
CITY OF SUSANVILLE
66 N. Lassen Street • Susanville CA
Melanie Westbrook, Chair
James Merchant, Vice Chair
Tony Ardito • Wayne Jambois • Rod DeBoer

Susanville Planning Commission
**Regular Planning Commission Meeting • City Council Chambers 66
N. Lassen Street, Susanville, CA 96130**
Tuesday, January 24, 2023 - 5:30 PM

**CALL TO ORDER
ROLL CALL**

1. **APPROVAL OF AGENDA:** *(Additions and/or Deletions)*
2. **BUSINESS FROM THE FLOOR:** *Any person may address the Commission at this time upon any subject on the agenda or not on the agenda within the jurisdiction of the City of Susanville Planning Commission. However, comments on items on the agenda may be reserved until the item is discussed and any matter not on the agenda that requires action will be referred to staff for a report and action at a subsequent meeting.
Presentations are subject to a five-minute limit.*
3. **CONSENT ITEMS:** *All matters listed under the Consent Calendar are considered to be routine by the Planning Commission. There will be no separate discussion on these items. Any member of the public or the Planning Commission may request removal of an item from the Consent Calendar to be considered separately.*
 - 3.A [Receive and file minutes from the January 10, 2023 meeting](#)
4. **PUBLIC HEARINGS:**
 - 4.A [Use Permit #2023-001.Â Community Evangelical Free Church of Susanville.](#)
 - 4.B [Use Permit #2023-003.Â Grace Family Church.](#)
5. **NEW BUSINESS:**
6. **GENERAL PLANNING UPDATES**
7. **CORRESPONDENCE:**
8. **COUNTY REFERRALS:**
9. **ADJOURNMENT:** **The next regular meeting of the Susanville Planning Commission will be held on February 14, 2023 at 5:30PM.*

Reports and documents relating to each agenda item are on file in the Office of the City Clerk and are available for public inspection during normal business hours and at the meeting. These reports and documents are also available at the City's website www.cityofsusanville.net, unless there were systems problems posting to the

website.

Accessibility: An interpreter for the hearing-impaired may be made available upon request to the City Clerk seventy-two hours prior to a meeting. A reader for the vision-impaired for purposes of reviewing the agenda may be made available upon request to the City Clerk. The location of this meeting is wheelchair-accessible.

I, Ruth McElrath, certify that I caused to be posted notice of the regular meeting scheduled for January 24, 2023 in the areas designated on January, 20, 2023.

The Planning Commission's action on Use Permit (including Planned Development Use Permits) and Variance items may be appealed to the City Council within 5 business days of action. The Planning Commission's action on Tentative Subdivision items may be appealed to the City Council within 10 business days of action. Appeals of the Planning Commission's action must be made in writing on the form provided by the City and must be accompanied by a fee adopted by the City Council. Appeals of Planning Commission actions must be based on comments made known (either through written or verbal comment) at the Planning Commission Meeting. Please contact the Community Development Department for more information regarding appeals.

AGENDA ITEM NO. 3.A
Action Item

SUSANVILLE PLANNING COMMISSION AGENDA ITEM

Submitted By: Ruth McElrath, Building & Planning Division

Action Date: January 24, 2023

SUBJECT: Receive and file minutes from the January 10, 2023 meeting

PRESENTED BY: Ruth McElrath, Building Permit Technician

SUMMARY: Staff is presenting minutes from the January 10, 2023 meeting.

FISCAL IMPACT: None

ACTION REQUESTED: Receive and file minutes from the January 10, 2023 meeting

ATTACHMENTS:
[PC Min. 1.10.23.pdf](#)

SUSANVILLE PLANNING COMMISSION
Regular Planning Commission Meeting Minutes
TUESDAY, JANUARY 10, 2023 – 5:30 PM

CALL TO ORDER: Vice Chair Merchant calls meeting to order at 5:30 p.m.

ROLL CALL: Tony Ardito, Wayne Jambois, and James Merchant. Absent: Rod DeBoer and Melanie Westbrook

1. **APPROVAL OF AGENDA:** Mr. Mumper stated there was one addition under New Business, which would be a brief update on Land Use entitlements.

Moved by Wayne Jambois; seconded by Tony Ardito to approve agenda with one change.

