



**DOWNTOWN ACTION ORGANIZATION  
EXECUTIVE COMMITTEE MEETING  
February 12, 2024, 9am**

**Santa Rosa Metro Chamber  
50 Old Courthouse Square, Suite 110  
Santa Rosa, CA 95404**

## AGENDA

<b>1.0</b>	<b>CALL TO ORDER</b>	Chair Hugh Futrell will call the meeting to order at 9am
<b>2.0</b>	<b>PUBLIC COMMENTS ON NON-AGENDA ITEMS</b>	Comments from the public will be allowed on all agenda items at the time each item is called. <i>Limited to two minutes each.</i>
<b>3.0</b>	<b>CONFLICTS OF INTEREST OR ABSTENTIONS</b>	Committee members should declare if they have any personal conflicts of interest or need to abstain from participation in any items on the agenda.
<b>4.0</b>	<b>ACTION: CONSENT ITEM</b>	January 10, 2024 Meeting Minutes ( <i>Attachment 1</i> )
<b>5.0</b>	<b>REPORT: TREASURER</b>	Review of Monthly Financial Statements ending January 31, 2024
<b>6.0</b>	<b>REPORT: EXECUTIVE DIRECTOR</b>	Update provided on Workplan progression ( <i>Attachment 2</i> ), business and development within the District and other ongoing discussion items.
<b>7.0</b>	<b>REPORT: BOARD CHAIR</b>	Report on progression of critical focus items, including EIFD PFA and ongoing exploration of Cinema site.
<b>8.0</b>	<b>DISCUSSION: TEMPORARY SEASONAL CLOSURES</b>	Executive Committee to discuss potential of DAO Board supporting concept of a temporary summer closure of the 500 block of B Street
<b>9.0</b>	<b>DISCUSSION: DRAFT VACANCY ORDINANCE</b>	Discuss draft vacancy ordinance ( <i>Attachment 3</i> ) which will go to council for approval on February 13.
<b>10.0</b>	<b>ADJOURNMENT</b>	Chair Hugh Futrell to adjourn the meeting.

**DAO Executive Committee Meeting – December 6, 9am  
Santa Rosa Metro Chamber, 50 Old Courthouse Square, Santa Rosa, CA 95404  
Zoom Meeting ID: 806 654 7370, Password: Downtown  
Phone: 669-900-9128**

Executive Committee Present: Natalie Balfour, Pauline Block, Hugh Futrell, Danielle Nelson

Staff Present: Cadance Hinkle Allinson

**MINUTES**

**1.0 CALL TO ORDER**

Chair Hugh Futrell called the meeting to order at 9:06 am.

**2.0 PUBLIC COMMENTS ON NON-AGENDA ITEMS (limited to two minutes each)**

There were no public comments at this time.

**3.0 CONFLICTS OF INTEREST OR ABSTENTIONS**

There were no conflicts of interest or abstentions.

**4.0 ACTION: CONSENT ITEM**

**4.1** Pauline made a motion to approve consent item, December 6, 2023 Executive Committee Meeting Minutes. The motion was seconded by Danielle and passed unanimously.

**5.0 REPORT: TREASURER**

Cadance shared that expenses fell where anticipated for year end, and outstanding invoices are reflected with estimates. She hopes to have a finalized 2023 financial packet in place by the next board meeting. The next assessment check, typically received by year end, has not been sent from the County to the City yet. City staff are looking into it.

**6.0 REPORT: EXECUTIVE DIRECTOR**

Cadance provided the following updates:

The business development piece is moving forward with some edits from the City and more work needed on the website. Her new estimate for completion is March.

She is helping to get the word out about restaurant week, and would love to take advantage of more opportunities created by external organizations.

Savory Spice is relocating to 4<sup>th</sup> Street in the old Cupcake space and a queer nightclub called La Cage will be opening at 643.

She has already purchased new exterior tables for the Square, after discussions and conversations with NexStreet staff about what would be the most appropriate for the current use, as the existing tables always break.

Cadance, Pauline and Hugh met with City staff to try and progress the spending of Downtown park fees. They presented, at the City's request, a plan for expenditures within Courthouse Square. There were concerns raised by City staff and another meeting will take place with landscape architects from Carlile Macy and City staff to find a possible path forward for adding more color to the Square.

She informed the committee that there has been no interest from the board in filling the vacant seat on the Executive Committee. It was determined that the Secretary seat would stay vacant, with

Danielle being proposed for Treasurer and the remaining committee members staying in their current positions. A discussion ensued about engaging more board members in the work of the Executive Committee.

She received positive feedback on the Holiday Happy Hour and proposed that there was one annual happy hour and one breakfast event in the spring. Pauline suggested the breakfast event be geared toward business and property owners and not city staff and elected officials. Cadance will do a presentation about the goals of the organization for the coming year.

#### **7.0 REPORT: BOARD CHAIR**

Chair Hugh Futrell reported that the PFA is meeting next week and there is concern around the timeline which impacts certain projects being included, as well as staff capacity given vacancies.

He reiterated that he hoped there would be progress around the park expenditures and the vacancy ordinance. He suggested that the employer attraction recommendations made in 2023 be revisited and included in the 2024 workplan.

