
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, April 25, 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 the March 28, 2023 meeting minutes
4. **PUBLIC HEARINGS:**
 - 4.A Consider extension of nuisance abatement order for 63 South Weatherlow Street.
 - 4.B Consider extension of nuisance abatement order for 67 South Weatherlow Street.
5. **NEW BUSINESS:**
 - 5.A City of Susanville 1990-2010 General Plan updates.
6. **CORRESPONDENCE:**
7. **COUNTY REFERRALS:**
8. **ADJOURNMENT:** **The next regular meeting of the Susanville Planning Commission will be held on May 9, 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 April 25, 2023 in the areas designated on April 21, 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: April 25, 2023

SUBJECT: Receive and file the March 28, 2023 meeting minutes

PRESENTED BY: Ruth McElrath, Building Permit Technician

SUMMARY: Staff is presenting minutes from the March 28, 2023 meeting.

FISCAL IMPACT: None

ACTION REQUESTED: Receive and file the March 28, 2023 meeting minutes

ATTACHMENTS:
[3.28.23 min.pdf](#)

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

AGENDA ITEM NO. 4.A
Public Hearing

SUSANVILLE PLANNING COMMISSION AGENDA ITEM

Submitted By: Cody Loflin, Building & Planning Division

Action Date: April 25, 2023

SUBJECT: Consider extension of nuisance abatement order for 63 South Weatherlow Street.

PRESENTED BY: Cody Loflin, Code Enforcement Officer II

SUMMARY: The nuisance abatement order for 63 South Weatherlow Street is due to expire on April 26, 2023. There is a community benefit and need to extend the nuisance abatement order in order to allow the City of Susanville additional time to fully abate the nuisance.

FISCAL IMPACT: None

ACTION REQUESTED: Motion to approve extension of the nuisance abatement order for 63 South Weatherlow Street.

ATTACHMENTS:

SUSANVILLE PLANNING COMMISSION AGENDA ITEM

Submitted By: Cody Loflin, Building & Planning Division

Action Date: April 25, 2023

SUBJECT: Consider extension of nuisance abatement order for 67 South Weatherlow Street.

PRESENTED BY: Cody Loflin, Code Enforcement Officer II

SUMMARY: The nuisance abatement order for 67 South Weatherlow Street is due to expire on May 12, 2023. There is a community benefit and need to extend the nuisance abatement order in order to allow the City of Susanville additional time to fully abate the nuisance.

FISCAL IMPACT: None

ACTION REQUESTED: Motion to approve extension of the nuisance abatement order for 67 South Weatherlow Street.

ATTACHMENTS:

AGENDA ITEM NO. 5.A
Discussion Item

SUSANVILLE PLANNING COMMISSION AGENDA ITEM

Submitted By: Kelly Mumper, Building & Planning Division

Action Date: April 25, 2023

SUBJECT: *City of Susanville 1990-2010 General Plan updates.*

PRESENTED BY: Kelly Mumper

SUMMARY: City Planner to provide update on General Plan Updates to the Land Use and Circulation Elements.

FISCAL IMPACT: None

ACTION REQUESTED: Receive presentation from staff. No action required.

ATTACHMENTS: