

Memorandum

TO: Planning Commission
FROM: Fidel Gamboa, Acting Neighborhood Improvement Manager 
DATE: March 7, 2016
SUBJECT: Code Enforcement/Community Improvement restructuring

Mission Statement

The Costa Mesa Code Enforcement's mission is to proactively protect the City's residential and business communities from blighted and deteriorated conditions that negatively impact neighborhoods' property values and encourage social disorder.

Report Summary

In 2015, the Code Enforcement Unit (CEU) dedicated its efforts to better serve the community by addressing the major areas of concern that were causing negative impacts to the City's quality of life. These efforts were directed not only at the unit's normal code enforcement concerns, but also with any high priorities that were identified by the Office of the Chief Executive Officer.

These activities often included interdepartmental coordination with the Police/Fire departments, as well as county services. This included the CEU actively playing a supportive role to the Community Improvement Division's (CID) high priority efforts. In early September 2015, a review of the workload demands on the CEU revealed that the support needed by the CID became more complex and required an increase in the use of CEU resources. Due to this increase, the City determined that merging the two groups would be the most logical and efficient way to serve the mission.

Restructure

Traditionally, the CEU has existed under the umbrella of the Building Division and the CID has existed under the Office of the Chief Executive Officer. Moving forward, both groups have been placed into one separate division under the direct supervision of the City's Development Services Director, Gary Armstrong. The division is currently listed as the Code Enforcement/Community Improvement Division.

This move included the elimination of a previously budgeted Assistant Director position and the salary savings allowed for the recruitment of new CEU/CID Staff. In early November 2015, a new recruitment effort was conducted.

Currently, the division is supported by an Acting Neighborhood Improvement Manager, nine (9) full-time* and four (4) part-time CEU/CID officers, one (1) part-time Management Analyst, and one full-time Office Specialist II*. Three (3) additional part-time CEU/CID positions remain open and staff is working to fill those positions before the end of the 2015/2016 fiscal year.

Additionally, as part of this new restructuring, the City decided that part of the CEU/CID staff would man the 18th St. Substation. This is part of the City's goal to make staff more visible to the community and the CEU/CID will be part of this effort along with the Police Department.

Programs

Under the new structured Code Enforcement/Community Improvement Division staff is assigned to the following programs:

Group Home Program

The Group Home Program is responsible for implementation and enforcement of zoning regulations for group homes. This includes the implementation of the R1 Group Home Ordinance No. 14-13 and the implementation of the Multifamily Group Home Ordinance No. 15-11. This program also maintains a current inventory of Group Home properties, investigates and maintains records of complaints, enforces compliance and identifies possible nuisance properties. Staff conducts inspections and works closely with property owners and group home operators in an effort to ensure that these properties comply with all applicable zoning regulations. This program is responsible for code updates as needed to ensure that the residential charter of the City's various neighborhoods is preserved for the benefit of all residents.

In calendar year 2015, the staff assigned to this program handled a total of 117 cases and processed a total of 47 Special Use Permit (SUP) applications (46 sober living/1 group home) pursuant to the R1 (single-family zone) Ordinance. Of those 47, 36 applications are still active pending the judicial injunction.

The ordinance for the multifamily residential zones became effective on December 17, 2015. From the effective date to the end of the calendar year, seven (7) Conditional Use Permit (CUP) application attempts were made by operators, but only two (2) were deemed complete. For the March 28, 2016 Planning Commission meeting, a total of two (2) new CUP applications will be submitted for consideration.

Staff has also been working diligently in establishing a working relationship with the State Department Of Health Care Services (DHCS) to discuss those operators that do not fall under either of the City's ordinances.

Code Enforcement

Code Enforcement enforces the Costa Mesa Municipal Codes on private property related to land use, building construction, building occupancy, private property maintenance, and signage. Such enforcement may be the result of citizen complaints or may be proactively initiated by Code Enforcement Officers while on routine patrol seven days a week.*

In calendar year 2015, staff assigned to this program handled 1,146 cases. In one of those cases, located on the 1800 block Monrovia, staff obtained information from the Costa Mesa Police Department that there had been a series of police calls to this location involving nuisance activities. On one of these calls, the PD observed what they believed to be a serious health hazard and requested that Code Enforcement look into the matter. After conducting a site inspection, staff determined that there was sufficient evidence of extreme hoarding and other health and safety issues to warrant code enforcement action.

Before



After several failed attempts to gain compliance through the property owner, it was decided that the health concern needed to be abated through the court receivership process. After approximately seven (7) months, the City was able to obtain compliance and recover the costs associated with the City's actions through a court ordered judgment.