An update on the Cinema project was provided and a contract from the City is expected to be received imminently.

#### **8.0 DISCUSSION: 2024 WORKPLAN**

Cadance presented a draft 2024 workplan to the committee. A brief discussion occurred, and it was suggested that the board assign themselves to items that are of importance to them.

Cadance will add the employer attraction/retention item back into the workplan and present to the board at the next meeting for review and approval.

#### **9.0 DISCUSSION: 2023 ANNUAL REPORT**

Cadance presented a draft Annual Report to the committee, reminding them this would be mailed out, along with a statement of activities to the property owners, and provided to the City, along with copies of the financial documents and annual meeting minutes. She requested feedback since the report looks quite different than it has in year's prior and wanted to make sure the committee was comfortable with the direction chosen.

The committee suggested that the tie between the budget and special benefit services be more explicit. Cadance shared she would like to collect a board photo at the next meeting for inclusion in the plan. The board will see the draft at the next meeting.

#### **10.0 ADJOURNMENT**

Chair Hugh Futrell adjourned the meeting at 10:10am.

DRAFT: 2024 Downtown Action Organization Workplan							
Action	Responsible	Priority	Funding Allocated	Status	Start Date	Completion Date	Notes
1. Policy Initiatives							
1. Support Ongoing Launch of EIFD	Hugh (PFA Member)	High	n/a	Ongoing	2022		Next PFA meeting TBD
2. Continue ongoing work with CC, City and County, to improve intervention with unsheltered population in Downtown and access to mental health and social workers	ED / Street Level Service Team	High	tbd	Ongoing	2022		Weekly meetings and strategy discussion with CC, Host and SRPD
3. Adopt an office mitigation/incentive policy (parking; business licenses; TI permits; sign permitting; other) in 1-2Q 23	Executive Committee	High	n/a	In Process	2022		Included as part of DAO request at Council Priority Setting
4. Support work of City staff to finalize Vacancy Ordinance to implement code enforcement regulations related to unmaintained buildings in Downtown core	Executive Committee	High	n/a	In Process	2023		Draft ordinance reviewed - expected to council on February 13
5. Advocate for expanded Downtown parking strategy, which could include additional garage incentives, employee parking programs, support around enhanced EV infrastructure and programming and comprehensive understanding of future anticipated occupancy rates		High	n/a	Not Started			Included as part of DAO request at Council Priority Setting. Sam Schwartz is the consultant selected to do the review. Scope unclear.
6. Work with SRPD, City Staff, Transit to address impacts associated with negative youth behavior at Transit Mall		High	n/a	Not Started			Included as part of DAO request at Council Priority Setting
7. Support creation of Assistant City Attorney dedicated to ordinance and misdemeanor enforcement		High	tbd	Not Started			Included as part of DAO request at Council Priority Setting
2. Business Development & Marketing							
1. Completion of Business Development Marketing Plan document and website (SR Now)	ED / Ad Hoc Committee	High	tbd	In Process	2023		Final edits to document underway, as well as website changes. Anticipated complete by March.
2. Finalize and complete plan for implementation and activation of SR Now to appropriate audiences	Ad Hoc Committee	Medium	\$5,000 previously allocated	Not Started	2023		
3. Coordinate feasibility study and conduct due diligence of potential development of Cinema 6 sight into future performing arts venue	Chair / ED	Medium	n/a	In Process	2023		Anticipating signed contract with City to fund due diligence period. Consultants to review as well.
4. Implement trolley pilot program to test physical concept for potential future electric trolley as connector between Districts	ED / Ad Hoc Committee	High	tbd	In Process	2023		Waiting for trolley broker to confirm availability - need to iron out pricing and funding
5. Engage with developers and new businesses to provide relevant resources to support their relocation or establishment within Downtown Station Area		Medium	tbd	Not Started			
6. Address negative public perceptions of Downtown through joint, consistent messaging supported by all actively impacted organizations (City, HRSA, Sofa, etc.)		Medium	tbd	Not Started			Opportunity to work with City on temporary seasonal closure of 500 block of 4th to create active community center during summer
3. Design & Improvements							
1. Oversee rebuilding of Asawa Fountain, working with City on casting of panels and installation	Chair / ED	High	dollars previously raised	In Process	2020		HFC to go back to bid. Anticipate 6 weeks for permitting, 12 weeks for construction and 9 months for installation of panels once fountain construction is complete
2. Support removal of vacant media boxes and establish media box installation policy	ED	Medium	n/a	In Process	2022		16 boxes have been removed - remaining 61 will be removed as staff time allows.
3. Work with City staff to get available park fees spent on projects in Courthouse Square, Jeju Way and Depot Park	ED / Exec Committee	High	n/a	In Process	2023		Initial focus on Courthouse Square for Spring 2024
4. Support projects that enhance the physical connection between Railroad Square and Courthouse Square, which could include improvements to the underpass and creek trail or signage		Medium	tbd	Not Started			
5. Replacement of movable furniture in Square	ED	Low	\$5,000 through project maintenance	In Process	January		Purchased new tables, umbrellas and stands will be evaluated and put back out in April 2024 (weather permitting)

