



City of Montague Planning Commission  
230 S. 13<sup>th</sup> Street, Montague, CA 96064 Ph. (530) 459-3030 Fax: (530) 459-3523

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*In compliance with the requirements of the Brown Act, notice of this meeting has been posted in a public accessible place, 72 hours in advance of the meeting.*

**CITY OF MONTAGUE  
SPECIAL PLANNING COMMISSION MEETING AGENDA  
NOVEMBER 15, 2023  
6:30 P.M.  
Council Chambers, 230 S. 13<sup>th</sup> Street, Montague, CA 96064**

**PARTICIPATION:** Participants can attend in person, online, and/or by telephone, as follows:

- In-person at: **Montague City Council Chambers, 230 S. 13<sup>th</sup> St.**
- Online via Zoom at: <https://us02web.zoom.us/j/6722621496?pwd=STQxMG94em1CejZwbCthNmNnem1Tdz09>
- Telephone at: 1(669)444-9171, When prompted, enter **Meeting ID: 672 262 1496 Passcode: \*89335983 \*9 to Raise Hand \*6 to unmute**

**AGENDA PACKET:** Copies of all staff reports and documents subject to disclosure that relate to any item of business referred to on the agenda are available for public inspection 72 hours before each regularly scheduled meeting at the City Clerk's office at City Hall, located at 230 S. 13<sup>th</sup> Street, Montague, California, during normal business hours. Any writing that is subject to disclosure that relates to an agenda item for open session distributed less than 72 hours prior to the meeting will be available for public inspection at the City Clerk's office during normal business hours. Materials distributed to a majority of councilmembers less than 72 hours before a meeting will be available for public inspection on the City's website at [www.cityofmontagueca.com](http://www.cityofmontagueca.com).

**SPEAKERS:** Speakers, please stand at the podium and speak loudly so the entire room can hear you. The chairman will recognize you and ask that you state your name and mailing address so that the City Staff can follow up on any issues requiring City action, or provide you with information, if appropriate.

**Please silence your cell phones. Thank you!**

**PLANNING COMMISSION AGENDA:**

- I. CALL TO ORDER:**
- II. ROLL CALL:**
- III. PLEDGE OF ALLIGIANCE:**
- IV. PUBLIC COMMENTS:** "This time is set aside for the public to address the Planning Commission on matters listed on the Consent Agenda as well as other items not included on the Regular Agenda within the authority of the Planning Commission. If your comments concern an item noted on the Regular Agenda, please address the Planning Commission when that item is open for public comment." (The Brown Act requires the public be given the opportunity to address the Planning Commission before action is taken. If there is a Consent Agenda, there is no other opportunity for public comment on items on the Consent Agenda.) The Planning Commission has the right to reasonably limit the duration of each speaker to three minutes. Speakers may not cede their time. The Planning Commission may ask questions, but may take no action during the Public Comments portion of the meeting, except to direct staff to prepare a report, or to place an item on a future agenda.
- V. MEETING MINUTES:**
  1. Discussion and approval of meeting minutes of October 18, 2023
- VI. OLD BUSINESS:**



## **VII. NEW BUISNESS:**

1. Consideration of 121 N 8<sup>th</sup> St. letter of clean up.
2. Consideration of cancellation of Decembers Planning meeting.
3. Consideration of changing the schedule of Planning meetings to quarterly

## **VIII. DEPARTMENT REPORTS**

- Animal Control/ Code Enforcement

## **IX. ADJOURN:**

In compliance with the requirements of the Brown Act, notice of this meeting has been posted in a publicly accessible place, 72 hours in advance of the meeting.

Public Hearings: If you wish to challenge in court any of the matters on an agenda for which a public hearing is to be conducted, you may be limited to raising only those issues which you (or someone else) raised orally at the public hearing or in written correspondence received by the City at or before the hearing. Any person seeking to challenge a Planning Commission decision made as a result of a proceeding in which by law a hearing is required to be given, evidence is required to be taken, and the discretion in the determination of facts is vested in the Planning Commission, shall be required to commence that action 90 days following the date on which the decision becomes final as provided in Code of Civil Procedure Section 1094.6. Please refer to Code of Civil Procedure 1094.6 to determine how to calculate when a decision becomes "final."

