
CITY OF SUSANVILLE
66 N. Lassen Street • Susanville CA
James Merchant, Chair

Matthew Eltzroth • Tony Ardito • Wayne Jambois • Rod DeBoer

Susanville Planning Commission
**Regular Planning Commission Meeting • City Council Chambers 66
N. Lassen Street, Susanville, CA 96130**
Tuesday, December 10, 2024 - 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 October 22, 2024 meeting](#)
 - 3.B [Receive and file minutes from the November 12, 2024 meeting](#)
4. **PUBLIC HEARINGS:**
 - 4.A [Consider Resolution No. 24-1189 declaring public nuisance conditions at 830 Main St \(APN: 103-323-006-000\) and approving the issuance of Nuisance Abatement Order NA-2024-003 ordering the property owner to abate nuisance conditions.](#)
5. **NEW BUSINESS:**
6. **CORRESPONDENCE:**
7. **COUNTY REFERRALS:**
8. **ADJOURNMENT:** **The next regular meeting of the Susanville Planning Commission will be held on December 24, 2024 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 December 10, 2024 in the areas designated on December 6, 2024.

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.

SUSANVILLE PLANNING COMMISSION AGENDA ITEM

Submitted By: Ruth McElrath, Building & Planning Division

Action Date: December 10, 2024

SUBJECT: Receive and file minutes from the October 22, 2024 meeting

PRESENTED BY: Ruth McElrath, Building Permit Technician

SUMMARY: Staff is presenting minutes from the October 22, 2024 meeting.

FISCAL IMPACT: None

ACTION REQUESTED: Receive and file minutes from the October 22, 2024 meeting

ATTACHMENTS:
[P.C. 10.22.24 min.\(1\).pdf](#)

SUSANVILLE PLANNING COMMISSION
Regular Planning Commission Meeting Minutes
TUESDAY, OCTOBER 22, 2024 – 5:30 PM

CALL TO ORDER Meeting called to order at 5:30 p.m. by Commissioner DeBoer

ROLL CALL Commissioner Eltzroth, Commissioner Ardito and Commissioner DeBoer. Absent: Vice Chair Jambois and Chair Merchant

1. APPROVAL OF AGENDA:

Moved by Commissioner Eltzroth; seconded by Commissioner Ardito, to approve agenda as submitted.

Motion Carried: 3 - 0

Voting For: Eltzroth, Ardito and DeBoer

Voting Against: None

2. BUSINESS FROM THE FLOOR: None

3. CONSENT ITEMS:

3.A Receive and file minutes from the June 25, 2024, meeting.

[P.C. 6.25. 24min..pdf](#)

Moved by Commissioner Ardito; seconded by Commissioner Eltzroth to approve the June 25, 2024, meeting minutes.

Motion Carried: 3-0

Voting For: Ardito, Eltzroth and DeBoer

Voting Against: None

3.B Receive and file minutes from the August 13, 2024, meeting.

[8.13.24 min.pdf](#)

Moved by Commissioner Eltzroth; seconded by Commissioner Ardito to approve the August 13, 2024, meeting minutes.

Motion Carried: 3 - 0

Voting For: Rod DeBoer

Voting Against: None

4. PUBLIC HEARINGS:

4.A Consider Resolution No. 24-1183, amending Use Permit #2022-011 for the Susanville Indian Rancheria Housing Authority.

Approve Resolution No. 24-1183, amending Use Permit #2022-011 for the Susanville Indian Rancheria Housing Authority.

Mr. Mumper summarizes the staff report.

Commissioner Ardito states his company is doing work at this location which may present a conflict. He asks Wade Workman, of Kirack Construction who is present in the audience, if he knows if his company will be doing work on the carport.

Mr. Workman responds he does not believe so.

Mr. Mumper states legal counsel is not present, but based on the new information it seems appropriate that Commissioner Ardito can stay. If he was uncomfortable, he could recuse himself. He added it would result in the matter being tabled as there wouldn't be a quorum to vote.

Commissioner Ardito stays.

Public hearing opened at 5:38 p.m.

Phil Bush, SIRHA project manager, introduces himself and explains he is there to answer questions.

Chair Merchant arrives at 5:40 p.m.

Pam Beaujon, public member, asks if the property value will be affected by not having covered parking. She added it also looks like the enclosed garbage area is near her property line, which she is not excited about.