DRAFT: 2024 Downtown Action Organization Workplan							
ACTION	RESPONSIBLE	PRIORITY	FUNDING ALLOCATED	STATUS	START DATE	COMPLETION DATE	NOTES
6. Work to enhance lighting throughout District, both as safety element and decorative, including existing redwood light wraps	Design & Improvement	Medium	TBD through Maintenance Line	Not Started			Included as part of DAO request at Council Priority Setting
4. Board Policy, Culture & Governance							
1. Develop pipeline of Executive Committee members and potential new board members that fill critical experience gaps	Board	High	n/a	Ongoing	Ongoing		Will identify a few individuals to shadow the board/committees this year
2. Review of Management plan to determine whether updates are needed.		Low	n/a	Not Started			ED to prepare review, volunteers needed to participate on ad hoc review committee
3. Look into outside funding sources for specific beautification or marketing projects		Medium	tbd	Not Started			Begin conversation with Grant consultants
Staff: Cadance Hinkle Allinson							

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING TITLE 9 OF THE SANTA ROSA CITY CODE BY REPEALING CHAPTER 9-24 PERTAINING TO ADMINISTRATIVE ENFORCEMENT OF COVID-19 PUBLIC HEALTH ORDERS IN ITS ENTIRETY; BY ADDING A NEW CHAPTER 9-24 PERTAINING TO THE INSPECTION, MAINTENANCE AND REGISTRATION OF REAL PROPERTIES WHICH EXIST AS UNMAINTAINED VACANT LOTS OR WHICH CONTAIN VACANT OR ABANDONED BUILDINGS; AND BY AMENDING SECTION 18-20.302.4 OF THE SANTA ROSA CITY CODE

WHEREAS, the State of California and the County of Sonoma lifted COVID-19 emergency health orders on February 28, 2023; and

WHEREAS, the Federal Government ended the COVID-19 national public health emergency on May 11, 2023; and

WHEREAS, these governmental actions rendered obsolete the need for municipal enforcement provisions specific to Covid-19 public health orders; and

WHEREAS, the presence of real properties which exist as unmaintained vacant lots or which contain vacant or abandoned buildings can lead to neighborhood blight and decline; and

WHEREAS, the presence of real properties which exist as unmaintained vacant lots or which contain vacant or abandoned buildings can contribute to lower area property values; and

WHEREAS, the presence of real properties which exist as unmaintained vacant lots or which contain vacant or abandoned buildings can attract children; unsheltered individuals; or gang members and other criminals as prime locations for drug dens or the conduct of other illegal activities; and

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WHEREAS, real properties which exist as unmaintained vacant lots or which contain vacant or abandoned buildings that are not maintained or secured pose serious threats to the public's health and safety, and therefore are declared to be public nuisances dangerous to the community; and

WHEREAS, the presence of real properties which exist as unmaintained vacant lots or which contain vacant or abandoned buildings can discourage potential buyers from purchasing properties adjacent to or within proximal neighborhoods; and

WHEREAS, many real properties which exist as unmaintained vacant lots or which contain vacant or abandoned buildings are the responsibilities of out-of-area, out-of-state, owners, lenders, and beneficial interests; and

WHEREAS, in many instances, these owners, lenders and beneficial interests fail to adequately maintain and secure these properties; and

WHEREAS, the City has an obligation to protect all of its neighborhoods from decline and devaluation; and

WHEREAS, on \_\_\_\_\_, 2024, the Santa Rosa City Council met, reviewed, and discussed the proposed ordinance;

NOW, THEREFORE, THE PEOPLE OF THE CITY OF SANTA ROSA DO ENACT AS FOLLOWS:

Section 1. Chapter 9-24 – Administrative Enforcement of Covid-19 Public Health Orders is hereby repealed in its entirety.

Section 2. Chapter 9-24 – Inspection, Maintenance and Registration of Real Properties which exist as Unmaintained Vacant Lots or which contain Vacant, or Abandoned Buildings is added to the Santa Rosa City Code to read as follows:

**“CHAPTER 9-24 – INSPECTION, MAINTENANCE AND REGISTRATION OF REAL  
PROPERTIES WHICH EXIST AS UNMAINTAINED VACANT LOTS OR WHICH  
CONTAIN VACANT OR ABANDONED BUILDINGS”**

**9-24.010 Definitions.**

- A. “Beneficiary” shall mean a lender under a note secured by a Deed of Trust.
- B. “Code Enforcement Officer” shall mean the Director of Planning and Economic Development and/or their designee, including any employee or agent of the City designated and/or charged with enforcing the Santa Rosa City Code, including but not limited to, applicable codes adopted by reference therein, or any other applicable law or regulation.
- C. “Deed of Trust” shall mean an instrument by which title to real estate is transferred to a third-party Trustee as security for a real estate loan. This definition applies to all deeds of trust regardless of priority.
- D. “Default” shall mean the failure to fulfill a contractual obligation whether monetary or non-monetary.
- E. “Foreclosed” shall mean real property for which the foreclosure process has begun with the filing of a notice of default.
- F. “Notice of Default” shall mean a recorded notice that a default has occurred under a Deed of Trust.
- G. “Property Owner” shall mean the responsible party, person or entity owning the real property as shown on the last equalized tax assessment roll maintained in the Sonoma County Assessor's office; or any person, co-partnership, agent, operator, firm, association, corporation, or fiduciary having a legal or equitable interest in the property or who otherwise exercises control of the property, including the trustee or



guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered by a court of competent jurisdiction to take possession or control of the real property. For purposes of this ordinance, and notwithstanding the composition of the party or parties constituting the “Property Owner,” only a single registration will be necessary per property when so required.

