



City of Grass Valley City Council Agenda Action Sheet

Title: Appeal of the Building Official's decision to red-tag two properties in the Central Business District (C-2) Zone, located at 2301 & 2307 Nevada City Highway (APN:035-610-009 & 035-610-010).

CEQA: Not a project.

Recommendation: Based upon the evidence in the public record, staff recommends that the City Council deny the appeal and uphold the Building Official's decision to red-tag 2301 & 2307 Nevada City Hwy due to Grass Valley Municipal Code and International Property Maintenance Code Violations.

Prepared by: Jon May, Building Official

Council Meeting Date: May 14, 2024

Date Prepared: May 7, 2024

Agenda: Public Hearing

Background Information: On April 16, 2024, the Grass Valley Building Department conducted a site visit with the Grass Valley Police Department. During the visit, several violations to the Grass Valley Municipal Code and the International Property Maintenance Code were observed. These violations are described in detail in Attachments 1 & 2. Amongst these violations, the City determined that subjects were occupying multiple unpermitted structures on the property. Additionally, due to downed power lines located laying in standing water in the backyard of 2301 Nevada City Hwy, PG&E responded and pulled power from the property as a safety measure. Both properties are currently still without power.

On May 1, 2024, Staff received an appeal challenging the Building Official's decision to red-tag two properties on Nevada City Highway. The appeal was timely filed within the 15-day appeal period following the Building Official's decision.

Appeal Description: The appeal states "I don't agree with the red tags and/or the order for myself or any of my roommates to vacate the property".

Staff response to challenge: A Notice of Violation was both mailed to all responsible parties and physically posted on April 16, 2024. In this notice, the City requested that the responsible parties abate the hazardous conditions no later than May 1, 2024, by taking the following action: 1. Immediately cease occupation of all structures on the property and 2. Obtain permits to remedy all violations outlined above. If unable to address all items in the allotted time frame, provide a detailed plan outlining how each violation will be addressed including a timeline. As of May 7, 2024, no efforts to abate the hazardous conditions have been made. On April 22, 2024, at approximately 1:40AM

a large structure fire occurred at 2307 Nevada City Hwy. Upon arrival, crews found an 800 square foot storage unit fully involved. Nevada County Environmental Health has deemed the fire debris to be hazardous waste and no cleanup has occurred. Due to the lack of progress on this property, the Building Department upholds their decision to condemn these properties as they are a public safety concern.

Council Goals/Objectives: A City Council decision on an appeal of a Building Official's decision supports the 2022 Strategic Plan Update Goal of Community Safety.

Fiscal Impact: None

Funds Available: Not applicable

Account #: N/A

Reviewed by: City Manager

Attachments:

- 1) 2301 Nevada City Hwy-Notice of Violation dated April 17, 2024
- 2) 2307 Nevada City Hwy-Notice of Violation dated April 17, 2024
- 3) Appeal Form
- 4) Site Photos