Mr. Mumper responds the proposed use permit amendment reopens the conditions. It is between the applicant and the commission to relocate the trash enclosure to a different location.

Mr. Bush states they wouldn't object moving the trash enclosure, but the site is restrictive.

Commissioner Eltzroth asked if there would be a more suitable location.

Mr. Bush responded he would have to take the plans on site to find a suitable location.

Public hearing closed at 5:45 p.m.

Commissioner DeBoer said he wants to follow-up on moving the trash enclosure.

Mr. Mumper states an updated site plan can be approved at the staff level.

Motion by Commissioner Eltzroth, seconded by Commissioner DeBoer to approve resolution 24-1183 with the addition of moving the northern trash enclosure to a suitable area away from the adjoining residence.

[Public Hearing Notice UP#2022-011 Amendment to Conditions.docx](#) [960 Paiute Lane 300 FT Notice.pdf](#)
[Planning Application AR-UP#22-011 Amendment.pdf](#) [Fourplex PCSR-Amendment.docx](#)

Moved by Commissioner Eltzroth; seconded by Commissioner DeBoer to approve amended resolution 24-1183.

Motion Carried: 4 - 0

Voting For: Eltzroth, DeBoer, Ardito and Merchant

Voting Against: None

- 4.B Consider Resolution No. 24-1184, which proposes a Use Permit (Use Permit #2024-013) to allow Long Term Rentals (30 Days or More) at the existing Frontier Inn Hotel.

Motion to approve Resolution No. 24-1184, approving Use Permit #2024-013, to allow Long Term Rentals (30 Days or More) at the existing Frontier Inn Hotel.

Mr. Mumper reads into record a minor change and explains his staff report states there are 48 rooms, but the applicant states there are 38 total rooms.

He continues summarizing his staff report.

Public hearing opened at 6:01 p.m.

Thelma Brocker, a resident, shares that residents were told they would have to leave after 30 days.

Mr. Mumper explains the use permit amendment, if approved, will allow things to continue the way they are and will not displace anyone.

Renee Nelson, resident, speaks in favor of the amendment. We are fortunate to have the Frontier Inn, she states.

Jim McCarthy, public member, says he thinks the owners should complete the improvements before finalizing 30-day rentals. He requests the Commission table the matter and do a site visit to view the sagging overhang as it is a health and safety issue.

Three more people speak in favor of the amendment and speak favorably about the owners' addressing items that need to be repaired.

Jim Malhi, applicant, also speaks in favor of the amendment and states they are proud to be the only hotel in town focused on providing extended stays.

He states he doesn't think the overhang is going to fall and it has been like that since they bought the motel in 2018. They have been wanting to address that. They will probably just demolish it.

Public hearing closed at 6:22 p.m.

Commissioners ask further questions.

Commissioner Ardito asks if the public safety chief was involved in the site visit.

Mr. Mumper responds Chief Bollinger did not accompany them.

Commissioner Ardito responds that maybe the Commission doesn't make a decision tonight, but he is curious what an engineer would say for everyone's safety.

Mr. Mumper asks if he is specifically talking about the overhang.

Commissioner Ardito responds the entire safety of the hotel.

Mr. Mumper responds the issue is specifically with the overhang and there are no other issues.

Chair Merchant notes the city building inspector has noted the overhang needs to be fixed or removed within 90 days.

Mr. Mumper confirms that with the Commission's approval, if the overhang isn't addressed within 90 days, they will be out of compliance.

The Commission holds further discussion regarding safety concerns.

Moved by Commissioner Eltzroth; seconded by Commissioner DeBoer to approve Resolution 24-1184.

Motion Carried: 3 - 0

Voting For: Eltzroth, DeBoer and Merchant

Voting Against: Ardito

[Public Hearing Notice UP#2024-013.docx](#)
[2685 Main Street \(Frontier Inn\) 300 FT Notice.pdf](#)
[Resolution No. 24-1184.doc](#)
[Planning Application UP#24-013 Frontier Inn.pdf](#)
[Frontier Inn Site Plan.pdf](#)
[Existing Use Permit No. 101 Frontier Inn.pdf](#)
[Frontier Inn Staff Report.docx](#)

- 4.C Consider Resolution No. 24-1185, for Variance application #2024-016, requesting a reduced front yard setback to allow for a deck replacement and a new stairway.
Motion to approve Resolution No. 24-1185, for Variance application #2024-016, requesting a reduced front yard setback to allow for a deck replacement and a new stairway.