- H. “Real Property” shall mean land, whether improved or unimproved, located within the City of Santa Rosa corporate limits, and anything growing on, affixed to, placed upon, built upon, or situated relative thereto.
- I. “Trustee” shall mean any person, co-partnership, agent, operator, firm, association, corporation, fiduciary, or other legal entity holding a deed of trust securing an interest in real property.
- J. “Trustor” shall mean a borrower under a Deed of Trust, who deeds real property to a Trustee as security for the payment of a debt.
- K. “Unmaintained Vacant Lot” shall mean:
  - 1. Any lot of real property that is not maintained in accordance with this chapter and/or for which any of the following conditions exist:
    - a) the lot is undeveloped;
    - b) the lot lacks approved or permitted buildings or structures;
    - c) the lot previously contained buildings or structures that have since been demolished or which otherwise no longer substantially exist;
    - d) the lot is under a current notice of default and/or notice of trustee’s sale;
    - e) the lot has a pending tax assessor’s lien sale;

f) the lot is subject to foreclosure sale where title was retained by the beneficiary of a deed of trust; or has been transferred under a deed in lieu of foreclosure/sale; or

g) the lot has been occupied by unauthorized persons for any length of time.

2. This definition shall not include the following categories of lots, provided such are otherwise specifically maintained in accordance with all applicable property maintenance provisions of this Code:

a) lots for which a building permit has been issued and has not yet expired, or lots upon which construction, alteration, improvement, rehabilitation, or repair is occurring pursuant to a valid, unexpired building permit, provided such activity is proceeding diligently to completion and in accordance with provisions of this Code;

b) lots being lawfully utilized and appropriately maintained for small-scale agricultural purposes or community gardens in accordance with the provisions of this Code;

c) lots which have been designated or acquired by a public agency for the purpose of redevelopment or rehabilitation and which are self-reported and self-mitigated by said public agency; or

d) lots which are subject to recurring/annual weed abatement activities, provided that maintenance issues are solely confined to overgrown weeds or vegetation.

L. "Vacant or Abandoned Buildings" shall mean:

1. Any and all structures, buildings and/or improvements located on real property, located within the corporate limits of the City, which are not maintained in accordance with this chapter and/or for which any of the following conditions exist:

- a) has been vacant for more than thirty days, whether by voluntary action, fire, or other damage, or because of enforcement action by the City;
  - b) is under a current notice of default and/or notice of trustee's sale;
  - c) has a pending tax assessor's lien sale;
  - d) is subject to foreclosure sale where title was retained by the beneficiary of a deed of trust; or has been transferred under a deed in lieu of foreclosure/sale;  
or
  - e) is inhabited by any person(s) without a legal right of occupancy.
2. This definition shall not include the following categories of structures, buildings and/or improvements, provided such are otherwise specifically maintained in accordance with all applicable property maintenance provisions of this Code:
- a) a building or structure where construction, alteration, improvements, rehabilitation, or repair is occurring pursuant to a valid, unexpired building permit, provided such activity is proceeding diligently to completion and in accordance with provisions of this Code;
  - b) a building or structure which has been designated or acquired by a public agency for the purpose of redevelopment or rehabilitation and which is self-reported and self-mitigated by said public agency; or
  - c) multi-family dwellings containing four (4) or more permitted units.

**9-24.020 Registration and Monitoring Requirements; Related Fees; Relief from Requirements; Noticing.**

- A. Except as otherwise provided for in 9-24.010(K)(2) and (L)(2) of this Chapter and subsection (H) of this section, the registration requirements under this section shall

apply to all property owners of real properties which exist as unmaintained vacant lots, or which contain vacant or abandoned buildings as defined herein.

- B. Any property owner who holds any property interest in any real property which exists as an unmaintained vacant lot, or which contains vacant or abandoned buildings shall register the property with the City's Code Enforcement Division by fully completing a registration packet furnished by the City.
- C. The registration requirement is triggered within ten (10) days after either of the following occurs:
  - 1. The real property is found to be an unmaintained vacant lot, or contain a vacant or abandoned building, as defined in this chapter; or
  - 2. A notice of default has been recorded.
- D. Real properties which, prior to the effective date of this ordinance, existed as unmaintained vacant lots; which contained vacant or abandoned buildings; or which had an active and unresolved notice of default recorded shall be subject to the registration requirements upon the tenth (10th) day after the effective date of this ordinance. The registration requirement shall continue until or unless the property is found to meet the provisions of section 9-24.020(H).
- E. For foreclosed properties subject to registration because a notice of default has been recorded, the registration requirement is triggered for an existing property owner upon the tenth (10th) day after the recording of the notice of default, and for a new property owner, it is triggered upon the tenth (10th) day after acquiring the property at a trustee sale. The registration requirement shall continue until the property is found to meet one of the provisions of section 9-24.020(H).

