

RESOLUTION

SPOT BLIGHT ABATEMENT PROGRAM PLAN

WHEREAS, a comprehensive Spot Blight Abatement Program accomplishes certain goals and objectives of the James City County Comprehensive Plan and the Strategic Management Plan adopted by the Board of Supervisors; and

WHEREAS, citizens have expressed concern about abandoned, dilapidated, or unsafe properties in their communities; and

WHEREAS, the *Code of Virginia* empowers localities to enact Spot Blight Abatement Programs and to address blighted properties by demolition, repair, and/or acquisition.

NOW, THEREFORE, BE IT RESOLVED that the James City County Board of Supervisors, Virginia, does hereby adopt the attached Spot Blight Abatement Program Plan.



Jack D. Edwards
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
NERVITT	AYE
SISK	AYE
MCGLENNON	AYE
BRADSHAW	AYE
EDWARDS	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 17th day of August, 1999.

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James City County Spot Blight Abatement Program Plan

The Spot Blight Abatement Program is designed to address citizen concerns about specific properties in their communities with abandoned dilapidated structures, which have a blighting influence on the surrounding area. The Program is to promote the Healthy Community goal of the County's Strategic Management Plan and to implement a number of strategies recommended in the Comprehensive Plan.

In the past, James City County demolished structures by working with the property owner or within Community Development Block Grant project areas. Since initiating the Blight Abatement Program in 1997, the Office of Housing and Community Development (OHCD) has abated three blighted structures, rehabilitated three others, and facilitated in the rehabilitation of one.

The following definitions, priorities, and procedures will guide the Program:

Definition

Virginia Code § 36-49.1 defines "blighted areas" as:

"areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement of design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals or welfare of the community."

In addition to the *Code's* specifications, James City County shall not consider a property for blight abatement enforcement unless the structures on the property:

1. have been vacant and/or boarded for at least one year;
2. are no longer being maintained for useful occupancy; and
3. are dilapidated or constitute a nuisance.

Priority Areas

Blighted properties located in the following areas shall receive priority consideration for blight abatement actions:

1. Ironbound Square Residential Revitalization Community Development Block Grant target area and the Forest Glen Centerville Road Neighborhood
2. James River Enterprise Zone

3. Community Character Corridors and Community Development Focus Areas designated in the Comprehensive Plan
4. Other areas designated by the Board of Supervisors

Blight abatement enforcement shall be considered for blighted properties located outside of the above-designated areas when such properties have been the subject of documented citizen complaints.

Procedures

The following procedures shall be used to administer the comprehensive Blight Abatement Program:

1. The County Office of Housing and Community Development (OHCD) will receive referrals regarding abandoned dilapidated structures from elected officials, citizens, neighborhood and civic organizations, and other County departments.
2. OHCD staff will investigate all referred properties and enter property information into the blight database. Pertinent information regarding the referred property will be obtained from other County departments, including Planning and Real Estate Assessment.
3. If OHCD finds the property to be a candidate for blight determination, staff will contact the owner of record, and inform the owner of the blight referral, and any available assistance program.
4. If the property owner fails to respond to the offer of blight abatement assistance within 30 days, OHCD will make a preliminary blight assessment. This assessment will describe the blighted conditions and the impacts of the blighted property on the surrounding area. It will also include a preliminary cost estimate and state whether the property is located in a designated priority blight abatement area.
5. The Blight Abatement Management Committee appointed by the County Administrator will review preliminary blight assessment reports, at least once a year. If the Management Committee concludes that a subject property meets both (1) the definition of blight contained in Virginia Code § 36-49.1 and (2) all three additional blight enforcement specifications listed in the above Definition paragraph, the Committee will prioritize the property for enforcement based on severity of the blight and available resources. The Committee will also determine whether to pursue nuisance abatement or acquisition by eminent domain, as authorized in *Virginia Code* § 36-49.1:1.

Spot Blight Abatement Procedures

6. If the Committee chooses to acquire property by eminent domain, it will follow the procedure outlined in *Virginia Code* § 36-49.1:1. This procedure entails public hearings before both the Planning Commission and the Board of Supervisors. Following acquisition, the blight will be abated and the property may be prepared for reuse and disposition.

Nuisance Abatement Procedures

7. Alternatively, if the Committee decides to pursue nuisance abatement actions, a letter will be sent to the owner of record indicating why the property is considered blighted. The owner will be given at least 30 days to respond with an acceptable plan to cure the blight. During the period, OHCD again will attempt to contact the owner to offer assistance in correcting the blight.
8. If the owner of record fails to eliminate the blight, OHCD will prepare a blight abatement plan after providing the owner written notice by certified mail. The Management Committee will review the blight abatement plan and will schedule a public hearing before the Board of Supervisors.
9. If the Board of Supervisors declares the property blighted or a nuisance and adopts the recommend blight abatement plan, the owner of record will be notified in writing and given 30 days to cure the blight.
10. OHCD will solicit bids and will carry out required actions to abate the blight, if the owner fails to abate the blight within the allotted time.
11. The owner of record will be charged with the cost of blight abatement, including administrative costs. If the owner fails to pay for the abatement within 90 days, the costs will be collected by any manner provided by law for collection of State or local taxes. Funds collected will be deposited in the Community Development Fund to be utilized for additional blight abatement activities.

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