After



Staff assigned to this program are also responsible for conducting nighttime inspections in order to identify properties throughout the City that are contributing to noise, parking problems and operating pursuant to unpermitted uses. On one of those nighttime inspections in the 700 block of Randolph Ave and 2800 block of Harbor Blvd, based on information provided by a resident(s), staff determined that one or more commercial/industrial businesses were utilizing City streets for the storage of their fleet vehicles and/or customer vehicles left behind for repair work. Staff issued violation notices and resolved the concern.

On other nighttime inspection(s) in the SOBECA area, based on concerns of excessive noise emanating from some the entertainment venues, staff conducted site visits of several locations and using a sound meter found two locations of concern. At one location on the 2900 block of Randolph, entertainment was being provided without City approvals. At the second location on the 800 block of Baker St., the entertainment venue was conducting entertainment outside of the scope of their Conditional Use Permit. Using noticing and citations staff was able to shut down the concern at the first location. At the second location, after several conversations with the business owners they voluntarily shut down their venue in late November 2015 to re-evaluate their operation.

Due to the increase in group home activity, staff assigned to this program has had to address new concerns regarding land use in the City's commercial and light industrial zones. Specifically, the increase of unpermitted group counseling centers.

As a result, staff identified thirty-four (34) counseling centers that may have expanded to group counseling without proper City approvals. Out of those 34 locations, site visits determined that two location(s) on the 3100 block of Airway Ave. had expanded their use without City

approvals. After noticing and citing the property owner(s)/operator(s), this activity ceased and the operators left the area. On the 200 block of East 17th street, site visits determined that group counseling was occurring without proper approvals. After noticing and citing the property owner/operator, this activity changed to one on one counseling and the operator moved the group counseling operation to an adjacent city.

Neighborhood Stabilization Program

The Neighborhood Stabilization Program consists of identifying nuisance conditions throughout the City, targeting both the multifamily zones as well as the commercial business districts. Staff conducts building/property assessments for code compliancy for both property maintenance and zoning. The program works with other City departments, residents and business owners on community improvement efforts such as Community Clean-Up Days and identifies necessary infrastructure improvements such as alley paving and lighting.

The staff assigned to this program also play an integral part in supporting the Network for Homeless Solutions (NHS) through the Office of the Chief Executive Officer. This is a high priority assignment due to the increased number of homeless individuals appearing on the City streets. This increase appears to have a direct correlation with the increase in group home drop outs as reported to us through police contact with these individuals.

In calendar year 2015, staff assigned to this program handled 102 cases, conducted one (1) community cleanup day and attended four (4) community meetings. In addition, staff has been approached or has approached roughly 120 business owners regarding concerns of trespassing/drug use on their properties. Staff conducted both early morning and late evening site visit(s) and identified exterior lighting, landscape and trespassing signage issues on several properties that created discrete alcoves exploited by trespassers/drug users.

Before



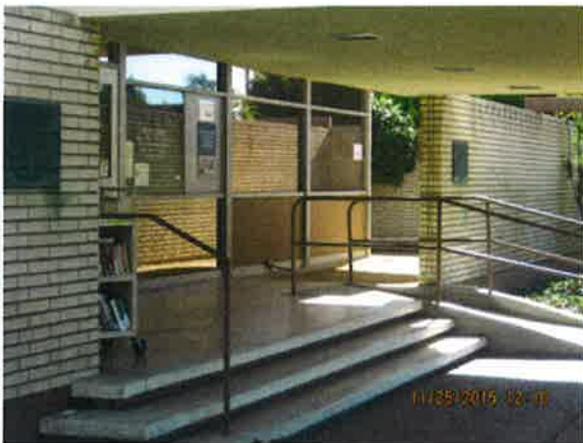
These observations with corrective recommendations were reported back to the business owners. Those business owners who adopted staff's recommendations were surprised to see a decrease in their concerns.

After



Staff was also approached by the Mesa Verde Branch Library regarding trespassing concerns. Staff conducted a site visit and recommended the use of security gates, which were later installed.

Before



After



In many of these site visits staff's observations included possible illegal/suspicious activity, which was documented and forwarded to the Police Department.

The positive examples listed above only represent a small number of the total efforts put forth by CEU/CID staff. Looking forward with the development of the new division and the manning of the 18th St substation, staff hopes to make a bigger impact in the overall quality of life for the residents, business owners and visitors in the City of Costa Mesa.

*Some of these positions are either fully or partially funded by the Community Development Grant (CDBG) program.