F. All real properties which exist as unmaintained vacant lots, or which contain vacant or abandoned buildings are subject to monitoring by the City's Code Enforcement Division. Monitoring is required to ensure compliance with this chapter.

G. Fee Imposed. There is imposed on every property owner of a real property, which exists as an unmaintained vacant lot, or which contains vacant or abandoned buildings, an annual registration and monitoring fee. The amount of this fee shall be established by City Council resolution based upon the reasonable cost of administering the program and conducting the monitoring activity. Such registration and monitoring fee shall accompany the registration packet submittal for each property being registered, and shall be valid for the calendar year, or remaining portion thereof, in which the registration was initially required. Upon a finding of good cause, registration fees may be prorated to the nearest (3 month) period at the discretion of the Director of Planning and Economic Development and/or their designee. Subsequent registration renewals and fees are due January 1<sup>st</sup> of each year and must be received no later than January 31<sup>st</sup> of the year due.

H. Relief from requirements:

1. A real property which as of the effective date of this ordinance existed in a state of maintenance that complies with the provisions of this chapter shall be given relief from the requirements of this chapter upon a finding by the City's Code Enforcement Division that the property is being adequately maintained and that no violations exist upon or relative to the property. This relief is provisional and shall be rescinded upon a subsequent finding by the City's Code Enforcement Division that the property is in violation of this chapter.
2. A real property, existing as an unmaintained vacant lot or containing vacant or abandoned buildings, and not previously registered and maintained in accordance with the provisions of this chapter, shall, upon a finding of a violation of this

chapter, first be provided with notice of opportunity to correct said violation as provided for in subsection (I) of this section.

3. A property owner of real property which is registered and maintained in accordance with the provisions of this chapter may seek relief from the requirements of this chapter by submitting a written request to the City's Code Enforcement Division. Such request for relief will be granted upon the making of findings by Code Enforcement staff that one of the following circumstances exist:
  - a. Within the preceding 12 consecutive months, no violations have occurred upon or relative to the property, and no active Notices of Default remain recorded against the real property; OR
  - b. Within the preceding 6 months, previously vacant buildings have been successfully maintained at a minimum tenancy level of 75%, with no violations occurring upon or relative to the property and no active Notices of Default remaining recorded against the real property.

This relief is provisional and shall be rescinded upon a subsequent finding by the City's Code Enforcement Division that the property is again in violation of this chapter.

4. Any property owner who is financially unable to pay the annual registration and monitoring fee as required in Section 9-24.020(G) may file a request for a hardship waiver. The request for a hardship waiver shall be made on a form furnished by the City and submitted to the Code Enforcement Division within fifteen days of the property being made subject to the registration requirements pursuant to this Chapter. The form will be accompanied by a sworn affidavit together with any supporting documents demonstrating to the satisfaction of the Code Enforcement Division the person's financial inability to pay. A written decision specifying the reasons for approval or denial of the request will be

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**Commented [LK1]:** Note to self: I would like someone outside of Code Enforcement or Building to review these (much as we have recently done with our Admin Cite hardship waivers).

made within ten days of receipt of the request. The decision of the Code Enforcement Division shall be final. A hardship request, if approved, shall not in any way preclude the property owner from the repair and maintenance responsibilities established pursuant to this Chapter.

## Attachment 2

- I. Notice of violation. Upon a finding by the Code Enforcement Division that an unregistered property has fallen into a state of violation with the provisions of this chapter, notice will be issued to the property owner in the manner provided in section 1-30.030(C) of this code. Such notice will establish a 30-day compliance period within which time the violations upon the property must be resolved. Where the severity of violations so dictates, a shorter compliance period may be established at the discretion of the Code Enforcement Division. A failure to fully comply with a notice, or to subsequently allow any previously noticed property to return to any state of violation, shall subject the property to the registration requirements of this chapter.

### **9-24.030 Responsibility for Property Posting, Maintenance, Inspection, and Reporting.**

- A. Every property owner, as defined by this chapter, is responsible for maintaining their property in accordance with the applicable standards as set forth in this Code and any other applicable regulation or law.
- B. All property owners of real properties which exist as unmaintained vacant lots, or which contain vacant or abandoned buildings subject to the registration requirements of this chapter shall have the obligation to perform an initial maintenance inspection within ten (10) days after becoming subject to the registration requirement, and to thereafter perform monthly maintenance inspections of the property to ensure that the property remains free of trespassers and in compliance with all applicable codes and regulations. Should the recurrence of continuing conditions of violation so dictate, the frequency of required inspections may be increased at the discretion of the Code Enforcement Division. Such maintenance inspections shall continue until the property

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is no longer subject to the registration requirement. Evidence of maintenance inspections in the form of brief written reports supported by date-stamped photographs shall be submitted to the Code Enforcement Division within ten (10) days of each monthly inspection. Such reports may be emailed. Extensions to the 10-day reporting requirement may be granted upon receipt by the Code Enforcement Division of a written request from the property owner at least 30 days prior to the report being due, and a subsequent finding of good cause to extend.

