

STAFF REPORT

SUBJECT: CONSIDER FOR APPROVAL A RESOLUTION DECLARING SEASONAL WEEDS A PUBLIC NUISANCE

RECOMMENDATION

1. That the Board of Directors accept the report as presented.
2. That the Board of Directors approve a Resolution Declaring Seasonal Weeds a Public Nuisance.

BACKGROUND/DISCUSSION

Each year, the District surveys the District for parcels, usually undeveloped lots or unmaintained properties, which have the potential to become fire hazards when the seasonal weeds dry out during the summer months. A list of these locations is established each year and presented to the Board to be declared a public nuisance and fire hazard.

This year's list of locations and property owner's addresses is included with the attached Resolution indicating the parcels that need to be declared a public nuisance due to overgrown weeds. Most parcels are identified on the list with a proper address, however, since some parcels are undeveloped lots, a proper street address is not always possible. In those cases, the nearest cross-street or geographic location is described, but in every case a San Mateo County Assessor's Parcel Number has been referenced.

The Resolution declares the weed-filled lots and parcels a public nuisance and requires property owners to clean up, cut, or remove the seasonal weeds. Property owners will be sent a notice to abate the public nuisance and thereby eliminate the fire hazard. Property owners are allowed a chance to address the Board at the April 24, 2024, meeting, if they feel their property does not constitute a public nuisance. If the weeds are not removed by May 11, 2024, the District will proceed to abate the hazard using a predetermined weed abatement contractor.

FISCAL IMPACT

If the District is required to abate the public nuisance for the property owner, the District will pass the actual cost of the weed abatement contractor on to the property owner plus an administrative fee set in accordance with the District's fee schedule. Property owners are only charged if the District must correct the public nuisance. Cost recovery

is provided through a property tax lien and collected through the San Mateo County Tax Assessor's Office.

ATTACHMENTS

- A. Resolution of the Board of Directors of the Coastside Fire Protection District Declaring Seasonal Weeds a Public Nuisance

Respectfully submitted,

Jonathan Cox
Deputy Chief

RESOLUTION NO. 2024-09

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE COASTSIDE FIRE PROTECTION DISTRICT DECLARING SEASONAL WEEDS A PUBLIC NUISANCE

WHEREAS, the Board of Directors received a report from the Fire Chief requesting that the Board of Directors declare seasonal weeds a public nuisance; and

WHEREAS, the Board of Directors accepts the report as submitted; and

WHEREAS, the Board of Directors finds and determines as follows:

(a) The District is a public agency organized under the Fire Protection District Law of 1987 (Health & Safety Code Sections 13800 et seq.). Under Health and Safety Code Section 13879, the District is empowered to abate hazardous weeds and rubbish pursuant to the provisions of Part 5 (commencing with Section 14875) of Division 12 of the Health & Safety Code.

(b) As more specifically described hereafter, "Weeds", as defined in Health & Safety Code Section 14875, exist upon or in front of certain lands within the District. The Weeds are seasonal and recurrent.

(c) The Weeds represent flammable materials and they endanger public safety by creating a fire hazard. Good cause exists, therefore, to declare such Weeds to be a public nuisance and to cause them to be abated in accordance with the applicable provisions of law.

(d) Commencing on January 22, 2014, and annually thereafter, the Board of Directors has adopted Resolutions, each of which was identified as a "Resolution of the Board of Directors of the Coastside Fire Protection District Declaring Seasonal Weeds a Public Nuisance,"

and by which Resolutions the Board of Directors identified certain lands within the District as being subjected to a seasonal and recurrent public nuisance due to the existence of Weeds and as to which abatement was required. Copies of the several Resolutions are contained in the records and files of the District and are incorporated by reference.

(e) Since the adoption of the Resolutions referred to above, additional lands have been identified as requiring abatement action, and this Resolution is adopted for the same purposes as the earlier Resolutions. Likewise, certain parcels of land previously identified in the earlier Resolutions no longer constitute nuisances and do not require abatement.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Coastside Fire Protection District that:

1. Weeds growing upon or in front of certain lands within the District, as hereafter specified, are declared to be a seasonal and recurrent public nuisance and they shall be abated as provided herein.

2. The parcels of real property to which this Resolution applies and the streets upon which they abut are those described in Exhibit A annexed hereto.