Mr. Mumper summarizes his staff report. He hands out correspondence from the property owner who was unable to attend the meeting. He added he did not receive comments in favor or against the project.

Public hearing opened at 6:32 p.m.

No comments in favor or against project.

Public hearing closed at 6:32 p.m.

Moved by Commissioner DeBoer; seconded by Commissioner Ardito to approve Resolution 24-1185.

Motion Carried: 4 - 0

Voting For: DeBoer, Ardito, Eltzroth and Merchant

Voting Against: None

[Public Hearing Notice VA#2024-016.docx](#)

[385 N. Pine 300 FT. Notice.pdf](#)

[Applicant Variance Justification and Request.pdf](#)

[Planning Application VA#2024-016.pdf](#)

[Variance #2024-016 Site Plan.pdf](#)

[Resolution No. 24-1185.doc](#)

[VA#2024-0016 Staff Report.docx](#)

[Applicant Letter VA#2024-016.pdf](#)

- 4.D Consider Resolution No. 24-1186, amending Use Permit #318 for the United Methodist Church, to allow an expansion of the existing use and replace Use Permit #318 with a new Use Permit (Use Permit #2024-017).

Motion to approve Resolution No. 24-1186, amending Use Permit #318 for the United Methodist Church to allow an expansion of the existing use and replace Use Permit #318 with a new Use Permit (Use Permit #2024-017).

Mr. Mumper summarizes the item. He makes one correction to the staff report that the occupancy is likely not 49 and it will be omitted from the record. If there are any changes or updates to the occupancy, building department staff will handle it at the permit level.

The Commission holds brief discussion regarding the project.

Public hearing opened at 6:40 p.m.

No comments received in favor or against the project.

Public comment closed at 6:40 p.m.

Moved by Rod DeBoer; seconded by Tony Ardito to Approve Motion to approve Resolution 24-1186.

Motion Carried: 4 - 0

Voting For: DeBoer, Eltzroth, Ardito and Merchant

Voting Against: None

[Public Hearing Notice UP#2024-017 Amendment.docx](#)

[70 S. Lassen 300 FT Notice.pdf](#)

[UP# 318 Minute Approval.pdf](#)

[UP# 318 Application.pdf](#)

[United Methodist Elevations and Floor Plan.pdf](#)

[United Methodist Site Plan.pdf](#)
[UP#2024-017 Staff Report.docx](#)
[Resolution No. 24-1186.doc](#)
[UP#2024-017, Planning Application.pdf](#)

- 4.E Consider Resolution No. 24-1187, considering a Use Permit (Use Permit #2024-018) to allow beer and wine to be served in conjunction with concessions at the existing Cinema Four Movie Theatres.

Motion to approve Resolution No. 24-1187, considering a Use Permit (Use Permit #2024-018) to allow beer and wine to be served in conjunction with concessions at the existing Cinema Four Movie Theatres.

Mr. Mumper summarizes his staff report, adding this is a great opportunity to prevent leakage to Reno by offering further accommodations for patrons at the theater. He said no comments were received for or against the project.

Public hearing opened at 6:44 p.m.

Carolyn Smith, theater owner, clarifies the actual name is Uptown Cinemas, and she appreciates the Commission considering this. She highlights some food options they have added and concludes it will help keep the uptown cinemas a viable option.

Public hearing closed at 6:46 p.m.

Moved by Commissioner DeBoer; seconded by Commissioner Ardito to approve Resolution 24-1187.

Motion Carried: 4-0

Voting For: DeBoer, Ardito, Eltzroth and Merchant

Voting Against: None

[Public Hearing Notice UP#2020-018 Cinema Four.docx](#) [Cinema Four 300 FT. Notice.pdf](#)
[Resolution No. 24-1187.doc](#) [UP-24-018 Cinema Four SR.docx](#) [Planning Application UP#24-018.pdf](#)

5. **NEW BUSINESS:** Mr. Mumper states he will be bringing information to the next meeting.

6. **CORRESPONDENCE:** None

7. **COUNTY REFERRALS:** None

8. **ADJOURNMENT:**

Moved by Commissioner DeBoer; seconded by Commissioner Eltzroth to adjourn at 6:45 p.m.