Motion Carried: 3-0

Voting For: Wayne Jambois, Tony Ardito and James Merchant

Voting Against: None

Absent: DeBoer and Westbrook

2. **BUSINESS FROM THE FLOOR:**

3. **CONSENT ITEMS:**

3.A Receive and file the December 13, 2022, minutes.

[P.C. 12.13.23 min..pdf](#)

Moved by Tony Ardito; seconded by Wayne Jambois to approve the December 13, 2022, minutes.

Motion Carried: 3-0

Voting For: Ardito, Jambois and Merchant.

Voting Against: None

Absent: DeBoer and Westbrook

4. **PUBLIC HEARINGS:**

4.A Consider Resolution No. 23-1124, Violation of Nuisance Abatement Order: 560 Hospital Lane Motion to approve Resolution No. 23-1124 approving the assessment of civil penalties for violations of the nuisance abatement order.

Mr. Loflin explained 560 Hospital Ln. was brought to the Commission on July 12, 2022, and a nuisance abatement order was issued.

He showed photos of the old hospital building in its current state and said there are multiple violations of the order. Nothing has been completed and no feedback has been received from

the owners about whether they are going to demolish or rehabilitate. Within the order there was a clause for a civil assessment penalty of \$10,000, and staff is looking for a motion to approve Resolution 23-1124 approving the assessment of civil penalties.

Public hearing opened at 5:35 p.m.

Commissioner Ardito asked about communication attempts with the property owner.

Mr. Loflin responded there has been nothing since the last meeting.

Commissioner Jambois asked about having the correct addresses and phone numbers so there is no ambiguity. It's our understanding they have neglected or refused to reciprocate in kind.

Mr. Loflin responded yes.

[Resolution 23-1124.docx](#)

[Nuisance Abatement Order 560 Hospital Ln.doc](#)

Moved by Wayne Jambois; seconded by Tony Ardito to approve Resolution 23-1124

Motion: 3- 0

Voting For: Wayne Jambois, Tony Ardito and James Merchant

Voting Against: None

Absent: Deboer and Westbrook

- 4.B Consider Resolution No. 23-1125, Violation of Nuisance Abatement Order: 1705 Main Street
Motion to approve Resolution No. 23-1125 approving the assessment of civil penalties for violations of the nuisance abatement order.

Mr. Loflin explained the matter was heard on July 12, 2022, and at that time, the Commission ordered a nuisance abatement order against the property. Staff has not received feedback from the property owner on those target dates of reports.

Mr. Loflin showed photographs of the current state of the property and explained there has been no change with the exception of the windows being fixed without first obtaining a building permit. There are numerous violations of the nuisance abatement order including failing to meet the time frames he was supposed to provide plans and engineered reports.

Public hearing opened at 5:42 p.m.

Jim McCarthy, public member, asked if there were any tools to keep people off property.

Mr. Loflin responded that any violation of the red tag is a criminal violation of the California Health and Safety Code. If people are inside, the police can take action.

Public hearing closed at 5:43 p.m.

Vice Chair Merchant asked what the next steps are.

Mr. Loflin responded that an assessment is one item we have now. Moving forward he can stack on additional fines and penalties based on the continued violation of the nuisance abatement order. There is also the ability to step in as a City and rectify the situation as the City sees fit.

Vice Chair Merchant commented that as an act of good faith, they were only assessing \$250 per day.

Vice Chair Loflin said that was correct and the effective date was June 3, 2022, based on the notice of violation given at that time.

Commissioner Ardito confirmed that attempts to contact the owner were unsuccessful.

Mr. Loflin responded that the owner was provided with notice of tonight's public hearing. In conversations the owner has had with the Building Official, he has had multiple chances to correct the violations and adhere to the nuisance abatement order but has failed to do so.

[Resolution 23-1125.docx](#)

[Nuisance Abatement Order 1705 Main.doc](#)

Moved by Tony Ardito; seconded by Wayne Jambois to approve Resolution 23-1125

Motion: 3- 0

Voting For: Tony Ardito, Wayne Jambois and James Merchant

Voting Against: None

Absent: DeBoer and Westbrook

- 4.C Consider Resolution No. 23-1126, Violation of Nuisance Abatement Order: 765 Shasta Street
Motion to approve Resolution No. 23-1126, approving the assessment of civil penalties for violations of the nuisance abatement order.

Mr. Loflin explained the matter regarding 765 Shasta St., came to the Commission on May 12, 2022. It is a residential structure damaged by a fire nine years ago. The property owner has made no effort to clear the violation and abate the public nuisance.

He showed a photograph of the property in the state it has been in for numerous years. Mr. Loflin added he was personally present when a weed abatement was done as it was a severe fire hazard at that time.

Public hearing opened at 5:49 p.m.

No comments received.

Public hearing closed at 5:49 p.m.

[Resolution 23-1126.docx](#)

[Nuisance Abatement Order 765 Shasta final amend 1.doc](#)

Moved by Wayne Jambois; seconded by Tony Ardito to approve Resolution 23-1126

Motion Carried: 3-0

Voting For: Wayne Jambois, Tony Ardito and James Merchant.

Voting Against: None

Absent: DeBoer and Westbrook

- 4.D Consider Resolution No. 23-1127, Violation of Nuisance Abatement Order: 63 South Weatherlow Street. Motion to approve Resolution No. 23-1127 approving the assessment of civil penalties for violations of the nuisance abatement order.

Mr. Loflin explained the matter is a violation of a nuisance abatement order for 63 S. Weatherlow St. The first abatement order was approved in April 2022. The compliance deadline has since expired, and there has been no movement on the property whatsoever.

He showed photos of the property as it appears today. Mr. Loflin explained that sometime over the last 10 days it has been victimized with additional vandalism. A fence was constructed to mitigate a safety hazard but it has been knocked over, and there is a 20 to 30-foot drop. There is also a homeless encampment under the stairwell. It was brought to the property owners attention, but it was never abated.

The property remains in violation and staff is requesting a motion to approve the resolution and assessing civil penalties for \$10,000.

Public hearing opened at 5:52 p.m.

There was no public comment.

Public hearing closed at 5:52 p.m.

Commissioner Ardito asked what can be done about the fall hazard or is it the owner's responsibility.

Mr. Loflin responded the City did a summary abatement and expended its own funds to put up boards to mitigate the fall hazard.

Mr. Mumper added some transients were digging under the road with a pickaxe and made significant progress under the right of way. There will be further summary abatement to backfill that area so it doesn't impact the road infrastructure.

There was general discussion about who would be liable if someone fell.

Mr. Loflin said there would be some liability with the property owner. He can't say if the City has liability, as it is a call made by the City attorney. In good conscious we do need to alert the public.

Commissioner Jambois commented that if the City puts up boards it seems they will be kicked in. He asked if there is any conceivable way to put up a metal fence.

Mr. Loflin responded there have been internal discussions on where we want to go with this. Staff needs to put together a scope of work to abate the public nuisance. The building will more than likely be demolished and something will be put up to protect it.

Vice Chair Merchant asked about communication with the owners.

Mr. Loflin responded he has not heard back from the property owner's son since April 25, 2022, which was the day before hearing. There was some potential about conveying the property to another organization, but that never materialized.

[Resolution 23-1127.docx](#)

[Nuisance Abatement Order 63 South Weatherlow Final _Amend 1.doc](#)

Moved by Tony Ardito; seconded by Wayne Jambois to approve Resolution 23-1127.

Motion Carried: 3-0

Voting For: Tony Ardito, Wayne Jambois and James Merchant

Voting Against: None

Absent:

4.E Consider Resolution No. 23-1128, Violation of Nuisance Abatement Order: 67 South Weatherlow Street

Motion to approve Resolution No. 23-1128 approving the assessment of civil penalties for violations of the nuisance abatement order.

Mr. Loflin explained the matter started on April 26, 2022, and it was approved during a special meeting held May 12, 2022. The S. Weatherlow property was damaged by a commercial fire. The property owner did speak at the first meeting, raising concerns about the notification process. There has been no further communication from this individual and other communications have gone unanswered.

Mr. Loflin said the City boarded up the entryway and within the last 10 days someone finally kicked through it. These structures continue to be a nuisance and the property owners have done nothing to abate them.

