

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Chief Executive Office

BOARD AGENDA # IX.A

Urgent

Routine

AGENDA DATE June 9, 2009

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Establish a Building Code Compliance Ad Hoc Committee and to Appoint Two Members of the Board of Supervisors to the Committee

STAFF RECOMMENDATIONS:

Establish a Building Code Compliance Ad Hoc Committee and appoint two Board Members to serve on the Committee.

FISCAL IMPACT:

There is no fiscal impact associated with this item

BOARD ACTION AS FOLLOWS:

No. 2009-393

On motion of Supervisor Chiesa, Seconded by Supervisor Monteith
and approved by the following vote,
Ayes: Supervisors: O'Brien, Chiesa, Grover, Monteith, and Chairman DeMartini
Noes: Supervisors: None
Excused or Absent: Supervisors: None
Abstaining: Supervisor: None

- 1) Approved as recommended
- 2) Denied
- 3) Approved as amended
- 4) Other:

MOTION: Appointed Supervisor Grover and Chairman DeMartini to the Building Code Compliance Ad Hoc Committee.



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

DISCUSSION:

Non-permitted improvements exist on properties throughout Stanislaus County. These improvements may have been installed by current or former owners or tenants, could include both inhabited and uninhabited space, and may or may not be in compliance with existing zoning for the improved property.

When Code Enforcement personnel are referred to a property, they typically evaluate a number of conditions of the improvement when developing recommendations. These evaluations can include:

- The verification that a building permit does not exist for a particular improvement.
- Identification of specific building or zoning infractions, such as the existence of second residences on single residence properties, setback violations, substandard construction, health and safety violations, and other conditions.

Often, properties will have passed from owner to owner with no indication that a particular improvement is non-permitted. This situation has the potential to impose considerable liability on an owner for improvements believed by the owner to be appropriate for the property at the time of purchase. Competing with the question of fair and equitable treatment of current property owners is the need to assure the health and safety of persons entering non-permitted improvements, the need to respect the rights of adjacent property owners, and the need to establish and maintain land use standards consistent with the zoning of the improved property.

Staff is requesting the appointment of two members of the Board of Supervisors to serve on an ad hoc committee to review existing Building Code Compliance policies and practices, and to consider various alternatives.

POLICY ISSUES:

This action is consistent with the Board's priorities of a Safe Community, a Healthy Community and the Efficient Delivery of Public Services

STAFFING IMPACT:

Staff of the CEO, County Counsel and Planning and Community Development will support the efforts of the Board Ad Hoc Committee.