



City of Gilroy

STAFF REPORT

Agenda Item Title: City Council Downtown Committee (Part 1) - Subcommittee Reports and Recommendations – Plywood Removal and Vacancy Ordinances

Meeting Date: January 8, 2024
From: Gilroy Downtown Committee
Department: City Council
Submitted By: Gilroy Downtown Committee
Prepared By: Gilroy Downtown Committee

STRATEGIC PLAN GOALS

Promote Economic Development Activities

RECOMMENDATION

Council discussion and direction regarding the report and recommendations provided by the Downtown Committee's Plywood Removal and Vacancy Ordinance Subcommittees.

BACKGROUND

The Downtown Committee (Committee) was formed by Council on May 1, 2023, with its first meeting on May 9, 2023. The resolution forming the fifteen-member Brown Act committee established five Council Members as members of the Committee, each to appoint two of the remaining ten seats as detailed in the resolution.

The Committee is charged with reviewing and offering recommendations to improve the Gilroy Downtown. The Committee formed five sub-committees, each with a different focus area relating to improving the downtown. Below are the five subcommittees, in no particular order:

- Plywood Removal (PRS)
- Beautification of Downtown (BDS)
- Vacancy Ordinance (VOS)
- Noise Ordinance (NOS)
- Code Enforcement (CES)

Tonight's presentation from the Committee is for the recommendations developed by the PRS and VOS. Should Council direct staff to proceed with the recommendations, staff will return to the Council to update the department work plans to incorporate the work to implement these efforts. There will be legal and other operational review needed on the recommendations and how to proceed with implementation, which will need to be balanced against the other work currently in the department work plans.

ANALYSIS

Plywood Removal Subcommittee

The PRS conducted a review of the City's current policies and procedures regarding the use of plywood to board up all or portions of buildings in the downtown area. The PRS has identified potential improvements in the Gilroy City Code to help improve the conditions in our downtown related to the use of plywood. The PRS has crafted a draft, conceptual, red-lined version of the PRS's recommended edits to the City Code for Council consideration. If acceptable, the Committee recommends the draft version be finalized by City staff, working with the PRS, to create a finalized version of the ordinance for a future public hearing introduction with the intent of future adoption by the City Council.

The recommended changes to the City Code by this conceptual ordinance are summarized as follows, but will be discussed in the presentation by the Downtown Committee:

- Specifies a role for code enforcement officers in issuing notices after 90 consecutive days of buildings becoming vacant.
- Identifies that displays of art or other displays of cultural, historical, or educational value will have examples available in Community Development.
- Adding Section 5D.7(d) prohibiting drywall, sheeting, plastic, butcher paper, plain paper or other raw coverings, elaborating that all windows, openings, doors, facades, awnings, etc. must be finished in appearance.
- Plywood may be utilized for up to 90 days as-is. After 90 days, the plywood must be decorated consistent with the design criteria expressed in Section 5D.7(b). Failure to decorate would generate a fine of \$500 per month.
- The temporary frontage of decorated plywood must be removed after one year. Extenuating circumstances would potentially grant a grace period of an additional year. The fine for failing to remove the temporary plywood front is proposed by the Committee to be \$250 per month
- Each of the fines are proposed to be assessments on the property tax bill.
- The artwork is required to be respectful and appropriate for all ages in the community.

The proposal to attach the non-paid plywood removal fees to property tax bills, similar to garbage liens.

Vacancy Ordinance Subcommittee

The VOS has identified a need for a comprehensive vacancy ordinance. The subcommittee reviewed existing ordinances in cities like Fairfield, Sacramento, and Palm Springs. The VOS has issued the attached report, and is proposing a vacancy ordinance that would mandate the following:

- Building owners registering their vacant properties with the City within ten days.
- City inspections for these buildings to determine code compliance.
- Enforced renovations to meet code before re-occupancy.
- Implementation of a \$150 per week fine for failure to register a vacant building.
- Potentially exempting buildings from the vacancy ordinance if delays were due to pending power restoration from PG&E.

ALTERNATIVES

Council may issue any direction that it desires relating to these first recommendations from the Downtown Committee.

FISCAL IMPACT/FUNDING SOURCE

No detailed financial impact analysis has been conducted. Depending upon the direction of Council, any future actions will have a fiscal impact determined as part of the agenda report for any such agenda item.

PUBLIC OUTREACH

The Downtown Committee has been holding public meetings, including posted agendas, on a monthly basis. This item was also included on the publicly posted agenda for this meeting.

NEXT STEPS

Staff will proceed towards implementing any Council issued direction and return to Council with updates to the department work plans to incorporate the direction and work received.

Attachments:

1. Plywood Removal Subcommittee Draft Conceptual Ordinance
2. Vacancy Ordinance Subcommittee Report