Mr. Mumper added he contacted some high schoolers in the area. It's not just transients in there, and it's a big concern.

Public hearing opened at 6:02 p.m.

Mr. McCarthy commented that at a previous City Council meeting, there was discussion on how to use funding the City has. He said he hoped the Commission would follow up with City administration and pick one of the five properties to demolish. He thinks the City is creating some liability for itself by not being a little bit forceful.

Public hearing closed at 6:05 p.m.

Commissioner Jambois commented he has known the owner for many years. He recalled that when the owner came to the first meeting, he talked about issues receiving mail and he assured us he would alleviate this situation, and he has not done so.

He continued the Commission is taking steps to alleviate situations that need to be addressed. However, looking farther down the road, he would hate to see the City become owners of these properties and expend a great deal of money to alleviate them.

He said he didn't want to slow things down in the pursuit of these properties. But the public needs to realize this is going to cost a great deal of money and he already had one citizen ask him what it will cost the City to pursue these properties. The only thing he can tell them is there are rules and ordinances in place that stipulates what needs to be done. He asked if there are any funds or grants the City can tap into.

Mr. Loflin answered that the State had code enforcement grant programs in the early 2000s. Since he's taken the code enforcement position he has been trying to see if those resources are still available, but it appears they are not. Most of the grants allocated toward code enforcement are now being allocated to sustainability and green energy. The funding Mr. McCarthy is speaking of is the American Rescue Plan Act (ARPA) funding, and the City is looking at ways to expend the money that is leftover because we only had it for a finite amount of time. There were discussions in the early summer, but he does not believe it has come back up again.

Mr. Loflin continued he has been looking at alternatives of having the City go out and expend our money and workforce. One option is receiverships. A property is sent to a receivership group to see if there is interest in them taking it over. It is a civil matter where the City would go to court and the court would appoint the receiver. The receiver would use its own funding to take on the property and use its own funding sources to abate the public nuisance, take on the liens and collect everything for the costs. It's cost neutral for the receivers to act on the City's behalf. It's just trying to find a group that is out there to take on the properties. When the City goes in, it's a last resort.

Mr. Mumper stated it's important to be cognizant that when it was brought up using ARPA funds, Measure P had not yet passed. There is an opportunity to bring it up again and have a better shot at funding abatements.

Mr. McCarthy commented they need to pick the easiest target and try to push an all-hands effort.

[Resolution 23-1128.docx](#)

[Nuisance Abatement Order 67 South Weatherlow Final amend 1.doc](#)

Moved by Wayne Jambois; seconded by Tony Ardito to approve Resolution 23-1128.

Motion : 3-0

Voting For: Wayne Jambois, Tony Ardito and James Merchant.

Voting Against: None

Absent: DeBoer and Westbrook

5. **NEW BUSINESS:** Mr. Mumper told the Commission several Use Permits would be brought to the next meeting. He submitted public hearing notices to the Modoc Record for a fence and a church in the Uptown Business District.

The code enforcement agenda for the next meeting is being deliberated by staff, but staff is planning on having a robust code month in February.

Mr. Loflin shared that the California Association of Code Enforcement Officers puts out multiple webinar training for Commission members to participate in throughout the year. He was going to check with the City Clerk to see about the possibility of having the Commissioners participate.

Vice Chair Merchant circled back to 4.E. There was general discussion regarding available or potential funding for abating properties, including possibly using community block grant funding for properties that specifically attract transients.

Mr. Loflin responded he felt that is something staff could look at.

Vice Chair Merchant stated that with all the feedback, most of it being overwhelmingly positive, it would make sense to have the City take over and abate some of these properties and make an example that we are serious about this.

Mr. Loflin said these discussions have been going on in the internal discussions and they are looking at having internal forces go and tackle these properties, with the top two being the ones on Weatherlow St.

In closing, Mr. Mumper said Mr. Loflin is drafting multiple ordinances to make the process more sound. If the ordinance touches Chapter 17, the Commission will get a look at it, but for the sake of time, any ordinance that doesn't touch Chapter 17 will bypass the Planning Commission and go straight to City Council.

6. **CORRESPONDENCE: NONE**

7. **COUNTY REFERRALS: NONE**

8. **ADJOURNMENT:** Motion by Tony Ardito, seconded by Wayne Jambois to adjourn at 6:28 p.m. Motion carries.