Motion Carried: 4 -0

Voting For: DeBoer, Eltzroth, Ardito and Merchant

Voting Against: None

SUSANVILLE PLANNING COMMISSION AGENDA ITEM

Submitted By: Ruth McElrath, Building & Planning Division

Action Date: December 10, 2024

SUBJECT: Receive and file minutes from the November 12, 2024 meeting

PRESENTED BY: Ruth McElrath, Building Permit Technician

SUMMARY: Staff is presenting minutes from the November 12, 2024 meeting.

FISCAL IMPACT: None

ACTION REQUESTED: Receive and file minutes from the November 12, 2024 meeting

ATTACHMENTS:
[P.C. 11.12.24 min..pdf](#)

SUSANVILLE PLANNING COMMISSION
Regular Planning Commission Meeting Minutes
TUESDAY, NOVEMBER 12, 2024 – 5:30 PM

CALL TO ORDER Meeting called to order at 5:31 p.m. by Vice Chair Jambois.

ROLL CALL Commissioner DeBoer, Commissioner Eltzroth, Commissioner Ardito and Vice Chair Jambois. Absent: Chair Merchant.

1. APPROVAL OF AGENDA:

Moved by Rod DeBoer; seconded by Matthew Eltzroth to approve agenda as submitted

Motion Carried: 4 - 0

Voting For: DeBoer, Eltzroth, Ardito and Jambois

Voting Against: None

2. BUSINESS FROM THE FLOOR:

Jim McCarthy, public member, comments about the demo of the overhang at the Frontier Inn and agenda item 4A, and the length of time it has taken to address the property.

Maria Fregulia, alternate member, asks why the St. Francis Hotel was not demolished as previously announced.

Commissioner DeBoer responds it is a crime scene, to destroy it could cause more problems. People, please be patient, he concludes.

3. CONSENT ITEMS: None

4. PUBLIC HEARINGS:

4.A Consider Resolution No. 24-1188 declaring public nuisance conditions at 2772 Main St. (APN: 105-310-003-000) and approving the issuance of Nuisance Abatement Order NA2024-002 ordering the property owner to abate nuisance conditions.

Motion to approve Resolution No. 24-1188 declaring public nuisance conditions at 2772 Main St. (APN: 105-310-003-000) and approving the issuance of Nuisance Abatement Order NA2024-002 ordering the property owner to abate nuisance conditions.

Mike Prettyman, city code enforcement officer, summarizes the staff report.

Chair Merchant arrives at 5:36 p.m.

Mr. Prettyman concludes his report.

Chair Merchant assumes chair of the meeting.

The Commission and staff hold conversation regarding the history of the property and why it hasn't been addressed.

Public hearing opened at 5:48 p.m.

Mr. McCarthy provides further comment on the item.

Peter Talia, attorney, states he talks to the owner periodically, there may be plans in progress. He does have an issue with a \$500 fine a day, He is following the owner closely and moving him along.

Public hearing closed at 5:55 p.m.

Moved by Commissioner Jambois; seconded by Commissioner Ardito to approve Resolution 24-1188.

Motion Carried: 5 - 0

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

Voting Against: None

[16-12-06 Red Tag Report.pdf](#)

[24-7-30 Notification of Nuisance.pdf](#)

[24-9-30 Notice to Abate.pdf](#)

[24-9-30 Cert. Reciept.pdf](#)

[24-9-30 NTA & Hearing Posting.jpg](#)

[24-9-30 Notice to Abate Posting.docx](#)

[24-10-23 InterMountain News Public Hearing](#)

[Notice.docx Email Correspondence.pdf](#)

[24-11-12_Abatement_Order_NA2024-002.doc](#)

[24-11-12 Resolution No. 24-1188.doc](#)

5. NEW BUSINESS: None

6. CORRESPONDENCE: None

7. COUNTY REFERRALS: None

8. ADJOURNMENT:

Moved by Commissioner DeBoer; seconded by Commissioner Eltzroth to adjourn at 6:01 p.m.

Motion Carried: 5 - 0

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

Voting Against: None

AGENDA ITEM NO. 4.A
Public Hearing

SUSANVILLE PLANNING COMMISSION AGENDA ITEM

Submitted By: Michael Prettyman, Building & Planning Division

Action Date: December 10, 2024

SUBJECT: Consider Resolution No. 24-1189 declaring public nuisance conditions at 830 Main St (APN: 103-323-006-000) and approving the issuance of Nuisance Abatement Order NA-2024-003 ordering the property owner to abate nuisance conditions.