3. A public hearing shall be conducted by the Board of Directors to hear and consider all objections or protests, if any, to the proposed abatement of the public nuisance. The public hearing shall be conducted at the Board of Directors' meeting room located at 1191 Main Street, Half Moon Bay, California, and shall take place at the hour of 4:00 p.m. on April 24, 2024.

4. The District's Fire Chief is designated as the person to give the "Notice to Destroy Weeds" as required by Health & Safety Code Section 14892.

5. The "Notice to Destroy Weeds" shall be in the form annexed hereto as Exhibit B and such notice shall be given in the manner required by Health & Safety Code Sections 14893-14896.

6. At the conclusion of the public hearing and after final action is taken to dispose of any protests or objections, an order shall be made to abate the nuisance and to cause the Weeds to be removed. The expenses of abatement shall be determined, noticed, heard, reported and collected in accordance with the provisions of Health & Safety Code Sections 14905 et seq., 14910 et seq., and 14915 et seq and such other provisions of law as may be applicable.

7. The actions and proceedings provided for in this Resolution are exempt from the application of the California Environmental Quality Act ("CEQA") pursuant to Public Resources Code Sections 21080(b)(10) and 21084 and the State CEQA Guidelines at Section 15304 having to do with minor alterations of land.

PASSED AND ADOPTED as a Resolution of the Coastside Fire Protection District at the regular meeting held on the 27th day of March 2024, by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Gary Burke, President

ATTEST:

Jonathan Cox, Deputy Chief
Secretary

EXHIBIT A
LIST OF PROPERTIES

List of Properties Requiring Weed Abatement—Spring 2024

APN
047-023-160
047-023-430
047-025-170
047-041-070
047-041-170
047-043-030
047-045-160
047-045-170
047-048-150
047-054-100
047-055-090
047-055-130
047-055-210
047-056-020
047-061-060
047-061-070
047-062-100
047-071-260
047-074-180
047-074-290
047-075-090
047-075-250
047-075-320
047-076-070
047-077-020
047-077-150
047-091-030
047-092-130
047-092-140
047-095-070

APN
047-102-080
047-105-100
047-105-190
047-111-140
047-111-180
047-111-260
047-115-120
047-122-010
047-122-020
047-125-260
047-127-280
047-127-310
047-127-430
047-133-110
047-135-110
047-136-010
047-141-060
047-141-150
047-142-280
047-143-070
047-143-130
047-143-270
047-144-240
047-144-280
047-151-110
047-151-120
047-152-180
047-152-220
047-152-230
047-152-310

APN
047-152-320
047-153-130
047-153-380
047-153-410
047-161-060
047-162-330
047-162-530
047-162-540
047-163-500
047-164-120
047-164-140
047-164-220
047-164-230
047-171-120
047-172-150
047-173-150
047-181-080
047-181-510
047-181-610
047-181-670
047-181-790
047-182-360
047-182-540
047-182-550
047-182-560
047-182-570
047-182-620
047-191-390
047-191-440
047-192-060

List of Properties Requiring Weed Abatement—Spring 2024

APN
047-192-230
047-192-440
047-193-060
047-193-190
047-201-070
047-201-080
047-201-090
047-204-070
047-204-130
047-207-080
047-207-090
047-207-190
047-207-220
047-207-230
047-207-250
047-207-290
047-208-120
047-209-030
047-213-380
047-214-180
047-214-190
047-221-060
047-221-180
047-222-260
047-222-310
047-222-390
047-223-070
047-232-070
047-241-090
047-241-260

APN
047-241-450
047-242-040
047-242-250
047-242-280
047-242-430
047-244-280
047-251-040
047-251-060
047-251-070
047-251-100
047-251-120
047-251-140
047-251-150
047-252-220
047-252-230
047-252-240
047-252-260
047-252-270
047-252-280
047-252-290
047-252-360
047-262-010
047-273-260
047-273-460
047-275-060
047-275-070
047-292-050
047-294-310
048-013-080
048-013-220

APN
048-013-290
048-013-500
048-013-530
048-013-540
048-013-590
048-013-630
048-013-640
048-013-790
048-013-900
048-014-040
048-014-050
048-014-060
048-014-070
048-014-080
048-014-110
048-014-120
048-014-270
048-014-280
048-021-010
048-021-030
048-021-040
048-021-110
048-021-120
048-021-130
048-021-280
048-022-020
048-022-030
048-022-170
048-022-200
048-022-210