AGENDA ITEM NO. 4.A
Public Hearing

SUSANVILLE PLANNING COMMISSION AGENDA ITEM

Submitted By: Kelly Mumper, Building & Planning Division

Action Date: January 24, 2023

SUBJECT: Use Permit #2023-001. Community Evangelical Free Church of Susanville.

PRESENTED BY: Kelly Mumper, City Planner

SUMMARY: The Community Evangelical Free Church of Susanville is requesting a Use Permit to allow construction of a 7-foot chain link fence with barbed wire to encompass a 10,000 square foot drainage basin in order to help prevent said area from becoming an attractive nuisance. The project site is zoned R-1/DR (Single Family Residential-Design Review Zoning District) and has a Land Use designation of "*Single Family*" pursuant to the *City of Susanville General Plan 1990-2010*. The proposed project site is roughly 11.37 acres with an existing Church and is located at 1400 Numa Road in Susanville CA, 96130.

FISCAL IMPACT: None.

ACTION REQUESTED: Motion to approve Resolution No. 23-1129.

ATTACHMENTS:
[Site Plan.pdf](#)
[Google Earth Map.jpg](#)
[UP#2023-001 Staff Report.docx](#)
[Resolution 23-1129.docx](#)

City of Susanville Received

JAN 04 2022

BUILDING & PLANNING

location of
perimeter fence



CITY OF SUSANVILLE PLANNING COMMISSION
STAFF FINDINGS
January 24, 2023

APPLICANT	Community Evangelical Free Church of Susanville
OWNER	Community Evangelical Free Church of Susanville
REPRESENTATIVE	Community Evangelical Free Church of Susanville
REQUEST	The applicants are requesting a Use Permit to allow construction of a 7-foot chain link fence with barbed wire to encompass a 10,000 square foot drainage basin in order to help prevent said area from becoming an attractive nuisance.
ASSESSOR'S PARCEL NO	101-271-021-000
PARCEL SIZE	11.37 Acres
LOCATION	1400 Numa
EXISTING ZONING	The parcel is zoned: R-1 (Single Family Residential)
SURROUNDING ZONING	North: Unincorporated Tribal Lands (SIR) South: R-1 (Single Family Residential) East: R-1 (Single Family Residential) West: R-1 (Single Family Residential)
SURROUNDING LAND USE	Single Family
GENERAL PLAN DESIGNATION	Single Family
ENVIRONMENTAL DETERMINATION	The proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to section 15301.

COMMENTS RECEIVED BY CITY DEPARTMENTS:

- 1. Building Department:** No Comment.
- 2. Fire Department:** No Comment.
- 3. Police Department:** No Comment.
- 4. Public Works Department:** No Comment.

ANALYSIS:

The Community Evangelical Free Church of Susanville is requesting a Use Permit to allow construction of a 7-foot chain link fence with barbed wire to encompass a 10,000 square foot drainage basin in order to help prevent said area from becoming an attractive nuisance. The project site is zoned R-1/DR (Single Family Residential-Design Review Zoning District) and has a Land Use designation of "*Single Family*" pursuant to the *City of Susanville General Plan 1990-2010*. The proposed project site is roughly 11.37 acres with an existing Church and is located at 1400 Numa Road in Susanville CA, 96130.

COMMUNITY CORRESPONDENCE:

Property owners were notified within 300 feet of the proposed project and no comments were received in favor or against.

ENVIRONMENTAL REVIEW:

The City of Susanville City Planner/ Environmental Review Officer has determined that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to section 15301.

STAFF RECOMMENDATION:

Staff recommends approval of the project with the stated conditions outlined in the adopting resolution.