PRESENTED BY: Michael Prettyman, Code Enforcement & Kelly Mumper, City Planner

SUMMARY: The building located at 830 Main St. has been declared substandard and in violation of California Health and Safety Code 17920.3 since February of 2021. On July 15, 2024, a Notification of Nuisance was sent to the property owner requesting compliance by August 15, 2024. After a diligent and exhaustive search by City Planner, Kelly Mumper, contact was made with the owner of record on or about August 2, 2024. At the subsequent August 6, 2024 meeting the owner stated abatement efforts would begin September 30, 2024. Further administrative action was postponed in good faith allowing the property owner an opportunity to secure the building against unauthorized entry and address the nuisance conditions beyond the August 15, 2024 deadline. The property owner was known to have visited the property but as of October 25, 2024, no efforts had been made to secure the building or provide a written plan of action to abate.

On November 1, 2024, the building sustained catastrophic fire damage and was left in such a condition that it posed an immediate threat to public safety. On November 5, 2024, a Notice of Intention to Abate was issued but due to an "Ex parte application for protective order to preserve evidence and prevent the demolition of St Francis Hotel" filed with the Lassen County Superior Court on November 8, 2024, further administrative and summary abatement actions were postponed. The Notice to Abate and Notice of Public Hearing was re-issued on November 13, 2024 requesting a written plan of abatement action within 10 days (11-22-24) and, once approved by the City, work described in the plan to be initiated within 20 days and diligently prosecuted until completion. On November 25, 2024, City Manager, Dan Newton, e-mailed the property owner encouraging him to comply with the notice and submit his plan. To date, no written plans have

been submitted nor actions taken by the property owner to abate the nuisance.

FISCAL IMPACT:

None at this time.

ACTION REQUESTED:

Motion to approve Resolution No. 24-1189 declaring public nuisance conditions at 830 Main St (APN: 103-323-006-000) and approving the issuance of Nuisance Abatement Order NA-2024-003 ordering the property owner to abate nuisance conditions.

ATTACHMENTS:

[24-7-15 Notice of Public Nuisance.pdf](#)

[24-11-13 Notice to Abate.pdf](#)

[24-12-10 Resolution No. 24-1189.doc](#)

[24-12-10 Abatement Order NA2024-003.doc](#)

[PC Photos 10-16-24.pdf](#)

[PC Photos 12-4-24.pdf](#)



City of Susanville

(530) 257-1000 • 66 North Lassen Street • Susanville, CA 96130-3904

NOTICE OF PUBLIC NUISANCE

July 15, 2024

Terranova Strategies LLC
C/O Justin Lucio
1606 P St. STE 404
Sacramento, CA 95814

RE: 830 Main Street
Susanville, CA 96130
APN: 103-323-006-000

Dear Terranova Strategies LLC C/O Justin Lucio;

This letter is to inform you of the ongoing property maintenance standards violations and public nuisance conditions at the above referenced property. As the responsible party for said property, you are responsible for correcting the violations as defined in Title 8 Chapter 8.32 and Chapter 8.52 of the Susanville Municipal Code (SMC).

The nuisance conditions and code violations include, but are not limited to, the following:

- 8.32.050 (A)(2) SMC: Nuisance – Substandard/Dangerous Building
- 8.32.050 (A)(5) SMC: Maintain Dangerous Building pursuant to Ch. 15.10 SMC
- 8.32.050 (C)(2) SMC: Contribute to diminution in the value of surrounding properties
- 8.32.050 (C)(4) SMC: Violation of Chapter 8.52 Property Maintenance
- 8.52.030 (A)(1) SMC: Property Maintenance – Doors/Windows, etc.
- 8.52.030 (A)(3) SMC: Property Maintenance – Fences/Walls – Hazards
- 8.52.030 (B) SMC: Property Maintenance – Overgrown vegetation, public safety
- 8.52.030 (D) SMC: Property Maintenance – Attractive Nuisance
- 8.52.030 (E) SMC: Property Maintenance – Trash/Rubbish/Debris, etc.
- 8.52.030 (I) SMC: Property Maintenance – Graffiti
- 8.52.030 (M) SMC: Property Maintenance – Detrimental to public health/welfare/safety

You must provide a sound, reasonable and agreeable plan of abatement action with specific timeframes and deadlines or abate all violations and remedy all public nuisances on or before August 15, 2024.