List of Properties Requiring Weed Abatement—Spring 2024

APN
048-022-230
048-022-370
048-023-090
048-023-100
048-023-250
048-024-100
048-024-420
048-025-240
048-025-280
048-025-290
048-031-050
048-031-070
048-031-100
048-031-110
048-031-120
048-031-140
048-031-150
048-031-170
048-032-010
048-032-030
048-032-040
048-032-060
048-032-070
048-032-160
048-032-190
048-032-200
048-033-030
048-033-040
048-033-050
048-033-060

APN
048-033-160
048-033-260
048-035-010
048-035-020
048-035-030
048-036-020
048-036-040
048-036-050
048-036-070
048-036-080
048-036-100
048-036-130
048-036-140
048-036-150
048-036-160
048-036-170
048-036-230
048-036-260
048-036-270
048-036-280
048-036-290
048-036-310
048-036-320
048-041-060
048-041-080
048-041-090
048-041-100
048-043-020
048-043-050
048-043-170

APN
048-043-180
048-043-200
048-044-190
048-044-200
048-046-020
048-046-070
048-046-080
048-046-120
048-046-140
048-046-170
048-046-200
048-046-250
048-046-270
048-046-280
048-056-040
048-056-080
048-056-110
048-056-170
048-056-180
048-072-080
048-085-250
048-085-320
048-085-370
048-091-110
048-093-020
048-093-030
048-093-060
048-094-010
048-094-250
048-111-090

List of Properties Requiring Weed Abatement—Spring 2024

APN
048-112-060
048-112-120
048-112-160
048-112-170
048-112-200
048-113-150
048-115-020
048-121-030
048-121-060
048-121-110
048-121-130
048-124-130
048-124-210
048-124-270
048-124-280
048-126-160
048-127-160
048-134-110
048-134-120
048-134-130
048-134-140
048-134-210
048-134-220
048-134-230
048-134-240
048-135-090
048-135-110
048-135-120
048-135-130
048-135-140

APN
048-135-150
048-135-210
048-135-220
048-135-230
048-135-240
048-136-040
048-136-050
048-136-060
048-136-070
048-136-090
048-136-120
048-136-130
048-136-150
048-136-160
048-136-170
048-136-180
048-136-190
048-136-220
048-136-230
048-136-330
048-136-340
048-137-020
048-137-030
048-137-040
048-137-060
048-137-080
048-137-090
048-137-100
048-137-110
048-137-120

APN
048-137-130
048-137-160
048-137-180
048-137-190
048-137-200
048-137-210
048-137-220
048-137-280
048-137-290
048-137-300
048-137-310
048-137-350
048-137-360

EXHIBIT B

NOTICE TO DESTROY WEEDS

(Property Owner)
(Address)

Parcel # 000-000-000
Re: Parcel Location

NOTICE TO DESTROY WEEDS

Notice is hereby given that on the 27th day of March 2024, the Board of Directors of the Coastsides Fire Protection District passed a Resolution declaring that noxious or dangerous weeds were growing upon or in front of the property on, or nearest to certain Streets (or Roads) insaid District, and more particularly described in said Resolution and that the same constitute a public nuisance which must be abated by the removal of said noxious or dangerous weeds, otherwise they will be removed and the nuisance will be abated by District authorities, in which case the cost of such removal shall be assessed upon the lots and lands from which or in front of which such are removed, and such cost will constitute a lien upon such lots or lands until paid. Reference is hereby made to said Resolution for further particulars.

All such property owners having any objections to the proposed removal of such weeds are hereby notified to attend a meeting of the Board of Directors of Coastsides Fire Protection District, to be held at the Board's meeting room, located at 1191 Main Street, Half Moon Bay, California, commencing at the hour of 4:00 p.m. on April 24, 2024, when their objections will be heard and given due consideration.

We strongly encourage property owners to remove weeds themselves, or obtain a qualified landscaper or weed abatement contractor. Weeds shall be removed no later than May 11, 2024. If the fire hazard still exists after May 11, 2024, the District will remove the hazard at the property owner's expense.

Dated this 1st day of April.

COASTSIDE FIRE PROTECTION DISTRICT

Jonathan Cox
Deputy Chief