**CHALLENGING DECISIONS OF CITY ENTITIES** The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City of Montague is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision, including without limitation Government Code section 65009 applicable to many land use and zoning decisions, Government Code section 66499.37 applicable to the Subdivision Map Act, and Public Resources Code section 21167 applicable to the California Environmental Quality Act (CEQA). Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. Government Code section 65009 and 66499.37, and Public Resources Code section 21167, impose shorter limitations periods and requirements, including timely service in addition to filing. If a person wishes to challenge the above actions in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of Montague, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

The City of Montague does not discriminate on the basis of race, color, national origin, religion, age, gender, sexual orientation, disability, or any other legally protected classes in employment or provision of services. In compliance with the Americans with Disabilities Act, those requiring accommodations for this meeting should notify the City Clerk 48 hours prior to the meeting at (530) 459-3030 or by notifying the Clerk at [clerk@cityofmontagueca.com](mailto:clerk@cityofmontagueca.com)



**AFFIDAVIT OF NOTIFICATION AND POSTING**  
**STATE OF CALIFORNIA**  
**COUNTY OF SISKIYOU**  
**CITY OF MONTAGUE**

I, Jessie Monday, City Clerk for the City of Montague, hereby declare under penalty of perjury that a copy of the above Agenda of the Regular Meeting of the Planning Commission of the City of Montague, California, was delivered and/or notice by email not less than 72 hours, before the hour of 5:30 PM on November 13, 2023 to the members of the planning commission, caused the agenda to be posted at the bulletin board found at City Hall, 230 S. 13<sup>th</sup> Street, Montague CA, and a copy to be place for review at the Office of the City Clerk.

**POSTED:** November 13, 2023 @ 12:00 PM

**CITY OF MONTAGUE PLANNING COMMISSION MEETING MINUTES**

**OCTOBER 18, 2023**

**6:30 P.M.**

**Council Chambers, 230 S. 13th Street, Montague, CA 96064**

**PARTICIPATION:** Participants can attend in person, online, and/or by telephone, as follows:

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**PLANNING COMMISSION AGENDA:**

- I. CALL TO ORDER: @ 6:30 PM**
- II. ROLL CALL: Pettack, duPre, and Robinson present. Risner and Soule absent.**
- III. PLEDGE OF ALLIGIANCE:**
- IV. PUBLIC COMMENTS:** "This time is set aside for the public to address the Planning Commission on matters listed on the Consent Agenda as well as other items not included on the Regular Agenda within the authority of the Planning Commission. If your comments concern an item noted on the Regular Agenda, please address the Planning Commission when that item is open for public comment." (The Brown Act requires the public be given the opportunity to address the Planning Commission before action is taken. If there is a Consent Agenda, there is no other opportunity for public comment on items on the Consent Agenda.) The Planning Commission has the right to reasonably limit the duration of each speaker to three minutes. Speakers may not cede their time. The Planning Commission may ask questions, but may take no action during the Public Comments portion of the meeting, except to direct staff to prepare a report, or to place an item on a future agenda. No comments.
- V. MEETING MINUTES:**
  1. Discussion and approval of meeting minutes of 8/16: Approved. Motion made by Pettack, seconded by duPre. All Ayes.
- VI. OLD BUSINESS:**
  1. Zoning Code Update- The project is a proposed update of Title 17, Zoning, of the Montague Municipal Code.
    - a. Staff Report. City Planner Tinsman presenting via phone. Zoning code was last updated over 40 years ago. Multiple projects are being completed with these grant funds including the housing element which will be presented later in the meeting. CEQUA will be brought back at a later meeting.
    - b. Public Hearing. No public comment.

- c. Decision. Motion to adopt Resolution 23-05 recommending the City Council adopt the City of Montague Zoning Code Update following completion of CEQUA and in concert with the Commission's environmental recommendation for the project made by duPre, seconded by Pettack. All Ayes.

## **VII. NEW BUSINESS:**

1. Public Hearing – City of Montague Housing Element Update: Proposed Update of the General Plan Housing Element for the 6<sup>th</sup> Cycle Planning Period (2023-2031) (Discussion/Action)
  - i. Finding that the project would not have a significant effect on the environment and is exempt under Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines. (Discussion/Action) Approved. Motion made by duPre, seconded by Pettack. All Ayes.
  - ii. Approve Resolution 23-06, A Resolution of the Planning Commission of the City of Montague Recommending the City Council Adopt the 2023 Housing Element Update. (Discussion/Action) Approved. Motion made by duPre, seconded by Pettack. All Ayes.

## **VIII. DEPARTMENT REPORTS**

- Animal Control/ Code Enforcement: Scott presenting. We still have a couple of abatements that we are waiting on from the attorney. Robinson asks about what we are doing about the Crawford property. The trash is piling up again after the clean up was done about a year ago. CEO Scott states that she has not contacted the owner again because the attorney has not completed the first abatement. Robinson asks for her to follow up. Robinson states that we need to keep up on the properties that we do clean so other citizens don't use them as an example on why they don't need to follow the City's policies and rules.

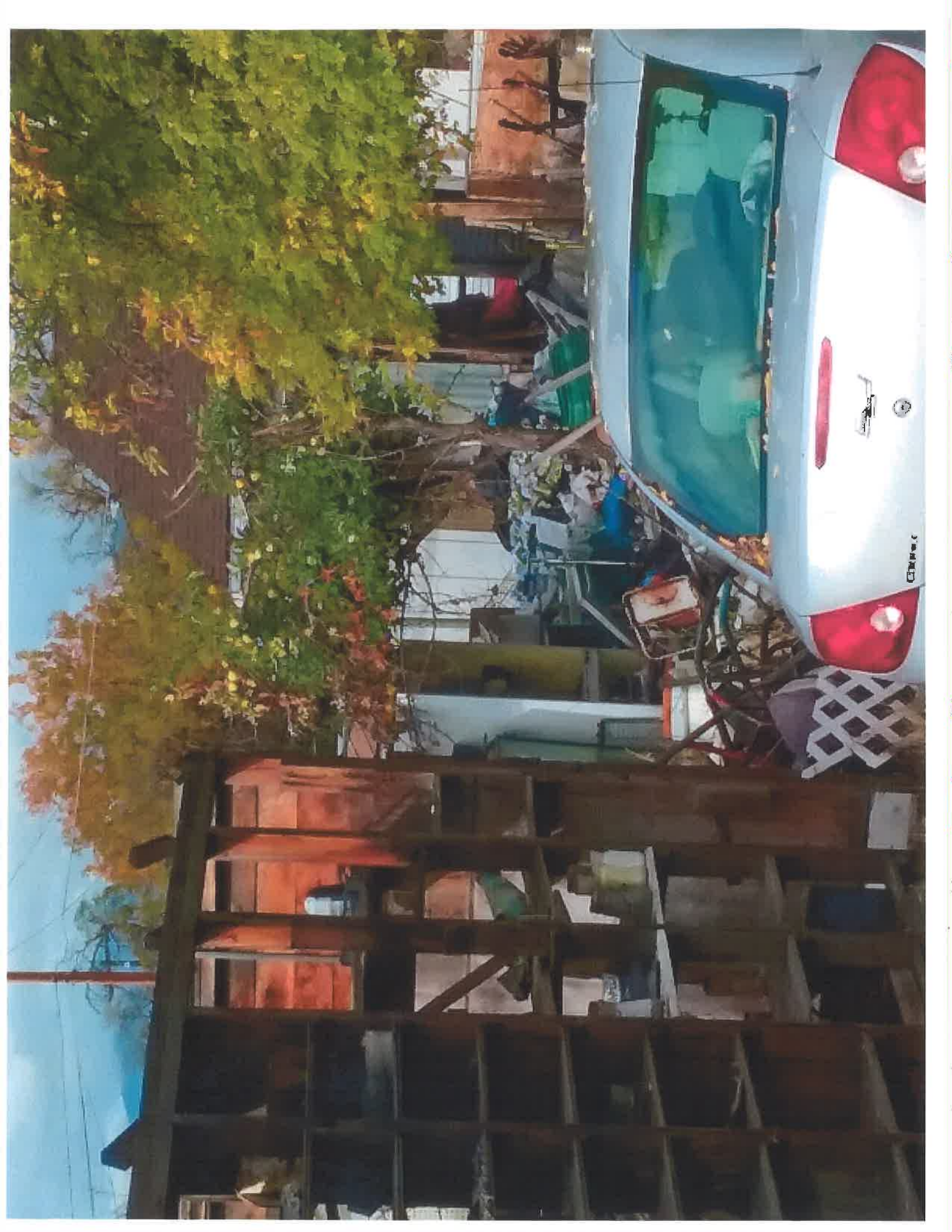
## **IX. ADJOURN: @7:41 pm**

**Motion to adjourn made by Pettack, seconded by duPre. All Ayes.**























# Code Enforcement Summary Nov 2023

## Hayes Business License Required/Vehicles

### 200 N 11<sup>th</sup> St

3/11/23	Abatement started.
3/21/23	Abatement completed.
3/22/23	Photos taken of vehicles being held.
3/30/23	Received lawsuit TORT from Hayes attorney for \$100,000.
4/26/23	Notice of Insufficiency sent to Hayes' attorney.
5/12/23	Notice of Claim Rejection emailed to Hayes's attorney.
6/6/23	Received Summons, Hayes suing City & Deborah
8/17/2023	Attorney Derik Konz working on Summary Judgement Motion
	12/7/23 will be a Case Management Conference with SJM being ready to file by end of Jan 2024.