Failure to voluntarily remedy the violations or respond to this Notice within 30 days of mailing shall result in the initiation of abatement procedures as provided in Section 8.32.090 of the SMC and administrative civil penalties up to \$500.00 per day may be imposed by the hearing board pursuant to SMC Section 8.32.290. Additionally, all costs of the City's abatement efforts, including the abatement work and administrative time to investigate and to hear and effect the abatement shall be

Mendy Schuster
Mayor
Russ Brown
Mayor pro tem

Councilmembers:
Curtis Bortle
Dawn Miller
Patrick Parrish

charged against you, the responsible party, as a personal debt or may be assessed upon the property and will constitute a lien or special assessment upon the property.

If you have any questions, please do not hesitate to contact the Building Division of the City of Susanville at (530) 252-5118.

Respectfully,

A handwritten signature in black ink, appearing to be 'MP' with a stylized flourish.

Michael Prettyman
City of Susanville
Code Enforcement Officer



City of Susanville

(530) 252-5100 • 66 North Lassen Street • Susanville, CA 96130-3904

NOTICE OF INTENTION TO ABATE PUBLIC NUISANCE And NOTICE OF PUBLIC HEARING

CERTIFIED MAIL/RETURN RECEIPT
7017 1070 0000 7543 3265

November 13, 2024

Terranova Strategies LLC
C/O Justin Wight
1606 P St.
Sacramento, Ca. 95814

RE: 830 Main St.
Susanville, Ca. 96130
APN: 103-323-006-000
Code Enforcement Case # CE2024-007

To Terranova Strategies LLC:

On July 15, 2024, A Notification of Nuisance was served on you by mail, pursuant to Susanville Municipal Code § 8.32.060 and requested compliance by August 15, 2024. To date, there have been no observable efforts made by you, the property owner on record, to remedy violations or abate the nuisance conditions. On August 2, 2024, a summary abatement was performed by City staff to remedy conditions that posed an immediate risk to public safety. On November 1, 2024, the building sustained catastrophic fire damage and now poses an immediate threat to public safety. As a result, the structure has been declared a "Dangerous Building" by the Building Official of the City of Susanville and constitutes a public nuisance.

You must assess the structure and provide a reasonable written plan to abate the nuisance by removing debris from the property within 10 days of this notice. The plan must be approved by the city and the work described in the plan must be initiated within 20 days of approval and diligently prosecuted until completion.

A public hearing has been set for December 10, 2024, at or after 5:30PM at 66 N. Lassen St., Susanville Ca. 96130, whereat the hearing board shall receive, hear and consider all relevant evidence, objections, protests and testimony of the responsible party as well as that of other witnesses, city personnel and interested persons relative to the alleged public nuisance and to any proposed abatement measures.

If the hearing board finds that a public nuisance does exist and there is sufficient cause to abate the nuisance, the hearing board shall make a written nuisance abatement order setting forth those findings and

Mendy Schuster
Mayor
Russ Brown
Mayor pro tem

Councilmembers:
Curtis Bortle
Dawn Miller
Patrick Parrish

ordering the property owner to abate by demolition or repair. The order shall set forth the time within which the abatement work shall be completed, and it shall state that if the nuisance is not abated within such time period, it may be abated by the City.

Be advised, if not self-abated within the allotted timeframe, further administrative action may lead to the imposition of administrative citations and/or administrative fines up to \$500 per day and accumulate each day until the nuisance is abated. Enforcement action may include any of the authorized methods per the SMC which include, but not limited to, Chapter 8.32 and Chapter 8.40 which are subject to the general penalty outlined in SMC § 1.12.010.

All costs of the city's abatement efforts, including the abatement work and administrative time to investigate and hear and effect the abatement may be charged against you, the responsible party, as a personal debt or may be assessed upon the property and will constitute a lien or special assessment upon the property until paid. Failure of any person subject to this notice to appear at the nuisance abatement hearing shall constitute a failure to exhaust administrative remedies.

Please feel free to contact me directly at (530) 257-1055.