- C. To the extent authorized by law, and as provided for through the registration process, a code enforcement officer may enter onto each property as necessary to make inspections of the property and building exteriors. Upon request and 24 hours' notice by a code enforcement officer, the property owner shall provide access to building interiors to verify compliance with the provisions of this chapter.
- D. In the event a property owner resides outside of the County of Sonoma or is otherwise unable to personally fulfill the requirements of this chapter, the property owner's obligation to inspect the property shall be satisfied by contracting with an appropriate service provider or agent to inspect, maintain, and report on the registered property in accordance with this chapter. Should the property owner choose this option, they shall provide evidence of such contract to the City's Code Enforcement Division at the time of registration, or within 7 days of any change resulting in a requirement that a new or replacement service provider or agent be used. This service provider or agent shall be available 24 hours per day, seven days per week, for the purpose of responding within 1 hour to complaints regarding the condition of the registered property. The property owner shall remain responsible for any service provider's or agent's failure to meet the requirements of this chapter.
- E. At the discretion of the Code Enforcement Division, properties subject to the registration requirement shall be posted with signs stating, "No Trespassing." Such signs shall be no smaller than eight- and one-half inches (8½") tall by eleven inches

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(11”) wide and shall consist of white lettering no smaller than one (1”) inch in height on a contrasting background. Such signs shall be weatherproof in design. Larger signs such as 2.5 feet by 3.5 feet may provide a greater level of deterrence and may, at the discretion of the Code Enforcement Division, be required where appropriate. Such signs shall contain the words, “NO TRESPASSING,” the California Penal Code Section(s) that apply to the property, and the name and phone number for the City’s Police Department. Such signs, where required, shall at a minimum be placed at each entrance to the real property and maintained in good condition at all times.

- F. All properties subject to the registration requirement shall also be posted with a sign providing the name and contact phone number of the property owner, or the service provider or agent of the property owner, responsible for the required inspection, maintenance, and reporting obligations. The sign shall be a minimum of 17” x 22” in size and shall consist of white lettering no smaller than one (1”) inch in height on a contrasting background. The sign shall be weatherproof in design. The sign shall provide the contact’s name and phone number, along with the words, “THIS PROPERTY MANAGED BY” and “TO REPORT PROBLEMS OR CONCERNS CALL” or similar words. The sign shall be placed at the front of the property in a conspicuous location and shall be maintained in good condition at all times.

**9-24.040 Improvement Requirements.**

- A. Unmaintained Vacant Lots. The property owner of any unmaintained vacant lot shall cause the lot to be cleaned and shall implement an active maintenance and monitoring schedule within thirty (30) days. Active maintenance and monitoring shall include:
- 1) Maintenance in good condition of grounds; perimeter fences or walls; and lighting if such exist;
  - 2) Maintenance in good condition of perimeter landscaping and plant material if such exist;

- 3) Regular removal of all accumulated trash; debris; litter; dead or overgrown weeds or vegetation; and graffiti. Graffiti removal shall be conducted in accordance with Section 10-17.080 of this Code;
  - 4) Prevention of unauthorized parking or storage of containers; vehicles or equipment; or parts thereof; and
  - 5) Prevention of criminal activity on the premises and trespass by unauthorized persons.
- B. Vacant or Abandoned Buildings. The property owner of any vacant or abandoned building shall commence rehabilitation for occupancy within thirty (30) days, unless one of the following applies:
- 1) The building is subject to, or becomes subject to, an active building permit authorizing repair or rehabilitation, and the property owner is progressing diligently to complete the repair or rehabilitation;
  - 2) The building meets all codes, is ready for occupancy, and, through the verifiable use of signage, current real estate listings, or other acceptable means, is actively being offered for sale, lease or rent; or
  - 3) The City's Code Enforcement Division determines that the building is registered pursuant to this chapter; and does not contribute to/is not likely to contribute to neighborhood blight because the property owner is actively maintaining and monitoring the building. Active maintenance and monitoring shall include:
    - a) Maintenance in good condition of accessory structures; parking areas; perimeter fences or walls; lighting; sign structures as applicable; and landscaping and plant material in weed-free condition;

- b) Maintenance in good condition of building exteriors so as to ensure structural safety and preservation of the physical integrity and appearance of the structure, including but not limited to paint and finishes; foundation; roof; windows; stairs; and decks;
- c) Regular removal of all dead or overgrown weeds or vegetation; exterior trash; debris; litter; and graffiti. Graffiti removal shall be conducted in accordance with Section 10-17.080 of this Code;
- d) Maintenance of the building and real property in compliance with all applicable codes and regulations;
- e) Prevention of criminal activity on the premises and trespass by unauthorized persons; and
- f) Securing of the interior of the building from entry by unauthorized persons; preservation of the interior from damage by the elements or plumbing leaks, and free from accumulations of garbage, other debris, and/or infestation by rodents, insects, or other pests.