RESOLUTION NO 23-1129
A RESOLUTION OF THE SUSANVILLE PLANNING COMMISSION
APPROVING USE PERMIT APPLICATION NUMBER #23-001 TO ALLOW A
SEVEN FOOT CHAIN LINK FENCE WITH BARBED WIRE AROUND
A 10,000 SQUARE FOOT DRAINAGE BASIN LOCATED AT 1400 NUMA,
APN 101-271-021-000

WHEREAS, The Community Evangelical Free Church of Susanville is requesting a Use Permit to allow construction of a 7-foot chain link fence with barbed wire to encompass a 10,000 square foot drainage basin in order to help prevent said area from becoming an attractive nuisance, Assessor's Parcel Number 101-271-021-000; and

WHEREAS, the Susanville Planning Commission at a public hearing held during its regular meeting on January 24, 2023 considered both written and oral comments presented concerning the proposed project as required by City Code Section 17.112.20 E; and

WHEREAS, the Use Permit proposal will not negatively affect line of sight safety for pedestrians, neighboring residences, or residential traffic; and

WHEREAS, the City of Susanville Planning Division has determined that the project is Categorically Exempt under Article 19, Section 15301 of the CEQA guidelines.

NOW, THEREFORE, the City of Susanville Planning Commission hereby:

- A. Makes the following findings:
 - 1. That the proposed project is consistent with the General Plan and the Zoning Ordinance.
 - 2. That the establishment, maintenance, or operation of the subject use, building or facilities applied for will not, under the circumstances of the particular use, with the conditions imposed thereon, be detrimental to or contrary to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of the proposed use and will not be injurious or detrimental to property or improvements in the neighborhood or the general welfare of the city.
 - 3. The conditions imposed upon approval of this use are necessary to further the public health, safety, peace, comfort and general welfare of the city.
- B. Approves the Use Permit (UP #23-001) for the Community Evangelical Free Church of Susanville in accordance with the site plan, "CITY OF SUSANVILLE RECEIVED January 4, 2023, BUILDING AND PLANNING" and included in the

attached staff report, except as modified by the following terms, agreements and conditions contained in this Resolution:

GENERAL

1. This permit will become null and void if the approved use has not begun within one year from the date of adoption of this resolution unless an extension of the life of the permit is approved by the Planning Commission. It is the applicant's responsibility to request an extension within a reasonable time frame, if needed.
2. Approval of this Use Permit is contingent upon the establishment, maintenance, and operation of the subject use not being detrimental or contrary to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of the proposed use.
3. Any modifications to the submitted Use Permit proposal after approval by the Planning Commission shall require a new Use Permit application or Amendment to Conditions application depending on the project scope.

APPROVED: _____

Melanie Westbrook, Chairperson
Planning Commission
City of Susanville, State of California

ATTEST: _____

Heidi Whitlock, City Clerk
Secretary to the Planning Commission

The foregoing Resolution was introduced and adopted at a regular meeting of the Susanville Planning Commission held on the 24th day of January 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Heidi Whitlock, City Clerk
Secretary to the Planning Commission

SUSANVILLE PLANNING COMMISSION AGENDA ITEM

Submitted By: Kelly Mumper, Building & Planning Division

Action Date: January 24, 2023

SUBJECT: Use Permit #2023-003. Grace Family Church.

PRESENTED BY: Kelly Mumper

SUMMARY: The Grace Family Church is requesting a Use Permit to allow a Church in the Uptown Business Zoning District (UBD). Churches are allowed in the (UBD) by first securing a Use Permit from the City of Susanville Planning Commission. The project site is zoned (UBD) and has a Land Use designation of "*Mixed Use*" pursuant to the *City of Susanville General Plan 1990-2010*. The proposed project site is located at 606 Main Street in Susanville CA, 96130.

FISCAL IMPACT: None.

