varies depending upon multiple factors including the severity of the nuisance, location of the property, specific materials that need to be dealt with, and disposal costs.

**Financial Impact**

The current abatement fund has about \$130,000 in available funding. The projected cost for abatement of 240 Heron Lane is \$40,000. The other four properties will use the remaining available abatement funds. In an effort to reduce direct costs to the abatement fund, Planning and Public Works are working on an MOU to allow deferment of disposal fees until they can be recouped through the lien process.

It should be noted that completion this year of the five priority abatements addressed by this letter will exhaust the Abatement Fund. Staff recommends that, to support the effectiveness of the Code Compliance program and address community concerns, an annual allocation of funding be made to the Abatement Fund, so that each year several top priority sites can be abated. From \$100,000 to \$150,000 per year would be an appropriate amount. The costs of abatement are placed as a lien on the subject real property, such that as properties are sold or transferred the County will be reimbursed, but there can be a significant lag time before funds are recovered.

**Submitted by:**

Kathleen Molloy Previsich, Planning Director

**Recommended by:**

Carlos J. Palacios, County Administrative Officer