

SUSANVILLE PLANNING COMMISSION
Regular Planning Commission Meeting Minutes
TUESDAY, MARCH 28, 2023 – 5:30 PM

Meeting called to order at 5:30 p.m. by Chair Westbrook

Roll Call of Commissioners Present: Rod DeBoer, Tony Ardito, Wayne Jambois, James Merchant, and Melanie Westbrook.

1. APPROVAL OF AGENDA:

Moved by Rod DeBoer; seconded by James Merchant to approve agenda as submitted.

Motion Carried: 5-0

Voting For: DeBoer, Merchant, Ardito, Jambois, and Westbrook

Voting Against: None

2. BUSINESS FROM THE FLOOR: None

3. CONSENT ITEMS:

3.A Receive and file minutes of the March 14, 2023, meeting.

[PC minutes 3.14.23.pdf](#)

Moved by James Merchant; seconded by Tony Ardito to approve the March 14, 2023, minutes.

Motion Carried: 5-0

Voting For: Merchant, Ardito, DeBoer, Jambois and Westbrook.

Voting Against: None

4. PUBLIC HEARINGS:

4.A Consider Resolution No. 23-1134, approving the issuance of a nuisance abatement order for real property located at 10 Santa Paula Street

Public hearing opened at 5:31 p.m.

Mr. Loflin explained the Planning Commission issued a nuisance abatement order on May 12, 2022. The property owner is deceased and at that meeting, a relative and another person advised they had plans to clean up the property. They were given a three-month deadline.

On January 10, 2023, the property was brought back to the Commission for consideration of civil assessment penalties, which was approved. Mr. Loflin explained that in the process of sending notices that penalties were due, and the City was moving toward abatement and the cost recovery phase, he discovered there had been a change of ownership. The new owner is Antonio Barrera, of Silver Springs, NV. The property changed hands on May 16, 2022, during a tax auction. This was four days after the Planning Commission issued the nuisance abatement order.

To rectify the situation, Mr. Loflin said we need to place a nuisance abatement order against Mr. Barrera. He was promptly notified of the nuisance conditions and the public hearing. In the month that has followed staff have not received any communication from Mr. Barrera. It should be reasonable to believe that a person who is going to purchase the property from a tax auction should understand and take responsibility for the conditions. It has only gotten worse from when we did the nuisance abatement.

Mr. Loflin explained that because the City was gearing up to use its own forces to do the abatement, he is requesting a 10-day abatement period so we can get the property cleaned up as soon as possible.

Commissioner Ardito commented that some of the properties discussed have been fined \$250 a day, but this one is \$100 a day. He questioned how that assessment was made.

Mr. Loflin responded this was based on a previous nuisance abatement order. When it comes to civil assessment penalties, the Planning Commission can assess any fine from \$0 to \$500 per day with a maximum of \$10,000. It is just a recommendation.

Commissioner Ardito asked if it might be better to raise the fine to the maximum amount, so the owner does the work and not the City.

There was general discussion that it wouldn't make a difference in this situation.

Jim McCarthy, public member, stated this has been over a year. Lassen County recouped something out of the tax sale, but the City of Susanville is left holding the bag and the public has outsmarted us. He suggested working with the Tax Collector's Office to be notified when a property is going to a tax sale.

Public hearing closed at 5:42 p.m.

[Staff Report Resolution No 23-1134.pdf](#)
[PC 23-1134.docx](#)

[Nuisance Abatement Order_10 Santa Paula Street_Draft.doc](#)

Moved by Wayne Jambois; seconded by James Merchant to approve Resolution 23-1134.

Motion Carried: 5-0

Voting For: Jambois, Merchant, DeBoer, Ardito and Westbrook.

Voting Against: None

5. NEW BUSINESS:

5.A Consider Resolution No. 23-1135, canceling the nuisance abatement order issued against Lloyd T. Harvey

Mr. Loflin explained the items are more of a procedural clean up. The nuisance abatement order against Lloyd Harvey shall be canceled and memorialized by the Commission.

Mr. Mumper added staff has been talking about an EagleWeb membership, which gives direct access to real time deed and property transfer updates. It's an expenditure of about \$3,000 a year, but well worth it. Had we had it before, we may not be here doing this clean up today.

[PC 23-1135.docx](#)

Moved by James Merchant; seconded by Rod DeBoer to approve Resolution 23-1135.

Motion Carried: 5-0

Voting For: Merchant, DeBoer, Jambois, Ardito and Westbrook.

Voting Against: None

6. CORRESPONDENCE: None

7. COUNTY REFERRALS: None

8. ADJOURNMENT:

Prior to adjournment, Mr. Mumper briefly explained staff's intention to submit a T-Mobile Hometown Grant. T-Mobile has a robust hometown revitalization program for communities it sets up shop in. Staff are looking at pursuing safety implementations for Pancera Plaza and the Uptown Business District, specifically removable safety bollards. In addition, staff are pursuing about 25 pedestrian barricades which are seen along parades. Black is the proposed color to match the fixtures in Uptown. If the City is awarded the grant, there will be another update.

Moved by James Merchant; seconded by Rod DeBoer to adjourn at 5:47 p.m.

Motion Carried: 5 - 0

Voting For: Merchant, DeBoer, Ardito, Jambois and Westbrook

Voting Against: None

Signed, Chair Melanie Westbrook

Respectfully submitted by,

Ruth McElrath, Building Permit Technician

Heidi Whitlock, City Clerk

Approved On: 4/25/23