Respectfully,

A handwritten signature in black ink, appearing to be 'M. P.', written in a cursive style.

Michael Prettyman
Code Enforcement Officer
City of Susanville

WHEREAS, California Government Code Sections 36901, 38771, and 38773.5(a) authorizes the City of Susanville to enact ordinances declaring what constitutes a nuisance, the procedures for abating nuisance conditions, providing for the recovery of costs and attorney fees to abate the nuisance, and providing for the collection of civil penalties; and

WHEREAS, a public nuisance has been declared upon the property of 830 Main Street (APN: 103-323-006-000) and attempts to bring the property into voluntary compliance have been futile; and

WHEREAS, the City of Susanville intends to have the property abated to remove the nuisance conditions and therefore invoke Chapter 8.32 of the Susanville Municipal Code and request the Susanville Planning Commission issue a nuisance abatement order to compel the property owners to abate and remove nuisance conditions or the city of Susanville shall be authorized to perform the necessary abatement work.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Susanville hereby finds that the violations alleged in the Notice of Intention to Abate are factually true and constitute a public nuisance under Susanville Municipal Code 8.32; and

BE IT FURTHER RESOLVED that the Planning Commission of the City of Susanville hereby approves the issuance of a Nuisance Abatement Order NA2024-003 and order: Terranova Strategies LLC, landowner of 830 Main Street, (APN 103-323-006-000) to abate the nuisance conditions.

APPROVED: _____
James Merchant, Chairperson

ATTEST: _____
Heidi Whitlock, City Clerk

The foregoing resolution was adopted at a regular meeting of the Planning Commission of the City of Susanville, held on the 10th day of December 2024, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Heidi Whitlock, City Clerk

1 Margaret E. Long SBN: 227176
2 City Attorney for City of Susanville
3 66 North Lassen Street
4 Susanville, CA 96130
5 Phone: 530-252-5100
6 attorney@cityofsusanville.org

7 Attorney for: Petitioner/City of Susanville

8 PLANNING COMMISSION
9 CITY OF SUSANVILLE

10 City of Susanville,

11 Petitioner

12 v

13 Terranova Strategies LLC,

14 Respondent

Nuisance Abatement Order
NA2024-003

Hearing: December 10, 2024, at 5:30 p.m. in
Council Chambers
66 North Lassen Street
Susanville, CA 96130

- 15
- 16 1. This proceeding was heard:
- 17 a. On December 10, 2024, at 5:30 pm in the Council Chambers at 66 North Lassen
- 18 Street, Susanville, CA 96130.
- 19 b. By the Planning Commission of the City of Susanville (also referred to as the
- 20 Hearing Board or the Board) with the following commissioners of the Planning
- 21 Commission present: James Merchant, Matthew Eltzroth, Rod DeBoer, Wayne
- 22 Jambois and Tony Ardito
- 23 c. James Merchant presided over the procedure as Chairperson.
- 24 d. This matter was set on a "Notice of Intention to Abate Public Nuisance & Notice
- 25 of Public Hearing" dated November 13, 2024, and served on Respondent,
- 26 TERRANOVA STRATEGIES LLC, by Certified Mail on November 13, 2024, and
- 27 posted on the premises at 830 Main Street on November 13, 2024.
- 28 e. Present at the hearing where:

- i. Michael Prettyman, Code Enforcement Officer, Kelly Mumper, City Planner, Ruth McElrath, Permit Technician / Secretary of the Planning Commission, Erik Edholm, Assistant Director of Public Works, and Tamra Spade, Economic Development Director, representing the City of Susanville and
- ii. The Respondent did not appear at this hearing.

FINDINGS

The Hearing Board makes the following findings.

1. Pursuant to City of Susanville Municipal Code chapter 8.32.040, "No person may maintain or use property or allow their property to be maintained or used in a manner that creates or fosters the creation of a public nuisance."
2. TERRANOVA STRATEGIES LLC owns the commercial property and is the responsible party for the property located at 830 Main Street (APN: 103-323-006-000).
3. TERRANOVA STRATEGIES LLC was properly served with a Notification of Nuisance on July 15, 2024 with service pursuant to City of Susanville Municipal Code section 8.32.060.
4. TERRANOVA STRATEGIES LLC was properly served by Certified Mail with a Notice of Intention to Abate Public Nuisance and Notice of Public Hearing on November 13, 2024, via e-mail on November 25, 2024 from City Manager, and notice was properly posted in a conspicuous place on the building at 830 Main Street, pursuant to City of Susanville Municipal Code section 8.32.090.
5. The violations alleged in the Notice of Intention to Abate are factually true and constitute a public nuisance under Susanville Municipal Code 8.32 as set forth in the notice.