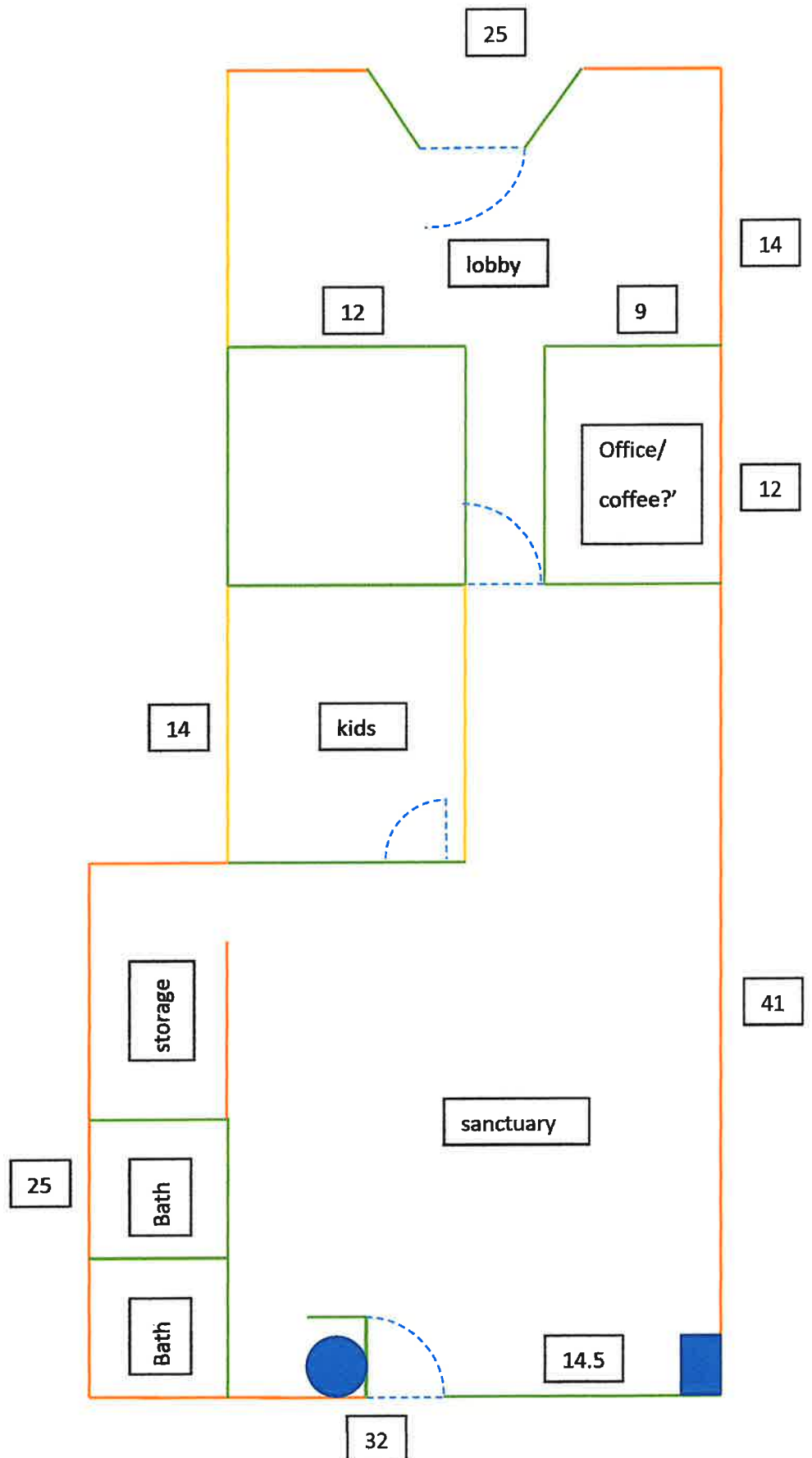
ACTION REQUESTED: Motion to approve Resolution No. 23-1130.

ATTACHMENTS:
[Church Site Plan 606 Main St..pdf](#)
[UP#2023-003 Staff Report.docx](#)
[Resolution 23-1130.docx](#)

City of Susanville Received

JAN 10 2022

BUILDING & PLANNING



**CITY OF SUSANVILLE PLANNING COMMISSION
STAFF FINDINGS
January 24, 2023**

APPLICANT	Grace Family Church
OWNER	Susan Chaffer
REPRESENTATIVE	Grace Family Church
REQUEST	The applicants are requesting a Use Permit to allow a Church in the Uptown Business district located at 606 Main St.
ASSESSOR'S PARCEL NO	103-303-002-000
PARCEL SIZE	.25 Acres
LOCATION	606 Main Street
EXISTING ZONING	The parcel is zoned: UBD (Uptown Business District)
SURROUNDING ZONING	North: UBD (Uptown Business District) South: UBD (Uptown Business District) East: UBD (Uptown Business District) West: UBD (Uptown Business District)
SURROUNDING LAND USE	UBD (Uptown Business District)
GENERAL PLAN DESIGNATION	Mixed Use
ENVIRONMENTAL DETERMINATION	The proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to section 15301.