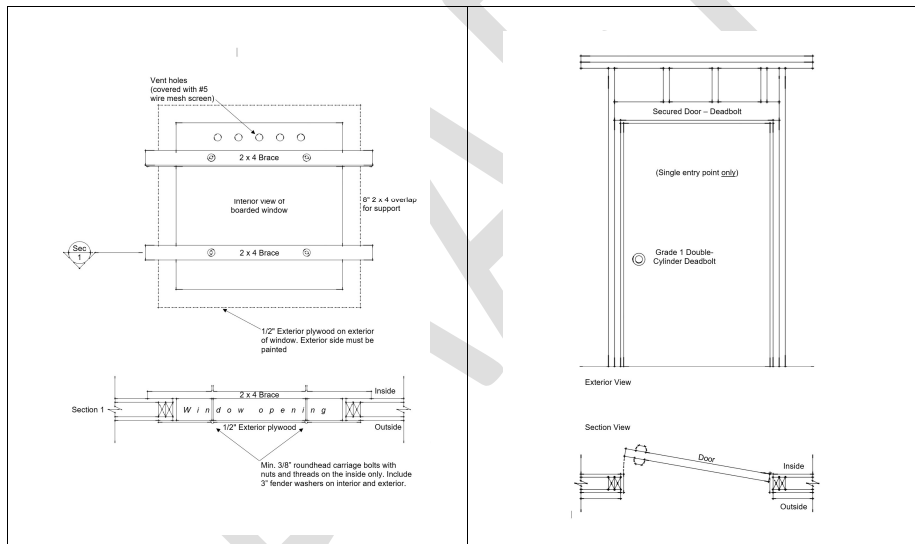
#### **9-24.050 Securing From Trespassers.**

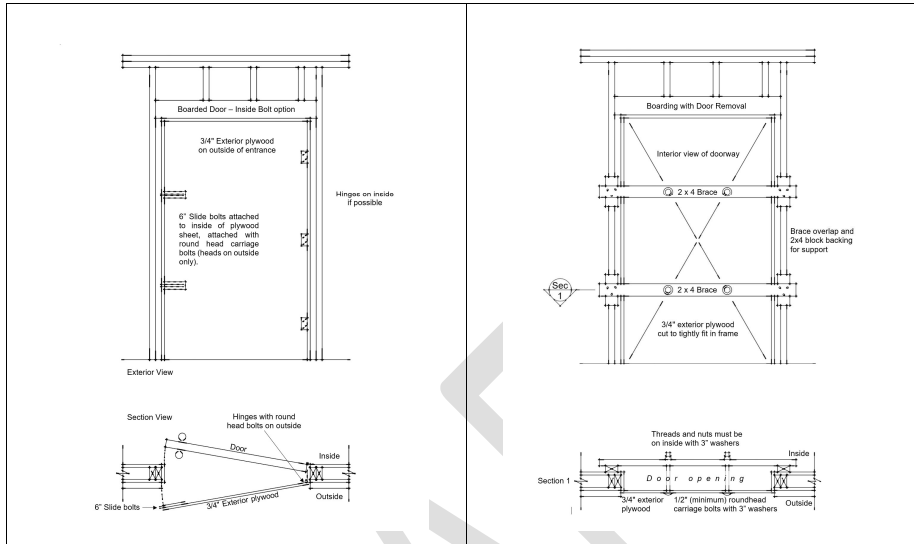
All real properties which exist as unmaintained vacant lots, or which contain vacant or abandoned buildings shall be secured against trespassing in the following manner:

- A. All doors and windows of the building shall be in good, working condition and secured against unauthorized entry.
- B. All broken doors and windows shall be replaced or covered in a manner acceptable to and approved by the Code Enforcement Division.

C. The Code Enforcement Division, in its discretion, may require securing the property in an approved manner to ensure adequate protection against unauthorized entry, or by any other reasonable measures to prevent trespassers. These protections include, but are not limited to, plywood boarding of all windows and doors and/or the erection of fencing. Plywood boarding, where used, shall be painted to match the exterior color of the structure, and shall be subject to the following standards:

1. Unless additional measures are determined necessary by the Code Enforcement Division, plywood boarding of all windows and doors shall at a minimum be performed as specified in this Section and in the following figures:





## 2. Specifications for Plywood Boarding

- a. Exterior Plywood shall be of un-sanded CDX grade;
- b. Plywood thickness shall be 1/2" for window openings, 5/8" for door openings and 3/4" for sliding door and French door openings. When extra-large window openings are encountered use 5/8" or 3/4" as necessary;
- c. All holes shall be drilled to accommodate round head carriage bolts. The holes in the top of the plywood should be 12" down from the top and 20% of the width of the plywood cover, in from the side;
- d. The holes in the bottom should be 25% of the height of the plywood, up from the bottom and the same distance in from the side as the top;
- e. Carriage bolts mated with nut and two three-inch flat washers as shown in the side view. Washers shall be of sufficient size to fully accept the square portion of bolt beneath the head. Bolt and mating hardware may be galvanized, or cadmium plated. 3/8" x 12" bolts should be supplied with each 2'8" door, 3'0"

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door, and glass sliding door cover. 3/8 x 10" bolts should be supplied with the rest;

- f. 2" x 4" lumber should be graded and should be a minimum of 16" longer than the width of the plywood cover. (Note: 2x4s shall be drilled with 1/2" diameter holes that line up with the holes in the plywood covers.);
- g. All windows and doors, except the front door (unless front door is missing), through which access to the interior of the dwelling is made, shall be secured. All window boards shall be cut to fit inside window openings with a maximum 1/8" clearance. The plywood covering shall be of one continuous piece when possible;
- h. All fabricated parts and ancillary materials become property of the property owner; and
- i. All coverings are to be fabricated according to the attached drawing and specifications.