## Nowdesha Metal Solutions

### 600 S 11<sup>th</sup> St

5/4/22	Notice of Building Permit required posted for violation of MMC 15.12.060
5/12/22	Cease-&-Desist Order hand delivered to Jake Nowdesha for continued work on un-permitted structure.
5/18/22	Planning Commission orders Notice of Violation be issued for failure to obtain necessary permits from the City and Siskiyou Co. Building Dept.
5/26/22	Notice of Violation sent via certified mail for violation of MMC 15.12.060
6/21/22	Received email of building permit application
6/22/22	Email from Co Building Plans Examiner stating no permit required.
6/28/22	Spoke with Co and sent pictures of building via email to examiner to look over.
7/12/22	Email back from Co confirming permits needed. Forwarded to Co CE.
8/18/22	Email to Co requesting update and estimate of time period for action, was pushed to John Ottenberg, Co Code Enforcement, forward messages, no reply yet.
9/13/22	Email asking for case number and what has been started.
9/27/22	Email to John Ottenberg sending timeline of what city issued to property owner.
12/14/22	Email to Glenn Shocknecy requesting update on possible actions to come.
07/12/23	Pictures taken of structure to send to County
11/13/23	Went to county Building Department.

## Antil/ Trash & Rubbish

### 271 N 13<sup>th</sup> St

6/2/22	Verbal complaint received via Dave Pictures taken
6/9/22	Notice of Violation sent for <b>8.04.240 Unlawful Accumulation of trash,</b> <b>8.08.020 (E) Public Nuisance, Debris, Rubbish</b>
7/7/22	Spoke with Rachelle, they have removed 2 truck loads of trash out and continuing to work on it. Told her if progress continues no issues, if not citation will be issued.
8/15/22	Clean up continues
9/28/22	Spoke with Rachelle, urged her to continue will clean up to avoid citation. Trailer has been loaded for some time, but not hauled away.

11/8/22 Verbal complaint from Pettack of smell coming from back yard  
Wrote Notice of Violation for MMC 8.04, 8.08 & 6.04, mailed certified

12/6/22 Certified Letter returned unclaimed for N.O.V. Sent copy of notice and letter stating immediate action required standard mail.

12/12/22 Letter received back from Antil explaining her situation.

12/21/22 Tried to speak with her to discuss as she requested in letter, unable to reach, unable to leave message.

1/09/23 Took photos of property. Left message to have Rachel contact me asap to discuss. Some improvement in the driveway area.

1/19/23 Citation #1128 for \$100 written and mailed regular mail to Rachel after no response from attempts to contact

2/8/23 Tried to contact Rachel Antil personally to go over violations.

3/13/23 Contacted Rachel to have her attend PC meeting.

3/15/23 PC gave 30 days for improvement and Citation #1128 to be paid before 4/19 PC meeting.

3/23/23 Citation paid.

4/1/23 trailer full of trash removed.

4/11/23 trailer filled again with rubbish, some improvement in front yard.

4/24/23 front yard clear of furniture.

5/10/23 Spoke with Skip Soule, asked if PC meeting happening.

6/12/23 Yard Check, good progress

6/26/23 NOV-Update sent certified requesting attendance to PC meeting and improvements still need to be made.

8/28/23 Citation #1129 sent via Certified Mail for failure to abate property.

10/16/23 Copies of citation and request for contact posted on door as failed to claim certified mail.  
Resent citation via certified mail again.

10/17/23 Took pictures of property showing no improvement and new accumulation of household rubbish in yard and under car cover in driveway.

11/9/23 Citaiton # 1131 for \$250 send certified mail for failure to abate violations.

## **CRAMER RUBBISH/NUISANCE**

### **121 N 8<sup>TH</sup> ST.**

10/24/23 Took pictures of property and send NOV to Laura Cramer for MMC 8.04 violations via certified mail.

11/6/23 Received proof of receipt back on mailing.

Vehicles removed via salvage slip.

October	3
November	4