COMMENTS RECEIVED BY CITY DEPARTMENTS:

1. **Building Department:** Occupancy shall not exceed 49.
2. **Fire Department:** Occupancy shall not exceed 49.
3. **Police Department:** No Comment.
4. **Public Works Department:** No Comment.

ANALYSIS:

The Grace Family Church is requesting a Use Permit to allow a Church in the Uptown Business Zoning District (UBD). Churches are allowed in the (UBD) by first securing a Use Permit from the City of Susanville Planning Commission. The project site is zoned (UBD) and has a Land Use designation of "*Mixed Use*" pursuant to the *City of Susanville General Plan 1990-2010*. The proposed project site is located at 606 Main Street in Susanville CA, 96130.

COMMUNITY CORRESPONDENCE:

Property owners were notified within 300 feet of the proposed project and no comments were received in favor or against.

ENVIRONMENTAL REVIEW:

The City of Susanville City Planner/ Environmental Review Officer has determined that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to section 15301.

STAFF RECOMMENDATION:

Staff recommends approval of the project with the stated conditions outlined in the adopting resolution.

RESOLUTION NO 23-1130
A RESOLUTION OF THE SUSANVILLE PLANNING COMMISSION
APPROVING USE PERMIT APPLICATION #23-003, TO ALLOW
A CHURCH IN THE UPTOWN BUSINESS ZONING DISTRICT (UBD),
LOCATED AT 606 MAIN STREET,
APN 103-303-002-000

WHEREAS, The Grace Family Church has requested a Use Permit to allow a Church in the Uptown Business Zoning District (UBD) and that Churches are allowed in the (UBD) by first securing a Use Permit from the City of Susanville Planning Commission, Assessor's Parcel Number 103-330-002-000; and

WHEREAS, the Susanville Planning Commission at a public hearing held during its regular meeting on January 24, 2023 considered both written and oral comments presented concerning the proposed project as required by City Code Section 17.112.20 E; and

WHEREAS, the Use Permit proposal shall only permit up to 49 occupants at 606 Main St. at all times unless the proper planning department entitlements, building permits, and fire code provisions have been met; and

WHEREAS, the City of Susanville Planning Division has determined that the project is Categorically Exempt under Article 19, Section 15301 of the CEQA guidelines.

NOW, THEREFORE, the City of Susanville Planning Commission:

- A. Makes the following findings:
1. That the proposed project is consistent with the General Plan and the Zoning Ordinance.
 2. That the establishment, maintenance, or operation of the subject use, building or facilities applied for will not, under the circumstances of the particular use, with the conditions imposed thereon, be detrimental to or contrary to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of the proposed use and will not be injurious or detrimental to property or improvements in the neighborhood or the general welfare of the city.
 3. The conditions imposed upon approval of this use are necessary to further the public health, safety, peace, comfort and general welfare of the city.
- B. Approves the Use Permit (UP #23-003) for the Community Evangelical Free Church of Susanville in accordance with the site plan, "CITY OF SUSANVILLE RECEIVED January 10, 2023, BUILDING AND PLANNING" and included in the attached staff report, except as modified by the following terms, agreements and conditions contained in this Resolution:

GENERAL

1. This permit will become null and void if the approved use has not begun within one year from the date of adoption of this resolution unless an extension of the life of the permit is approved by the Planning Commission. It is the applicant's

responsibility to request an extension within a reasonable time frame, if needed.

2. Approval of this Use Permit is contingent upon the establishment, maintenance, and operation of the subject use not being detrimental or contrary to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of the proposed use.
3. Any modifications to the submitted Use Permit proposal after approval by the Planning Commission shall require a new Use Permit application or Amendment to Conditions application depending on the project scope.

APPROVED: _____
Melanie Westbrook, Chairperson
Planning Commission
City of Susanville, State of California

ATTEST: _____
Heidi Whitlock, City Clerk
Secretary to the Planning Commission

The foregoing Resolution was introduced and adopted at a regular meeting of the Susanville Planning Commission held on the 24th day of January 2023, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Heidi Whitlock, City Clerk
Secretary to the Planning Commission