### 3. Boarding Windows

- a. Except as noted below, all window sashes, frames, glass, and hardware are to be undamaged by the boarding installation;
- b. All screen inserts are to be removed, marked as to location, and stored within the building;
- c. In all cases where it is possible to adjust the position of the sashes to accommodate the specifications for boarding above, the sashes are to remain in the frame;
- d. In instances wherein the sashes cannot be adjusted to accommodate the boarding specifications above, the sashes shall be removed from the frames and stored within the building. This includes all stationary side- or top-lights secured by stops;
- e. In cases where in the sash cannot be removed and/or the frame is permanently built into the house and cannot be removed (i.e., Fenestra windows) it will be

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necessary to break the corner panes to accommodate the boarding and bolts. If the location of bolt holes in the plywood requires modification because of the muntin bar (a small bar that divides a windows glass), these locations are to be modified. In no case, in any type of window, is any sash or frame part to be damaged;

- f. In all instances where items should be removed from the frame and stored, each item shall be clearly marked as to the area from which it was removed;
- g. All items are to be stored on edge and braced to prevent accidental tipping, sliding, etc. In no instance is any item to be stored laid flat;
- h. Hinged windows are to be completely removed from the frame and stored as stated in (g) above. If possible the hinge pins are to be removed and remain with the removed item; and
- i. Faced nailing of panels to wood frame windows is specifically prohibited.

#### **9-24.060 Enforcement; Violations**

It shall be unlawful for any person to violate any provision of, or to fail to comply with any of the requirements of this chapter. Violations of this chapter may be enforced in any combination of remedies as outlined in Chapters 1-28 and 1-30, in addition to and cumulative of all other remedies, criminal or civil, which may be pursued by the City of Santa Rosa to address any violation of its ordinances.

It shall be a violation for any property owner to fail to register, or renew a registration for, or fail to maintain, a real property identified as being an unmaintained vacant lot or having vacant or abandoned buildings upon it, which exists in violation of this chapter. For purposes of this section, "register or renew" means to submit the requisite, fully completed registration packet within the required submittal time, accompanied by all required supporting documents and fees.

It shall be a violation of this chapter for any property owner to fail to conduct the required initial or monthly maintenance inspections or enhanced inspections as may be required for a registered

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property; fail to post and maintain required signage; fail to timely submit the required evidence of inspection reports to the Code Enforcement Division; fail to correct nuisance conditions upon their property; or fail to secure their property from trespassers.

#### **9-24.070 Appeals.**

Any person aggrieved by any of the requirements of this section may appeal insofar as such appeal is permitted under Chapter 1-30.

#### **9-24.080 Strict Liability Offenses.**

Violations of this chapter shall be treated as a strict liability offense regardless of intent. Any person, entity and/or corporation who violates any portion of this chapter shall be subject to prosecution and/or administrative enforcement under Chapter 1-30.

Section 3. Section 18-20.302.4 of the Santa Rosa City Code is amended to read as follows:

#### **18-20.302.4 Weeds.**

International Property Maintenance Code Section 302.4, paragraph one is amended to read as follows:

**Section 302.4. Weeds.** Weed and rubbish abatement shall be as set forth in Santa Rosa City Code Title 9, Health and Safety, Chapter [9-08](#), Weeds and Rubbish.

1. Premises and exterior property shall be maintained free from weed growth in excess of six inches (6"). Noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants, and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens. Trees, vegetation, or landscaping not otherwise subject to immediate abatement pursuant to this section shall not be allowed to remain upon the property for more than twenty-four consecutive hours if found to:

- 1.1. be dead, decayed, diseased, dry, overgrown, uncultivated, or hazardous;

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- 1.2. be likely to harbor such nuisances as vermin or rats;
- 1.3. be in a condition that causes visual blight, or reflects a lack of being maintained in an ongoing manner;
- 1.4. constitute a fire or health hazard, or create a threat to the public health or welfare;
- 1.5. be maintained with less than eight feet (8') of vertical clearance from sidewalks and thirteen feet (13') of vertical clearance from streets; or obscures official street or traffic signage; or consists of thorn or spine-bearing vegetation immediately adjacent to sidewalks in residential areas.

Section 4. Environmental Determination. The Council finds that the adoption and implementation of this ordinance are exempt from the provisions of the California Environmental Quality Act under section 15061(b)3 in that the Council finds there is no possibility that the implementation of this ordinance may have significant effects on the environment.

Section 5. Severability. If any section, subsection, sentence, clause, phrase, or word of this ordinance is for any reason held to be invalid and/or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed and adopted this ordinance, and each and all provisions hereof, irrespective of the fact that one or more provisions may be declared invalid.

Section 6. Effective Date. This ordinance shall take effect and be in full force and effect from and after thirty (30) days after its final passage.

This ordinance was introduced by the Council of the City of Santa Rosa on \_\_\_\_\_, 2024.

IN COUNCIL DULY PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2024.

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AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
City Clerk Mayor

APPROVED AS TO FORM: \_\_\_\_\_  
City Attorney