Orders

The Hearing Board orders the following.

1. TERRANOVA STRATEGIES LLC must abate the public nuisance 830 Main Street by doing the following at 830 Main St.:
 - a. Provide a reasonable written plan to abate the nuisance by removing debris from the property within ten (10) days of this decision.

- 1 b. Once approved by the City, the work in the plan must be initiated within ten (10)
2 days of approval and diligently prosecuted until completion.
- 3 2. After TERRANOVA STRATEGIES LLC abates the nuisance at 830 Main Street,
4 TERRANOVA STRATEGIES LLC must contact the Building and Planning Department at
5 the City of Susanville and request that an official at the City of Susanville inspect the
6 condition of the property and buildings at 830 Main Street to determine if the public
7 nuisance has been abated in accordance with this abatement order.
- 8 3. If TERRANOVA STRATEGIES LLC does not satisfy the abatement timeline and action
9 requirements as ordered above, the City of Susanville shall abate, or cause to be abated,
10 said nuisances on the property at 830 Main Street.
- 11 4. The Susanville Planning Commission orders an administrative penalty pursuant to section
12 8.32.290 of the City of Susanville Municipal Code be assessed in the amount \$500.00 per
13 day beginning on December 11, 2024, and accumulating each day until the nuisance is
14 abated. The maximum administrative penalty shall be \$10,000, exclusive of administrative
15 costs and interest.
- 16 5. The balance of said administrative penalty shall be due within twenty (20) days of
17 compliance or within twenty (20) days of reaching the \$10,000 maximum penalty as
18 allowed by code and administered by the Planning Commission.
- 19 6. All costs of the City's abatement efforts, including the abatement work and administrative
20 time to investigate and to hear and effect the abatement shall be charged against
21 TERRANOVA STRATEGIES LLC as a personal debt or may be assessed upon 830 Main
22 Street and will constitute a lien or special assessment upon the property until paid.
- 23 7. This Order shall be effective for one year after issuance. During such period, the hearing
24 board shall retain jurisdiction over the conditions of the building, structure or property
25 which constituted the nuisance established by this Order, as well as the abatement
26 thereof, to ensure that the nuisance does not reoccur and that the building, structure, or
27 property is maintained in such a manner so as not to create a nuisance. If, during this one-
28 year period, any enforcement official determines that the same or another nuisance, as

defined by this chapter exists with respect to the building, structure or property, he or she may give notice to abate the nuisance as provided for in section 8.32.060 of the City of Susanville Municipal Code. If TERRANOVA STRATEGIES LLC does not abate the nuisance at any time within the abatement period, the City may proceed with the abatement itself under the provisions of section 8.32.190 of the City of Susanville Municipal Code without further action of the hearing board. The City of Susanville may also recover all of its abatement effort costs as provided for in the City of Susanville Municipal Code.

Appeal

Whenever any person is aggrieved by this final order of the Hearing Board, this person may appeal the Nuisance Abatement Order to the City Council of the City of Susanville. To request an appeal, the person aggrieved by this order shall notify the City Clerk, in writing, within twenty-one (21) days of the issuance of this order of their request to have this appeal heard by the City Council. The aggrieved person shall deposit two hundred dollars (\$200.00) to the City of Susanville. The appellant shall be responsible for all costs of such appeal which exceeds the deposited amount. If the aggrieved person requests an appeal hearing, this hearing shall be granted within forty-five (45) days of the filing appeal at a regularly scheduled meeting of the Susanville City Council. The appellant shall be notified no less than ten (10) days of the scheduled appeal hearing.

The foregoing order was adopted at a regular meeting of the Planning Commission of the city of Susanville, held on the 10th day of December 2024.

Dated: _____

James Merchant

Susanville Planning Commission



October 16, 2024 3:09 PM



October 16, 2024 3:12 PM



December 04, 2024 9:52 AM



December 04, 2024 9:52 AM



December 04, 2024 9:53 AM



December 04, 2024 9:53 AM